



LAWS
OF THE
STATE OF DELAWARE

PASSED AT A
SPECIAL SESSION

OF THE
NINETY-SIXTH GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Monday, March 11th, A. D. 1918

AND

In the Year of the Independence of the United States the One
Hundred and Forty-Second

AND

NINETY-SEVENTH SESSION

OF THE

GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 7th, A. D. 1919

AND

In the Year of the Independence of the United States the One
Hundred and Forty-Third

VOLUME XXX

THE STAR PUBLISHING CO.
Star Building
309 Shipley Street
Wilmington, Delaware
1919

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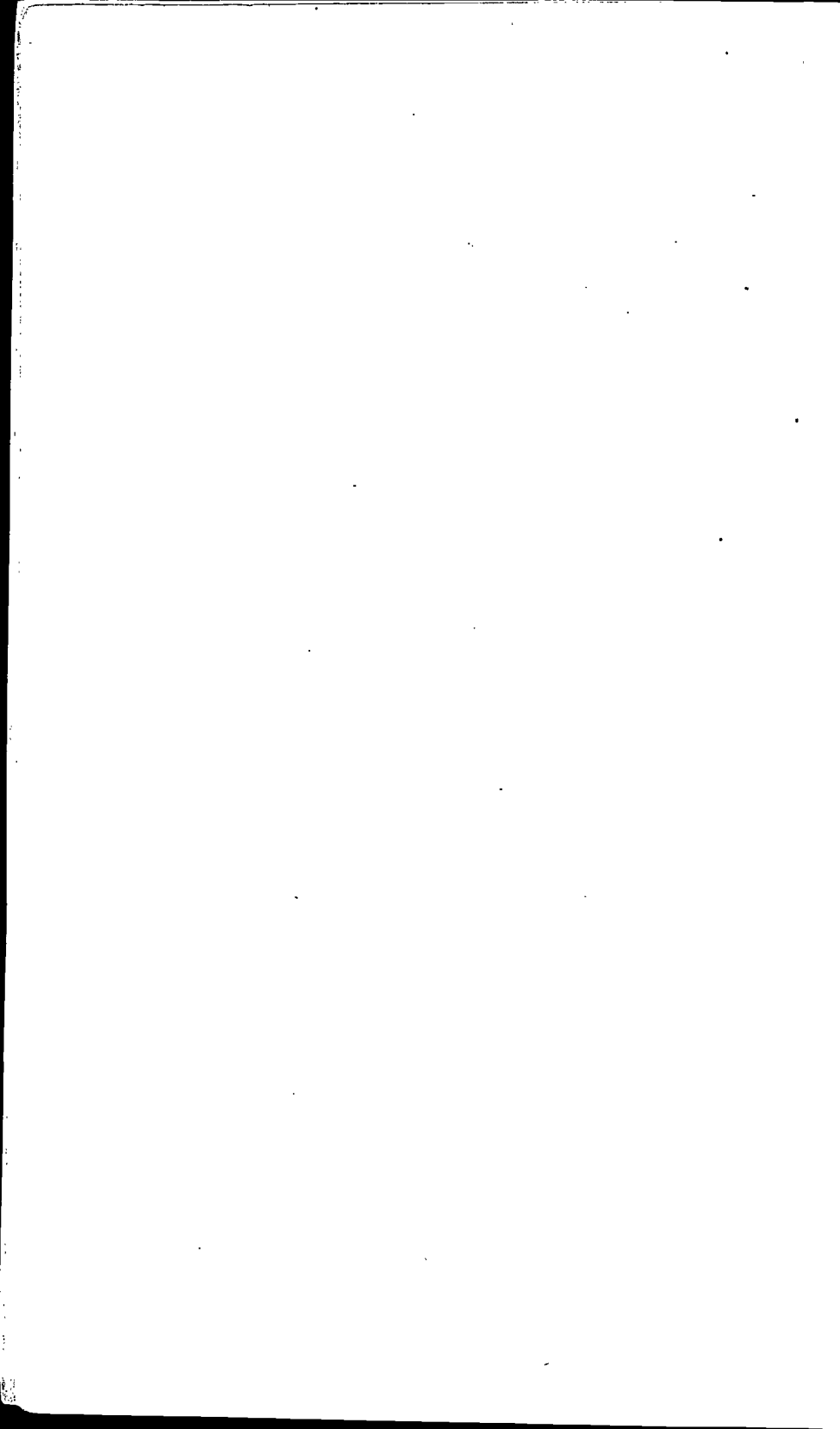
On Monday, March 11th, A. D. 1918

AND

**In the Year of the Independence of the United States the One
Hundred and Forty-Second**

VOLUME XXX—PART I

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LAWS OF DELAWARE

TITLE THREE

State Revenue and Supplies

CHAPTER 1.

STATE REVENUE.

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:

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:

John M. Walker.....	\$.50
E. L. Jones.....	2.40
H. C. Taylor.....	2.40
Diamond State Telephone Company.....	215.73
Mrs. W. R. Brown, typewriter rent.....	5.00
J. E. Beck.....	2.95
Austin Merritt.....	9.80
Mardelva Electric Co.....	1.50
Wm. Wicks.....	6.00
Chas. Zanders.....	8.25
J. R. Hunter.....	81.35
Delaware Republican.....	14.50
Wm. Mann Co.....	630.35
Wm. Mann Co.....	46.50
Dover Machine Co.....	80.00
Dover Machine Co.....	442.40
F. N. Buckingham.....	1.55
F. N. Buckingham.....	.72

STATE REVENUE.

J. S. Godwin.....	1.00
Delaware State News.....	104.00
The Index	1.25
Dover Lumber Co.....	7.15
T. K. Jones & Bro.....	10.52
Chas. M. Smith Co.....	37.00
Jas. W. Wise.....	10.32
M. M. Hirons typewriter rent.....	5.00
Chas. M. Smith.....	22.50
John A. Barnard.....	38.00
Aaron Perkins	19.00
Miss Mabel Moore.....	25.00
James B. Rice.....	384.00
John Waters.....	55.25
C. H. Molliston.....	15.00
Robt. Smith.....	15.00
Miss Elizabeth Collins, typewriter rent.....	5.00
Milford Chronicle	71.50
Oliver A. Newton.....	34.56
Ed. B. Brown.....	43.20
Chas. W. Mitchell.....	59.40
Ira L. Long.....	64.80
Harlan M. Joseph.....	64.80
Robt. H. Hollett.....	11.88
John A. Barnard.....	7.56
Chas. D. Murphy.....	18.36
Jos. Frazier.....	12.96
James B. Hickman.....	55.08
Thos. F. Gormley.....	54.00
John M. Walker.....	64.80
Harvey Hoffecker	56.16
Frank R. Poole.....	33.48
Edward Hart	20.52
Lt. Gov. Lewis E. Eliason.....	123.00
Lt. Gov. Lewis E. Eliason.....	45.36
Hervey P. Hall.....	12.96
Walter Rash.....	48.34
Andrew L. Cross.....	48.34
Henry C. Downward.....	48.34
John E. McNabb.....	48.34

STATE REVENUE.

Wm. M. Connelly.....	48.34
Geo. W. Webster.....	59.40
Willard S. Gregg.....	62.64
R. G. Buckingham.....	64.80
W. Truxton Boyce.....	59.48
Harry P. Ahern.....	45.36
Thos. J. Green.....	43.20
J. Griffith Ellison.....	35.64
Martin B. Burris.....	23.76
Joseph C. Hutchinson.....	23.76
John Tarburton.....	18.00
Daniel F. Loose.....	6.48
Edward C. Daly.....	19.60
Cooper Gruwell.....	17.28
Geo. B. Kersey.....	10.80
John W. Killen.....	11.62
G. W. Swain.....	18.36
Albert B. Peet.....	29.16
John Prettyman.....	36.76
Coulter Messick.....	34.56
Edwin H. Tindall.....	50.76
James T. Chipman.....	46.18
Samuel N. Culver.....	54.00
Silas J. Lewis.....	71.28
Daniel C. Hall.....	71.28
Geo. D. Marvel.....	61.28
Thos. J. Pritchett.....	43.20
Wm. H. Welch.....	52.92
State Board of Education, Contingent Fund.	1000.00

The Trustees of Delaware College for the
Maintenance of the Summer School for
Teachers, a Contingent Fund..... 1000.00

Approved April 25, A. D. 1918.

STATE REVENUE.

CHAPTER 2.

STATE REVENUE.

AN ACT prohibiting the sale or gift of intoxicating liquors of any kind to any person who is in the service of the United States, either Army or Navy, or anyone wearing the uniform of the United States Army or Navy service, and providing penalties for the violation of the same.

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

Section 1. That it shall be unlawful for any person or persons to sell, or to give away by any shift or device whatsoever, any intoxicating liquors of any kind to any person who is in the service of the United States, either Army or Navy, or anyone wearing the uniform of the United States Army or Navy service. Anyone violating the provisions of this Act shall be guilty of a misdemeanor and, upon conviction shall, for the first offense be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) and the cost of prosecution, and shall be imprisoned for a term not exceeding six months; and for each and every subsequent offense, shall be fined not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500) and the cost of prosecution, and shall be imprisoned for a term not less than six months, nor more than one year.

Section 2. That all prosecutions for any and all violations of the provisions of this Act shall be upon presentment and indictment to the Court of General Sessions of the several counties of this State, and any Justice of the Peace shall have the same authority to receive information for any violation thereof, and to hold to bail for appearance to said court, as is now exercised under the laws of this State in other matters of criminal nature.

Approved April 10, A. D. 1918.

TITLE FOUR

Public Arms and Defense

CHAPTER 3.

STATE COUNCIL OF DEFENSE.

AN ACT relating to the maintenance of the public safety and the vital enterprises within the State during the war period, and for that purpose creating the State Council of Defense and defining its powers and prescribing the duties under this Act of persons resident within the State during the said period, and fixing penalties for the non-observance of the provisions of this Act.

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

Section 1. In order to provide effective means of defense and preserving order within the State, and to insure the maximum output of agricultural and industrial products and the maintenance of vital enterprises during the period of the war in which the United States is now engaged, a council of defense for this State is hereby established, which shall be known as "The State Council of Defense" which shall consist of the Governor and six or more suitable persons, not to exceed fifteen, residents of this State, who shall be appointed by the Governor.

Section 2. The State Council of Defense shall continue in existence throughout the duration of the present war, and for six months after the said war shall be terminated by treaties duly ratified by the Senate of the United States, at which time the said Council shall be dissolved by proclamation of the Governor. All vacancies occurring in the said Council shall be filled by the Governor.

Section 3. The powers and duties of the said Council during its existence and until it shall be dissolved shall be:

STATE COUNCIL OF DEFENSE.

1. To enroll men not in the national army for carrying on agriculture and industries, and all necessary enterprises within the State, and with power to compel the performance of such labor, when they are violators of Section 4 of this Act, and to impose upon them such military or other services as shall be necessary to carry out the objects of this Act.
2. To encourage the production of all things necessary for the supplying of the national army and the civilian population, the maintenance of agriculture and all industries and enterprises essential to the interests of the State and Nation throughout the war, and until the said council shall be dissolved as aforesaid.
3. To co-operate and assist the council of national defense in the execution of its duties.
4. To co-operate with councils of defense and similar agencies in other states in so far as co-operation is in harmony with the council of national defense.
5. To promote within the State of Delaware such plans of national defense as are mutually agreed upon between it and the council of national defense.
6. To adopt, or if it shall see fit, to cause to be taken, a census and inventory of the resources of the State in men and materials, to make investigation and report to the Governor the location and availability of military supplies, and the location and capacity of railroads, automobiles and all other means of transportation and conveyance within the State so as to determine their availability for military purposes of the State, and to render possible the expeditious mobilization and concentration of State troops, and supplies at points of defense and military advantage.
7. To give information to producers of materials as to supplies needed by such military forces.
8. And in general to take such steps as may be, in the opinion of said council, necessary or advisable for the public defense

STATE COUNCIL OF DEFENSE.

and security; for the protection of routes of communication; for the public care and assistance of individuals and classes upon whom the hardships of war would fall most heavily; for the development of those resources of the State from which will be derived the supplies of food and other commodities upon which the conduct of war makes a special drain; and such other measures as may be necessary to meet the exigencies of all situations occasioned by war, if not in conflict with any rule promulgated by the National Council of Defense.

9. To appoint an advisory council within the State and such committees and local councils as it shall find expedient, which shall have such powers as the said council shall determine subject to be terminated at the discretion of the Council.

Section 4. It shall be the duty of every male resident of this State between the ages of eighteen and fifty-five years, who shall not be in the national army or a public officer, to be employed in a useful or lawful occupation during the said period, and every such person who shall not be so employed shall be subject to be assigned by the said council to such employment as the said council shall from time to time determine and at such compensation to be paid by the employer as the said council and employer shall agree to be reasonable and proper, provided, that the provisions of this act shall not apply to persons temporarily unemployed by reason of differences with their employers, nor to bona fide students during the school term, nor to persons fitting themselves to engage in trade or industrial pursuits.

Section 5. Any resident of this State who shall refuse to obey or shall fail to comply with any order of the said Council relating to any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than three hundred dollars, or imprisoned not exceeding three months, or both, at the discretion of the Court, provided that all prosecutions under the provisions of this Act shall be in the nature of an appeal, in which any matters which could have been urged by the Defendant against the issuance of said order by the State Council of Defense may be used as a defense

STATE COUNCIL OF DEFENSE.

in said prosecution, the right of a waiver of hearing and to bail being preserved in all cases, and all such prosecutions shall be handled expeditiously by the prosecuting officers and the Court.

Section 6. The said council shall have the power to subpoena witnesses and require their testimony, compel the production of account books and files and all documents relative to any investigation or matter which may be under consideration by it.

Section 7. It shall be the duty of every public officer in this State, excepting the members of the general assembly and of the judiciary, whenever directed by the said council to execute any of its orders for the preservation of the peace or the carrying out of any of the objects of this act.

Section 8. The said council shall employ such agents, assistants and clerical force as it shall find necessary or expedient.

Section 9. The members of the said Council shall serve without pay, and their expense while serving shall be paid by warrants drawn on the State Treasurer, when accompanied by proper vouchers specifying the expenditures, and countersigned by the Governor.

Section 10. The said Council is hereby authorized and empowered to draw upon the State Treasurer warrants, when accompanied by proper vouchers specifying the expenditures, countersigned by the Governor for such amounts as shall be necessary to effect the objects of this Act, which warrants shall be paid by the State Treasurer out of any unappropriated moneys in the treasury, provided that no outlay of money by the said Council or its Agencies shall be made or contracted for until approved by the Governor.

Approved April 8, A. D. 1918.

TITLE EIGHT

Elections

CHAPTER 4.

REGISTRATION OF VOTERS.

AN ACT to amend Chapter 56 of the Revised Code of the State of Delaware by providing for the appointment by the Governor of a number of Auxiliary Registrars for the purpose of registering Delaware boys in the Military Service, for election purposes.

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

Section 1. That 1650 Sec. 32, 1651 Sec. 33, 1652 Sec. 34, 1653 Sec. 35, 1654 Sec. 36, 1655 Sec. 37, 1656 Sec. 38, 1657 Sec. 39, be, and the same are hereby amended by striking out all of the said numbers, and inserting in lieu thereof, the following to be known as 1650 Sec. 32, 1651 Sec. 33, 1652 Sec. 34, 1653 Sec. 35, 1654 Sec. 36, 1655 Sec. 37, 1656 Sec. 38, 1657 Sec. 39.

1650 Sec. 32. The Governor of this State shall designate and appoint at the same time of appointing other registration officers of this State, as many qualified citizens of the State as Auxiliary Registrars of Voters, as he may deem necessary for the purposes herein prescribed, who shall qualify as other Registrars are required to do and whose duty it shall be to visit some time before the last Saturday in September, in any year in which a general election is held, all Military or Naval Encampments in this State or the United States, or in whatever part of the world they may be located, wherein citizens of this State shall be enlisted or engaged in the discharge of military duty, for the purpose of registering, as hereinafter provided for such citizens as voters of the Hundred or Election District in which they are entitled to be registered, as designated in Sec. 31

REGISTRATION OF VOTERS.

of this Chapter, *Provided*, that in the appointment of said Auxiliary Registrars by the Governor, the same number shall be appointed from each of the two principal political parties of the State, and in performing the duties herein prescribed, they shall work and travel in Boards of two, one from each of the said political parties.

1651. Sec. 33. APPLICATION FOR REGISTRATION DEEMED A PERSONAL APPLICATION WITHIN SECTION 4, ARTICLE V OF CONSTITUTION:—Upon application being made to be registered as a voter of any Hundred or Election District of this State, by any officer or enlisted man of any military organization, before any of said Auxiliary Registrars of Voters as provided for in the foregoing Section of this Chapter, such application shall be deemed and taken to be a personal application within the meaning of paragraph 3, Section 4, of Article V. of the Constitution.

1652. Sec. 34. NOTICE OF TIME OF VISITING CAMPS:—The Auxiliary Registrars herein provided for, shall notify the encampment or encampments of the time they will visit them for the purpose of registering voters, and they shall sit for registering during such hours of the day as shall be arranged to suit the convenience of such military organization.

1653. Sec. 35. RECORD OF APPLICANTS; HOW KEPT:—The Auxiliary Registrars shall make and keep a complete list of the names of all those applying to them to be registered, together with their qualifications as to age, birth, nativity, etc., in the same manner and detail as is required to be done on the books of registration kept by the Registrars sitting in the various Hundreds or Election Districts of this State.

1654. Sec. 36. SEPARATE LISTS FOR EACH ELECTION DISTRICT:—The Auxiliary Registrars shall make a separate and distinct list for each Hundred or Election District of this State of all those applying to them to be registered in such Hundred or Election District.

1655. Sec. 37. RETURN OF AUXILIARY REGISTRAR:—Immediately upon the completion of these lists of registration and

REGISTRATION OF VOTERS.

not later than the third Saturday next preceding the day of the next General Election, the Auxiliary Registrars shall make and certify under oath, and forward by registered mail or personal delivery, to the Registrars of the various Hundreds or Election Districts of this State, the names and qualifications as recorded by them of all those who applied to them to be registered in such Hundreds or Election Districts.

1656. Sec. 38. REGISTRARS OF ELECTION DISTRICTS TO ENTER ON REGISTRATION BOOKS THE NAMES RETURNED BY AUXILIARY REGISTRAR; CHALLENGE; REGISTRAR TO KEEP LIST; SUBJECT TO INSPECTION; REGISTRAR TO MAKE LIST OF THOSE REGISTERED AND NOT REGISTERED; APPEALS:—The Registrars of and for the respective Hundreds or Election Districts of this State, who shall receive any such list from any Auxiliary Registrars as herein provided for, shall open such list of voters during the first hour of the next succeeding meeting of the officers of registration for the purpose of registering. Then and there the Registrar shall in a clear and distinct voice, audible to those in the room and as well as those about the window, where voters are gathered for the purpose of being registered, read the name of each voter so returned by the Auxiliary Registrars for registration. Every name shall be entered upon the books of registration kept in and for such Hundred or Election District, if it is found that the person represented by such name would have been qualified to have appeared there in person and been registered. But any member of the Board of Registration or any qualified voter of the Election District may challenge the registering of the names upon the book of registration, for the Hundred or Election District; and the question of the right to register such name shall be determined by the registration officers just as they are authorized to determine like questions concerning those who present themselves before them there in the Election District. The Registrar shall keep complete and inviolate the list of names and qualifications just as he received them from the Auxiliary Registrars, but such list shall always be subject to the inspection of the qualified voters of the Election District, provided it shall not be taken from the possession of the Registrar.

REGISTRATION OF VOTERS.

The Registrar of the Election District shall also make and keep for the inspection of the voters of his Election District a list of all those names which he has received from the Auxiliary Registrars and which have been granted registration on the books of that Hundred or Election District, and he shall also keep another separate list of all the names so received by him which have been denied registration upon said books, and those lists shall in like manner be at all times subject to the inspection of the qualified voters of that Hundred or Election District. And from the action of the Registration officers in so granting or refusing registration to any name received from the Auxiliary Registrars any Registration officer or interested person may appeal as provided for in Section 4 of Article V of the Constitution.

1657. Sec. 39. COMPENSATION OF AUXILIARY REGISTRARS; HOW PAID:—The Auxiliary Registration officers provided for by this Chapter shall receive such compensation per day as is allowed to Registrars sitting in the various districts of this State, and he shall be allowed and paid by the State Treasurer such an amount for traveling expenses as shall be approved by the State Auditor upon vouchers presented him, *Provided*, that all appeals for an absent member of the military force may be taken by his attorney, as effectually as by himself, and in all appeals from the registration of any citizen absent in the military service, defense can be made as effectually by his attorney as if he were present in person.

Approved April 10, A. D. 1918.

TITLE NINE

Corporations

CHAPTER 5.

RENEWAL AND REVIVAL 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 (two-thirds of all the members elected to each House of the General Assembly concurring therein):

Section 1. That any corporation 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. 1919, 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, or the officers performing the functions of President and Secretary, or by such officers to be elected as hereinafter provided, duly sworn or affirmed to by such officers.

Such certificate shall set forth:

1. The name of the corporation, which name shall be the same name it bore when the charter expired or was attempted to be renewed.
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 AND REVIVAL OF CHARTERS.

3. The date when such renewal or revival is to commence, which shall be prior to the date of the expiration of the charter which it is desired to renew, or prior to the date when it was attempted to renew the charter; whether or not such renewal is to be perpetual, and if not perpetual, the time for which such renewal is to continue.

4. That the corporation desiring to renew and so renewing its charter was duly organized and carried on the business authorized by its charter until the day of 1 , at which time its charter expired by limitation through inadvertence and oversight on the part of the corporation, or in the case of a corporation whose charter has been renewed but not in strict compliance with the provisions of the General Corporation Law, that it was duly organized and carried on the business authorized by its charter until the day of 1 , at which time its charter was renewed but not in strict compliance with the provisions of the General Corporation Law; and that this certificate is filed by the authority of those who were directors or managers of the said corporation at the time its charter expired and who under the laws of this State and by virtue thereof became its trustee, or who were elected Directors of said corporation as hereinafter provided.

Section 2. Such certificate shall be filed, copied, recorded and dealt with, and in all respects shall have the same force and effect as if such certificate had been filed by such corporation before the expiration of its charter, under the provisions of Chapter 65, Revised Statutes of the State of Delaware.

Upon such revival and renewal, or confirmation of renewal, all acts, matters and things done and performed by such corporation within the scope of its charter, since the expiration of the same, or since the attempted renewal of its charter, shall be and hereby are expressly ratified and approved, and all real and personal property, rights and credits, which were of the said corporation at the time of the expiration of its charter, and which have not been disposed of, shall be vested in and restored to the renewed and revived corporation as fully and amply as

RENEWAL AND REVIVAL OF CHARTERS.

they were held by 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, or the officers performing the functions of 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.

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 said corporation, and duly attested by its last or acting Secretary, or the officer performing the function of Secretary, an acceptance of the provisions of the present Constitution of this State.

Section 5. That if the last President and Secretary, or the officers performing the functions of President and Secretary, or either of them, of any such corporation so desiring to renew its existence, should be dead at the time of such renewal, the directors of such corporation, or the survivors of them, if not less than three, may elect a successor to such deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and if less than three directors of such corporation shall be living when it is desired to effect a renewal of such corporate existence, then the stockholders of such corporation may elect as many directors as may be necessary (together with the surviving directors or director, if any) to constitute a board of three directors; and such board may elect a successor to the deceased president or secretary, or the officers performing the

RENEWAL AND REVIVAL OF CHARTERS.

functions of president and secretary, or successors to both, if both be dead, and may authorize the execution of the Certificate of Renewal, as hereinbefore provided, but may not perform or exercise any other office or function. A meeting of the directors of the corporation, or of the survivors of them, or of the board, as elected wholly or partly by the stockholders as provided in this Section, may be called by any director upon ten days' written notice, delivered personally to, or mailed to the last known postoffice address of, every other director; and a meeting of the stockholders for the purpose of electing directors, as aforesaid, may be called by any stockholder upon ten days' written notice, delivered personally to, or mailed to the last known postoffice address of, every other stockholder. The President and Secretary, or the officers performing the functions of president and secretary, so elected may take all steps and do all things necessary and proper to be done for the renewal of the existence of such corporation as hereinbefore provided, and their acts in furtherance of such renewal shall be as valid and effective as if performed and done by the last president and secretary, or the officers performing the functions of president and secretary, of such corporation. After a renewal of the existence of such corporation shall be effected, the last president, or the officer performing the functions of president, or his successor, elected as provided in this Section, shall forthwith call a meeting of the stockholders of such corporation, upon such notice as is required by the Certificate of Incorporation, Charter or by-laws, for a regular meeting thereof, and at such meeting the stockholders shall elect a full board of directors, in accordance with the Certificate of Incorporation or Charter. Such board shall thereupon elect officers, and assume control of the business and affairs of the corporation, as prescribed by the Certificate of Incorporation or Charter.

Section 6. Provided, however, that this Act shall not apply to any Life or Fire Insurance Company, or other Company engaged in the insurance business.

Approved April 25, A. D. 1918.

CITIES AND TOWNS.

CHAPTER 6.

CITIES AND TOWNS.

AN ACT to amend Chapter 193, Volume 23, Laws of Delaware, as amended by Chapter 163, Volume 29, Laws of Delaware, by giving additional powers to the Council of "The Town of Milton."

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 to each branch concurring therein):

Section 1. That Chapter 163 of Volume 29, Laws of Delaware, be and the same is hereby stricken out, and the following inserted in lieu thereof :

"At the first meeting of the Council, after the annual election, the Town Council of "The Town of Milton" may, by a majority vote, elect an Alderman with the same judicial powers that the Mayor of said "The Town of Milton" now has.

At said first meeting of the Town Council, after the annual election, the said Town Council shall also elect a President Pro Tempore, who shall preside at all meetings of the Town Council, during the absence of the Mayor."

Approved April 8, A. D. 1918.

TITLE ELEVEN

Education

CHAPTER 7.

FREE SCHOOLS.

AN ACT prescribing physical training for the school children of the State and creating the Physical Training Commission to inaugurate a system of physical training for school children.

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

Section 1. That from and after the passage of this act, the school children of this State shall receive physical training, the character and method of which shall be as prescribed from time to time by the State Board of Education, and a Commission is hereby created to be known as "The Physical Training Commission," whose duty shall be to devise a system of physical training, and inaugurate the same in the schools of this State, subject to the direction of the State Board of Education.

Section 2. The said Commission shall consist of the Governor and four suitable persons, to be appointed by the Governor, who shall serve without pay.

The functions of the said Commission shall cease when a system of physical training shall have been inaugurated, as provided in Section 1 of this Act.

Approved April 10, A. D. 1918.

FREE SCHOOLS.

CHAPTER 8.

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):

That Chapter 170 of the Laws of Delaware, approved March 15th, A. D. 1915, be and the same is hereby amended by repealing Section 1 thereof and inserting in lieu thereof the following:

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.

Approved April 8, A. D. 1918.

TITLE NINETEEN

Courts

CHAPTER 9.

GENERAL PROVISIONS CONCERNING COURTS.

AN ACT in relation to the compensation of the Bailiffs of the Courts of the State, holding such office in New Castle County.

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

Section 1. That on and after the first day of April, A. D. 1918, the Bailiffs of the Courts of the State of Delaware, holding such offices in New Castle County shall each receive a salary of six hundred dollars (\$600.00) per year, payable semi-monthly, in the same manner as the salaries of other county officers are paid, in lieu of four hundred and twenty dollars (\$420.00) now allowed them.

Section 2. That each person who has been acting as Bailiff of the Courts of the State of Delaware, holding office in New Castle County, shall receive in addition to his salary of thirty-five dollars (\$35.00) per month, the further sum of fifteen dollars (\$15.00) per month, covering the period from the first day of July, A. D. 1917, until the first day of April, A. D. 1918, or such part of said period as he shall have held said office, the same to be paid in the same manner as the salaries of County officers are paid.

Approved April 8, A. D. 1918.

RESOLUTIONS

CHAPTER 10.

Joint Resolution Ratifying the proposed Amendment to the Constitution of the United States of America, Prohibiting the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all Territory subject to the jurisdiction thereof for beverage purposes, and giving to the Congress and the several States concurrent power to enforce the same by appropriate legislation.

WHEREAS, the Congress of the United States has proposed an Amendment to the Constitution of the United States of America, as follows:

"Section 1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by The Congress."

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

RESOLUTIONS.

That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the legislature of the State of Delaware.

And be it further resolved, that certified copies of this preamble and joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

Approved March 26, A. D. 1918.

RESOLUTIONS.

CHAPTER 11.

SENATE CONCURRENT RESOLUTION No. 1.

WHEREAS, since the creation of the State Highway Department, the country has become involved in the European War and the new Department has found itself confronted by a scarcity of labor and materials and unexpected high cost of carrying out its work; and

WHEREAS, it is uncertain how long such conditions may continue and how seriously the welfare of the people may be affected by a long delay in the improvement of our roads, and it is considered to the public advantage that the State Highway Department should have some expression of the views of the people of the State through their representatives in the General Assembly;

Now, therefore, be it resolved, by the Senate (the House of Representatives concurring therein) that the State Highway Department shall be expected to proceed as rapidly as possible with the carrying out of its program and especially with the improvement of such roads as shall be of use for military purposes or for the transportation of food and supplies to and from the State, notwithstanding the difficulties and extraordinary expense which may be involved therein as a consequence of the War.

Approved April 10, A. D. 1918.

RESOLUTIONS.

CHAPTER 12.

SENATE CONCURRENT RESOLUTION No. 2.

A Concurrent Resolution authorizing the State Librarian to furnish and transmit to the Attorney-General of the State of Delaware copies of the State Judicial Reports, and State Chancery Reports.

Be it resolved by the Senate, the House concurring therein, that the State Librarian be, and he is, hereby authorized and directed to furnish, and transmit to the Attorney-General of the State of Delaware, at his office in New Castle County, copies of all the State Judicial Reports, and also copies of all the State Chancery Reports now in the office of said State Librarian, or hereafter to be received in his office, said books to be and remain in the office library of the Attorney-General, and not to be removed therefrom.

Approved April 25, A. D. 1918.

RESOLUTIONS.

CHAPTER 13.

HOUSE CONCURRENT RESOLUTION No. 3.

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

That no Bill shall be received and no subject considered by either House of the General Assembly during the present Special Session of the General Assembly, except Bills with reference to the subjects embodied in the Proclamation of the Governor, convening the General Assembly in Special Session.

Approved March 19, A. D. 1918.

RESOLUTIONS.

CHAPTER 14.

HOUSE CONCURRENT RESOLUTION No. 4.

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

That the General Assembly on Friday, the 29th day of March, A. D. 1918, at 2 o'clock P. M., adjourn *sine die*.

Approved April 10, A. D. 1918.

PROCLAMATION OF THE GOVERNOR

PROCLAMATION.

STATE OF DELAWARE.

By virtue of that authority granted in Section 16 of Article III of the Constitution of the State of Delaware, providing that

"He (the Governor) may on extraordinary occasions, convene the General Assembly by proclamation;"

I, John G. Townsend, Jr., Governor of the State of Delaware, do issue this, my Proclamation:

That the General Assembly of the State of Delaware shall convene at Dover, the Capitol of the State, on Monday, the eleventh day of March, A. D. 1918, at 12 o'clock noon, to consider and act upon the following matters of State and National importance:

I. To consider ways and means whereby the State of Delaware can better co-operate with the National Council of Defense and more effectively render assistance to the National Government in the prosecution of the War now existing, and further to provide for and fix definitely the appropriations of funds to meet the expenses necessarily incident thereto.

II. To consider and act upon a Joint Resolution, proposing an Amendment to the Constitution of the United States, viz.:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following Amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

PROCLAMATION.

"ARTICLE

"Section 1. After one year from the ratification of this Article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"Sec. 2. The Congress and the several States shall have concurrent power to enforce this Article by appropriate legislation.

"Sec. 3. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

III. To consider and effect into legislation such laws whereby all citizen labor may be made available for the production of foods and materials, so essential in this emergency.

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

By the Governor:

JOHN G. TOWNSEND, JR.
EVERETT C. JOHNSON,

Secretary of State.

LAWS
OF THE
STATE OF DELAWARE

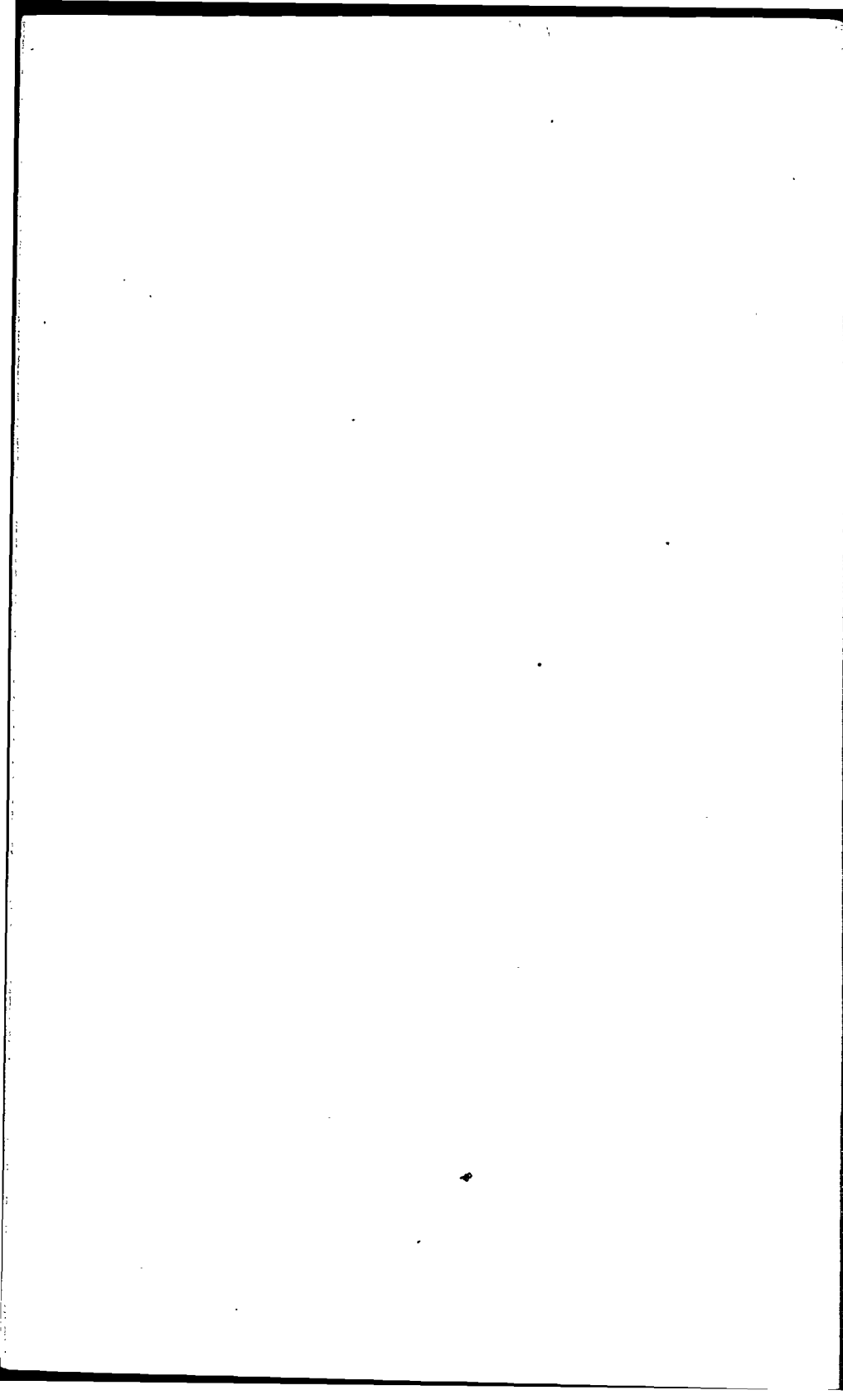
PASSED AT THE
NINETY-SEVENTH SESSION OF THE
GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER
ON TUESDAY, JANUARY 7th, A. D. 1919

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
THE ONE HUNDRED AND FORTY-THIRD

VOLUME XXX—PART II



LAWS OF DELAWARE

TITLE ONE

Construction of Statutes

CHAPTER 15.

AMENDMENT TO CONSTITUTION.

AN ACT agreeing to the proposed amendment of Section 15 of Article II of the Constitution of the State of Delaware relating to the compensation of the members and presiding officers of the General Assembly proposed in the Senate and agreed to by two-thirds of all the members elected to each House of the ninety-sixth General Assembly.

WHEREAS, an Amendment to the Constitution of the State of Delaware was proposed in the Senate in the Ninety-sixth session of the General Assembly, as follows:

“An Act Proposing an Amendment to Section 15, of Article II, of the Constitution of the State of Delaware, Relating to the Compensation of the Members and Presiding Officers of the General Assembly.

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 15 of Article II of the Constitution of the State of Delaware be amended by striking out all of the first paragraph of the said Section 15 of Article II, and inserting in lieu thereof the following:

“The members of the General Assembly, except the presiding officers of the respective Houses, shall receive as compensation for their services a per diem allowance of ten dollars, and the presiding officers a per diem allowance of twelve dollars for

AMENDMENT TO CONSTITUTION.

each day of the session, not exceeding sixty days; and should they remain longer in session they shall serve without compensation. In case a special or extra session of the General Assembly be called, the members and presiding officers shall receive like compensation for a period not exceeding thirty days."

AND WHEREAS the said proposed amendment was agreed to by two-thirds of all the members elected to each House in the said Ninety-sixth session of the General Assembly;

AND WHEREAS the said proposed amendment was published by the Secretary of State three months before the then next general election to wit: the general election of 1918, in three newspapers in each County in the State of Delaware;

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

Section 1. That the said proposed amendment be and it is hereby agreed to and adopted and that the same shall forthwith become and be a part of the Constitution.

Approved February 6, A. D. 1919.

AMENDMENT TO CONSTITUTION.

CHAPTER 16.

AMENDMENT TO CONSTITUTION.

AN ACT to Amend Section 17 of Article 4 of the Constitution of the State of Delaware, permitting the Chief Justice or any Judge of the Superior Court of the State of Delaware, to grant restraining orders and preliminary injunctions pursuant to the Rules of the Court of Chancery, during the absence from the State or temporary disability of the Chancellor.

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 17 of Article 4, of the Constitution of the State of Delaware be, and the same is hereby amended, by striking out said section and inserting in lieu thereof a new Section, to be known as Section 17, as follows:

Section 17. The Chief Justice or any Judge of the Superior Court of the State of Delaware shall have power, in the absence of the Chancellor from the County where any suit in equity may be instituted, or during the temporary disability of the Chancellor, to grant restraining orders, and the Chief Justice or any Judge of the Superior Court of the State of Delaware shall have power, during the absence of the Chancellor from the State or his temporary disability, to grant preliminary injunctions, pursuant to the rules of the Court of Chancery; provided that nothing herein contained shall be construed to confer general jurisdiction over the case.

Approved April 10, A. D. 1919.

TITLE TWO

Jurisdiction and Property of the State

CHAPTER 17.

INDIAN RIVER INLET.

AN ACT providing for opening an Inlet for Indian River and Rehoboth Bay to be known as the Indian River Inlet.

WHEREAS, the Commission appointed under Senate Joint Resolution No. 3 of the Ninety-seventh General Assembly to view and report upon the condition of Indian River Inlet has made a report showing that the said Inlet is entirely closed and that the body of water known as Indian River Inlet and Rehoboth Bay of an area of twenty-five square miles is thus rendered of no value for fishing purposes and constitutes a menace to the health of the State and recommending the opening of an Inlet into said body of water; now therefore

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

Section 1. That the Commission appointed under Senate Joint Resolution No. 3 of the Ninety-seventh General Assembly consisting of Asa Bennett, Robert H. Hollett and William H. Danzenbaker, be and the same is continued until the end of the Ninety-eighth General Assembly; and the said Commission shall proceed to open an Inlet from the Atlantic Ocean to the body of water known as Indian River and Rehoboth Bay. The said work shall be done under the supervision of the Chief Engineer of the State Highway Department and shall be paid for out of moneys paid into the said Commission by private contributions and moneys hereinafter appropriated.

INDIAN RIVER INLET.

Section 2. The said Commission shall have power to select the location and course of the said Inlet and to determine all the details of the opening thereof. The said Commission shall also endeavor to obtain Federal aid for the construction of said Inlet.

Section 3. The appropriation heretofore made under Senate Joint Resolution No. 3 is hereby continued for the use of the said Commission and there is hereby appropriated such sum or sums as the said Commission shall require for the proper construction of said Inlet not exceeding the sum of Five Thousand Dollars, which shall be paid by the State Treasurer on warrants drawn by the said Commission or a majority of them.

Approved April 2, A. D. 1919.

STATE HOUSE.

CHAPTER 18.

STATE HOUSE.

AN ACT providing for the erection of a building as a Memorial to the Soldiers and Sailors of Delaware.

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

Section 1. That the Governor of the State of Delaware be and he is hereby authorized and directed to name, within sixty days after the approval of this Act, not less than four and not more than eight persons who, together with the Governor, shall be known as "the Commission for the erection of a building in memory of the soldiers and sailors of Delaware."

Section 2. The Commission so constituted is hereby authorized, empowered and directed to construct, and equip a building as a memorial to all the soldiers and sailors of Delaware who served in any of the wars of the United States during its entire history. The said building shall be erected on the lot recently acquired by the State on which is now located the building known as "The County Building" on the Greene in the Town of Dover; the building so erected to be a wing, annex or addition to the State House, and to be used for State offices and administrative purposes, and to express in some appropriate manner its object of commemorating the patriotic services of the Delaware soldiers and sailors aforesaid, and to conform architecturally with the State House.

Section 3. The members of the Commission shall receive no salaries or other compensation for their services, but shall be reimbursed for actual expenses incurred in connection with their duties as members of said Commission.

STATE HOUSE.

All vacancies occurring in the Commission shall be filled by appointment by the Governor of the State.

The duties of the said Commission shall include the erection and completion of the building aforesaid, the equipment of such building with necessary fixtures for heating and lighting, the furnishing and decorating the same, the destruction and removal of the building now occupying the said site, or the utilization of the same or such part thereof for the new building, as the said Commission shall deem proper, and the making of such alteration to the present State House as shall be necessary or proper to enable the new building to be used in connection therewith.

Section 4. After approval of this Act the Commission shall immediately organize and shall employ a capable architect and proceed as speedily as possible to have necessary drawings and specifications prepared for the construction and decoration of said building said drawings to include plans for lighting, heating, decorating and furnishing the same. Said Commission shall let contracts for the execution of the work authorized by this Act by public advertising to the lowest, best and most responsible bidder, and shall have the right to reject any and all bids; and shall require all contractors to give bonds, satisfactory to said Commission, at least equal to one-half the amount of the respective contracts.

Section 5. The total aggregate cost for the construction, equipment and decoration of such building and for the necessary alterations to the State House, the performance of all other work hereby authorized, including all fees, commissions, salaries and expenses of all kinds for the Commission, counsellors and attorneys, engineers, experts, architects, superintendents, clerks and other employees shall not exceed the sum of one hundred and twenty-five thousand dollars. All payments on account of said work shall be made by the State Treasurer upon warrants drawn by the State Auditor from time to time upon the presentation to him of specifically itemized vouchers approved by the Chairman and Secretary of said Commission.

STATE HOUSE.

Section 6. Said Commission shall use its best endeavor to complete all their duties and work by the first day of January, A. D. one thousand nine hundred and twenty-one. It shall have the power to allot and assign and reassign any and all rooms or portions in said building or in the State House, including the recent addition, to the various State Offices and Departments after a thorough study of the available space and the needs and requirements of each State Office or Department. The Commission shall render to the next General Assembly, sitting in the year 1921, a full report of its proceedings under the provisions of this Act.

Section 7. That the sum of one hundred and twenty-five thousand dollars be and the same is hereby appropriated out of the State Treasury to be paid by the State Treasurer upon warrants drawn as hereinbefore provided.

Approved April 2, A. D. 1919.

STATE LIBRARY.

CHAPTER 19.

STATE LIBRARY.

AN ACT to amend Chapter 5 of the Revised Code of the State of Delaware, by increasing the Contingent Fund of the State Librarian.

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 striking out all of 30, Section 8 thereof and inserting in lieu thereof the following new Section, to be styled 30. Section 8.

30. Section 8. The Librarian shall be allowed a contingent fund of eight hundred and fifty dollars per year to defray the current expenses and clerk hire of the State Library.

The Librarian shall present vouchers to a Committee of the Legislature, appointed at a biennial or adjourned Session to settle with the State Librarian, and said vouchers shall show how the money appropriated was expended.

Approved April 2, A. D. 1919.

TITLE THREE

State Revenue and Supplies

CHAPTER 20.

STATE REVENUE.

EXPRESS COMPANIES.

AN ACT to Amend Chapter 6, of the Revised Statutes of the State of Delaware, relative to express companies doing business in this State.

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

Section 1. That Chapter 6, of the Revised Statutes of the State of Delaware, be and the same is hereby amended by inserting after Section 26, of said Chapter, being Code Section 63, the following new Section, namely:

63 A. Sec. 26. That from and after the passage of this Act, it shall be unlawful for any Express company now doing business in this State, or which hereafter shall engage in business in this State, (which said company shall have by any means whatever assumed control of any other company or any unincorporated association of persons), to transact any further business of any character until such company so assuming control of the business of any other company or unincorporated association of persons as aforesaid shall have first deposited with the State Treasurer of this State, the sum of Five Thousand Dollars, to be by the said State Treasurer held for the protection of the creditors of the company or unincorporated association of persons whose business has been so assumed. The sum of Five Thousand Dollars shall be subject to any attachment law or laws of the State of Delaware, or any lawful writ of execution issued under the laws of this State.

EXPRESS COMPANIES.

The said sum of Five Thousand Dollars shall be maintained in the custody of the State Treasurer by further deposits thereto as the same is depleted by payments to such creditors until such time as the various debts due creditors in this State shall have been barred by the several acts of legal limitation in the State of Delaware. Any Express Company violating any of the provisions of this Act shall thereby forfeit its license to transact business in this State, and shall then be subject to the imposition of the penalties imposed by Section 20 of said Chapter 6 of the Revised Statutes of the State of Delaware, should such company thereafter continue to transact business in this State as an Express Company.

Approved April 9, A. D. 1919.

INSURANCE COMMISSIONER.

CHAPTER 21.

STATE REVENUE.

INSURANCE COMMISSIONER.

AN ACT to amend 87, Section 50 Chapter 6 of the Revised Code relative to accounting and deposit of money by the Insurance Commissioner and the audit of his accounts.

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 be amended by striking out all of 87, Section 50 and inserting in lieu thereof the following:

"87. Section 50. Insurance Commissioner; Annual Accounting of; When made; Audit of accounts of; Deposit receipts of:—The Insurance Commissioner of Delaware shall on the first Tuesday of each month or within five days thereafter, plainly state under his hand, a full and true account of all money by him received or for which he is accountable under the provisions of the Statutes of this State, and the accounts and all the transactions of the office of the Insurance Commissioner shall at the time stated be examined and audited by the Auditor of Accounts. After the auditing and examination of his accounts as aforesaid, the said Insurance Commissioner shall immediately thereafter turn over to the State Treasurer the full amount of money in his hands as shown by said account and audit, and it shall be the duty of the State Treasurer to give the Insurance Commissioner a proper receipt therefor. The Insurance Commissioner shall keep vouchers for all the transactions in his office and shall issue receipts for moneys paid into his office on printed forms numbered in rotation. All his transactions shall be indexed both as to number and name and the vouchers and receipts shall be submitted to the Auditor at each monthly settlement."

Approved April 2, A. D. 1919.

INTOXICATING LIQUOR.

CHAPTER 22.

STATE REVENUE.

INTOXICATING LIQUOR.

AN ACT to provide for the refunding of a proportion of liquor license fees when the business for which such licenses are taken out, is declared unlawful during the continuance of the license.

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

Section 1. That in case, the manufacture and sale of intoxicating liquors shall be declared unlawful by Statute or Constitutional provision of the State of Delaware or of the United States of America, the State Treasurer is hereby authorized and directed to refund to the respective holders of liquor licenses in this State whose business by reason of such Statutory or Constitutional provision is made unlawful, a proportionate part of the license fees paid by the several holders of such licenses. The proportion of said license fees to be refunded as aforesaid shall be determined by calculating the time when the respective licenses by their terms would have yet to run and be operative after the date when the business for which the licenses were granted shall become unlawful under any such Statute or Constitutional provision, and the part to be refunded shall bear the same proportion to the fees paid for each license as the time unexpired when the said business shall become unlawful as aforesaid shall bear to the period for which said license was granted. For the purpose of ascertaining the portion of said several liquor licenses to be refunded as aforesaid, the several holders of such liquor licenses shall procure from the Clerk of the Peace, in the County in which said liquor license was originally granted, a certificate of such Clerk of the Peace, under the Seal of such County, stating the date of the granting of such

INTOXICATING LIQUOR.

license, the period for which said license was granted and the date upon which said license would in due course of law expire, and file the same with the said State Treasurer. The said several Clerks of the Peace shall be entitled to receive for the making of each of said certificates a fee of fifty cents. The State Treasurer shall accept said certificates as conclusive evidence of the facts therein stated, and shall pay out of the State Treasury, to such liquor license holders, the said proportion of such liquor license fees, so to be refunded, upon the presentation of said certificates, and the calculation of the amount to be refunded as aforesaid. The State Treasurer shall take from such liquor license holders upon his payment of the money so refunded to them, their several receipts therefor, which shall be endorsed upon the certificate aforesaid.

Approved April 2, A. D. 1919.

MERCHANTS.

CHAPTER 23.

STATE REVENUE.

MERCHANTS.

AN ACT to amend Chapter 6 of the Revised Code of Delaware, as amended by Chapter 11, Volume 29, Laws of Delaware, relative to merchant's license, by fixing the amount of license to be paid by buyers, sellers and shippers of grain, fruits and vegetables by the wholesale.

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 Delaware, as amended by Chapter 11, Volume 29, Laws of Delaware, be, and the same is, hereby amended by adding thereto immediately after 198, Section 161, the following section, to be known as 198-A, Section 161-A:

198-A, Section 161-A: The provisions of the last foregoing section shall not apply to persons, associations of persons, firms or corporations engaged in the business of buying, selling and shipping grain, fruits and vegetables by wholesale: But all such desiring to so engage, or to continue so engaged, shall annually, on or before the first day of June, take out a license to engage in, prosecute, follow and carry on the said business and occupation, for which he, she, it or they shall pay, for the use of the State, to the Clerk of the Peace of the County in which such person, association of persons, firm or corporation, is engaged and desires to continue so engaged, the sum of five dollars.

Every person, association of persons, firm or corporation so engaged, shall, on or before the first day of June, annually, file with the said Clerk of the Peace, a true statement of the aggregate cost value of the commodities which he, she, they or it shall have purchased for sale or shipment in said business or occupa-

MERCHANTS.

tion during the year next preceding, which statement shall be verified by the oath or affirmation of such person, or by some one member of such association or firm, or by the president or other presiding officer of such corporation, to be made before and certified by any person, who by the laws of this State, is duly authorized to administer the same: And shall pay to said Clerk of the Peace for the use of the State, a further tax, which, together with the tax theretofore paid upon taking out said license, shall aggregate a sum equal to twenty cents for every one thousand dollars of the cost value of the commodities purchased in the period covered by said statement. In case any person, association of persons, firm or corporation, not having been so engaged during the year next preceding, and desiring to engage in said wholesale business, beginning at a period subsequent to the first day of June, shall, before commencing said business or occupation, take out a fractional license which shall expire on the first day of June next after the date of its issuance, first paying to the said Clerk of the Peace for the use of the State, the sum of five dollars; and shall, on the first day of June next thereafter, file with the said Clerk of the Peace a true statement, verified by oath or affirmation as aforesaid, of the cost value of the commodities purchased in said business during the period covered by said fractional license: And shall pay to the said Clerk of the Peace, for the use of the State, a further tax, which, together with the tax theretofore paid upon taking out said fractional license, shall aggregate a sum equal to twenty cents for every one thousand dollars of the cost value of the commodities purchased in the period covered by said fractional license. If any person, association of persons, firm or corporation shall engage in, prosecute, follow or carry on, within the limits of this State, the said business of buying, selling and shipping grain, fruits and vegetables by wholesale, without having first obtained therefor a license in accordance with the provisions of this Act, such person, and each and every person composing such association or firm, and the president, officers and directors of such corporation, shall be guilty of a misdemeanor, and upon conviction thereof shall be liable for the payment of said tax and a fine not to exceed five hundred dollars.

Approved April 2, A. D. 1919.

HUCKSTERS AND PEDDLERS.

CHAPTER 24.

STATE REVENUE.

HUCKSTERS AND PEDDLERS.

AN ACT to amend Chapter 6 of the Revised Code relating to hucksters' and peddlers' license.

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 be and the same is hereby amended by repealing 215, Sec. 178 of said Chapter and insert in lieu thereof a new section to be styled 215, Sec. 178, as follows:

215, Sec. 178. CERTAIN HONORABLY DISCHARGED SOLDIERS AND SAILORS EXEMPT FROM HUCKSTERS' AND PEDDLERS' LICENSE:—The provisions of this Chapter relating to Hucksters' and Peddlers' License shall not apply to any honorably discharged soldier or sailor of the United States Military or Naval Forces, who shall have been disabled in such service, resident of the State of Delaware, provided however, that such honorably discharged soldier or sailor disabled in the service as aforesaid when engaged in the occupation of Huckster or Peddler shall at all times carry a certificate of his discharge in lieu of a license for the inspection of any officer entitled to the inspection of such licenses.

Approved March 20, A. D. 1919.

MOTOR VEHICLES.

CHAPTER 25.

STATE REVENUE.

MOTOR VEHICLES.

AN ACT to amend 234, Sec. 197 of Chapter 6 of the Revised Code of Delaware in relation to the fees to be paid for the registration of motor vehicles.

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

Section 1. That 234, Sec. 197 of Chapter 6 of the Revised Code of Delaware be and the same is hereby repealed and in lieu thereof the following is hereby enacted and substituted:

"234. Sec. 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, of this Chapter, shall, annually apply to the Secretary of State for the registration of said motor vehicles. The application shall be made upon blanks provided for the purpose by the Secretary of State and shall contain the name, place or residence and correct postoffice address of the owner with a brief description of the motor vehicle stating the name of the maker, the manufacturer's number, the character of motor power and the rated horse-power of such motor vehicle, the weight of said motor vehicle, and, if its use is for pleasure or for the chief purpose of carrying persons, the maximum number of persons it is provided to carry, if, its use is for business or the carriage of property, the application shall state the maximum load capacity of such vehicle, if the vehicle is convertible from the one use to the other use, the maximum number of persons it is provided to carry, and the maximum load capacity shall be stated. The weight of a motor vehicle to be stated in the application shall be the actual weight of the vehicle with the ordinary and usual accessories with which such vehicle is equipped and offered for sale by the manufacturers thereof as a complete

MOTOR VEHICLES.

vehicle of its type or kind. The application shall be signed by the owner, and shall be verified by his oath or affirmation. If such owner is a corporation, the application shall be signed and verified as aforesaid by the President, Vice-President, Secretary, General Manager or any duly authorized agent thereof.

The fee required for the registration of any motorcycle shall be five dollars (\$5.00), and for any other motor vehicle, shall be two dollars (\$2.00) for every five hundred pounds or fraction thereof of the gross load weight of the vehicle. The gross load weight of a vehicle, the use of which is for pleasure or for the chief purpose of carrying persons shall be ascertained by multiplying the maximum number of persons the vehicle is provided to carry by one hundred and twenty-five pounds, and adding the result thereby obtained to the weight of the vehicle as specified in the application. The gross load weight of a vehicle, the use of which is for business or the carriage of property shall be ascertained by adding the maximum load capacity of such vehicle to the weight of said vehicle. The fee to be paid for the registration of a convertible vehicle shall be estimated upon that gross load weight, which shall be the greater, whether of the vehicle as a carrier of persons or a carrier of property. Upon the receipt of the application and the proper registration fee calculated as aforesaid, 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 numbered tags for each motor vehicle, excepting motorcycles, containing the registration number, the figures of which shall not be less than four inches in height and the abbreviated name of the State and the year. The Secretary of State at the expense of the State, shall provide one numbered tag of flexible metal for motorcycles containing the registration number, the figures of which shall not be less than one and three-eighths inches in height, and the abbreviated name of the State and year, the figures to run lengthwise (one above the other) of the number tag, which shall not be shorter than seven inches and two and one-quarter inches in width; the same to be attached to the rear mud guard of the motorcycle, provided however, that non-residents of this State shall be entitled to the same exemptions from the

MOTOR VEHICLES.

provisions of the said last mentioned sections as is granted to the citizens of this State by the laws of the State in which said non-residents reside. No motor vehicle shall be registered, the gross load weight of which shall exceed twenty-seven thousand pounds.

If application for the registration of any motor vehicle other than a motorcycle, is made on or after the first day of September of any year, only one-half of the above specified fee shall be required by the Secretary of State for the registration of such motor vehicle other than motorcycles for that year.

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 any license or certificate provided for by said last-mentioned Sections."

Approved April 2, A. D. 1919.

MOTOR VEHICLES.

CHAPTER 26.

STATE REVENUE.

MOTOR VEHICLES.

AN ACT to amend 234 Sec. 197 of Chapter 6 of the Revised Code of the State of Delaware, in relation to fees to be paid for the registration of motor vehicles.

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

Sec. 1. That 234 Sec. 197 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by adding thereto the following, to be styled "234 A Sec. 197 A."

234 A. Sec. 197 A. All vehicles trailing after or propelled by motor vehicles shall be considered motor vehicles, and shall be subject to all the provisions of this Chapter. *Provided*, that the Secretary of State shall furnish a special tag to be used upon trailers, which tag shall contain, in addition to what is now required by law, the letter "T," and shall be affixed to the rear of the trailer, if drawn, and to the front of the trailer, if propelled. And provided, further, that a double registration fee shall be charged for all trailers equipped with metal tires, where the combined gross weight of any such trailer and the maximum load capacity thereof shall exceed fifteen hundred pounds.

Approved April 2, A. D. 1919.

MOTOR VEHICLES.

CHAPTER 27.

STATE REVENUE.

MOTOR VEHICLES.

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware, in reference to motor vehicles.

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

Section 1. That Chapter 6 of the Revised Code of the State of Delaware be, and the same is, hereby amended by adding to 237. Sec. 200 thereof the following new Section to be styled "237 B. Sec. 200 B," as follows:

237 B. Sec. 200 B. LICENSES, REGISTRATION CERTIFICATES AND TAGS:—All licenses, registration certificates and tags provided for in this Chapter, in reference to Motor Vehicles, and issued for any particular year, shall be good for and during the first five days of the next following year; and also it shall be lawful to use the new licenses, registration certificates or tags, usually issued on the first day of January of any particular year, during the last five days of the immediately preceding year. The purpose of this Act is to give a period of ten days, at the close of any year, for the exchange of licenses, registration certificates and tags, in reference to motor vehicles, as now required by law.

Section 2. The Secretary of State is hereby authorized, directed and required to have all licenses, registration certificates and tags, in reference to motor vehicles, as provided for in this Chapter, ready for delivery at any time during the last five days of the year immediately preceding the year for which they are intended, in order that the provisions of Section 1 of this Act may be fully complied with.

Approved March 14, A. D. 1919.

DEADLY WEAPONS.

CHAPTER 28.

STATE REVENUE.

DEADLY WEAPONS.

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware in relation to the sale of deadly weapons.

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 259, Section 222, and inserting in lieu thereof the following, to be known as 259, Section 222.

259, Section 222. It shall be unlawful for any person or persons, or a member of any firm, or the agents or officers of any corporation to sell to a minor or any intoxicated person, any revolver, pistol, or revolver or pistol cartridges, stiletto, steel or brass knuckles, or other deadly weapons made for the defense of one's person.

It shall be the duty of any person or persons, firm, company or corporation desiring to engage in the business aforesaid, to keep and maintain in his place of business at all times a book which shall be furnished him by the Clerk of the Peace of the County wherein he does business, in which said book he shall enter the date of the sale, the name and address of the person purchasing any such deadly weapon, the number and kind of deadly weapon so purchased, the color of the person so purchasing the same, and the apparent age of the purchaser, and the names and addresses of at least two freeholders resident in the County wherein the sale is made, who shall positively identify the purchaser before the sale can be made; *Provided*, that no

DEADLY WEAPONS.

clerk, employee or other person associated with the seller shall act as one of the identifying freeholders. This book shall at all times be open for inspection by any Judge, Justice of the Peace, Police Officer, Constable, or other Peace Officer of this State.

Approved April 10, A. D. 1919.

COLLECTOR OF STATE REVENUE.

CHAPTER 29.

STATE REVENUE.

COLLECTOR OF STATE REVENUE.

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 salary and 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:

Section 1. That Chapter 6 of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out all of 275 Section 238 and 275A Section 238A, and insert in lieu thereof, to be known as 275 Section 238, the following:

275 Sec. 238. The office of Collector of State Revenue is hereby created; the term of each incumbent of said office shall be four years; the Governor is empowered, authorized and directed to appoint such officer and to fill all vacancies occurring in said office; such appointments shall be for the full term. It shall be the duty of every such Collector, from time to time, to investigate all statements made under oath or affirmation and filed in the office of any Clerk of the Peace, or in the offices of the Secretary of State and Insurance Commissioner, by any person, for the purpose of said officers ascertaining and collecting from every such person or any other person, firm or corporation, any revenue due the State, whenever he is requested so to do by any such Clerk of the Peace or his deputy, or by the Secretary of State or Insurance Commissioner; and it shall be the duty of the said Collector of State Revenue on his own motion, when it shall appear necessary, to investigate any such statement so filed in the office of the Clerk of the Peace as aforesaid. Upon every investigation by said officer of the statements filed

COLLECTOR OF STATE REVENUE.

in the office of the Clerk of the Peace mentioned in this section, he shall report the results thereof in writing to the Attorney-General, whose duty it shall be to immediately take proper steps for the punishment of every person making such false statements. Upon every investigation by said officer of the statements filed in the offices of the Secretary of State or Insurance Commissioner, mentioned in that Section, he shall report the result thereof in writing to the Secretary of State or Insurance Commissioner, according to which of said officials requested the investigation; and it shall be the duty of such official to immediately take proper steps for the punishment of every person making such false statements.

The Clerks of the Peace of the several counties shall have printed a sufficient number of copies of the provisions of law applicable to the payment of State Revenue to them, by persons, firms, or corporations, and based upon the sworn statement of any person, and shall deliver the same, whenever requested by him to the Collector of State Revenue, who shall cause the same to be delivered to the persons making such statements, if possible.

The Clerks of the Peace of the several Counties shall, at the expiration of thirty days after the period when the fee for any license shall become due and payable, make an affidavit of all such unpaid fees, which affidavit shall be turned over to the Collector of State Revenue, to be used by the said Collector of State Revenue for the proper investigation of all such persons or corporations that may be shown therein to be delinquent.

The salary of the Collector of State Revenue shall be one thousand eight hundred dollars per year, payable monthly on the first day of each month, in equal installments of one hundred and fifty dollars; a contingent fund for the use of the Collector of State Revenue is created and fixed at the sum of six hundred dollars per annum, which shall be paid out of the State Treasury in the manner now provided by law for the paying out of the State Treasury of other contingent funds.

If any person shall make any false statement in any affidavit mentioned and described in this section, he or she shall be

COLLECTOR OF STATE REVENUE.

guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one thousand dollars or imprisoned for not more than three years or both in the discretion of the Court.

The said Collector of State Revenue shall perform such other duties in relation to the State Revenue paid to the Clerks of the Peace, Secretary of State and Insurance Commissioner, as he shall be directed to do by said respective officers.

The Governor is authorized to appoint the Collector of State Revenue a special constable whose powers shall be the same as those possessed by County Constables.

It shall be the duty of the said Attorney General to give counsel and advice to said Collector relative to any of the duties imposed upon him by law.

Approved March 31, A. D. 1919.

INCOME TAX.

CHAPTER 30.

STATE REVENUE.

INCOME TAX.

AN ACT to amend Chapter 26, Volume 29 of Laws of Delaware entitled "An Act to amend Chapter 6 of the Revised Code of the State of Delaware by providing for an income tax."

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

Section 1. That Section 281-C, being Section 247 of Chapter 6 of the Revised Code of Delaware be and the same hereby is on the first day of January, A. D. 1920 repealed and the following substituted in lieu thereof, to take effect on said date:

281-C. Section 247. The following income shall be exempt from income tax:

(a) The proceeds of life insurance policies paid to individual beneficiaries upon the death of the insured; the amount received by the insured, as a return of premium or premiums paid by him under life insurance, endowment, or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon the surrender of the contract; the value of property acquired by gift, bequest, devise or descent; interest upon the obligations of a State or any political sub-division thereof or upon the obligations of the United States or its possessions; the compensation of public officers of this State for the terms to which they were elected or appointed prior to April 2, 1917.

(b) In case of a single person, a personal exemption of one thousand dollars (\$1,000), or in case of the head of a family

INCOME TAX.

or a married person living with husband or wife, a personal exemption of two thousand dollars. (\$2,000), provided, however, that husband and wife living together shall receive but one personal exemption of two thousand dollars (\$2,000) against their aggregate net income; and in case they make separate returns the personal exemption of two thousand dollars (\$2,000) may be taken by either or divided between them.

(c) Two hundred dollars of said net income for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer, if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

Section 2. That Section 281D being Section 248 of Chapter 6 of the Revised Code of Delaware, be and the same hereby is on the first day of January A. D. 1920 repealed and the following substituted in lieu thereof:

281-D. Section 248. In computing net income the following deductions shall be allowed.

First. The necessary expenses actually paid by the taxable in carrying on any business or trade, not including personal, living, or family expenses.

Second. All interest paid by the taxable within the year on his indebtedness.

Third. Taxes paid by the taxable within the year imposed by the authority of the United States (except income taxes), or its territories, or possessions, or any foreign country, or under the authority of any State, county, school district, municipality or other taxing sub-division of any State.

Fourth. Losses actually sustained by the taxable during the year, incurred in his business or trade, or other dealings, or arising from fires, storms, shipwreck, or other casualty, and from theft, when such losses are not compensated for by insurance or otherwise.

INCOME TAX.

Fifth. Debts due to the taxable actually ascertained to be worthless and charged off within the year.

Sixth. A reasonable allowance for the exhaustion, wear and tear of property arising out of its use or employment in the business or trade of the taxable.

Section 3. That Section 281-I, being Section 253 of Chapter 6 of the Revised Code of Delaware be and the same is hereby repealed and the following substituted in lieu thereof:

281-I. Section 253. Upon request of the State Treasurer the Governor shall be and he hereby is authorized to appoint two officers who shall be known as special collectors of State Revenue, each of whom shall hold office at the will of the State Treasurer and shall receive a salary of fourteen hundred dollars (\$1400) per year, payable monthly on the first day of each month, in equal installments, and for whose use a contingent fund is hereby created and fixed at the sum of six hundred dollars (\$600) per annum, for each of said special collectors of State Revenue, which shall be paid out of the State Treasury, in the manner now provided by law for the paying out of the State Treasury of other contingent funds. It shall be the duty of the said Special Collectors of State Revenue acting under the direction of the State Treasurer, to do all such things as are prescribed and directed to be done under 281-H, Section 252 hereof by the Collector of State Revenue. They shall have the same powers in all matters relating to the income tax as are hereinabove given to the said Collector of State Revenue and all taxables refusing to permit an inspection by them or either of them of any such books, documents, entries or papers as are referred to in 281-H, Section 252 hereof shall be subject to the same penalties as are therein prescribed.

The said Special Collectors of State Revenue are hereby constituted special constables and as such they shall have and possess all the powers that are possessed by county constables under the laws of this State.

The said Special Collectors are each hereby clothed with full power and authority to take any affidavit required under this

INCOME TAX.

Act; and the State Treasurer is hereby required to have one of the said Collectors at some convenient place in the City of Wilmington, each year, from the first day of January until the first day of March inclusive, with full power and authority to take such affidavits as shall be required under this Act and without expense to the taxables.

Section 4. That Section 281-K, being section 255 of Chapter 6 of the Revised Code of Delaware be and the same is hereby repealed and the following substituted in lieu thereof.

281-K. Section 255. Any taxable who shall make a false return under this Article of the Code shall be deemed guilty of perjury and upon conviction thereof shall be punished in the manner prescribed for that offense by the laws of this State.

Any taxable who shall refuse or wilfully neglect to make a return as required by 281-E, Section 249 hereof, or who shall refuse or wilfully neglect to pay the tax as required by 281-F, Section 250 hereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500) or by imprisonment not exceeding six months, or both, in the discretion of the Court; provided however, that in any case of refusal or wilful neglect by a taxable to make a return or pay the tax as aforesaid, the State Treasurer shall be and he hereby is authorized and empowered with the approval of the Attorney General at any time before trial to compromise the charge of such refusal or wilful neglect by permitting the taxable to make a return or to pay such tax as shall be then assessed, together with a specific penalty in lieu of prosecution, of not less than the sum of five dollars (\$5.00) and any costs that may have been incurred.

Section 5. That the clause containing the words "and also rentals of real estate and gains or profits derived from agricultural operations," in lines thirty and thirty-one of 281-A, Section 245 of Chapter 6 of the Revised Code of Delaware, be and the same is hereby repealed from and after the first day of January, A. D. 1920.

Approved April 2, A. D. 1919.

INCOME TAX.

CHAPTER 31.

STATE REVENUE.

INCOME TAX.

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware as amended by Chapter 26, of Volume 29, of the Laws of Delaware, by increasing the salary of the income tax clerk.

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, as amended by 281-G. Sec. 251 of Chapter 26, of Volume 29, of the Laws of Delaware, be and the same is hereby further amended by repealing all of said 281-G, Sec. 251 of Chapter 26, Volume 29 of the Laws of Delaware, and inserting in lieu thereof the following to be known as "281 G. Sec. 251."

281 G. Sec. 251. The State Treasurer shall be, and he hereby is, authorized to appoint a special clerk to be known as the Income Tax Clerk, whose duty it shall be, under the direction of the State Treasurer, to perform all the duties that shall devolve upon the State Treasurer by reason of this Article of the Code, and, under the direction of the State Treasurer, he shall perform all the work, labor and services that shall be necessary to the effective execution of the provisions of this Article. The said Income Tax Clerk shall hold office at the will of the State Treasurer, and shall receive as salary the sum of eighteen hundred dollars per year, payable monthly on the first day of each month in equal installments of one hundred and fifty dollars each.

Approved April 2, A. D. 1919.

INCOME TAX.

CHAPTER 32.

STATE REVENUE.

INCOME TAX.

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware by providing that the income tax clerk shall give bond.

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 adding thereto under Article 31, the following new Section to be known as 281 T, Sec. 264:

281 T. Sec. 264. The Income Tax Clerk shall become bound to the State Treasurer for the faithful discharge of his duties, with surety to be approved by the State Treasurer in the sum of fifty thousand dollars and the expense of said bond shall be paid out of the State Treasury. The form and condition of said bond shall be determined by the State Treasurer.

Approved February 6, A. D. 1919.

APPROPRIATIONS.

CHAPTER 33.

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 twenty, 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.

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 twenty; 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 twenty, shall not have been paid out of the treasury, shall be turned to the general fund of the treasury. The said several sums hereby appropriated are as follows, viz:

EXECUTIVE DEPARTMENT.

Governor.

For the Governor for salary.....	\$1,000.00
For the contingent expenses of the Governor's office.	3,500.00

APPROPRIATIONS.

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.

For the Secretary of State for salary.....	4,000.00
For Secretary of State compiling and preparing Laws for Publication.....	1,000.00
For the salary of Stenographer and Typewriter for the Governor and Secretary of State.....	1,200.00
For the salary of Clerks of the Secretary of State..	3,000.00
For the contingent expenses of the office of the Sec- retary of State.....	9,000.00
For the official bond of the Secretary of State.....	50.00

Treasury Department.

For the salary of the State Treasurer.....	3,500.00
For the salary of the Deputy State Treasurer.....	1,675.00
For the contingent expenses of the office of State Treasurer	1,200.00
For the official bond of the State Treasurer and Dep- uty for two years.....	1,425.00
For the State Treasurer, Contingent Fund on In- come Tax Law.....	3,000.00
For official bond of Income Tax Clerk.....	285.00
For Income Tax Clerk.....	1,725.00

Auditor of Accounts.

For the salary of the Auditor of Accounts.....	2,000.00
For the salary of Deputy Auditor of Accounts.....	1,650.00
For the contingent expenses of the office of Auditor of Accounts	700.00

APPROPRIATIONS.

Department of Insurance and Banking.

For the salary of the Insurance Commissioner.....	3,500.00
For the salary of Clerk.....	1,000.00
For the contingent expenses of the Department of Insurance and Banking.....	1,500.00

State Library.

For the salary of State Librarian.....	1,500.00
For the contingent expenses of the office of State Librarian	850.00
For the purchase of new books.....	500.00

State Library Commission.

For the appropriation for regular expenses.....	5,000.00
For contingent expenses.....	200.00

Game and Fish Commissioner.

For the salary of Chief Game and Fish Warden....	600.00
For enforcing Uniform Fish Law.....	200.00
For propagation of Fish and Game.....	600.00

Oyster Revenue Collector.

For the salary of Oyster Revenue Collector.....	917.00
For the salary of officers and crew of watch boat for the protection of oysters.....	2,490.00
For the contingent expenses of the office of Oyster Revenue Collector.....	100.00

State Revenue Collector.

For the salary of State Revenue Collector.....	1,650.00
For the contingent expenses of the State Revenue Collector	600.00

APPROPRIATIONS.

Special Collector of State Revenue.

For salary of State Revenue Collector.....	1,200.00
For contingent fund special Collectors.....	600.00
Registers of Wills—Salaries.....	800.00

State's Property—Insurance 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.....	6,000.00
For water rent for State House and Armory.....	112.50
For insurance on all of the State Property for the year 1919	8,000.00

Labor Commission of Delaware.

For the contingent expenses of the Labor Commission of Delaware.....	3,000.00
For the salary of Child Labor Inspector.....	1,800.00
For the salary of the Ten-Hour Law Inspector.....	1,000.00

Cannery Inspector.

For the salary of Cannery Inspector.....	1,000.00
For the contingent expenses of the Cannery Inspector	500.00
For the expenses of Supervisors of Institutions....	100.00

Automobile Inspectors.

For the salaries of Automobile Inspectors.....	900.00
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Board of State Supplies.

For the printing fund.....	32,000.00
For the contingent expenses of the Board of State Supplies	500.00
For Industrial Accident Board.....	15,000.00

APPROPRIATIONS.

DEPARTMENT OF JUSTICE.

Chancellor.

For the salary of the Chancellor.....	7,060.00
For the Chancellor for reporting.....	200.00
For the salary of Stenographer to the Chancellor..	1,800.00
For the contingent expenses of the Court of Chan- cery	400.00

Chief Justice.

For the salary of the Chief Justice.....	7,060.00
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Associate Judges.

For salaries of the Associate Judges.....	27,067.00
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Associate Judge Resident in Kent County.

For the Associate Judge Resident in Kent County for reporting	200.00
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Court Stenographer.

For the salary of the Court Stenographer.....	2,000.00
For transcripts of Supreme Court and Assistant Stenographers	2,500.00

Judicial Reports.

For William H. Boyce, for one hundred copies of Boyce's Delaware Reports, Volume 7.....	1,000.00
For Charles M. Curtis for 100 copies of his reports.	800.00
For John R. Nicholson, Chancery Reports Vol. 8 A., for 100 copies.....	800.00
For John R. Nicholson, Chancery Reports, Vol. 8 B., for 100 copies.....	800.00

APPROPRIATIONS.

Attorney General.

For the salary of the Attorney General.....	2,500.00
For the salary of the Deputy Attorney General for New Castle County.....	1,500.00
For the salary of the Deputy Attorney General for Kent County.....	1,000.00
For the salary of the Deputy Attorney General for Sussex County.....	1,000.00
For the contingent expenses for the Attorney Gen- eral	7,500.00
For salary for Chief Deputy Attorney General.....	1,125.00
For salaries for four State Detectives.....	5,625.00
For the actual expenses in serving requisition papers	1,000.06

EDUCATION.

Commissioner of Education.

For the salary of the Commissioner of Education..	1,000.00
For the contingent expenses of the Commissioner of Education	200.00

County School Superintendents.

For the salaries of Three County School Superin- tendents	1,600.00
For the contingent expenses of three County School Superintendents	1,200.00
For the annual appropriation to the School Fund from Income Tax Law.....	250,000.00
For the interest on bonds of the School Fund.....	10,727.10

State Board of Education.

For the State Treasurer for the payment of expenses of the State Board of Education.....	1,500.00
For the purpose of putting into effect the School Code	125,000.00
For the Americanization of Foreign born Residents	15,000.00
Commission to survey Public Schools.....	1,250.00

APPROPRIATIONS.

Delaware College.

For the interest on certificates of indebtedness to Delaware College.....	4,980.00
For the Trustees of Delaware College (United States Government appropriation).....	40,000.00
For the Trustees of Delaware College (for Division of Agricultural Co-operation Extension, Smith-Lever Act).....	5,544.51
For the Trustees of Delaware College (Chair of History)	2,500.00
For the Trustees of Delaware College for the maintenance of the Summer School for Teachers.....	4,000.00
For the Trustees of Delaware College for the maintenance of said College.....	30,000.00
For the Trustees of Delaware College for the maintenance of the Women's Affiliated College.....	30,000.00
For Delaware College for teaching agriculture.....	5,000.00
For Delaware College for Experimental Farm.....	5,000.00
For Delaware College, Special Appropriation, extraordinary war expenditure.....	26,912.61
For Women's Affiliated College, special sidewalk appropriation	5,000.00

State College for Colored Students.

For the Trustees of the State College for Colored Students (United States Government appropriation)	10,000.00
For the Trustees of the State School for Colored Students, for the improvement of buildings and grounds	8,000.00
For the Trustees of the State College for Colored Students for the holding of Summer Schools....	500.00
For Board for Colored Teachers at Summer School	500.00
For Purchase of Farm of Colored College.....	18,000.00

Schools.

For the State Treasurer to carry out the provisions of Section 2312, Revised Code, relating to free graded schools.....	22,000.00
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APPROPRIATIONS.

For Ferris Industrial School for operation and maintenance	7,500.00
For Ferris Industrial School for teaching.....	1,200.00
For Delaware Industrial School for Girls.....	4,000.00
For Delaware Industrial School for Girls, on indebtedness	8,000.00
For Delaware Industrial School for Girls for improvement of buildings.....	10,000.00
For Marydel School District.....	188.00
For the special improvement of colored schools as provided by law.....	3,000.00
For the encouragement of Consolidation of County Schools	10,000.00
For Relief of Consolidated School No. 1, Caesar Rodney	376.00
For erection of school building in Town of Smyrna for colored children, special.....	1,000.00

School Commissions.

For the State Treasurer for the payment of the expenses of the County Commissions.....	1,000.00
For the Sussex County School Commission.....	400.00

Libraries.

For the Chairman of the Committee on Traveling Libraries of the State Federation of Women's Libraries	100.00
For Free Libraries in School Districts.....	600.00

Charities and Eleemosynary Institutions.

For the board and tuition of indigent deaf, dumb, blind and idiotic children.....	15,000.00
For Delaware State Hospital for over-draft.....	19,208.96
For Delaware State Hospital at Farnhurst, general maintenance	110,265.00
For Delaware State Hospital at Farnhurst, repair fund	5,000.00

APPROPRIATIONS.

For Delaware State Hospital at Farnhurst (amusement fund).....	600.00
For Delaware State Hospital at Farnhurst, for laundry and also coal wall.....	4,450.00
For Delaware State Hospital at Farnhurst, drainage tank sewers.....	5,000.00
For St. Michael's Day Nursery and Hospital for Babies	2,000.00
For the Society for the Prevention of Cruelty to Children	900.00
For the Delaware Commission for the Blind.....	10,000.00
For the Delaware Commission for the Blind (for apprentices)	1,000.00
For the burial of indigent soldiers, sailors and marines	700.00
For the proper observance of Memorial Day.....	1,000.00
For the Old Folks Home at Dover.....	2,500.00
For the Soldiers' Rest Room at Delaware City.....	200.00
For Home for Feeble-minded.....	10,000.00
For the Mothers' Pension Fund.....	18,000.00
For State Board of Charities.....	5,000.00
For County Treasurer of New Castle County for moneys paid on account of Mothers' Pension....	1,188.00
For Milford Emergency Hospital.....	15,000.00
For Layton Home for Aged Colored People.....	1,000.00

Historical Records.

For the expenses of the Public Archives Commission	2,000.00
For printing 3rd Volume of Revolutionary War Records	3,000.00
For Historical Society of Delaware.....	300.00
For Purchase of State Papers.....	500.00

Public Highways.

For the improvement of the public highways in New Castle County.....	10,000.00
For the improvement of the public highways in Kent County	10,000.00

APPROPRIATIONS.

For the improvement of the public highways in Sussex County.....	10,000.00
For the salary of the State Highway Commissioner of New Castle County.....	1,000.00

Public Health.

For the expenses of the State Board of Health.....	6,000.00
For the expenses of the Bureau of Vital Statistics..	2,000.00
For the Pathological and Bacteriological Laboratory	10,000.00
For the purchase and distribution of diphtheria anti-toxin	500.00
For the State Tuberculosis Commission to defray the expenses of the said Commission.....	20,000.00
For the State Tuberculosis Commission to provide for the care of colored consumptives.....	10,000.00
For the Medical Council of Delaware.....	300.00
For the State Board of Pharmacy.....	250.00
For the State Tuberculosis Commission for additional hospital building (colored)	3,500.00
For reporting diseases dangerous to public health..	2,500.00

Agriculture.

For the State Board of Agriculture for the payment of the expenses of said Board.....	5,000.00
For State Chemist.....	5,000.00
For the State Live Stock Sanitary Board.....	5,000.00
For the State Board of Immigration.....	1,000.00
For the State Board of Agriculture for the encouraging of the breeding of poultry.....	300.00
For the Peninsula Horticultural Society.....	1,000.00
For the Farmers' Institutes and to defray the incidental expenses of holding such institutes.....	600.00
For the Delaware Corn Growers' Association.....	500.00
For Sussex County Experimental Work.....	5,000.00

APPROPRIATIONS.

Public Defense.

For the salary of Adjutant General.....	1,200.00
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
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

Interest on Bonded Indebtedness.

For the interest on the issue of 1907, Farmers' Bank, Dover.....	9,200.00
For the interest on the issue of 1907, Farmers' Bank, Wilmington.....	1,600.00
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
For the interest on the issue of 1897, Philadelphia National Bank.....	7,350.00
For interest on certificate of indebtedness (sinking fund)	800.00
For Farnhurst, Interest on Bonds.....	2,200.00
For Women's Affiliated College, Interest on Bonds.....	4,800.00

Armories.

For Milford Armory.....	1,200.00
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Miscellaneous.

For the portrait commission payment of portraits of prominent Delawareans for the State House....	500.00
For the portraits of the Governors of Delaware....	350.00
For the compensation of Assessors.....	800.00
For the Delaware State Fair.....	15,000.00

APPROPRIATIONS.

For the Governor's Conference.....	350.00
For the Robbins Hose Company, Dover.....	250.00
Aetna Hose, Hook and Ladder Company, Newark..	250.00
For the redemption of State Bonds.....	35,000.00
Appropriation to meet the provision of the Smith- Hughes Vocational Bill.....	23,000.00
Premiums on Bonds for Officers to be paid by State.	300.00
For opening Indian River Inlet.....	5,000.00
For Reconstruction Commission.....	25,000.00
Commission for Decorating State House.....	5,000.00

Public Buildings.

For erection of Memorial Building, as per House

Bill No. 244..... 25,000.00

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 one hundred 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 fifteenth day of November, 1919. 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.

APPROPRIATIONS.

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.

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.

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.

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

APPROPRIATIONS.

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.

Approved March 31, A. D. 1919.

APPROPRIATIONS.

CHAPTER 34.

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 twenty-one, 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.

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 herein-after 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 twenty-one; 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 twenty-one, 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:

EXECUTIVE DEPARTMENT.

Governor.

For the Governor for salary.....	\$4,000.00
For the contingent expenses of the Governor's office.	3,500.00

APPROPRIATIONS.

Lieutenant Governor.

For the Lieutenant Governor for salary as member of Board of Pardons.....	100.00
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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 Clerks of the Secretary of State..	3,000.00
For the contingent expenses of the office of the Sec- retary of State.....	9,000.00
For the official bond of the Secretary of State.....	50.00

Treasury Department.

For the salary of the State Treasurer.....	3,500.00
For the salary of the Deputy State Treasurer.....	1,800.00
For the contingent expenses of the office of State Treasurer	1,200.00
For the State Treasurer, Contingent Fund on In- come Tax Law.....	3,000.00
For the salary of the Income Tax Clerk.....	1,800.00

Auditor of Accounts.

For the salary of the Auditor of Accounts.....	2,000.00
For the salary of Deputy Auditor of Accounts....	1,800.00
For the contingent expenses of the office of Auditor of Accounts.....	700.00

Department of Insurance and Banking.

For the salary of the Insurance Commissioner.....	3,500.00
For the salary of Clerk.....	1,000.00
For the contingent expenses of the Department of Insurance and Banking.....	1,500.00

APPROPRIATIONS.

State Library.

For the salary of State Librarian.....	1,500.00
For the contingent expenses of the office of State Librarian	850.00
For the purchase of new books.....	500.00

State Library Commission.

For the appropriation for regular expenses.....	5,000.00
For contingent expenses.....	200.00

Game and Fish Commissioner.

For the salary of Chief Game and Fish Warden....	600.00
For enforcing Uniform Fish Law.....	200.00
For propagation of Fish and Game.....	600.00

Oyster Revenue Collector.

For the salary of Oyster Revenue Collector.....	960.00
For the salary of officers and crew of Watch Boat for the protection of oysters.....	2,520.00
For the contingent expenses of the office of Oyster Revenue Collector.....	100.00

State Revenue Collector.

For the salary of State Revenue Collector.....	1,800.00
For the contingent expenses of the State Revenue Collector	600.00

Special Collectors of State Revenue.

For salaries of Special Collectors of State Revenue.	2,800.00
For contingent expenses special collectors of State Revenue	1,200.00

APPROPRIATIONS.

Register of Wills.

For salaries.....	800.00
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State's Property—Insurance and Care of.

For the salary of Janitor of the State House.....	500.00
For the salary of Assistant Janitor of State House.....	400.00
For the salary of one-night Janitor of State House.....	500.00
For heat, light and repairs for State House.....	6,000.00
For water rent for State House and Armory.....	112.50
For insurance on all of the State property for the year, 1920.....	8,000.00

Labor Commission of Delaware.

For the contingent expenses of the Labor Commis- sion of Delaware.....	3,000.00
For the salary of Child Labor Inspector.....	1,800.00
For the salary of the Ten-Hour Law Inspector.....	1,000.00

Cannery Inspector.

For the salary of Cannery Inspector.....	1,000.00
For the contingent expenses of Cannery Inspector.....	500.00
For the expenses of Supervisors of Institutions....	100.00

Automobile Inspectors.

For salaries of Automobile Inspectors.....	900.00
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Board of State Supplies.

For the printing fund.....	32,000.00
For the contingent expenses of the Board of State Supplies	500.00

APPROPRIATIONS.

DEPARTMENT OF JUSTICE.

Chancellor.

For the salary of Chancellor.....	7,500.00
For the Chancellor for reporting.....	200.00
For the salary of Stenographer to the Chancellor..	2,000.00
For the contingent expenses of the Court of Chancery	400.00

Chief Justice.

For the salary of the Chief Justice.....	7,500.00
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Associate Judges.

For the salaries of the Associate Judges.....	28,800.00
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Associate Judge Resident in Kent County.

For the Associate Judge Resident in Kent County for reporting.....	200.00
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Court Stenographer.

For the salary of the Court Stenographer.....	2,000.00
For transcripts of Supreme Court and Assistant Stenographers	2,500.00

Judicial Reports.

For preparing a digest of reported decisions.....	5,000.00
For Wm. H. Boyce, for one hundred copies of Boyce's Delaware Reports, Volume 8.....	1,000.00
For Charles M. Curtis, for one hundred copies of his Reports.....	800.00

Attorney General.

For the salary of the Attorney General.....	2,500.00
For the salary of the Deputy Attorney General for New Castle County.....	1,500.00

APPROPRIATIONS.

For the salary of Deputy Attorney General for Kent County	1,000.00
For the salary of Deputy Attorney General for Sussex County.....	1,000.00
For the contingent expenses for Attorney General..	7,500.00
For salary of Chief Deputy Attorney General.....	1,500.00
For salaries of four State Detectives.....	6,300.00
For the actual expenses in serving requisition papers	1,000.00

EDUCATION.

For the annual appropriation to the School Fund from Income Tax.....	250,000.00
For the interest on bonds of the School Fund.....	10,727.10
For the purpose of putting into effect the School Code	125,000.00
For the Americanization of Foreign Born Residents	15,000.00

Delaware College.

For the interest on certificate of indebtedness to Delaware College.....	4,980.00
For the Trustees of Delaware College (United States Government appropriation).....	40,000.00
For the Trustees of Delaware College, division of Agricultural Co-operation extension, Smith-Lever Act	6,610.76
For the Trustees of Delaware College (Chair of History)	2,500.00
For the Trustees of Delaware College for the maintenance of the Summer School for Teachers.....	4,000.00
For the Trustees of Delaware College for the maintenance of said College.....	30,000.00
For the Trustees of Delaware College for the maintenance of the Women's Affiliated College.....	30,000.00
For Delaware College for teaching agriculture....	5,000.00
For Delaware College Experimental Farm.....	5,000.00
For Delaware College Short Winter Course.....	1,000.00

APPROPRIATIONS.

State College for Colored Students.

For the Trustees of the State College for Colored Students (United States Government appropriation)	10,000.00
For the Trustees of the State School for Colored Students for the improvements of buildings and grounds	8,000.00
For the Trustees of the State College for Colored Students for the holding of Summer Schools....	500.00
For Board for Colored Teachers at Summer School	500.00

Schools.

For the State Treasurer to carry out the provisions of Section 2312, Revised Code, relating to free graded schools.....	22,000.00
For Ferris Industrial School operation and maintenance	7,500.00
For Ferris Industrial School for teaching.....	1,200.00
For Delaware Industrial School for Girls.....	4,000.00
For the special improvement of colored schools as provided by law.....	3,000.00
For the encouragement of consolidation of County schools	10,000.00

Libraries.

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
For free libraries in School Districts.....	600.00

Charities and Eleemosynary Institutions.

For the board and tuition of indigent deaf, dumb, blind and idiotic children.....	15,000.00
For Delaware State Hospital at Farnhurst, general maintenance	110,265.00

APPROPRIATIONS.

For Delaware State Hospital at Farnhurst, repair fund	5,000.00
For Delaware State Hospital at Farnhurst (amusement fund)	600.00
For St. Michael's Day Nursery and Hospital for Babies	2,000.00
For the Society for the Prevention of Cruelty to Children	900.00
For the Delaware Commission for the Blind	10,000.00
For the Delaware Commission for the Blind (for apprentices)	1,000.00
For the burial of indigent soldiers, sailors and marines	700.00
For the proper observance of Memorial Day	1,000.00
For the Old Folks' Home at Dover	2,500.00
For the Soldiers' Rest Room at Delaware City	200.00
For Home for Feeble-Minded	15,000.00
For the Mothers' Pension Fund	18,000.00
For State Board of Charities	5,000.00
The Layton Home for Aged Colored People	1,000.00

Historical Records.

For the expenses of the Public Archives Commission	2,000.00
Historical Society of Delaware	300.00
Purchase of State Papers	500.00

Public Highways.

For the improvement of the public highways in New Castle County	10,000.00
For the improvement of the public highways in Kent County	10,000.00
For the improvement of the public highways in Sussex County	10,000.00
For the salary of the State Highway Commissioner of New Castle County	1,000.00

APPROPRIATIONS.

Public Health.

For the expenses of the State Board of Health....	6,000.00
For the expenses of the Bureau of Vital Statistics.	2,000.00
For the Pathological and Bacteriological Laboratory	10,000.00
For the purchase and distribution of diphtheria anti-toxin	500.00
For the State Tuberculosis Commission to defray the expenses of the said Commission.....	20,000.00
For the State Tuberculosis Commission to provide for the care of colored consumptives.....	10,000.00
For the State Tuberculosis Commission for Hospital Buildings (colored).....	4,000.00
For the Medical Council of Delaware.....	300.00
For the State Board of Pharmacy.....	250.00
For reporting Diseases dangerous to public health.	2,500.00

Agriculture.

For the State Board of Agriculture for the payment of the expenses of said Board.....	5,000.00
For State Chemist.....	5,000.00
For the State Live Stock Sanitary Board.....	5,000.00
For the State Board of Immigration.....	1,000.00
For the State Board of Agriculture for the encouraging of the Breeding of poultry.....	300.00
For the Peninsular Horticultural Society.....	1,000.00
For the Farmers' Institutes and to defray the incidental expenses of holding such institutes.....	600.00
For the Delaware Corn Growers' Association.....	500.00
For Sussex County Experimental Work.....	5,000.00

Public Defense.

For the salary of Adjutant General.....	1,200.00
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

APPROPRIATIONS.

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

Interest on Bonded Indebtedness.

For the interest on the issue of 1907, Farmers' Bank, Dover	9,200.00
For the interest on the issue of 1907, Farmers' Bank, Wilmington	1,600.00
For the interest on the issue of 1907, Farmers' Bank, Wilmington	800.00
For the interest on the issue of 1897, Philadelphia National Bank.....	7,350.00
For Farnhurst, interest on Bonds.....	2,200.00
For Women's Affiliated College, interest on Bonds..	4,600.00

Elections.

Department of Elections of City of Wilmington....	7,800.00
Registrars and Assistant Registrars.....	25,000.00

Miscellaneous.

For the payment of portraits of prominent Delewareans for the State House.....	500.00
For the portraits of the Governors of Delaware....	350.00
For the compensation of Assessors.....	800.00
For the Delaware State Fair.....	10,000.00
For the Governor's Conference.....	350.00
For the Robbins Hose Company.....	250.00
Ætna Hose, Hook and Ladder Company.....	250.00
For the redemption of State Bonds.....	10,000.00
Appropriation to meet the provision of the Smith-Hughes Vocational Bill.....	23,000.00
Premiums on Bonds for Officers to be paid by State	300.00
For Reconstruction Commission.....	25,000.00
For Legislative Auditing Committee.....	1,500.00
Commission for Decorating State House.....	5,000.00

APPROPRIATIONS.

Public Buildings.

For erection of Memorial Building as per House Bill

No. 244..... 100,000.00

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 one hundred 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 fifteenth day of November, 1920. 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.

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.

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.

APPROPRIATIONS.

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.

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.

Approved March 31, A. D. 1919.

APPROPRIATIONS.

CHAPTER 35.

STATE REVENUE.

APPROPRIATIONS.

AN ACT making appropriations for the support and encouragement of public schools for the year 1919.

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, to be paid out of the Treasury of this State, for the support and encouragement of the public schools of the State in the year 1919, and for the following purposes:

For the State Department of Education, including the expenses of the State Board of Education, and the support and expenses of the office of the State Commissioner of Education until July 1, 1919...	\$3,750.00
For the State Department of Education after July 1st, 1919.....	7,500.00
For the payment of teachers' expenses for Summer School attendance.....	15,000.00
For the encouragement of consolidation of County Schools	10,000.00
For matching Federal Funds for Vocational Education (Smith-Hughes Vocational Education Act) .	20,000.00
For administration and supervision of Vocational Education (Smith-Hughes Vocational Education Act)	2,000.00
For the expenses of the County School Commissions until July 1, 1919.....	450.00

APPROPRIATIONS.

For salaries of County Superintendents until July 1, 1919.....	3,225.00
For clerical assistance for County Superintendents until July 1, 1919.....	675.00
For traveling expenses, contingencies, and clerical supplies for County Superintendents until July 1, 1919.....	1,500.00
For the payment of the salaries of county superintendents, county supervisors, county attendance officers after July 1, 1919.....	10,680.00
For State aid to High Schools.....	54,400.00
For State aid to Elementary Schools to be paid from funds accruing from the Income Tax Law.....	250,000.00
For State aid to Elementary Schools.....	50,000.00

Approved April 2, A. D. 1919.

APPROPRIATIONS.

CHAPTER 36.

STATE REVENUE.

APPROPRIATIONS.

AN ACT making appropriations for the support and encouragement of public schools for the year 1920.

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, to be paid out of the Treasury of this State, for the support and encouragement of the public schools of the State in the year 1920; and for the following purposes:

For the State Department of Education, including the expenses of the State Board of Education, and the support and expenses of the office of the State Commissioner of Education.....	\$15,600.00
For the payment of teachers' expenses for Summer School attendance.....	15,000.00
For the encouragement of the consolidation of county schools.....	10,000.00
For matching Federal Funds for Vocational Education (Smith-Hughes Vocational Education Act)	20,000.00
For administration and supervision of Vocational Education (Smith-Hughes Vocational Act).....	2,000.00
For the payment of the salaries of county superintendents, county supervisors and county attendance officers.....	21,000.00

APPROPRIATIONS.

For State aid to high schools.....	54,000.00
For State aid to Elementary Schools to be paid from funds arising from the Income Tax Law.....	250,000.00
For additional State Aid to Elementary Schools....	50,000.00

Approved April 2, A. D. 1919.

CLAIMS.

CHAPTER 37.

STATE REVENUE.

APPROPRIATIONS.

CLAIMS.

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:

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:

Industrial Accident Board (Various Accounts).....	\$828.17
Walter Sillitoe.....	33.00
Monroe H. Adams.....	400.00
Frederick D. Bendler.....	400.00
Coulter Messick.....	400.00
Daniel M. Ridgley (Clerk of Supreme Court).....	36.00
Frank Vansant, Sheriff.....	36.00
John Evans Cook, Sheriff.....	6.00
Frank Jackson, Janitor.....	36.00
Purnell Rash, Crier of Supreme Court.....	22.00
Thomas W. Killen, Crier.....	14.00
Melvin Hopkins, Page.....	15.00
Marvel Watson, Page.....	3.00
James S. Godwin.....	15.00
Charles H. LeFevre.....	19.61
Milford Chronicle Publishing Co., Inc.....	176.25

CLAIMS.

E. L. Cross.....	101.73
James W. Robertson.....	1.56
Labor Commission of Delaware.....	420.78
Bessie F. Weaver.....	25.00
The Index.....	21.25
The Diamond State Telephone Co.....	387.94
Mollie H. Harbordt, Rent of Typewriter.....	20.00
Mary Bell Morris, Rent of Typewriter.....	20.00
Francis B. Arthurs, Rent of Typewriter.....	20.00
Nellie L. Walls, Rent of Typewriter.....	20.00
Paige Catchings, Rent of Typewriter.....	20.00
Bessie F. Weaver, Rent of Typewriter.....	20.00
Mattie L. Hopkins.....	50.00
Edith B. Ingersoll.....	52.67
Elizabeth Satterfield.....	23.34
Mary Riggs.....	12.00
Lucelle C. Gooden.....	65.00
Mary R. Zearfoss.....	56.34
Bessie B. Hutchison.....	36.00
Mary C. Hodge.....	52.00
Mabel A. Godwin.....	39.00
Kent County Building & Loan Association.....	30.25
Delaware Sailors & Soldiers Monument Commission..	100.00
Diamond State Telephone Co.....	11.75
Agnes G. Willey.....	150.00
Lorenzo Butcher.....	296.00
Samuel Griffin.....	206.00
Thomas Day.....	332.00
Aaron Paskins.....	75.00
H. J. Marshall.....	75.00
Robert Smith.....	75.00
J. R. Hunter.....	200.00
Dover Machine Works.....	58.18
Dover Machine Works.....	133.25
T. K. Jones & Bro. Co.....	25.05
James A. Hiron.....	118.00
Harvey B. Riggs.....	41.19
Charles Z. Landers.....	37.00
William Wickes.....	16.00

CLAIMS.

C. B. Hope.....	3.36
G. Austin Merritt.....	31.49
James W. Wise.....	3,141.03
James B. Bice.....	899.80
J. E. Beck.....	40.50
Diamond State Telephone Co.....	11.75
G. S. Lovell Clock Co.....	71.50
William H. Horstman Co.....	123.00
Alfred Raikes.....	254.28
Earl D. Willey, Extra Work.....	300.00
State Sentinel Publishing Co (Senate).....	3,038.24
State Sentinel Publishing Co. (House).....	2,484.23
The Delaware Republican.....	21.75
Wilbert Wilson.....	10.00
Julian B. Robinson.....	267.00
Charles W. Borger Co.....	22.80
George Washington Portrait for State House.....	1,123.93
Mrs. Earl D. Willey.....	15.00
Cora M. Bailey.....	15.00
Charles M. Smith Co.....	90.85
Irving Buckson, Supplies.....	9.50
Lloyd Holloway, Supplies.....	9.50
H. S. Ledenham, Preparing Budget.....	100.00
George M. Fisher, Income Tax Report.....	150.00
James F. Allee, Jr.....	5.30
James W. Robertson.....	188.00
Thomas F. Gormley.....	189.00
George W. Webster.....	220.00
John M. Walker.....	226.00
John F. Richards.....	157.00
Frank R. Pool.....	105.00
John E. Latta.....	90.00
Lewis M. Price.....	45.00
Robert H. Hollett.....	43.00
Charles D. Murphy.....	70.00
Wallace S. Handy.....	98.00
Isaac D. Short.....	101.00
Edward B. Brown.....	160.00
Asa Bennett.....	222.00

CLAIMS.

I. Layfield Long.....	235.00
J. Carey Palmer.....	157.00
Andrew A. Mulrine.....	188.00
William Lyons, Jr.....	188.00
Theodore W. Francis.....	188.00
John E. McNabb.....	188.00
John J. Mulvena.....	188.00
William H. Danzenbaker.....	216.00
Willard S. Gregg.....	220.00
Aaron F. Klair.....	220.00
William D. Dean.....	157.00
Joseph Quigley.....	177.00
William C. Brooks.....	157.00
Edward Lester, Jr.....	137.00
Alexander P. Corbit.....	106.00
Walter E. Hart.....	74.00
Jefferson A. Staats.....	95.00
Thomas Jackson Snow.....	60.00
Garrett D. Paradee.....	7.00
Charles Hanratty.....	53.00
John W. Smith.....	29.00
John T. Buckson.....	9.00
James M. Sherwood.....	35.00
William H. Jakes.....	22.00
Jacob L. Soper.....	39.00
James C. Hardesty.....	112.00
Clarence C. Jester.....	143.00
Harry E. Clendaniel.....	117.00
Charles W. Parker.....	99.00
Joseph B. Lord.....	146.00
James E. Lloyd.....	157.00
Harvey W. Hastings.....	171.00
Benjamin F. Jones.....	201.00
Elijah W. Bunting.....	239.00
John D. Warrington.....	225.00
Hiram S. Smith.....	159.00
Silas J. Warrington.....	189.00
County Treasurer of Sussex County for the State's share of Mothers' Pension Fund for 1918.....	304.00

CLAIMS.

Clawson S. Hammitt, Portrait of Governor Tunnell..	350.00
John D. Shilling, Postage, etc. (Free Schools)	85.64
W. H. Jump, Postage, etc. (Free Schools)	65.12
E. J. Hardesty, Postage, etc. (Free Schools)	204.90
Robert E. Shilling, Postage, etc. (Free Schools)	14.07
New Castle County Board of Assessment, (Making Mercantile Appraisement of New Castle County) (Bal.)	25.10
John G. Townsend, Jr., Memorial Wreath for Soldiers for Pedestals in front of Public Library in New York	100.00
Joseph Wigglesworth, Prothonotary in and for New Castle County (State Suits)	370.11
Elmer Abbott	15.00

Approved March 31, A. D. 1919.

DELEWARE STATE FAIR.

CHAPTER 38.

STATE REVENUE.

DELAWARE STATE FAIR.

AN ACT appropriating certain moneys for the support, promotion and maintenance of Delaware State Fair Incorporated.

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

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

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

WHEREAS, the General Assembly by an Act approved March 20, A. D. 1913, did appropriate annually the sum of five thousand dollars (\$5,000) for the promotion, support and maintenance of the said Delaware State Fair Incorporated, which appropriation was duly paid until the year 1917; and

DELAWARE STATE FAIR.

WHEREAS, by the Appropriation Bill enacted by the General Assembly and approved April 2, A. D. 1917 said appropriation of five thousand dollars (\$5,000) annually, by mistake or otherwise, was reduced to twenty-five hundred dollars (\$2,500), which sum of twenty-five hundred dollars (\$2,500) has been paid during the years 1917 and 1918; 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 elected to each branch thereof concurring therein):

Section 1. That the sum of fifteen thousand dollars (\$15,000) be and the same is hereby appropriated out of the Treasury of the State of Delaware, payable on or before the first day of July, A. D. one thousand nine hundred nineteen, to the Delaware State Fair Incorporated, a corporation of the State of Delaware as aforesaid, and the sum of ten thousand dollars (\$10,000) be and the same is hereby appropriated annually beginning with the year 1920 out of the Treasury of the State of Delaware, payable annually on or before the first day of July in each and every year, to Delaware State Fair Incorporated, a corporation of the State of Delaware as aforesaid, which moneys are to be expended by Delaware State Fair Incorporated for the promotion, support and maintenance of the said Delaware State Fair Incorporated, in the promotion of the agricultural, horticultural and other interests of the State of Delaware.

Section 2. That the said sum of fifteen thousand dollars (\$15,000) so appropriated for the year 1919 and the said sum of ten thousand dollars (\$10,000) so appropriated for the year 1920 and for each and every year thereafter, shall be paid by the Treasurer on or before the first day of July of each year out of any funds in his hands, as such Treasurer, not otherwise appropriated, and the receipt of the President and Treasurer of the said Delaware State Fair Incorporated shall be his sufficient voucher therefor.

Approved April 2, A. D. 1919.

ÆTNA HOSE, HOOK AND LADDER COMPANY.

CHAPTER 39.

STATE REVENUE.

ÆTNA HOSE, HOOK AND LADDER COMPANY.

AN ACT appropriating five hundred dollars to Ætna Hose, Hook and Ladder Company, of Newark, Delaware.

WHEREAS Ætna 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

WHEREAS no member of said Company receives any compensation for services rendered, and

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

WHEREAS the Buildings of Delaware College are situated in the said Town; and

WHEREAS the said Company has recently purchased a valuable, expensive and modern Auto Fire Engine by the individual efforts of its members; and

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):

ÆTNA HOSE, HOOK AND LADDER COMPANY.

Section 1. That the sum of five hundred dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to Ætna Hose, Hook and Ladder Company, of Newark, Delaware, for the purpose of maintaining its fire apparatus.

Approved April 2, A. D. 1919.

ROBBINS HOSE COMPANY.

CHAPTER 40.

STATE REVENUE.

ROBBINS HOSE COMPANY.

AN ACT appropriating five hundred dollars to the Robbins Hose Company, of Dover, Delaware.

WHEREAS, Robbins Hose Company, of Dover, Delaware, (a corporation of the State of Delaware), is an organization of Firemen supported by voluntary contributions, and

WHEREAS, no member of said Company receives any compensation for services rendered, and

WHEREAS, valuable buildings are erected in Dover, including the State House, State Library—Archives and Valuable Volumes, State Armory, etc.; and

WHEREAS, the said Company has recently purchased a valuable, expensive and modern Auto Fire Engine by the individual efforts of its members; and

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):

Section 1. That the sum of Two Hundred and Fifty Dollars in the year 1919 and Two Hundred and Fifty Dollars in the year 1920 is hereby appropriated and authorized to be paid out

ROBBINS HOSE COMPANY.

of the treasury of this State to Robbins Hose Company, of Dover, Delaware, for the purpose of maintaining its fire apparatus.

Approved April 2, A. D. 1919.

TITLE FOUR

Public Arms and Defense

CHAPTER 41.

ORGANIZED MILITIA OF DELAWARE.

AN ACT to amend Chapter 8 of the Revised Code of the State of Delaware to promote the efficiency of the National Guard of Delaware by conforming to the military laws of the United States.

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

Section 1. That Chapter 8 of the Revised Code of the State of Delaware be, and the same is hereby amended by striking out 294A. Sec. 2A. and inserting in lieu thereof the following:

“294A. Sec. 2A. That hereafter no appointments shall be made of any Staff Officers (including Pay, Inspection, Subsistence and Medical Departments) unless such appointees shall have had previous military experience and they shall hold their appointments until they shall have reached the age of sixty-four (64) years, unless relieved prior to that time by reason of resignation, disability or for cause to be determined by a court-martial legally convened for that purpose. Vacancies among such officers shall be hereafter filled by appointment from the officers of the Militia of this State.”

“294B. Sec. 2B. The Governor of this State is authorized to issue such regulations governing the appointments of officers in the National Guard of this State and such other matters pertaining to the National Guard as may be necessary in order to

ORGANIZED MILITIA OF DELAWARE.

conform to the requirements made by Congress for participation in Federal appropriations for the National Guard."

"294C. Sec. 2C. That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act shall take effect and be in force from and after passage."

Approved April 10, A. D. 1919.

TITLE FIVE

Legislation

CHAPTER 42.

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 reducing the number of volumes of laws to be printed, eliminating the side-notes and regulating the distribution thereof.

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 striking out all of 368. Sec. 3. of said Chapter and inserting in lieu thereof the following, to be known as 368. Sec. 3:

"368. Sec. 3. PRINTING OF PUBLIC LAWS:—The Secretary of State shall immediately upon the adjournment of the General Assembly, have three thousand copies of all bills, orders, resolutions or votes of a public nature and proclamations of the Governor, accurately printed in pamphlet form, with proper index, in conformity with the code, and shall carefully preserve the originals. The printing of the Session Laws shall be done under contract made by the Board of State Supplies and in accordance with specifications furnished by said Board. The Secretary of State shall have bound six hundred and fifty copies of the number aforesaid, 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 certify to

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND JOURNALS.

the State Treasurer the number of Volumes furnished the respective Prothonotaries who shall charge for the same at the 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 Library for the Librarian to distribute, one copy to the State Library of each of the United States and retain the residue. The copies delivered as herein provided, to the Executive, the State and 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."

Section 2. That Chapter 10 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of 370. Sec. 5., of said Chapter, and inserting in lieu thereof the following, to be known as 370. Sec. 5:

"370. Sec. 5. DISTRIBUTION OF PAMPHLET LAWS:—The laws when printed in pamphlet form, as directed in Section 3 of this Chapter, shall be distributed by the Secretary of State as follows: To the Prothonotary of New Castle County, to the Prothonotary of Kent County, and to the Prothonotary of Sussex County the number to meet the requirements and demands of the public for general distribution and information in his judgment may seem desirable and upon request of the various Prothonotaries of the different counties; the residue to the State Library, for the Librarian to distribute one to the President of the United States; one to each of the Departments of the General Government; two to the Library of Congress; one to Delaware College; one to the New Castle County Law Library; one to the Historical Society of Delaware; one to the Executive of each of the United States, and one to the State Library of each of the United States and to retain the residue."

Approved April 2, A. D. 1919.

TITLE SIX

State Officers and Commissions

CHAPTER 43.

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS.

AN ACT to amend Chapter 11 of the Revised Code of the State of Delaware, by fixing the Bond of the Register of Wills for each County.

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

Section 1. That Chapter 11 of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing the first paragraph of 379 Sec. 3. and inserting in lieu thereof the following to be known as the first paragraph of 379 Sec. 3:

379. Sec. 3. OFFICIAL SECURITIES OF CORONER; REGISTER OF WILLS; RECORDER; PROTHONOTARY; CLERK OF THE PEACE; CLERK OF THE ORPHANS' COURT; CLERK OF THE SUPREME COURT:—Every Coroner, Recorder, Prothonotary and Clerk of the Peace, elected or appointed for either County, and the Clerk of the Supreme Court duly appointed, shall, at the next term of the Superior Court in that County, after his election or appointment, and the Clerk of the Orphans' Court, elected or appointed for either County shall, before entering upon the duties of his office, become bound to the State of Delaware with sufficient surety by a joint and several obligation in the penalty of three thousand dollars with condition "that if the above named who has been duly elected (or appointed) to be shall and do well and diligently execute his office of as aforesaid and duly and

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faithfully fulfil and perform all the trusts and duties to the said office appertaining, and truly and without delay deliver to his successor in office, the seal and all the books, records and papers belonging to said office safe and undefaced, and if the said shall truly and without delay pay over to the County Treasurer all the fees which it shall be his duty to collect and which are to be paid to the County Treasurer, then this obligation shall be void and of no effect, or else shall remain in full force and virtue;" except that in the condition of a Coroner's obligation, the clause beginning with the words "and truly" and ending with the words "undefaced" shall be omitted, and in the condition of the obligation of the Clerk of the Supreme Court, the clause beginning with the words "and if the said" and ending with the words "paid to the County Treasurer" shall be omitted. In the obligation of the Clerk of the Peace the word "offices" shall be used for the word "office." The Register of Wills of New Castle County shall be required to give Bond for the sum of Ten Thousand Dollars (\$10,000); the Register of Wills of Kent County shall be required to give Bond for Five Thousand Dollars (\$5000), and the Register of Wills of Sussex County shall be required to give Bond for Five Thousand Dollars (\$5000); said Bonds to be in the form as hereinabove provided and to be approved by the Resident Judge of the respective Counties and the said bond shall be executed in each case by the Register of Wills before entering upon the discharge of his office.

Approved April 24, A. D. 1919.

SALARIES OF STATE OFFICERS.

CHAPTER 44.

SALARIES OF STATE OFFICERS.

AN ACT to amend Chapter 12 of the Revised Code of the State of Delaware in relation to the salaries of the Chancellor, the Chief Justice and Associate Judges.

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

That Chapter 12 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 395, Sec. 7, and the insertion in lieu thereof of the following paragraph, which shall be styled 395, Sec. 7:

395. Sec. 7. JUDICIARY. That from and after the approval hereof by the Governor the Chancellor, Chief Justice and Associate Judges shall receive as compensation for their services the following salaries, to-wit: The Chancellor shall receive annually the sum of Seventy-five Hundred Dollars; the Chief Justice shall receive annually the sum of Seventy-five Hundred Dollars; the Associate Judges shall each receive annually the sum of Seventy-two Hundred and Fifty Dollars.

The Chancellor shall receive as compensation for reporting the decisions of the Court of Chancery and the Orphans' Court in the respective Counties, the additional sum of Two Hundred Dollars per annum; and the Associate Judge resident in Kent County, shall receive an additional compensation for reporting the decisions of the Supreme Court, and the Superior Court, the Court of General Sessions and the Court of Oyer and Terminer in the respective Counties, the additional sum of Two Hundred Dollars per annum.

Approved March 5, A. D. 1919.

SALARIES OF STATE OFFICERS.

CHAPTER 45.

SALARIES OF STATE OFFICERS.

AN ACT to amend Chapters 5 and 12 of the Revised Code of the State of Delaware, by increasing the salary of the State Librarian.

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

Section 1. That Chapter 5 of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out all of 31. Sec. 9 thereof and inserting in lieu thereof the following to be styled "31. Sec. 9":

31. Sec. 9. On and after the second Tuesday in February A. D. 1919, the salary of the State Librarian shall be Fifteen Hundred Dollars (\$1500) per year, and he is authorized and empowered to draw upon the State Treasurer at the end of each month for the same.

Section 2. That Chapter 12 of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out all of the fourth paragraph of 400. Sec. 12 and inserting in lieu thereof the following to be known as the fourth paragraph of 400. Sec. 12:—The Librarian shall receive for his services as such officer Fifteen Hundred Dollars (\$1500) per annum.

Approved March 25, A. D. 1919.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

CHAPTER 46.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

AN ACT to amend Chapter 15 of the Revised Code of the State of Delaware, by increasing the contingent fund of the State Treasurer and the salary of his Deputy.

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 twelve hundred dollars, which shall be used for the incidental expenses and purchases for his office and same shall be properly accounted for by vouchers.

The State Treasurer is hereby authorized and empowered to appoint a Deputy at an annual salary of eighteen 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 25, A. D. 1919.

AUDITOR OF ACCOUNTS.

CHAPTER 47.

AUDITOR OF ACCOUNTS.

AN ACT to amend Chapter 16 of the Revised Code, increasing the salary of the Deputy and fixing the contingent fund for the Auditor of Accounts.

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

Section 1. That Chapter 16 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing all of 538a, Section 34a of said Chapter, as enacted by Chapter 45, Volume 28, Laws of Delaware and by inserting in lieu thereof the following Section to be styled 538A, Section 34A:

538A, Section 34A. The Auditor of Accounts is hereby authorized and empowered to appoint a Deputy at an annual salary of eighteen 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.

And that the Contingent Fund of the Auditor of Accounts be and the same is hereby fixed at the sum of seven hundred dollars.

Approved March 31, A. D. 1919.

ATTORNEY GENERAL.

CHAPTER 48.

ATTORNEY GENERAL.

AN ACT to amend Chapter 17 of the Revised Code of the State of Delaware relating to the office of the Attorney General.

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

Section 1. That Chapter 17 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 539, Section 1, and inserting in lieu thereof a new Section which shall be known as 539, Section 1.

539. Section 1. The Attorney General shall have power and authority to appoint from the practicing members of the bar of each County of this State a lawyer resident in each of said Counties to be his Deputy and he also shall appoint at large from the practicing members of the bar of this State a lawyer who shall be his Chief Deputy. The powers of such Deputies shall be State-wide, and the term of office and the duties by them to be performed shall be determined and fixed from time to time by general or special appointments, regulations, and orders made by the Attorney General.

It shall be the duty of the Attorney General upon making the appointments of any Deputy herein provided for, and upon making any change therein, immediately to certify the same to the State Treasurer.

The salary of the Chief Deputy appointed under this Section shall be Fifteen Hundred Dollars per annum.

Section 2. That Chapter 17 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing

ATTORNEY GENERAL.

543, Section 5, and inserting in lieu thereof a new Section which shall be known as 543, Section 5.

543. Section 5. The sum of Seventy-five Hundred Dollars is annually appropriated out of any moneys in the Treasury not otherwise appropriated as a contingent fund for the use of the Attorney General, the said sum, or so much thereof as may be necessary, to be by him used for the purpose of paying the necessary expenses incident to criminal prosecutions. The Attorney General is authorized and empowered to draw his warrants on the State Treasurer for the said amount, or for so much thereof as he may from time to time require.

The Attorney General shall make an annual settlement to the Auditor of Accounts accounting for his expenditures made under authority of this Section, and at said settlement shall present his receipts and vouchers for the inspection of said Auditor.

Approved April 9, A. D. 1919.

BOARD OF PARDONS.

CHAPTER 49.

BOARD OF PARDONS,

AN ACT to amend Chapter 19 of the Revised Code of the State of Delaware relating to the Board of Pardons.

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

That Chapter 19 of the Revised Code of the State of Delaware be, and the same is, hereby amended by repealing 571, Section 1, and inserting in lieu thereof the following:

571. Sec. 1. POWERS OF; WITNESS FEES AND EXPENSES; BY WHOM PAID:—The Board of Pardons is authorized and empowered to summon and to compel the attendance of witnesses upon the meeting of said Board, and the said Board shall have and possess all the powers in this respect that are now possessed and exercised by the Court of General Sessions in this State.

The subpoena shall be signed and issued by the Secretary of the Board at the request of the applicant for a pardon, or at the request of any member of the Board, and shall be served by any officer authorized to serve subpoenas of the Court of General Sessions of either county.

The fees of witnesses shall be the same as those allowed in said Court, and those summoned at the request of the applicant for a pardon shall be borne by him; and the fees of witnesses summoned at the request of any member of the Board shall be paid by the State Treasurer from any moneys in the treasury of the State not otherwise appropriated, upon a warrant therefor signed by the President and Secretary of the Board.

Approved April 10, A. D. 1919.

STATE BOARD OF AGRICULTURE.

CHAPTER 50.

STATE BOARD OF AGRICULTURE.

AN ACT to amend Chapter 21 of the Revised Code of the State of Delaware, in reference to 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. That Chapter 21 of the Revised Code of the State of Delaware, be, and the same is hereby amended by repealing 675. Sec. 26 thereof.

Section 2. That Chapter 21 of the Revised Code of the State of Delaware, be, and the same is hereby amended by repealing 676. Sec. 27 thereof, and inserting in lieu thereof, a new Section to be styled "676. Sec. 27," as follows:

676. Sec. 27. For the purpose of defraying the expenses of holding the Institutes herein provided for the sum of Six Hundred dollars (\$600) annually is appropriated, to be paid on orders drawn by the President of the State Board of Agriculture.

Approved April 2, A. D. 1919.

STATE CHEMIST.

CHAPTER 51.

STATE CHEMIST.

AN ACT to amend Chapter 22 of the Revised Code of the State of Delaware, in reference to the State Chemist.

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

Section 1. That Chapter 22 of the Revised Code of the State of Delaware, as amended by Chapter 48, of Volume 29, Laws of Delaware, be, and the same is hereby amended by adding thereto a new Section to be styled "708H. Sec. 11H," as follows:

708H. Sec. 11H. The State Board of Agriculture shall have power to collect samples of foods, dairy and other feeds, and insecticides and have them analyzed by the State Chemist, and to cooperate with the United States Department of Agriculture in enforcing the laws on these subjects as prescribed by the Congress of the United States.

Approved April 2, A. D., 1919.

BOARDS OF HEALTH.

CHAPTER 52.

BOARDS OF HEALTH.

AN ACT to amend Chapter 25 of the Revised Code of the State of Delaware, being an Act relating to Boards of Health.

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 by repealing 740. Sec. 5 thereof, and by substituting in lieu thereof the following section, to be styled "740. Sec. 5."

740. Sec. 5. All the necessary expenses of the State Board of Health, incurred in accordance with the provisions of Law, shall be paid by the Treasurer of the State, out of moneys not otherwise appropriated, upon the order of the President of the Board, countersigned by the Secretary, as provided by Section 20 of Chapter 16: Provided, that all the expenses of the said State Board of Health shall not exceed in any one year the sum of six thousand dollars, and provided, also that in the event of an epidemic or pestilential disease occurring in the State, or threatened from without the State, the Board of Health of the State of Delaware shall forthwith cause all needful, sanitary measures and precautions to be taken, which the emergency may call for, and which may be consistent with law, and which shall be approved by the Governor; said approval to be expressed in writing; and to the said Board, with the approval of the Governor, is authorized to draw upon the State Treasurer, in favor of the Board, for such an additional amount as may be found, by the Governor and the State Board of Health, to be necessary to control and stamp out the epidemic or pestilential disease; said money to be paid out of any unappropriated money in the

BOARDS OF HEALTH.

State Treasury, and to be applied and expended under the direction of the Governor and the State Board of Health, in carrying out such needful, sanitary measures and precautions. Said emergency appropriation shall only be used in case, in the opinion of the Governor and the State Board of Health, the provisions of Article 738. Section 3, are not sufficient to combat the emergency concerning the public health, or said provisions of Article 738. Section 3 would be too great a burden for any local part of the State to bear.

Approved April 10, A. D. 1919.

BOARDS OF HEALTH.

CHAPTER 53.

BOARDS OF HEALTH.

AN ACT to amend Chapter 25 of the Revised Code of the State of Delaware, being an Act relating to the State Board of Health of Delaware Relative to Reporting Diseases Dangerous to Public Health.

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 by adding thereto the following section, to be styled as "740A. Section 5A":—

740A. Section 5A. That syphilis, gonorrhea and chancroid hereinafter designated as venereal diseases are hereby declared to be contagious, infectious, communicable and dangerous to the public health. It shall be unlawful for anyone infected with these diseases or any of them to expose another person to infection.

Section 2. Any physician or other person who makes a diagnosis in or treats a case of venereal disease, and any superintendent or manager of a hospital, dispensary, or charitable or penal institution in which there is a case of venereal disease, shall make a report of such case to the health authorities by number without name and address so long as the patient shall obey the rules and regulations of the State Board of Health.

Section 3. State, county and municipal health officers, or their authorized deputies, within their respective jurisdictions are hereby directed and empowered, when in their judgment it is necessary to protect the public health, to make examinations

BOARDS OF HEALTH.

of persons reasonably suspected of being infected with venereal disease, and to detain such persons until the results of such examinations are known, to require persons infected with venereal disease to report for treatment to a reputable physician and continue treatment until cured or to submit to treatment provided at public expense until cured, and also, when in their judgment it is necessary to protect the public health, to isolate or quarantine persons infected with venereal disease. It shall be the duty of all local and state health officers to investigate sources of infection of venereal disease, to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution, and otherwise to use every proper means for the repression of prostitution.

Section 4. All persons who shall be confined or imprisoned in any state, county, or city prison, in the state shall be examined for and, if infected, treated for venereal diseases by the health authorities or their deputies. The prison authorities of any state, county, or city prison are directed to make available to the health authorities such portion of any state, county, or city prison as may be necessary for a clinic or hospital wherein all persons who may be confined or imprisoned in any such prison and who are infected with venereal disease, and all such persons who are suffering with venereal disease at the time of the expiration of their terms of imprisonment, and, in case no other suitable place for isolation or quarantine is available, such other persons as may be isolated or quarantined under the provisions of Section 3, shall be isolated and treated at public expenses until cured, or, in lieu of such isolation any of such persons may, in the discretion of the Board of Health, be required to report for treatment to a licensed physician, or submit to treatment provided at public expense as provided in Section 3. Nothing herein contained shall be construed to interfere with the service of any sentence imposed by a court as a punishment for the commission of crime.

Section 5. The State Board of Health is hereby empowered and directed to make such rules and regulations as shall in its judgment be necessary for the carrying out of the provisions

BOARDS OF HEALTH.

of this Act, including rules and regulations providing for the control and treatment of persons isolated or quarantined under the provisions of Section 3, and such other rules and regulations, not in conflict with provisions of this Act, concerning the control of venereal diseases, and concerning the care, treatment and quarantine of persons infected therewith, as it may from time to time deem advisable. All such rules and regulations so made shall be of force and binding upon all county and municipal health officers and other persons affected by this Act, and shall have the force and effect of law.

Section 6. Any person who shall violate any of the provisions of this Act or any lawful rule or regulation made by the State Board of Health pursuant to the authority herein granted, or who shall fail or refuse to obey any lawful order issued by any state, county or municipal health officer, pursuant to the authority granted in this Act, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than a year or by both such fine and imprisonment.

Section 7. The sum of twenty-five hundred dollars is annually appropriated out of any funds in the State Treasury, not otherwise appropriated, for the expenses of this Act.

Section 8. All laws or parts of law in conflict with the provisions of this Act be and the same are hereby repealed.

Approved March 20, A. D. 1919.

BOARDS OF HEALTH.

CHAPTER 54.

BOARDS OF HEALTH.

AN ACT to amend Chapter 25 of the Revised Code of the State of Delaware, being an Act relating to the State Board of Health of Delaware relative to Reporting and Placarding Diseases Dangerous to Public 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 adding thereto the following Section, to be styled as 756A. Section 21A :—

756A. Section 21A. That any physician or person, attending a case of

Anthrax
Asiatic Cholera
Bubonic Plague
Cerebro Spinal Meningitis
Chicken Pox
Diphtheria (Membraneous Croup)
Leprosy.
Measles
Polio Myelitis
Scarlet Fever (Scarletina, Scarlet Rash)
Smallpox
Typhoid Fever
Typhus Fever
Whooping Cough
Yellow Fever

and which is located outside of the corporate limits of any incorporated city or town in the State of Delaware, shall immediately place the patient and house under quarantine and shall

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immediately report the existence of said disease, together with the name and age of the patient, the location of the premises in which the disease exists, to the nearest Board of Health, and also to the State Board of Health of Delaware, and shall within twenty-four hours have tacked on the front door of said premises a quarantine card for the disease existing therein. Said quarantine card to be furnished by the State Board of Health, and said physician or person shall in all ways obey the rules and regulations of the State Board of Health relative to contagious and infectious diseases.

That any person violating any of the provisions of this act, or the rules or regulations of the State Board of Health, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten dollars nor more than fifty dollars.

That all fines recovered under this Act, shall be paid to the State Board of Health, and by them paid to the Treasurer of the State of Delaware, and applied to the general fund of the State. The costs in all such cases shall be paid by the person fined.

Any person charged before any Justice of the Peace or other Magistrate, under this Act shall have a right to appeal to the Superior Court for the County. The bond and all the proceedings under said appeal shall be the same as prescribed under Section 53 of Chapter 74 of the Revised Code.

That the State Board of Health may at any time add other infectious or contagious diseases to be subject to the provisions of this Section.

That the Secretary of State is hereby authorized and directed to have 1000 copies of this Section printed and delivered to the State Board of Health within sixty days after the passage of this Act.

Approved April 10, A. D. 1919.

BOARDS OF HEALTH.

CHAPTER 55.

BOARDS OF HEALTH.

AN ACT to amend Article I of Chapter 23 of the Revised Code relating to Health Boards and Regulations.

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

Section 1. That Article 1 of Chapter 23 of the Revised Code be and the same is hereby amended by adding at the end of said Article 1, a new section to be styled 770A, Sec. 35A, as follows:

770A. Sec. 35A. Whenever there shall be an epidemic existing in any of the incorporated towns of Sussex County and no order has been made by the Board of Health closing the schools and other public places in the said Town, the Mayor or other presiding officer of the Town Council or Board of Commissioners of said Town may issue an order closing the public schools and other public places or any of them for such time as may be in his judgment required for the public protection and while such order shall be in force it shall have all the effect given by law to the orders of the Board of Health under the provisions of this Article. Such orders may be extended from time to time or modified in the discretion of such official.

Approved March 14, A. D. 1919.

BOARDS OF HEALTH.

CHAPTER 56.

BOARDS OF HEALTH.

AN ACT to amend Chapter 25 of the Revised Code of the State of Delaware, being an Act relating to Pathological and Bacteriological Laboratory.

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 788, Section 53 thereof, and by substituting in lieu thereof the following section, to be styled as 788. Section 53.

788. Section 53. The sum of Ten Thousand Dollars (\$10,000.00) annually is appropriated out of any funds in the State Treasury not otherwise appropriated, for the Pathological and Bacteriological Laboratory, for the payment of salaries and all other expenses of said Laboratory; the said appropriation shall be drawn upon in accordance with the provisions of Sections 19 to 28 inclusive, of Chapter Fifteen. The Accounts shall be audited by the Auditor of Accounts annually as now required for other accounts of the State Board of Health.

Approved April 2, A. D. 1919.

THE DELAWARE STATE TUBERCULOSIS COMMISSION.

CHAPTER 57.

THE DELAWARE STATE TUBERCULOSIS COMMISSION.

AN ACT to enable the Delaware State Tuberculosis Commission to Better Provide for the Care of Colored Consumptives.

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

Section 1. That the Delaware State Tuberculosis Commission be and it is hereby authorized to erect and equip on the site already acquired, an additional hospital building to be used as a dispensary and for housing the superintendent, nurses, help, and others assisting in caring for the colored inhabitants of the State of Delaware afflicted with tuberculosis.

Section 2. The said Commission shall have power to use the said additional hospital building, when erected, for any or all of the aforesaid purposes, as in the judgment of the said Commission may be proper and expedient.

Section 3. To defray the cost of erecting and equipping the said hospital building, the sum of seven thousand five hundred dollars (\$7,500.00) is hereby appropriated out of the money in the State Treasury not otherwise appropriated, and the State Treasurer is hereby authorized from time to time to pay out the same upon requisition of the Chairman of the said Commission, or such member of the Commission as may be selected by it to sign such requisition in the absence of the Chairman.

Approved April 2, A. D. 1919.

MEDICAL COUNCIL OF DELAWARE.

CHAPTER 58.

MEDICAL COUNCIL OF DELAWARE.

AN ACT to amend Chapter 27 of the Revised Code of the State of Delaware.
Being an Act relating to the Medical Council of Delaware.

*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 adding thereto the following section, to be styled as 847A. Section 14A:—

847 A. Section 14 A. The Secretary of the Medical Council shall, immediately, upon issuing a certificate, notify the Secretary of the State Board of Health of such fact or facts, giving to the State Board of Health the full name and address of said person or persons, and the date of issuing said certificate. This provision shall also apply to those given certificates under reciprocity and to internes in hospitals.

Approved March 20, A. D. 1919.

MEDICAL COUNCIL OF DELAWARE:

CHAPTER 59.

MEDICAL COUNCIL OF DELAWARE.

AN ACT to amend Chapter 27 of the Revised Code of the State of Delaware.
Being an Act relating to the Medical Council of Delaware.

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 adding thereto the following section to be styled as 847B. Section 14B:—

847 B. Section 14 B. Internes upon whom the degree M. D. has been conferred by a legally recognized medical school are permitted to engage in the practice of medicine and surgery in institutions, but they must confine their activities to the wards of the hospitals with which they are connected, except that they may assist during such internship a licensed physician or surgeon in his private practice.

Physicians practicing as hospital internes must register with the Secretary of the Medical Council.

In order to so register they must submit satisfactory evidence that they had obtained the degree of M. D. Any of the following are accepted as satisfactory evidence:

1. License from another State.
2. A diploma from a recognized medical school.
3. A letter from the Dean of a recognized medical school, stating that the degree of M. D. has been conferred upon the applicant after the completion of the required course.

MEDICAL COUNCIL OF DELAWARE.

The Secretary of the Medical Council shall immediately notify the Secretary of the State Board of Health of all such registrations granted.

Approved April 10, A. D. 1919.

STATE BOARD OF EXAMINERS OF UNDERTAKERS.

CHAPTER 60.

STATE BOARD OF EXAMINERS OF UNDERTAKERS.

AN ACT to amend Chapter 32 of the Revised Code of the State of Delaware.
Being an Act relating to undertakers.

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

That Chapter 32 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 910A. Section 3A:—

910A. Section 3A. The Secretary of said Board shall, immediately, upon issuing a renewal certificate or the granting of a new certificate to an Undertaker or Undertaker's Assistant, notify the Secretary of the State Board of Health of such fact or facts, giving to the State Board of Health the full name and address of said person or persons or company or corporation and the date of issuing said certificate.

Approved April 9, A. D. 1919.

STATE BOARD OF EXAMINERS OF UNDERTAKERS.

CHAPTER 61.

STATE BOARD OF EXAMINERS OF UNDERTAKERS.

AN ACT fixing a penalty for neglect of duty by the Board of Examiners of Undertakers.

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

Section 1. That Chapter 32 of the Revised Code be and the same is hereby amended by adding to 915 Sec. 8 of said Chapter the following paragraph; viz:

Any neglect of duty by the said Board or its officers shall be a misdemeanor punishable under Section 7 of this Chapter and upon proof of such neglect of duty satisfactory to the Governor he may remove the members of said Board or any officer thereof and make a new appointment to fill the vacancy so created.

Approved April 9, A. D. 1919.

THE LIBRARY COMMISSION FOR THE STATE OF DELAWARE.

CHAPTER 62.

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:

Section 1. That Chapter 34 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing the last paragraph of 934, Section 2 thereof as enacted by Chapter 64, Volume 28, Laws of Delaware and inserting in lieu thereof the following paragraph:

"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 five 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 five thousand dollars, together with the actual expenses of the members as aforesaid, and all bills for necessary printing, postage, stationery and office expenses, shall be paid by the State Treasurer annually to the said Commission, out of any funds in his hands as such Treasurer, not otherwise appropriated, upon the order or orders of its president, attested by its secretary."

Approved April 2, A. D. 1919.

PUBLIC ARCHIVES COMMISSION.

CHAPTER 63.

PUBLIC ARCHIVES COMMISSION.

AN ACT appropriating the sum of five hundred dollars per annum to be expended for purchases of State papers by the Public Archives Commission.

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 five hundred dollars be and the same is hereby appropriated annually for the purchase of State papers by the Public Archives Commission. The said purchases to be approved by the Governor and the President of the Public Archives Commission, and the money to be paid out of the State Treasury on the warrant of the Public Archives Commission, countersigned by the Governor.

Approved April 2, A. D. 1919.

STATE BOARD OF CHARITIES.

CHAPTER 64.

STATE BOARD OF CHARITIES.

AN ACT to amend Chapter 41 of the Revised Code of the State of Delaware and creating a State Board of Charities and prescribing the powers and duties of the said Board.

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

Section 1. That Chapter 41 of the Revised Code of the State of Delaware, consisting of Paragraphs 1003, 1004 and 1005 be and the same is hereby amended by repealing the said Chapter and Paragraphs and inserting in lieu thereof a new Chapter to be known as Chapter 41, as follows:

1003. Section 1. That there is hereby created the State Board of Charities which shall consist of five suitable persons, at least two of whom shall be women, who shall be appointed by the Governor. The members so appointed shall be, during their terms of office, citizens of the State of Delaware and one shall be a resident of New Castle County, one a resident of Kent County and one a resident of Sussex County; the other two members shall be appointed at large. Those members who are to be resident members of the respective Counties shall be so designated by the Governor in their appointment and upon making said appointments the Governor shall so certify the fact to the Secretary of State and to the appointees. The terms of office of the first appointees as members of said Board shall be from the First day of April, A. D. one thousand nine hundred and nineteen, as follows:

The member resident in New Castle County—one year. The member resident in Kent County—two years. The member resi-

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dent in Sussex County—three years; and the two members appointed at large shall each serve for the term of four years.

After the expiration of the terms of office aforesaid the Governor shall appoint members of the Board for the full term of four years. In case of any vacancies in the Board for any reason the Governor shall appoint some suitable person to serve for the unexpired term.

1003A. Section 1A. The Board shall hold regular meetings once each quarter and oftener if necessary, and it shall have power to make such rules and regulations for its government as it deems proper.

1003B. Section 1B. The Governor shall be ex-officio member of the Board. Such Board may appoint a Secretary, not a member of the board, who shall receive such annual salary as the Board may allow and necessary traveling expenses incurred in the discharge of official duties. Such salary and expenditures of the Board, certified in such manner as it may provide, shall be paid from the State Treasury, upon warrants, from funds appropriated for such purposes. The Board shall maintain an office at such place determined by the Board.

1004. Section 2. The State Board of Charities shall investigate, by correspondence and inspection, the system, condition and management of all benevolent and correctional institutions, public or private, which receive public funds from the State or from any County, Town or Municipality, and shall visit any children placed in free or boarding homes. Officers in charge of such institutions, or responsible for the administration of public funds for poor relief shall furnish the Board, or its representative, such information as required. The Board may prescribe such forms of reports and regulations as it deems necessary and shall have power to require all such institutions receiving public funds to keep such records and accounts as shall be ordered by the Board. For the purpose of such investigation and to carry out the provisions of this Chapter it shall employ such visitors as may be necessary.

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1004A. Section 2A. Such Board, upon request of the management, shall annually pass upon the fitness of such benevolent or correctional institutions, corporation and associations, public or semi-public, as receives or desires to receive and care for children, or places children in private homes. If such request is made the Board may direct each such institution, corporation or association to make a report showing its condition, management and competency accurately to care for such children as are or may be committed to it or admitted therein, the system of visitation employed for children placed in private homes and such other facts as the Board requires. When the Board is satisfied as to the care given such children and that the requirements of the Statutes covering the management of such institutions are being complied with it shall issue a certificate to that effect, which shall continue in force for one year unless sooner revoked by the Board.

1004B. Section 2B. The Governor at any time may order the State Board of Charities, or a committee of three members thereof, to investigate the management of any benevolent or correctional institution in the State. In making such investigation the Board, or its committee, shall have authority to require by subpoena the attendance and testimony of witnesses, the production of all books, papers, records and documents and other evidence relative to any matters under investigation, and to inspect the same. In case of disobedience to any subpoena the Board, or its committee, may invoke the aid of the Court of General Sessions or of the Superior Court, or any Judge thereof in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpoena the said Court, or any Judge thereof, may issue an order requiring appearance before the Board, or its committee, the production of documentary evidence and the giving evidence touching the matter in question and any failure to obey such an order may be punished by such Court or any Judge as a contempt thereof. A report of such investigation, with the testimony taken therein, shall be made to the Governor and by him it may be submitted to the

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General Assembly, or to some other proper governing body, with such suggestions as he deems proper.

1004C. Section 2C. At such times and places as it deems advisable the State Board of Charities may hold conferences of the officers of State, County and Municipal benevolent and correctional institutions and officers responsible for the administration of public funds used for the relief and maintenance of the poor. Such conferences shall consider in detail all questions of management of such institutions, the methods to secure their economical and efficient conduct, the most effective plans for granting public relief to the poor, and similar objects.

1005. Section 3. The members of the State Board of Charities shall serve without compensation, but their necessary traveling expenses incurred in the discharge of the official duties shall be paid from funds appropriated to the said Board. To provide for the expenses, salary of the Secretary and other employees the sum of Five Thousand Dollars is appropriated annually from any moneys in the hands of the State Treasurer not otherwise appropriated, which shall be paid on warrants drawn by the said Board, signed by the President and Secretary, and the State Treasurer is hereby authorized and directed to pay said warrants on the approval of the State Auditor.

1005A. Section 3A. The State Board of Charities shall annually make a report and shall include a list of the officers and agents employed, the conditions of institutions under its supervision and a statement of the year's work.

1005B. Section 3B. The intent and purpose of this Act are to provide humane and scientific treatment, care and the highest attainable degree of individual development for the dependent wards of the State;

To provide for the delinquent such wise conditions of modern education and training as will restore the largest possible portion of them to useful citizenship;

STATE BOARD OF CHARITIES.

To promote the study of the causes of dependency and delinquency, and of mental, moral and physical defects, with a view to cure and ultimate prevention ;

To secure, by uniform and systematic management, the highest attainable degree of economy in the administration of the State institutions under supervision of this Board consistent with the objects in view ;

This Act shall be liberally construed to these ends.

1005C. Section 3C. All Acts and parts of Acts inconsistent herewith are hereby repealed.

Approved April 9, A. D. 1919.

NOTARIES PUBLIC AND COMMISSIONER OF DEEDS.

CHAPTER 65.

NOTARIES PUBLIC AND COMMISSIONER OF DEEDS.

AN ACT to amend Chapter 70, of Volume 28, of the Laws of Delaware, being an Act entitled "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, as amended by Chapter 70 of Volume 28, of the Laws of Delaware, be, and the same is hereby amended by the repeal of 1006, Section 1 of Chapter 70, of Volume 28, of the Laws of Delaware, and inserting in lieu thereof the following, which shall be known 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.

In addition to the Notaries Public authorized to be appointed by the first paragraph of this Section, the Governor is author-

NOTARIES PUBLIC AND COMMISSIONER OF DEEDS.

ized and directed to appoint one Notary Public for each Trust Company, Bank, or Banking Association 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, Bank or Banking Associations or branch or branches thereof within this State, whether State or National, shall be confined to the business of *this respective Trust Companies, Banks or Banking Associations or branch or branches thereof; so far as acknowledgments 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.

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

Approved April 2, A. D. 1919.

*the

RECONSTRUCTION COMMISSION.

CHAPTER 66.

RECONSTRUCTION COMMISSION.

AN ACT providing for the creation of a Reconstruction Commission for 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. In order that the State of Delaware may serve the welfare of its own people adequately during the period of reconstruction and readjustment in the life of the United States following the signing of the armistice and the conclusion of peace, a reconstruction commission for the State is hereby established, to be known as "The Reconstruction Commission of the State of Delaware." The said Commission shall consist of seven members, residents of the State, to be appointed by the Governor.

The Commission shall be in existence from the date of the appointment of its members and for two years from the date of such appointment. All vacancies occurring in the Commission shall be filled by the Governor.

Section 2. The powers and duties of the Reconstruction Commission shall be to devise and put into operation plans for child welfare and community organization throughout the State, and for such other subjects as it finds in the course of its investigation to be inseparably connected therewith; to make studies and investigations of subjects which, in its opinion, ought to be considered in view of the change from the activities of war to those of peace; to make recommendations to the appropriate

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official agencies for such legislative or executive action as it may believe to be desirable, in view of its investigations.

Section 3. Every State Department in possession of information relating to the purposes of this Act shall, upon request of the said Commission, cooperate with it in carrying out the said purposes; and every public official of the State, excepting the members of the General Assembly and the judiciary shall, when so directed by the Commission, execute any of its orders carrying out the purposes of this Act.

Section 4. The Commission shall employ such agents, assistants, clerical force, and specially qualified persons as it may find necessary or expedient.

Section 5. The members of the Commission shall serve without pay. The expenses of the members incurred in service shall be paid by warrants drawn on the State Treasurer when accompanied by proper vouchers specifying the expenditures, and countersigned by the Governor.

Section 6. The sum of twenty-five thousand dollars is hereby appropriated annually to the Commission, for each of the two years during which it shall be in existence, for the purpose of carrying out the provisions of this Act.

Approved April 2, A. D. 1919.

JOINT COMMITTEE FOR AUDITING ACCOUNTS OF STATE OFFICERS.

CHAPTER 67.

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, 1920, authorizing the employment of expert assistance and the payment of the expenses of said session of said committee.

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

Section 1. That a Joint Committee of five 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, 1920.

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 Delaware 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

JOINT COMMITTEE FOR AUDITING ACCOUNTS OF STATE OFFICERS.

thereto, and to audit the accounts of the Secretary of State for State Taxes and other monies received by him for the State and the accounts of any other State Officers or institutions.

Section 3. That it shall be the duty of said committee to cause a statement of their settlement with the said officers under their hands, or a majority of them, to be published in two newspapers printed in the State at least five times during the month succeeding the term of effecting said settlement.

Section 4. That said Committee be and it is hereby authorized to employ expert assistance in making said settlements.

Section 5. That the said Committee shall receive the same compensation as members of the General Assembly, to be paid by the State Treasurer, upon orders drawn by the chairman of the said Committee out of any money in the hands of the State Treasurer not otherwise appropriated, and the Chairman of said Committee shall have authority to draw orders for the incidental expenses arising out of the session of said Committee and for the appropriations or allowances made by the said committee to be paid in like manner; provided, however, that the amount to be expended by said Committee shall not exceed the sum of fifteen hundred dollars.

Section 6. That the sum of fifteen hundred dollars is hereby expressly appropriated to said committee to be used by it in defraying the expenses of the session of said Committee and the State Treasurer is hereby directed to pay said sum of money, upon warrant of the Chairman of said Committee, out of any money in the Treasury not heretofore appropriated to any other purpose.

Approved March 10, A. D. 1919.

BOARD OF BOILER RULES.

CHAPTER 68.

BOARD OF BOILER RULES.

A BILL to provide for safety to life and property in this State in the construction and use of steam boilers; creating a Board of Boiler Rules to prescribe rules and regulations for boilers used in this State, which will be uniform with other State rules now in existence, in order to provide for the free interchange of boilers between states; to define the power of the Board of Boiler Rules; to provide penalties for the violation of this Act and Rules and Regulations of the Board of Boiler Rules; and making an appropriation to carry out the provisions of this Act.

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

Section 1. The Governor shall appoint five citizens of recognized knowledge of the construction and use of steam boilers, who shall act as members of a Board of Boiler Rules. These five citizens shall preferably be; one, a Professor of Mechanical Engineering; another, a Manufacturer who shall have been actively engaged in the manufacture of steam boilers; another, a user of boilers; another a Mechanical Engineer; and the fifth, a licensed Stationary Engineer. The terms of such appointees shall be four years each, and they shall be so classified, that one shall be appointed each year.

This Board shall organize by electing a Chairman, and Secretary and shall meet twice yearly at a place to be designated by the Board of Boiler Rules. This Board shall formulate rules and regulations for the safe and proper construction and use of steam boilers. The rules and regulations so formulated shall be as nearly as possible in conformity with the Boiler Code of the American Society of Mechanical Engineers.

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Section 2. The rules formulated by the Board of Boiler Rules shall become effective and binding on manufacturers and users of boilers upon the approval of the Governor and the Attorney General. Rules requiring a change in methods of construction of boilers or in the character of materials used, shall not be enforced until six months after their approval by the Governor or Attorney General.

Section 3. Any person, firm or corporation violating any of the provisions of this Act, or any person, firm or corporation violating any of the rules or regulations or requirements of the Board of Boiler Rules shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of not more than One Hundred Dollars, or imprisonment for not more than Thirty days, or by both such fine and imprisonment in the discretion of the Court.

Section 4. The sum of Three Hundred Dollars is appropriated for printing and distribution of the rules as formulated by the Board of Boiler Rules.

The Chairman of the Board of Boiler Rules shall sign all vouchers for expenditures under this Section.

Section 5. Nothing in this Act shall be construed as abolishing any department, office or officer now existing in any city in this State.

Section 6. The provisions of this Act shall, in no way, apply to boilers, which are now, or hereafter may be, subject to federal inspection and control.

Approved April 8, A. D. 1919.

STATE HIGHWAY DEPARTMENT.

CHAPTER 69.

STATE HIGHWAY DEPARTMENT.

AN ACT to amend Section 5 of Chapter 63 of Volume 29 of the Laws of Delaware by providing for the construction of State Highways Through Incorporated towns.

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

Section 1. That Section 5 of Chapter 63 of Volume 29, of the Laws of Delaware, be and the same is hereby amended by adding thereto after the seventieth line thereof the following:

When, in the judgment of the State Highway Department, the route for the construction or re-construction of any state highway should continue through any incorporated town within this State, the Department shall construct and maintain said highway through such incorporated town, such construction and maintenance to be at the sole expense of the Department, unless the duly constituted governing body of said town shall agree to other terms.

Whenever the Department shall construct a State Highway through any such incorporated town, it shall not change the widths of the street or streets of said town, except with the consent of the duly constituted governing body of said town.

Whenever the Department shall construct a State Highway through any such incorporated town, it shall have the whole and sole control over such construction and over the maintenance of said highway through said town, and such highway, shall not be undermined, broken, opened or any wise torn up for any purpose whatsoever by any person whatsoever, except by the permit in writing of the Department.

Approved April 14, A. D. 1919.

STATE HIGHWAY DEPARTMENT.

CHAPTER 70.

STATE HIGHWAY DEPARTMENT.

AN ACT to amend Chapter 63, Volume 29, of the Laws of Delaware by Providing State Aid to Counties for Road Construction.

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

Section 1. That Chapter 63, Volume 29 of the Laws of Delaware be and the same is hereby amended by adding immediately after Section 20 of said Chapter the following:

Section 21. STATE AID FOR COUNTY ROAD CONSTRUCTION:—The State Highway Department shall set aside annually a sum of not less than Three Hundred Thousand Dollars (\$300,000), to be offered in equal portions to the three Counties, respectively, for the purpose of the permanent improvement of such roads in said Counties as shall be mutually agreed upon by the State Highway Department and the Levy Court or other body having jurisdiction over the expenditure of money for highway improvement of the several Counties, respectively; provided that said sums or any portions thereof shall be paid out only when and as the several Levy Courts, respectively, shall contribute equal amounts dollar for dollar for the purpose above named; such roads shall be known as "State Aid Roads."

Roads so selected shall be in addition to the State system as outlined by the State Highway Department and shall be roads running in a generally east and west direction and intersecting or connecting with the State system.

Plans, specifications and estimates for State Aid Construction shall be made by the State Highway Department and sub-

STATE HIGHWAY DEPARTMENT.

mitted to the Levy Court or other body having jurisdiction over the expenditure of money for highway improvement of the several Counties, respectively, for approval. After such approval the State Highway Department shall advertise for bids, let the contract and supervise the construction; and thereafter such State Aid Roads shall be maintained by the State Highway Department, each Levy Court providing One Hundred Dollars (\$100.00) annually per mile of road so maintained within the County of said Levy Court.

Should any County neglect or refuse to contribute for maintenance by October 1st of any calendar year for that year, all State aid to the County so neglecting or refusing shall be withheld until this provision is complied with.

If any County shall not apply for State aid to the full amount offered during any calendar year, the balance remaining shall revert to the general funds of the State Highway Department. Moneys derived from the sale of bonds, now authorized for road improvement in any County, may be expended under the provisions of this Act. *Provided*, that, with the consent and agreement of the said State Highway Department and the Levy Court or other body having jurisdiction over the expenditure of money for highway improvement of the several Counties, respectively, the requirements of (7) Section 1, Chapter 63, Volume 29, Laws of Delaware may be waived.

Approved April 21, A. D. 1919.

TITLE SEVEN

County Government

CHAPTER 71.

LEVY COURTS.

AN ACT regulating the amounts of money to be appropriated by the Levy Courts of Kent and Sussex Counties to Incorporated Towns.

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

Section 1. That the Levy Courts of Kent and Sussex Counties shall in no year appropriate to any incorporated town any sum of money greater than the said Incorporated Town shall have raised by taxation during the previous year. Nor shall any appropriation be made to any Incorporated Town until the Levy Court shall be satisfied by the affidavit of the President or Secretary of the Town Council of said Incorporated Town that said amount had been raised by taxation in the said Incorporated Town during the previous fiscal year of said Incorporated Town. The said money shall be used on the streets on the said town and for no other purpose, and whenever the Levy Court shall be satisfied that any such money has not been so used, it shall withhold the appropriation for the following year.

Section 2. That all acts and parts of acts inconsistent herewith are hereby repealed so far as the same relate to Kent and Sussex Counties.

Approved April 21, A. D. 1919.

LEVY COURT NEW CASTLE COUNTY.

CHAPTER 72.

LEVY COURT NEW CASTLE COUNTY.

AN ACT to amend Chapter 43 of the Revised Code of the State of Delaware in Relation to the Levy Court 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 43 of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out 1018 Sec. 6, of said Chapter and inserting in lieu thereof the following:

"1018. Sec. 6. ELECTION; TIE VOTE CERTIFIED; GOVERNOR TO APPOINT; SALARIES:—Should any two or more persons voted for as Levy Court Commissioner in any District receive an equal and the highest number of votes cast at any election, the Superior Court of the State of Delaware, in and for New Castle County, sitting as the Board of Canvass in said County, shall certify that fact to the Governor, who shall forthwith select one of said persons to be the Levy Court Commissioner from said District.

The salaries of Levy Court Commissioners for New Castle County shall be twelve hundred dollars per annum, payable semi-monthly in installments of fifty dollars each, by warrants duly drawn upon the County Treasurer, until the first day of July, A. D. 1919, and on and after the first day of July, A. D. 1919, said salaries shall be eighteen hundred dollars per annum, payable semi-monthly in installments of seventy-five dollars each, by warrants duly drawn upon the County Treasurer. Said

LEVY COURTS.

Levy Court Commissioners shall not be entitled to have or receive from said County any other or further compensation than said salary of eighteen hundred dollars per annum, for any services done or performed by them or any of them in their said office of Levy Court Commissioner for New Castle County."

Approved April 14, A. D. 1919.

LEVY COURT NEW CASTLE COUNTY.

CHAPTER 73.

LEVY COURT NEW CASTLE COUNTY.

AN ACT to amend Chapter 43 of the Revised Code of the State of Delaware relating to the Levy Court 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 43 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 1028, Section 16 thereof, and by inserting in lieu thereof the following which shall be known as 1028, Section 16:

1028. Section 16. AUDITING COMMITTEE; DUTIES; COMPENSATION; PUBLICATION OF REPORT; EXPENSE HOW PAID; REPORTS OF COMPTROLLER, RECEIVER OF TAXES AND COUNTY TREASURER:—In the month of June in each year, it shall be the duty of the Resident Associate Judge of New Castle County to appoint a committee of two qualified voters of New Castle County, one from each of the principal political parties, who shall examine, audit and inspect all the books, vouchers and accounts of the County Comptroller, Receiver of Taxes and County Treasurer, Levy Court Commissioners and Clerk of the Levy Court of New Castle County respectively, and make an itemized report of the receipts and disbursements of the foregoing officers respectively in writing, under oath or affirmation, to the said Judge.

Each of said Auditors, so appointed by said Judge, shall receive for his services a sum not exceeding Five Hundred Dollars to be fixed by the Resident Associate Judge of New Castle County, which the Levy Court Commissioners of New Castle County are authorized and directed to pay.

LEVY COURT OF NEW CASTLE COUNTY.

When and as soon as the Resident Associate Judge of New Castle County shall receive the itemized report of the committee so appointed by him, he shall thereupon cause the said report or reports to be published in pamphlet form, and in such number as, in his judgment, will best inform the public of the facts contained in such report or reports.

It shall be the duty of the Levy Court Commissioners of New Castle County to pay for the publications as aforesaid, on presentation to them of the bills or charges therefor, approved by said Judge.

The County Comptroller and Receiver of Taxes and County Treasurer shall, seasonably for the use of the Auditing Committee in this Section provided for, make a general statement showing the receipts, disbursements and appropriations, together with the bonded indebtedness of New Castle County. Said statements shall be verified by their respective oaths and shall be published in the pamphlet and as a part of the report of said Auditing Committee.

Approved April 14, A. D. 1919.

LEVY COURT OF KENT COUNTY.

CHAPTER 74.

LEVY COURT OF KENT COUNTY.

AN ACT in relation to the appropriations provided by law to be made by the Levy Court of Kent County to the incorporated towns of said County.

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

Section 1. That all the Statutes of the State of Delaware directing the payment of any moneys by the Levy Court of Kent County to the incorporated Towns of said County be and the same are hereby repealed.

Section 2. That the Levy Court of Kent County shall annually appropriate for the maintenance and upkeep of the State or County Roads within the limits of the incorporated towns of said Kent County the sum of seven thousand dollars, which said sum shall be distributed by the said Levy Court as equitably as possible among said towns, in the following manner:

One-half of the said sum of seven thousand dollars shall be distributed among the said Towns pro rata according to the mileage of State or County Roads contained within the corporate limits thereof and the remaining one-half of said sum shall be distributed among said towns pro rata according to the aggregate amount of the assessment therein for County purposes for the year preceding any such distribution.

Section 3. That the appropriations provided for by this Act shall be used by the said incorporated towns for the maintenance and upkeep of the State and County Roads within the limits thereof and for no other purpose whatever.

LEVY COURT OF KENT COUNTY.

Section 4. That each of the incorporated towns of Kent County shall on or before the first day of January of each year file with the Levy Court of Kent County a copy of the town assessment for the preceding year which said assessment shall be duly certified by the town assessor or the Secretary of the Council or other governing body of said town.

Section 5. That annual statements in writing accompanied by vouchers showing the expenditures of moneys hereby appropriated and sworn to by the presiding officer of the Council or other governing body of said towns and by the treasurers thereof shall be rendered to said Levy Court.

Approved April 10, A. D. 1919.

LEVY COURT SUSSEX COUNTY.

CHAPTER 75.

LEVY COURT SUSSEX COUNTY.

AN ACT in relation to the appropriations provided by law to be made by the Levy Court of Sussex County for the incorporated towns of said County.

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

Section 1. That all the provisions of law for the appropriation of moneys by the Levy Court of Sussex County for the incorporated Towns of said County be and the same are hereby repealed.

Section 2. That the Levy Court of Sussex County shall annually appropriate for the maintenance and upkeep of the State or County roads within the limits of the incorporated towns of said Sussex County the sum of Nine Thousand Dollars, which said sum shall be distributed by the said Levy Court as equitably as possible among said towns, in the following manner:

One-half of the said sum of Nine Thousand Dollars shall be distributed among the said towns pro rata according to the mileage of State or County Roads contained within the corporate limits thereof and the remaining one-half of said sum shall be distributed among said towns pro rata according to the aggregate amount of the assessment therein for County purposes for the year preceding any such distribution.

Section 3. That the appropriations provided for by this Act shall be used by the said incorporated towns for the maintenance and upkeep of the State and County roads within the limits thereof and for no other purposes whatever.

LEVY COURT OF SUSSEX COUNTY.

Section 4. That each of the incorporated towns of Sussex County shall on or before the first day of January of each year file with the Levy Court of Sussex County a copy of the town assessment for the preceding year which said assessment shall be duly certified by the town assessor or the Secretary of the Council or other governing body of said town.

Section 5. That annual statements in writing accompanied by vouchers showing the expenditures of moneys hereby appropriated and sworn to by the presiding officer of the Council or other governing body of said towns and by the treasurers thereof shall be rendered to said Levy Court.

Approved April 21, A. D. 1919.

VALUATION AND ASSESSMENT OF PROPERTY.

CHAPTER 76.

VALUATION AND ASSESSMENT OF PROPERTY.

AN ACT to amend Section 1 of Chapter 44, Code Section 1098, of the Revised Code of the State of Delaware by adding a paragraph to said Section, in relation to the exemption of property from Taxation.

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

Section 1. That Chapter 44, Section 1, Code Section 1098, of the Revised Code of the State of Delaware, be and the same is hereby amended by adding to said Section, at the end thereof, the following paragraph:

"All real and personal property, except such as is held by way of investment, owned by any Corporation or Association maintained wholly or partly by charity in this State, and used wholly or partly by non-sectarian charitable Young Women's Christian Associations, shall be and the same is hereby exempt from all taxes, assessments, burdens, or impositions for State, County and Municipal purposes."

Approved April 10, A. D. 1919.

VALUATION AND ASSESSMENT OF PROPERTY.

CHAPTER 77.

VALUATION AND ASSESSMENT OF PROPERTY.

AN ACT to re-enact, re-publish and amend Chapter 79, of Volume 28, Laws of Delaware, being entitled, "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:

That Chapter 79, Volume 28, Laws of Delaware, is amended to read as follows, and as amended is hereby re-enacted and republished:

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:

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.

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:

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1100 A. Sec. 3 A. The term of office of the members of the the Board of Assessment of Sussex County shall be for six years, commencing on the first Tuesday of March of the year in which they shall be appointed respectively.

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:

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 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 shall serve until the first Tuesday in March, A. D. 1917.

During the month of February, A. D. 1917, 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 one senatorial district of said County, and no more than two of whom shall belong to the same political party, who shall compose the Board of Assessment of Sussex County. One of the persons so comprising said Board of Assessment shall be appointed for a term of two years from the first Tuesday in March, A. D. 1917; one other of said persons shall be appointed for a term of four years from said first Tuesday in March, A. D. 1917; and the third one of said persons shall be appointed for a term of six years from said first Tuesday in March, A. D. 1917; and thereafter, upon the expiration of the term of office of each of the three persons so appointed, the said Levy Court of Sussex County shall appoint a suitable person as a member of said Board of Assessment for the full term of six years.

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 the right to appeal from said judgment or decision to the Superior Court, which

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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.

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 Collector. 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.

Section 4. That 1102, Sec. 5, of Chapter 44, of the Revised Code is hereby repealed with respect 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:

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 (\$1,000.00), payable in equal monthly instalments, and in the year in which an annual assessment is made, the sum of Five Hundred Dollars (\$500.00), payable in equal monthly instalments. No member of said Board of Assessment shall be paid his monthly salary, however, until the said Levy Court shall be satisfied that the said member of said Board of Assessment has faithfully performed the duties of his office during the preceding month. And in addition to said annual salary, each member of said Board of Assessment shall be paid by the Levy Court of Sussex County his actual and necessary traveling expenses incurred by him in traveling over the County for the purpose of investigating the value of any taxable property, either real or personal, in the County; and, when sitting for the purpose of hearing appeals from assessment, during the month of February of each year as by law required, the members of

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said Board of Assessment shall be paid their actual and necessary expenses for board and traveling, in connection with their duties as a Board of Appeals.

Provided, however, that all bills for expenses presented by the members of said Board of Assessment as herein provided, shall be itemized and duly verified before they shall be allowed by the Levy Court. No other or further compensation or emoluments in any guise whatsoever, shall be allowed or paid to said members of the Board of Assessment.

Section 6. That 1104, Sec. 7, of said Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County.

Section 7. That 1105, Sec. 8, of Chapter 44 of said Revised Code, is repealed with respect to Sussex County.

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:

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.

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:

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

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asses, 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 names of all persons who have died, or who have removed from the County.

In making the annual assessment of persons and personal property as aforesaid, the said Board is authorized and directed to examine carefully the assessment lists of towns, cities and school districts, and the books of registered voters of the preceding election, in order that no person, or the personal property of any person, may be omitted from the assessment lists. The said Board of Assessment, or some member thereof, shall, for the purpose aforesaid, visit in person each election district at least one day, and as often as it shall be necessary, to ascertain the names of persons in each election district liable to capitation tax, and the personal property of all such.

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.

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:

1109 A. Sec. 12 A. The said Board of Assessment of Sussex County shall have the power and it shall be its 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.

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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.

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; 1112 A. Sec. 15A., as follows:

1112 A. Sec. 15 A. The Board of Assessment shall, on or before the fifteenth day of February 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. The said Board shall sit during each secular day, commencing on the fifteenth day of February, and ending on the first day of March 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 place of sittings to hear appeals, and to make additions and corrections as aforesaid, shall be given by advertisement published at least once each week for two weeks, in at least two newspapers in said county, and by such other means as will best bring notice of the same to persons interested; *Provided*, that in the year of an annual assessment it shall not be necessary for the Board of Assessment to make and post a copy of the assessment, except as to persons or property in respect of which a change has been made in the assessment since the previous year.

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.

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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.

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.

Section 12. 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:

1113 A. Sec. 16 A. The Board of Assessment, immediately upon entering upon their duties, and in every year in which a general assessment is made, shall notify in writing every person, firm, association of persons, or corporation, who or which may own 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 real or personal property owned by him, it, or them, or 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 in a reasonable manner, and the articles of personal property, correctly itemized, and the true value of each parcel of real estate or item of personal property. Such return shall be made in said manner in every year of a general assessment. Accompanying such written notices shall be a form or schedule for the making of proper returns.

The Board of Assessment shall have full power to compel any other or further return as occasion may require, for the pur-

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pose of making additions, corrections or alterations to the assessment lists, or to perfect the same, or to equalize assessments.

Failure to render an account and return by any person liable so to do within ten days after the time limited for the making thereof, 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 is empowered to stay a prosecution for any violation of the provisions of this section upon the making and filing of a proper return and account, and the payment of a sum of money for the use of the County, to be fixed by the Board, and the costs of prosecution, if any. A copy of this section shall accompany all written notices given hereunder.

The forms and schedules aforesaid 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, or by an officer of said corporation, that the return as made is a full, true and complete list of all real and personal property liable to assessment and taxation, and that said return fairly and truly describes the said property, and truly represents its condition and value.

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.

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:

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.

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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:

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, 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.

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.

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 A. Sec. 27 A. The Board of Assessment, or any member thereof, may personally inspect each tract or parcel of real estate returned by the owner thereof, on the forms and schedules aforesaid, and shall report in writing to said Board their opinion as to its value; and if 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 five

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days after the date of said notice, for a hearing and determination.

If any taxable shall make complaint to the Board of Assessment that the real estate in any election district, as compared with other election districts, is not assessed in a fair and equitable manner, it shall be the duty of said Board, or some member thereof, to visit personally the said election district, and to inspect personally the properties, the assessment of which is complained of, thereby to equalize and make perfect the assessments.

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.

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:

1125 A. Sec. 28 A. The said Board of Assessment shall have power, if, in their discretion, after full examination they find that the assessment of any incorporated town, city or school district in Sussex County, made by the duly constituted assessors thereof, is a fair and true assessment, at the real cash

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value of the property of the taxables in such town, city or school district, to adopt said assessment, or such portion thereof as they may deem sufficient, as the assessment thereof for County purposes.

Section 19. That 1126, Sec. 29, of said 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, 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 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. 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 offices shall enable him to do, and whether the same, if devised, be in trust or a devise in fee, or otherwise.

Section 20. That 1128, Sec. 31, of Chapter 44 of the Revised Code, is hereby repealed with respect to Sussex County.

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.

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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 shall make a written statement thereof, showing the names of the owners, arranged alphabetically, and at least three consecutive letters of the last name thereof, the different kinds of property, the value of each kind, the amount of each owner's assessment, and the amount of assessment of each election district. The Board of Assessment shall distinguish between improved land and unimproved land, and shall state whether such unimproved land is timber land, swamp, or marsh, and the number of acres of each.

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.

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:

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.

Section 24. That 1134, Sec. 37, of Chapter 44 of the Revised Code is hereby repealed with respect to Sussex County.

Section 25. That 1137, Sec. 40, of Chapter 44 of the Revised Code is hereby repealed with respect to Sussex County.

Section 26. That 1138, Sec. 41, of Chapter 44 of the Revised Code is hereby repealed with respect to Sussex County, and

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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:

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 April 2, A. D. 1919.

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CHAPTER 78.

VALUATION AND ASSESSMENT OF PROPERTY.

AN ACT to amend Chapter 44 of the Revised Code of the State of Delaware in Relation to the Board of Assessment 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 44 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 1107 B. Sec. 10 B. of said Chapter, and inserting in lieu thereof the following:

"1107 B. Sec. 10 B. On and after the first day of July, A. D. 1917, the Board of Assessment shall forthwith proceed to make a general assessment of the assessable persons and property of persons in New Castle County, which said assessment shall be returned so as to be acted upon for the year 1918, and every year thereafter as is hereinafter provided."

Section 2. By striking out 1108 B. Sec. 11 B. of said Chapter and inserting in lieu thereof the following:

"1108 B. Sec. 11 B. The Board of Assessment of New Castle County shall annually make an assessment of all real estate, the persons and personal property of persons in New Castle County, liable to assessment.

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."

Section 3. By striking out 1109 Sec. 12 of said Chapter and inserting in lieu thereof the following:

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"1109. Sec. 12. The said Board of Assessment of New Castle County shall have the power and it shall be its 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 to make a new assessment, other than an annual assessment, it shall, before said alteration, change, or new assessment, is made, give ten 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 apparent occupancy thereof, then such notice shall be posted on said land."

Section 4. By striking out 1112 B. Sec. 15 B. of said Chapter and inserting in lieu thereof the following:

"1112 B. Sec. 15 B. The said Board of Assessment of New Castle County shall, on or before the first day of February of each year, post in some convenient place in each Election District of the County outside of the City of Wilmington and in the office of the Board of Assessment in the City of Wilmington, a copy of the assessment. And the said Board of Assessment shall sit during each secular day of the months of March and April 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 by advertisements published at least once each week for two weeks in at least two newspapers in said County, one of which newspapers shall be published in the City of Wilmington, 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.

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If any taxables 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.

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 June, as basis on which to estimate and fix the tax rate.

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."

Section 5. By striking out 1113 B. Sec. 16 B. of said Chapter and inserting in lieu thereof the following:

"1113 B. Sec. 16 B. The Board of Assessment of New Castle County shall, immediately upon entering upon its duties, 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 control 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 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 such other information as may be required by said Board. Such return by said owner or agent in respect to real estate and personal property shall be made in said manner in every year if required by said Board of Assessment. Accompanying such written notices shall be a form of schedule for the making of proper returns.

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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.

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 not exceeding one hundred dollars 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 not exceeding ten dollars 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 notice under this section.

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 return 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.

Nothing in this Section shall be construed to apply to a licensed real estate agent having the care, management or control of, for sale or for rent, property of another in respect to such property."

Section 6. By striking out 1123. Sec. 26, of said Chapter and inserting in lieu thereof the following:

"1123. Sec. 26. The said Board of Assessment of New Castle County shall, on or before the first day of June in each year,

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prepare and furnish to the Levy Court duplicates of all 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 its 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, 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.

The said Board of Assessment shall have the power to employ a clerk or clerks at salaries to be fixed by the Levy Court of New Castle County, whose duties shall be as prescribed by said Board of Assessment. The Board of Assessment shall certify in writing the name of each person so employed and shall approve all bills rendered to said Levy Court by such person so employed before payment shall be made to such persons by the said Levy Court."

Section 7. By striking out 1126 A. Sec. 29 A. of said Chapter and inserting in lieu thereof the following:

"1126 A. Sec. 29 A. It shall be the duty of every purchaser of real estate in New Castle County to make a report to the Board of Assessment of New Castle County of the conveyance made to him, with a description of the real estate and value in money of the full purchase price, 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 it shall then be the duty of the Recorder of Deeds 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

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so 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. And it shall be the duty of the said Board of Assessment to procure and keep such books and records as it may deem necessary so that the owner of any particular piece of real estate in New Castle County and the description thereof can be readily ascertained."

Section 8. By striking out 1130 B. Sec. 33 B. of said Chapter and inserting in lieu thereof the following:

"1130. B. Sec. 33 B. The Board of Assessment of New Castle County shall ascertain and assess according to law all the taxable property in each election district outside the City of Wilmington and in the City of Wilmington and make a written statement thereof showing the names of the owners, arranged alphabetically, and at least three consecutive letters of the last names thereof, or by street and number, the different kinds of property, the value of each kind, the amount of each owner's assessment, and the amount of assessment of said election districts and city."

"1130 C. Sec. 33 C. Any person or persons failing to comply with any of the provisions of this Chapter, for which no penalty is prescribed, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined one hundred dollars, or be imprisoned not over one year, or both, in the discretion of the Court.

It shall be the duty of the New Castle County Board of Assessment, as well as any Magistrate, to see that the provisions of this Chapter are enforced.

Approved April 14, A. D. 1919.

BOARD OF ASSESSMENT.

CHAPTER 79.

BOARD OF ASSESSMENT.

AN ACT to amend Chapter 79 Volume 28, Laws of Delaware, by providing for the exemption of certain dependents from Capitation Tax.

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

That Chapter 79 of Volume 28, Laws of Delaware, be, and the same is hereby amended by striking out the last paragraph of 1112A Section 15A on page 214 and inserting in lieu thereof the following:

"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." Provided it shall not be compulsory for the Board of Assessment to levy a capitation tax on any dependent person financially unable to pay said tax and physically unable to earn a livelihood, if after application is made to the Board of Assessment in behalf of such person, an investigation should convince the Board of Assessment that any such person should be exempt.

Approved March 20, A. D. 1919.

COUNTY TREASURER AND COLLECTION OF TAXES.

CHAPTER 80.

COUNTY TREASURER AND COLLECTION OF TAXES.

AN ACT to amend Chapter 45 of the Revised Code of the State of Delaware (as amended by Chapter 75, Volume 29, Laws of Delaware) in relation to the Deputies and 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 as amended by Chapter 75, Volume 29, Laws of Delaware, be and the same is hereby further amended by the repeal of 1179, Section 35 thereof, as amended, 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 eighteen hundred dollars, and two clerks or assistants at an annual salary of fifteen hundred dollars each. Provided, however, that the number of the deputies and 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 of New Castle County shall, in its 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 deputies so to be authorized or employed shall receive annual salaries of eighteen hundred dollars each, and that any additional clerks or assistants so to be authorized or employed shall receive annual salaries of fifteen hundred dollars each.

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The salaries of such deputies and clerks or assistants shall be paid to them by warrants drawn by the Levy Court of New Castle County on the County Treasurer in equal semi-monthly installments, upon the certificate in writing of the Receiver of Taxes and County Treasurer that they have faithfully performed their duties during the preceding semi-month. Such deputies 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 deputies or clerks at any time and shall be responsible for all the official acts, neglects and defaults of such deputies and clerks as he may employ.

The salaries of the collectors provided by this Chapter shall be fixed and determined by the said Levy Court 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 said Levy Court as other salaries are paid in equal semi-monthly installments.

Section 2. This Act shall not become operative until July First, A. D. 1919, provided, however, that the said Levy Court may, at any time after the approval hereof, and before July First, A. D. 1919, pay any or all of the said deputies, clerks and assistants the salaries hereinabove provided for in lieu of the salaries now authorized by law.

Approved April 14, A. D. 1919.

COUNTY TREASURER AND COLLECTION OF TAXES.

CHAPTER 81.

COUNTY TREASURER AND COLLECTION OF TAXES.

AN ACT to provide for the more efficient collection of taxes in Kent 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 the office of Collector of Taxes for the several districts of Kent County, as the same is now constituted by law, is abolished from and after the first Tuesday in January, A. D. 1921; provided, however, that the Collectors of Taxes who are duly appointed and qualified prior to the first day of January, A. D. 1921, 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 under their respective appointments, but in no case for longer than two years from the date of their respective warrants.

Section 2. On the first Tuesday in January, in the year A. D. 1921, and every two years thereafter, on the first Tuesday in January, the Levy Court of Kent County shall appoint a competent person, who shall be a resident of Kent County, to the office of Receiver of Taxes and County Treasurer, which said office is hereby created. The person so appointed shall hold office for the term of two years from the date of his appointment, or until his successor be duly qualified. In the event of a vacancy occurring in the office of Receiver of Taxes and County Treasurer, by death, resignation, or otherwise, the

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Levy Court shall appoint a suitable person for the residue of the unexpired term.

Section 3. At the general election to be held in the year A. D. 1920, there shall be no person elected to the office of County Treasurer, but the then County Treasurer of Kent County shall hold office until the appointment of the first Receiver of Taxes and County Treasurer under the provisions of this Act.

Section 4. All the rights, powers and authority appertaining to the office of County Treasurer of Kent County shall be vested in the Receiver of Taxes and County Treasurer, as herein created, and the said Receiver of Taxes and County Treasurer shall be subject to all of the duties, conditions and limitations appertaining to the said office of County Treasurer. Upon the appointment of the first Receiver of Taxes and County Treasurer under the provisions of this Act, and the qualification of the person so appointed, the said office of County Treasurer shall be abolished, and the duties of said County Treasurer shall devolve at once upon the Receiver of Taxes and County Treasurer.

Section 5. The provisions of Chapter 82, Volume 28, Laws of Delaware, and Acts amendatory thereof, shall apply to the office of Receiver of Taxes and County Treasurer of Kent County, except as otherwise specified herein, and wherever in said Chapter 82, Volume 28, Laws of Delaware, or in Acts amendatory thereof, the word "Sussex" shall appear, it shall be deemed and taken to be "Kent," and wherever the word "Georgetown" shall appear, it shall be deemed and taken to be "Dover."

Section 6. All acts, or parts of Acts, or sections of the Revised Statutes, inconsistent herewith, or which are supplied hereby, are hereby repealed.

Approved April 3. A. D. 1919.

COUNTY TREASURER AND COLLECTION OF TAXES.

CHAPTER 82.

COUNTY TREASURER AND COLLECTION OF TAXES.

AN ACT to amend Chapter 82, Volume 28, Laws of Delaware, being '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 Chapter 82, Volume 28, Laws of Delaware, be amended by striking out all of the first paragraph of Section 10 of said Chapter, and inserting in lieu thereof the following:

"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 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."

Section 2. That Chapter 82, Volume 28, Laws of Delaware, be further amended by the addition of a new paragraph to Section 13 of said Chapter, as follows:

"If the Receiver of Taxes and County Treasurer shall have instituted lawful proceedings for the collection of taxes in respect of any taxable, and it shall thereafter appear that the said tax is uncollectible, by reason of error in the assessment lists

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or otherwise, and not due to the real default or neglect of the Receiver of Taxes and County Treasurer, or, if property, real or personal, of any taxable, sold for the payment of taxes, shall not bring a sum sufficient to pay and discharge the lawful fees, mileage, costs and charges of the Justice of the Peace, constable, sheriff, Receiver of Taxes and County Treasurer, or other officer, the said Receiver of Taxes and County Treasurer not being in real default or neglect, in such cases the fees, mileage, costs and charges as aforesaid, shall be paid by the Levy Court; subject to the right of the Levy Court to be convinced that no unnecessary or improper costs have been incurred. The Justice of the Peace, Constable, Sheriff and Receiver of Taxes and County Treasurer shall be entitled to the same fees, mileage, costs and charges as are now, or hereafter may be, chargeable in other civil actions before a Justice of the Peace, or as are hereinafter prescribed in respect of the Receiver of Taxes and County Treasurer; and mileage shall be chargeable by the Sheriff or Constable upon a return of non est inventus, or mortuus est. The provisions of this paragraph shall apply to all lawful proceedings heretofore instituted for the collection of taxes."

. Section 3. That Chapter 82, Volume 28, Laws of Delaware, be further amended by striking out the second paragraph of Section 15 of said Chapter, and by inserting in lieu thereof the following:

"He may select and employ one deputy, at an annual salary of twelve 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 employ other and additional assistance in his office as may be required from time to time, provided the cost thereof shall not, in any one year, exceed the sum of four hundred dollars, which said other and additional assistance shall be paid by the Levy Court of Sussex County, upon the presentation by the Receiver of Taxes and County Treasurer of itemized, sworn statements thereof."

Section 4. That Chapter 82, Volume 28, Laws of Delaware, be further amended by striking out subsections B. and D. of

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Section 18 of said Chapter, and by inserting in lieu thereof the following:

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.

The said execution shall be and constitute a lien upon all the personal property of the taxable within the County of Sussex which, by virtue of said execution, shall be levied upon within thirty days after the issuance thereof, and such lien shall have preference and priority to all other liens on said personal property created or suffered by said taxable, although such other lien or liens be of a date prior to the time of the attachment of such lien for taxes.

D. If the Receiver of Taxes and County Treasurer shall be unable to find property of a taxable from which to collect the tax due, it shall be lawful for the said Receiver of Taxes and County Treasurer, and it shall be his duty, to make complaint under oath to any Justice of the Peace in Sussex County, and thereupon the said Justice of the Peace shall issue a warrant for the arrest of said taxable; and if, after hearing, it shall be found by the said Justice that the tax in respect of such person so arrested is due and owing, the said Justice shall commit the taxable to the County Jail until the tax, and all fees, costs and charges shall be fully paid.

Section 5. That Chapter 82, Volume 28, Laws of Delaware, be further amended by striking out all of said Section 20 of said Chapter, and inserting in lieu thereof the following:

Section 20. Every sale of lands and tenements shall be returned by the Receiver of Taxes and County Treasurer to the

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Superior Court, in and for Sussex County, at the next term thereof, and the Court shall inquire into the circumstances, and either approve said sale, or set it aside. If it be approved, the Receiver of Taxes and County Treasurer making the sale shall make a deed to the purchaser, which shall convey 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, and so on until the tax due be collected. The certificate filed, together with the return and deed, shall be presumptive evidence of the regularity of the proceedings.

In the event of the death, resignation or removal from office of the Receiver of Taxes and County Treasurer before the proceedings for the sale of land shall have been completed, his successor in office shall succeed to all of his powers, rights and duties in respect of said sale; and in case the term of office of any Receiver of Taxes and County Treasurer shall expire before the proceedings for the sale of lands shall have been completed, the said Receiver of Taxes and County Treasurer shall continue in his powers, duties and responsibilities in respect of said sale until the same shall have been finally approved by the Court; *Provided*, that if any outgoing Receiver of Taxes and County Treasurer shall die or remove from the State before any sale of lands conducted by him shall have been approved by the Court, in such case the Superior Court of the County aforesaid shall have jurisdiction to direct the Receiver of Taxes and County Treasurer then in office to make and complete returns of sale, and to execute and deliver deeds for the land so sold."

Section 6. That Chapter 82, Volume 28, Laws of Delaware, be further amended by striking out all of Section 21, and inserting in lieu thereof the following:

Section 21. In cases of sale of land for the payment of taxes, the following costs shall be allowed to be deducted 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

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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 costs of printing handbills and publication of advertisements of sale, together with the miles necessarily travelled by the Receiver of Taxes and County Treasurer in posting the handbills as required by Section 19, shall be chargeable as costs, as aforesaid. Mileage shall be computed and charged at five cents for every mile necessarily travelled.

The cost of the deed shall not be chargeable as costs, but shall be paid by the purchaser.

Section 7. That Chapter 82, Volume 28, Laws of Delaware, be further amended by striking out all of Section 26 of said Chapter, and inserting in lieu thereof the following:

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 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, with the same preference and priority, 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

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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 levam 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.

Approved February 26, A. D. 1919.

PAWNBROKERS.

CHAPTER 83.

PAWNBROKERS.

AN ACT to amend Chapter 45 of the Revised Code of the State of Delaware in relation to the rate of interest charged by Pawnbrokers.

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

That Chapter 45 of the Revised Code of the State of Delaware be and the same is hereby amended by: repealing 1203, Section 59 and substituting in lieu thereof the following, to be known as 1203, Section 59.

1203. Section 59. No person, corporation or firm so conducting the business of a pawnbroker shall ask, demand or receive a greater rate of interest than three per centum per month on any loans secured by pledge of personal property.

Approved April 10, A. D. 1919.

COUNTY COMPTROLLER.

CHAPTER 84.

COUNTY COMPTROLLER.

AN ACT to amend Chapter 46 of the Revised Code of the State of Delaware, as amended by Chapter 77 of Volume 29, of the Laws of Delaware, in relation to the Comptroller and Deputy Comptroller 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 46 of the Revised Code of the State of Delaware as amended by Chapter 77, of Volume 29, of the Laws of Delaware, be and the same is hereby amended by striking out the third paragraph of 1275. Section 3 thereof, and by inserting in lieu thereof the following paragraph:

The salary of the Comptroller of New Castle County shall be thirty-six hundred dollars per annum, payable semi-monthly, in instalments of one hundred and fifty dollars, by warrants duly drawn upon the County Treasurer of New Castle County. The Comptroller of New Castle County may select and employ one Deputy, at a salary of eighteen hundred dollars per annum, to be paid in semi-monthly instalments of seventy-five dollars, by warrants drawn upon the County Treasurer of New Castle County. Such Deputy Comptroller shall be under the control of said Comptroller, who shall have the right to discharge him at any time. Such Deputy Comptroller shall have authority to sign or execute, in the name of the Comptroller, all checks, books, reports, bills or papers that the Comptroller is now or hereafter may be authorized, empowered or directed to sign or execute.

Approved April 14, A. D. 1919.

SHERIFFS.

CHAPTER 85.

SHERIFFS.

AN ACT increasing the Mileage to be allowed the Sheriff of Sussex County and increasing the Salary of his Deputy.

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

Section 1. The Sheriff of Sussex County shall be allowed five cents per mile for every mile required to be traveled in serving any writ, summons, subpoena, notice or process which shall hereafter be placed in his hands; said mileage to be paid monthly by the Levy Court of Sussex County after a statement shall have been rendered to it by the Sheriff.

Section 2. The Sheriff of Sussex County may select and employ a Deputy at a salary of seven hundred and fifty dollars (\$750) per year to be paid monthly by the Levy Court of Sussex County.

Section 3. All acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Approved April 10, A. D. 1919.

RECORDER.

CHAPTER 86.

RECORDER.

AN ACT to Provide Clerical Assistance for the Office of Recorder of Deeds, in and for Sussex County.

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

Section 1. That the Recorder of Deeds, in and for Sussex County, is hereby authorized and empowered to employ, clerical assistance in said office.

The said Recorder of Deeds shall, at the end of every month, prepare and furnish to the Levy Court of Sussex County, a statement of the items of expenditure for the clerical assistance as aforesaid, in which shall be included the names of persons employed by him during said month, and the amount due to each person so employed. The statement shall be verified by the affidavit of the Recorder of Deeds.

The Levy Court shall, upon the presentation of said statement and affidavit, pay for said clerical assistance by warrant in the usual form; provided, however, that the amount of the clerical assistance as aforesaid, to be paid by the Levy Court as aforesaid, shall not in any one year, exceed the sum of one thousand dollars (\$1,000.00).

Approved April 10, A. D. 1919.

CONSTABLE.

CHAPTER 87.

CONSTABLE.

AN ACT to amend Chapter 51 of the Revised Code of the State of Delaware, by providing for the appointment of a Constable for the Office of the Receiver of Taxes and County Treasurer of Sussex County.

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

That 1400, Sec. 4, of Chapter 51, of the Revised Code, be amended by adding to said section an additional paragraph numbered (4); as follows:

“(4) The Receiver of Taxes and County Treasurer of Sussex County may nominate, and the Levy Court shall appoint, a Constable for the office of Receiver of Taxes and County Treasurer of Sussex County. The Constable first appointed hereunder shall hold office until the first Tuesday in March, of the year next after the date of his appointment, and thereafter upon the nomination of said Receiver of Taxes and County Treasurer, the Levy Court shall, on the first Tuesday in March, in each year, appoint a constable for said office. The duties of said constable shall consist in the service and return of writs of summons, attachment, garnishment and execution in respect to delinquent taxables, and in the arrest and imprisonment of such delinquents under the powers and duties of the Receiver of Taxes and County Treasurer, and in the posting of notices and making sales of property, real and personal, as the said Receiver of Taxes and County Treasurer may direct. The said constable shall be entitled to charge the same fees, costs and charges as are now or may be hereafter provided by law for county constables, or for the Receiver of Taxes and County

CONSTABLE.

Treasurer. The said constable shall have all the power and authority under the limitations of this paragraph, and shall be subject to all the requirements and qualifications imposed or obligated by law upon constables in and for Sussex County; provided that nothing herein shall preclude any other Constable of said County from the performance of any of the said duties when duly directed so to do.

Approved February 19, A. D. 1919.

CONSTABLE.

CHAPTER 88.

CONSTABLE.

AN ACT to amend Chapter 51 of the Revised Code by providing for a Constable to reside in the Town of Blades, in the County of Sussex.

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

Section 1. That Chapter 51 of the Revised Code be amended by adding thereto a new Section, to be known and numbered as, 1400 A. Sec. 4 A.

1400 A. Sec. 4 A. The Levy Court of Sussex County shall, on the first Tuesday in March, in each and every year, appoint from the qualified voters resident in the Fourth Representative District of Sussex County, a suitable person to be constable for the said District for the year in which he shall be appointed. The said Constable shall reside in the town of Blades, in the County of Sussex, and shall have all the power and authority, and shall be subject to all the requirements, qualifications and duties imposed or obligated by law upon constables in and for Sussex County aforesaid.

Approved February 28, A. D. 1919.

CONSTABLE.

Treasurer. The said constable shall have all the power and authority under the limitations of this paragraph, and shall be subject to all the requirements and qualifications imposed or obligated by law upon constables in and for Sussex County; provided that nothing herein shall preclude any other Constable of said County from the performance of any of the said duties when duly directed so to do.

Approved February 19, A. D. 1919.

CONSTABLE.

CHAPTER 88.

CONSTABLE.

AN ACT to amend Chapter 51 of the Revised Code by providing for a Constable to reside in the Town of Blades, in the County of Sussex.

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

Section 1. That Chapter 51 of the Revised Code be amended by adding thereto a new Section, to be known and numbered as, 1400 A. Sec. 4 A.

1400 A. Sec. 4 A. The Levy Court of Sussex County shall, on the first Tuesday in March, in each and every year, appoint from the qualified voters resident in the Fourth Representative District of Sussex County, a suitable person to be constable for the said District for the year in which he shall be appointed. The said Constable shall reside in the town of Blades, in the County of Sussex, and shall have all the power and authority, and shall be subject to all the requirements, qualifications and duties imposed or obligated by law upon constables in and for Sussex County aforesaid.

Approved February 28, A. D. 1919.

CONSTABLE.

CHAPTER 89.

CONSTABLE.

AN ACT to amend Chapter 51 of the Revised Code of the State of Delaware, in reference to the Bond of the Constable in the Town of Odessa.

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

Section 1. That Chapter 51 of the Revised Code of the State of Delaware be and the same is hereby amended by adding thereto a new section to be styled "1411 A. Sec. 15 A.," as follows:

1411 A. Sec. 15 A. BONDS; SPECIAL PROVISIONS:—The Constable required by Section 2 of this Chapter to reside in the Town of Odessa shall not be required to give bond in a greater sum than five hundred dollars.

Approved March 5, A. D. 1919

BONDS OF COUNTY OFFICERS.

CHAPTER 90.

BONDS OF COUNTY OFFICERS.

AN ACT in relation to the time of giving bond to public officers 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 from and after the passage of this Act every public officer of Sussex County who is required by law to give a bond for the faithful performance of his duties to be approved by the Judges of the Superior Court, Orphans' Court or Court of Chancery shall execute such bond before entering upon the duties of his office with sufficient sureties to be approved by any Judge of the Superior Court, which said bond shall afterwards be submitted to the Judges of the Superior Court, Orphans' Court or the Chancellor as the case may be for approval as now provided by law. And such bond shall have all the force and effect now given by law to such official bonds. Provided that the said Judges or Chancellor may at any time require additional surety.

Approved April 3, A. D. 1919.

SALARIES OF CERTAIN COUNTY OFFICERS.

CHAPTER 91.

SALARIES OF CERTAIN COUNTY OFFICERS.

AN ACT to amend Chapter 53 of the Revised Code of the State of Delaware (as amended by Chapter 92, Volume 29, Laws of Delaware) in relation to the Deputies and Clerks of Certain County *Offices 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 53 of the Revised Code of the State of Delaware, as amended by Chapter 92, Volume 29, Laws of Delaware be and the same is hereby amended by repealing, the first paragraph of 1439, Section 7 thereof, as amended, and inserting in lieu thereof the following which shall be the first paragraph of 1439, Section 7.

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:

In New Castle County, the Clerk of the Peace may select and employ one Deputy at a salary of one thousand and eight hundred dollars, and three clerks, each at a salary of one thousand and five hundred dollars; the Sheriff, three Deputies, one at a salary of one thousand and eight hundred dollars, one at a salary of one thousand and five hundred dollars, and one at a salary of eight hundred dollars; the Coroner, one Deputy at a salary of five hundred dollars; the Prothonotary, one Deputy at a salary of one thousand and eight hundred dollars, and one clerk at a salary of one thousand and five hundred dollars; the Recorder, one Deputy at a salary of one thousand and eight hun-

*Officers.

SALARIES OF CERTAIN COUNTY OFFICERS.

dred dollars, and four clerks, each at a salary of one thousand and five hundred dollars; the Register of Wills, one Deputy at a salary of one thousand and eight hundred dollars, and one clerk at a salary of one thousand and five hundred dollars; the Register in Chancery and Clerk of the Orphans' Court may select and employ two Deputies at a salary of one thousand and eight hundred dollars each; provided, however, that the Levy Court 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 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.

Section 2. This act shall not become operative until July First, A. D. 1919, provided however, that the said Levy Court may, at any time after the approval hereof, and before July First, A. D. 1919, pay any or all of the said Deputies and Clerks the salaries hereinabove provided for in lieu of the salaries now authorized by law.

Approved April 14, A. D. 1919.

SALARIES OF CERTAIN COUNTY OFFICERS.

CHAPTER 92.

SALARIES OF CERTAIN COUNTY OFFICERS.

AN ACT to amend Chapter 55 of the Revised Code of the State of Delaware relating to the County Engineer 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 55 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 1482. Sec. 2 of said Chapter and inserting in lieu thereof the following:

"1482. Sec. 2. COUNTY ROAD ENGINEER; APPOINTMENT; QUALIFICATIONS; SALARY; TERM OF OFFICE; REMOVAL; MAY ALSO BE NEW CASTLE COUNTY STATE HIGHWAY COMMISSIONER—The said Levy Court shall, at its first meeting in April, commencing in the year A. D. 1919, and every fourth year thereafter, appoint a competent person who shall be a Civil Engineer with experience in the actual supervision of the construction and maintenance of highways for at least two years prior to his appointment, and who shall be known as the County Road Engineer. The said Levy Court may pay the said County Road Engineer a salary not in excess of Four Thousand Dollars (\$4,000.00) a year, payable semi-monthly. The said County Road Engineer shall hold office for the term of four years, next succeeding his appointment, unless sooner removed by the said Levy Court. The said Levy Court shall have the power at any time to remove any person occupying the position of County Road Engineer for incapacity, neglect of his duties or other suitable cause, and to appoint his successor. It shall be no ob-

SALARIES OF CERTAIN COUNTY OFFICERS.

jection to said County Road Engineer that he shall also hold the office of New Castle County State Highway Commissioner under the provisions of Sections 21 to 32 inclusive of this Chapter, provided that if one person shall fill both of said offices, the combined salary paid to him by the said Levy Court and the State of Delaware shall not exceed Four Thousand Dollars (\$4,000.00) per annum.

Approved April 21, A. D. 1919.

SALARIES OF CERTAIN COUNTY OFFICERS.

CHAPTER 93.

SALARIES OF CERTAIN COUNTY OFFICERS.

AN ACT increasing the salaries of the Deputy Sheriffs of Kent and Sussex Counties and providing a salary for the Deputies of the Clerks of the Peace of said Counties for two years.

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

Section 1. That for the years 1919 and 1920 the salary of the Deputy Sheriff of Kent County shall be nine hundred dollars per annum, and that the Clerk of the Peace of Kent County may employ a deputy at a salary of nine hundred dollars per annum, payable monthly until the first Tuesday in January, A. D. nineteen hundred and twenty-one."

Approved April 10, A. D. 1919.

TRUSTEES OF THE POOR.

CHAPTER 94.

TRUSTEES OF THE POOR.

AN ACT to Amend Chapter 54 of the Revised Code relating to the compensation of the Trustees of the Poor of New Castle County.

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

That 1448, Section 4 of Chapter 54 of the Revised Code be, and the same is hereby amended by striking out all of the first paragraph of said Section and by inserting in lieu thereof the following:

The Trustees of the Poor of New Castle County shall receive for attendance at the New Castle County Hospital in performance of their duties, for each meeting of the Board of Trustees, each Trustee, ten dollars, also three cents per mile going and returning. No Trustee of the Poor of New Castle County shall receive fees or compensation, as before provided, for attendance upon more than twelve meetings of the Board as aforesaid in one year.

Approved April 14, A. D. 1919.

ROADS AND BRIDGES.

CHAPTER 95.

ROADS AND BRIDGES.

AN ACT to amend Chapter 55, Section 120 of the Laws of Delaware in relation to Laying Out, Widening, Changing and Vacating Public Roads.

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

Section 1. That Chapter 55 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 120 of said Chapter and inserting in lieu thereof the following:

"1600. Section 120. PUBLIC ROADS; WIDTH:—All public roads hereafter laid out in New Castle County shall be of such width, not less than thirty feet, as shall be determined by the persons appointed to lay out the same, cleared and grubbed as the Levy Court shall direct to a width of not less than twenty feet.

In Kent and Sussex Counties, all public roads hereafter laid out shall be thirty feet wide, twenty feet whereof shall be cleared and grubbed."

Approved April 21, A. D. 1919.

ROADS AND BRIDGES.

CHAPTER 96.

ROADS AND BRIDGES.

AN ACT to Amend Chapter 55, of the Revised Code of the State of Delaware in relation to the laying out, changing and vacating Public Roads and Bridges.

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

Section 1. That Chapter 55 of the Revised Code of the State of Delaware be and the same is hereby amended by adding immediately after 1602. Section 122 of said Chapter the following:

"1602A. Section 122A. NOTICE TO ABUTTING PROPERTY OWNERS AS TO BUILDING LIMITS:—In an order made on a petition for changing the course or width of a public road if the commission judge the changes or widening proper they shall then cause notice thereof to be sent by mail. A record of which shall be preserved, to all persons owning property which is crossed or which abutts upon and is contiguous to such road or roads, and any such owner or the legal representative of any such owner, who after such notice has been given, shall construct any building within sixty feet of the centre line of any such road as exists or is proposed shall be allowed no compensation for such building, upon the condemnation thereof, or the land upon which it is situated, unless such owner shall serve written notice upon the Levy Court within three months from the time that he receives such notice that he claims damages by reason of the provisions of this paragraph, in which event the said Levy Court may apply, as provided herein for the ascertainment of damages in other matters, for the ascertainment of the damages so claimed by such owner."

Approved April 14, A. D. 1919.

ROADS AND BRIDGES, NEW CASTLE COUNTY.

CHAPTER 97.

ROADS AND BRIDGES, NEW CASTLE COUNTY.

AN ACT to authorize the Levy Court of New Castle County to borrow \$500,000 to be expended for the completion of the Lincoln Highway in New Castle County and reconstruction of other roads in said County under the provisions of Chapter 55 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 the Levy Court of New Castle County be, and is hereby, authorized and empowered to borrow upon the faith and credit of said County as hereinafter provided, a sum not exceeding five hundred thousand dollars (\$500,000), to be expended for the completion of the Lincoln Highway in New Castle County and reconstruction of other roads in said County under the provisions of Chapter 55 of the Revised Code of the State of Delaware, and for the purpose of securing the payment of such sum to issue bonds in denominations of one thousand dollars (\$1,000) each and bearing such rate of interest not exceeding six per centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

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

Class.	Amounts.	Year of Maturity.
A.....	\$40,000.....	1924
B.....	40,000.....	1925
C.....	40,000.....	1926
D.....	40,000.....	1927
E.....	40,000.....	1928

ROADS AND BRIDGES, NEW CASTLE COUNTY.

Class.	Amounts.	Year of Maturity.
F.....	40,000.....	1929
G.....	40,000.....	1930
H.....	40,000.....	1931
I.....	40,000.....	1932
J.....	20,000.....	1933
K.....	40,000.....	1934
L.....	40,000.....	1935
M.....	20,000.....	1936
N.....	20,000.....	1937

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

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

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

ROADS AND BRIDGES, NEW CASTLE COUNTY.

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

Section 6. All the said bonds shall bear the same date and shall be numbered from one to five hundred inclusive. All money received from the sale of any or all of the said bonds after the payment of the charges and expenses connected with the preparation and sale thereof shall be deposited by the County Treasurer at the Farmers' Bank at Wilmington to the credit of the Levy Court of New Castle County in a separate account and payments therefrom shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this section provided, shall be used for any other purpose than for the completion of the Lincoln Highway under the provisions of Section 21 to 31 inclusive of Chapter 55 of the Revised Code of the State of Delaware, as the same now exists or may hereafter be amended; and provided further that the purchasers or holders of said bonds

ROADS AND BRIDGES, NEW CASTLE COUNTY.

shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds. And provided further that the money thus obtained shall be spent for the completion, as aforesaid, of the Lincoln Highway, in Christiana, Mill Creek, White Clay Creek and Pencader Hundreds, by such a route as the Levy Court of New Castle County and the New Castle County State Highway Commissioner shall deem advisable, leading from the corporate line of the City of Wilmington to the Maryland State Line via Elsmere, Price's Corner, Marshallton and Newark. If any balance shall remain after having completed the above named highway, such balance shall be expended in the reconstruction, under the provisions of Sections 21 to 31 inclusive of Chapter 55 of the Revised Code of the State of Delaware, as the same now exists or may hereafter be amended, of existing stone roads in said County to be selected by said Levy Court.

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

UNITED STATES OF AMERICA.

STATE OF DELAWARE.

Class..... Number.....

NEW CASTLE COUNTY HIGHWAY IMPROVEMENT.
BOND

Sixth Series.

\$1,000.00

\$1,000.00

New Castle County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, on the..... day of A. D. the sum of one thousand dollars, with interest thereon at the rate of.....per centum per annum, pay-

ROADS AND BRIDGES, NEW CASTLE COUNTY.

able semi-annually on the.....day of
and.....in each year. This bond
 is one of the authorized issue of five hundred bonds aggregating
 five hundred thousand dollars, by virtue of and in strict com-
 pliance with an Act of the General Assembly of the State of Del-
 aware, approved A. D. 1919, entitled "An
 Act to authorize the Levy Court of New Castle County to bor-
 row \$500,000 to be expended for the completion of the Lincoln
 Highway in New Castle County and reconstruction of other
 roads in said County under the provisions of Chapter 55 of the
 Revised Code of the State of Delaware," and in pursuance of a
 resolution of the Levy Court of New Castle County, adopted
 A. D.

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

IN WITNESS WHEREOF, the County Treasurer, President of
 the Levy Court and Clerk of the Peace, of New Castle County,
 have hereunto set their hands and the seal used by the Levy
 Court of New Castle County, at the City of Wilmington, in
 Delaware, this.....day of.....
 A. D.

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

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

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

Section 8. Said bonds shall contain such provisions in addi-
 tion to those set forth in Section 7 of this Act, and not incon-
 sistent with the requirements of this Act, as said Levy Court
 shall determine.

Approved April 21, A. D. 1919.

ROADS AND BRIDGES, NEW CASTLE COUNTY.

CHAPTER 98.

ROADS AND BRIDGES, NEW CASTLE COUNTY.

AN ACT to authorize the Levy Court of New Castle County to borrow \$200,000 to be expended for the Permanent Improvement of Public Highways of New Castle County under the provisions of Chapter 63, Volume 29, Laws of Delaware, as amended.

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

Section 1. That the Levy Court of New Castle County be, and is hereby, authorized and empowered to borrow upon the faith and credit of said County as hereinafter provided, a sum not exceeding two hundred thousand dollars (\$200,000) to be expended for the permanent improvement of highways of New Castle County under the provisions of Chapter 63, Volume 29, Laws of Delaware, as amended, and for the purpose of securing the payment of such sum to issue bonds in denominations of one thousand dollars (\$1,000) each bearing such rate of interest not exceeding six per centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

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

Class.	Amounts.	Year of Maturity.
A.....	\$20,000.....	1924
B.....	20,000.....	1925
C.....	20,000.....	1926
D.....	20,000.....	1927

ROADS AND BRIDGES, NEW CASTLE COUNTY.

Class.	Amounts.	Year of Maturity.
E.....	20,000.....	1928
F.....	20,000.....	1929
G.....	20,000.....	1930
H.....	20,000.....	1931
I.....	20,000.....	1932
J.....	20,000.....	1933

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

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

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

Section 5. Said bonds, principal and interest shall be payable at the Farmers' Bank at Wilmington, Delaware, in gold coin of the United State of America equal in weight and fineness to the present standard, out of the money from time to time

ROADS AND BRIDGES, NEW CASTLE COUNTY.

appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank when and as the same shall become due and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first instalment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of Section 2 of this Act.

Section 6. All of said bonds shall bear the same date and shall be numbered from one to two hundred inclusive. All money received from the sale of any or all of the said bonds after the payment of the charges and expenses connected with the preparation and sale thereof shall be deposited by the County Treasurer at the Farmers' Bank at Wilmington to the credit of the Levy Court of New Castle County in a separate account and payments therefrom shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this section provided, shall be used for any other purpose than for the permanent improvement of highways under the provisions of Chapter 63, Volume 29, Laws of Delaware, as amended; and provided further that the purchasers or holders of said bonds shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds. And provided further, that the money thus obtained, or any part thereof, shall be spent only as a like amount, dollar for dollar, shall be contributed by the State Highway Department for the construction,

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as aforesaid, of such highways in New Castle County as may be mutually agreed upon by the Levy Court of New Castle County and the State Highway Department.

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

UNITED STATES OF AMERICA.

STATE OF DELAWARE.

Class.....

Number.....

NEW CASTLE COUNTY HIGHWAY IMPROVEMENT
BOND.

Seventh Series.

\$1,000.00

\$1,000.00

New Castle County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, on the.....day of.....
A. D. 19....., the sum of one thousand dollars, with interest thereon at the rate of.....per centum per annum, payable semi-annually on the.....day of.....and.....in each year.
This Bond is one of the authorized issue of two hundred bonds aggregating two hundred thousand dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved A. D. 1919 entitled "An Act to authorize the Levy Court of New Castle County to borrow \$200,000 to be expended for the permanent improvement of public highways of New Castle County under the provisions of Chapter 63, Volume 29, Laws of Delaware, as amended, and in pursuance of a resolution of the Levy Court of New Castle County, adopted A. D. 1919.

ROADS AND BRIDGES, NEW CASTLE COUNTY.

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

IN WITNESS WHEREOF the County Treasurer, President of the Levy Court and Clerk of the Peace, of New Castle County, have hereunto set their hands and the seal used by the Levy Court of New Castle County, at the City of Wilmington, in Delaware, this.....day of.....
A. D.

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

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

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

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

Approved April 21, A. D. 1919.

ROADS AND BRIDGES, NEW CASTLE COUNTY.

CHAPTER 99.

ROADS AND BRIDGES, NEW CASTLE COUNTY.

AN ACT to Provide for the Building of a Bridge over the Brandywine Creek in 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. A Commission, to be known as Washington Street Bridge Commission, as hereinafter provided, shall have and is hereby granted full power and authority to construct a bridge over Brandywine Creek, at Washington Street, in the City of Wilmington.

Section 2. That the said Commission, for this purpose, shall have and is hereby granted full power and authority to acquire for said New Castle County by purchase or otherwise such real estate as may be found necessary. And for this purpose the said Commission shall have and is hereby granted full power and authority to purchase or acquire such materials and enter into such contracts as in its judgment may be necessary.

Section 3. That whenever it shall be found necessary for the said Commission for the purpose of building the said bridge, or the approaches thereto, or making the same accessible to enter in and upon and occupy any lands or premises, the owner or owners of which refuse to permit such entry and occupation, any Judge of the Superior Court, upon application of the said Commission, shall issue a commission under his hand directed to five impartial freeholders of said County commanding them to view the premises and assess the damages which the said owner or owners will sustain by reason of the taking of the said land for the purpose of this Act, taking into consideration all

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the circumstances of benefit to be derived from or in consequence of said bridge to the said owner or owners, and to make return in writing of their proceedings and finding to said Judge at a time in said commission appointed. The said freeholders before entering on the premises shall be sworn or affirmed faithfully and impartially to perform the duty assigned them, and shall give not less than five days' notice in writing to the owner and occupier or agent in charge of the said premises and to the Chairman of the said Washington Street Bridge Commission of the time when they will meet on said premises for the purposes aforesaid, and they, or a majority of them, shall assess the damages as aforesaid and make return of their proceedings and findings as directed by said commission. And if the owner or owners of the said lands and premises so sought to be acquired as aforesaid be unknown or without the State, then such notice shall be published in some newspaper in the County at least five days prior to the time of the said meeting. The said Judge may set aside a return to a commission so as aforesaid made for gross inequality or inequity, in which case he shall issue another commission for a like purpose, and the said Judge shall have power to fill any vacancy arising in a commission. Whenever the damages to any owner or owners shall have been conclusively ascertained, returned and fixed in accordance with the foregoing provisions, the Levy Court, on paying the damages so assessed and determined upon, shall become entitled to have, use and enjoy the said lands for the purpose required by them forever.

And in case the owner or owners of any land necessary for the purposes of building the said bridge shall be a minor or non-resident, or for an cause incapable of receiving or unwilling or neglecting to receive said damages, the said Levy Court may deposit the amount of the said damages to the credit of such owner or owners in the Farmers' Bank of the State of Delaware, at Wilmington, subject to the order of such owner or owners; whereupon the said Levy Court shall be entitled to have, use and enjoy the said lands and premises for the purposes aforesaid for or on account of which the said damages shall have been assessed.

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The expenses of the assessment of said damages shall always be paid by the Levy Court.

Section 4. That the Levy Court of New Castle County be, and is hereby, authorized and empowered to borrow upon the faith and credit of said County as hereinafter provided, a sum not exceeding five hundred and fifty thousand dollars (\$550,000), to be expended in erecting, constructing and completing the said bridge and its approaches, 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 six per centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Section 5. Said bonds shall be divided into twenty-seven classes and shall be paid at their face value as follows:

<i>Class</i>	<i>Amount</i>	<i>Year of Maturity</i>
A.....	\$20,000.00.....	1936
B.....	20,000.00.....	1937
C.....	20,000.00.....	1938
D.....	20,000.00.....	1939
E.....	20,000.00.....	1940
F.....	20,000.00.....	1941
G.....	20,000.00.....	1942
H.....	20,000.00.....	1943
I.....	20,000.00.....	1944
J.....	20,000.00.....	1951
K.....	20,000.00.....	1952
L.....	20,000.00.....	1953
M.....	20,000.00.....	1954
N.....	20,000.00.....	1955
O.....	20,000.00.....	1956
P.....	20,000.00.....	1957
Q.....	20,000.00.....	1958
R.....	20,000.00.....	1959
S.....	20,000.00.....	1960

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<i>Class</i>	<i>Amount</i>	<i>Year of Maturity</i>
T.....	20,000.00.....	1961
U.....	20,000.00.....	1962
V.....	20,000.00.....	1963
W.....	20,000.00.....	1964
X.....	20,000.00.....	1965
Y.....	20,000.00.....	1966
Z.....	25,000.00.....	1967
AA.....	25,000.00.....	1968

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

Section 6. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of New Castle County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of each of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

Section 7. Whenever in the judgment of the Washington Street Bridge Commission it shall be deemed desirable or advisable that any part or all of the said bonds shall be sold, the said Levy Court shall sell and dispose of the same on the most advantageous terms possible, after having advertised the same in the public press at least once each week for at least two weeks. The request of the said Washington Street Bridge Commission for the sale of any or all of the said bonds shall be certified to the said Levy Court under the hand of the Chairman of the said Commission, and upon the receipt thereof the said Levy Court shall proceed forthwith to sell the bonds as therein requested. No commission or other compensation shall be charged or paid to any member of the said Levy Court or to any

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member of the said Washington Street Bridge Commission for affecting the sale or negotiation of said bonds.

Section 8. Said bonds, principal and interest, shall be payable at the Farmers' Bank in Wilmington, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the Farmers' Bank when and as the same shall become due, and pay said bonds when and as the respective classes mature in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first instalment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest upon the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of this Act.

Section 9. All of said bonds shall bear the same date and shall be numbered from 1 to 550 inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer in the Farmers' Bank at Wilmington to the credit of the Levy Court of New Castle County in a separate account and payments thereof shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this section provided, shall be used for any other purpose than for the erecting, constructing and comple-

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tion of said bridge and its approaches, as hereinbefore stated; and provided further that the purchasers or holders of said bonds shall not be bound to see to or be affected by the application of said money realized from the sale of said bonds.

The bonds to be issued shall be in the following form :

UNITED STATES OF AMERICA.

STATE OF DELAWARE.

Class..... Number.....

NEW CASTLE COUNTY BRIDGE IMPROVEMENT BOND.

\$1,000.00 THIRD BRIDGE SERIES. \$1,000.00

New Castle County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington on the.....day of....., A. D. 19...., the sum of One Thousand Dollars with interest thereon at the rate of.....per centum per annum, payable semi-annually on the.....day of..... and.....in each year. This bond is one of the authorized issue of Five Hundred and Fifty bonds aggregating Five Hundred and Fifty Thousand Dollars, by virtue of and in strict conformity with an act of the General Assembly of the State of Delaware approved A. D. 1919, entitled "An Act to Provide for the Building of a Bridge Over the Brandywine Creek in the City of Wilmington."

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

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IN WITNESS WHEREOF, the County Treasurer, President of the Levy Court and the Clerk of the Peace of New Castle County, have hereunto set their hands and seal of the Levy Court of New Castle County, at the City of Wilmington in Delaware, this.....day of.....A. D. 191...

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

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

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

Section 10. Said bonds shall contain such provisions in addition to those set forth in Section 9 of this Act and not inconsistent with the requirements of this Act, as said Levy Court shall determine.

Section 11. That no public service corporation shall have the exclusive right and privilege to the use of the bridge hereby authorized to be built to the exclusion of any other public service corporation.

Section 12. A commission consisting of Alfred I. duPont, Benjamin F. Shaw, John S. Rossell, Isaac C. Elliott and Albert Stetser, is hereby appointed and authorized to act, and to be known as Washington Street Bridge Commission. The term of office of the members of said Commission shall continue until the completion by them of the duties herein designated. In case of vacancy arising in said Commission by reason of death or resignation, or otherwise, the remaining members of said Commission shall appoint some person who shall be resident of New Castle County to fill the vacancy thus occasioned. The majority of the members of said Commission shall constitute a quorum and may act in all matters.

The said Commission shall on or before the first day of May, A. D. 1919, organize by electing a Chairman and a Secretary and Treasurer, and shall have authority to employ such agents

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as from time to time may be necessary or desirable for the accomplishment of the purposes herein designated. Any agent of the Commission shall hold his appointment subject to the pleasure of the Commission, which may at any time remove such agent and fill the vacancy thereby occasioned.

Section 13. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 31, A. D. 1919.

TITLE EIGHT

Elections

CHAPTER 100.

REGISTRATION OF VOTERS.

AN ACT to amend Chapter 56 of the Revised Code relating to the Compensation of Registration Officers.

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

Section 1. That Chapter 56 of the Revised Code be and the same is hereby amended by striking out all of 1641, Sec. 23 of said Chapter and inserting in lieu thereof the following new Section to be styled 1641, Sec. 23 :

1641. Sec. 23. COMPENSATION; REGISTRAR; ASSISTANT REGISTRAR; ALTERNATE REGISTRAR; ASCERTAINMENT AND CERTIFICATION; BY WHOM PAID; COST OF PRINTING, POSTING, NOTICES, INK AND STATIONERY PAID BY LEVY COURT:—Each Registrar shall receive Seven Dollars and Fifty Cents 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, or for delivering his books to the Clerk of the Peace.

Each Assistant Registrar shall receive Seven Dollars and Fifty Cents per day for each day of actual service, when sitting for the purpose of registration.

REGISTRATION OF VOTERS.

Each alternate Registrar shall receive Seven Dollars and Fifty Cents 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.

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 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.

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.

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.

Approved April 3, A. D. 1919.

PRIMARY ELECTIONS.

CHAPTER 101.

PRIMARY ELECTIONS.

AN ACT to amend Chapter 58 of the Revised Code relating to the pay of Registration Officers.

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 be and the same is hereby amended by adding at the end of 1687, Sec. 10 thereof the words "for delivering the voting books to the Sheriff, the Registration Officer shall be paid for one day's service as provided in Sec. 23, Chapter 56 of the Revised Code.

Approved April 3, A. D. 1919.

PRIMARY ELECTIONS.

CHAPTER 102.

PRIMARY ELECTIONS.

AN ACT to amend Chapter 58, 1709, Section 32, of the Revised Code of the State of Delaware, in relation to the Compensation of Primary Election Officers.

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

Section 1. That 1709, Section 32 of the Revised Code of the State of Delaware be stricken out and a new Section to be known as 1709, Section 32 be inserted in lieu thereof, as follows:

1709. Section 32. The compensation of the officers and clerks for holding Primary Elections under the provisions of this Chapter shall be five dollars for each Judge, Clerk and Inspector at each Primary Election so held. The expenses for holding primary elections under the provisions of this Chapter, including stationery, pay of officers and clerks, shall be paid by the Levy Court of the county wherein such primary election is held to nominate persons to be voted for at a subsequent general election, and by The Mayor and Council of Wilmington in any year when a primary election is held in the City of Wilmington to nominate officers to be voted for at the subsequent municipal election in the said City.

Approved March 14, A. D. 1919.

GENERAL ELECTIONS.

CHAPTER 103.

GENERAL ELECTIONS.

AN ACT to amend Chapter 60 of the Revised Code of the State of Delaware, by changing the Boundaries of the First Election District of the Sixth Representative District of New Castle County, and creating a new Election District in the said Representative District.

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 the repeal of all the paragraphs of 1737, Section 17 of said Code, designated as "N. C. 1," describing the present boundaries of the First Election District of the Sixth Representative District in New Castle County, and by inserting in lieu thereof the following:

N. C. 1. The First Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded by the Delaware River, by the Pennsylvania State Line and by a line beginning at the Delaware River at the end of the street or road commonly called Myrtle Avenue, and thence continuing northwesterly along said Myrtle Avenue to the Darley Road, thence to Naaman's Creek Road, thence to Point Breeze Schoolhouse, the present northwesterly limit of the said Representative District.

All territory north of said roads to be known as the First Election District of the Sixth Representative District.

All persons entitled to vote in the said First Election District shall vote at the building known as Claymont Hall.

The Inspector of Election elected from the First Election District of the Sixth Representative District of New Castle

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County at the General Election held A. D., 1918, shall be the Inspector of the said First Election District as created by this Act, and shall have all the powers and perform all the duties given to and imposed upon Inspectors of Election.

Section 2. That Chapter 60 of the Revised Code of the State of Delaware be, and the same is, hereby amended by adding after that paragraph of 1737, Section 17 of said Code, designated as "N. C. 3 A," and describing the boundaries of the Fourth Election District of the Sixth Representative District in New Castle County, the following new paragraph describing the boundaries of the new Election District to be known as the Fifth Election District of the Sixth Representative District in New Castle County, as follows:

N. C. 3 B. The Fifth Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded on the North by a line beginning at the Delaware River, at the end of the street or road commonly called Myrtle Avenue, and thence continuing northwesterly along said Myrtle Avenue, to the Darley Road, thence to Naaman's Creek Road, thence to Point Breeze Schoolhouse, the present northwesterly limit of said Representative District, and on the south by the northerly boundary line of the Third Election District of the Sixth Representative District as the said Third Election District is described in said Chapter 60. All territory south of said roads, and north of the northerly boundary line of the Third Election District of the Sixth Representative District, as in this chapter described as aforesaid, shall be known as the Fifth Election District of the Sixth Representative District.

All persons entitled to vote in the said Fifth Election District shall vote at such place as shall be named by the Inspector of Election for said District.

The Governor shall appoint some qualified voter of the said Election District to be the Inspector thereof, who shall have all the powers and perform all the duties given to and imposed upon Inspectors of Election.

Approved February 28. A. D. 1919.

GENERAL ELECTIONS.

CHAPTER 104.

GENERAL ELECTIONS.

AN ACT to amend Chapter 60 of the Revised Code relating to the compensation of Election Officers.

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 be and the same is hereby amended by striking out all of 1792, Sec. 72 of said Chapter and inserting in lieu thereof the following new Section to be styled 1792, Sec. 72:

1792. Sec. 72. COMPENSATION OF ELECTION OFFICERS:—Judges of Election, Inspectors of Election and Clerks of Election shall each be entitled to receive Seven Dollars and Fifty Cents for each day's service rendered by them in holding any Special or General Election in this State and Five Dollars for each day's service rendered by them for duties required of them or any of them on any other day than the day upon which such Special or General Election is held.

Approved March 31, A. D. 1919.

NOMINATION AND ELECTION EXPENSES.

CHAPTER 105.

NOMINATION AND ELECTION EXPENSES.

AN ACT to amend Chapter 61 of the Revised Code of the State of Delaware in relation to Nomination and Election Expenses.

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

Section 1. That Chapter 61 of the Revised Code of the State of Delaware be and the same is hereby amended by adding to 1876 D, Section 26, at the end of said Section a new paragraph in the following language, to-wit:

“And no Candidate for State Senator or Representative in the General Assembly shall make any written pledge to give or withhold his vote on any proposed law or legislation, nor shall any other person seek to influence any such Candidate in his attitude upon any proposed law or legislation by offer or promise of a vote or votes or of any support at any primary or election.”

Approved March 31, A. D. 1919.

TITLE NINE

Corporations

CHAPTER 106.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

AN ACT to amend Chapter 65 of the Revised Code of Delaware, relating 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 of the General Assembly concurring therein):

That 2010, Section 96 of Chapter 65 of the Revised Code of Delaware be and the same is hereby repealed and the following substituted in lieu thereof :

2010. Section 96. PROCESS; SERVICE OF UPON COMPANY; CERTIFICATE OF OFFICER OF COMPANY :—When stock shall be so attached, a certified copy of the process shall be left by the officer with the President, Cashier, Treasurer, any Director, or the resident agent of the Company, who shall give such officer a certificate of the number of shares held or owned by the debtor in such company, with the number or other marks distinguishing the same, anything in the Charter or by-laws of the Company to the contrary notwithstanding. Service upon a corporate resident agent may be made in the manner provided in Section 48 of this Chapter.

Approved April 2, A. D. 1919.

RENEWAL AND REVIVAL OF CHARTERS.

CHAPTER 107.

RENEWAL AND REVIVAL 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 (two-thirds of all the members elected to each House of the General Assembly concurring therein):

Section 1. That any corporation 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. 1920, 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, or the officers performing the functions of President and Secretary, or by such officers to be elected as hereinafter provided, duly sworn or affirmed to by such officers.

Such certificate shall set forth:

1. The name of the corporation, which name shall be the same name it bore when the charter expired or was attempted to be renewed,

RENEWAL AND REVIVAL OF CHARTERS.

2. The name of the city, town or place within the county in which its principal office or place of business is located in this State.

3. The date when such renewal or revival is to commence, which shall be prior to the date of the expiration of the charter which it is desired to renew, or prior to the date when it was attempted to renew the charter; whether or not such renewal is to be perpetual, and if not perpetual, the time for which such renewal is to continue.

4. That the corporation desiring to renew, and so renewing its charter, was duly organized and carried on the business authorized by its charter until day of A. D. 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 A. D. 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 directors or managers of the said corporation at the time its charter expired and who, under the laws of this State and by virtue thereof, became its trustee, or who were elected directors of said corporation, as hereinafter provided.

Section 2. Such certificate shall be filed, copied, recorded and dealt with, and in all respects shall have the same force and effect as if such certificate had been filed by such corporation before the expiration of its charter, under the provisions of Chapter 65, Revised Statutes of the State of Delaware.

Upon such revival and renewal, or confirmation of renewal, all acts, matters and things done and performed by such corporation within the scope of its charter, since the expiration of the same, or since the attempted renewal of its charter, shall be and hereby are expressly ratified and approved, and all real and

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personal property, rights and credits, which were of the said corporation at the time of the expiration of its charter, and which have not been disposed of, shall be vested in and restored to the renewed and revided 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 with 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, or the officers performing the functions of 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 during which they accrued.

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, or the officer performing the functions of Secretary, an acceptance of the provisions of the present Constitution of the State.

Section 5. That if the last President and Secretary, or the officers performing the functions of President and Secretary, or either of them of any such corporation so desiring to renew its existence, should be dead at the time of such renewal, the directors of such corporation, or the survivors of them, if not less than three, may elect a successor to such deceased president or secretary, or the officer performing the functions of president and secretary, or successors to both, if both be dead, and if less than three directors of such corporation shall be living when it is desired to effect a renewal of such corporate existence, then the stockholders of such corporation may elect as many directors as may be necessary (together with the sur-

RENEWAL AND REVIVAL OF CHARTERS.

viving directors or director, if any) to constitute a board of three directors; and such board may elect a successor to the deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and may authorize the execution of the Certificate of Renewal, as hereinbefore provided, but may not perform or exercise any other office or function. A meeting of the directors of the corporation, or of the survivors of them, or of the board, as elected wholly or partly by the stockholders as provided in this section, may be called by any director upon ten days' written notice, delivered personally to, or mailed to the last known postoffice address of every other director; and a meeting of the stockholders for the purpose of electing directors, as aforesaid, may be called by any stockholder upon ten days' written notice, delivered personally to, or mailed to the last known postoffice address of every other stockholder. The President and Secretary, or the officers performing the functions of president and secretary, so elected, may take all steps, and do all things necessary and proper to be done, for the renewal of the existence of such corporation as hereinbefore provided, and their acts in furtherance of such renewal shall be as valid and effective as if performed and done by the last president and secretary, or the officers performing the functions of president and secretary of such corporation. After a renewal of the existence of such corporation shall be effected, the last President, or the officer performing the functions of president or his successor, elected as provided in this section, shall forthwith call a meeting of the stockholders of such corporation, upon such notice as is required by the Certificate of Incorporation, Charter or by-laws, for a regular meeting thereof, and at such meeting the stockholders shall elect a full board of directors, in accordance with the Certificate of Incorporation or Charter. Such board shall thereupon elect officers, and assume control of the business and affairs of the corporation, as prescribed by the Certificate of Incorporation or Charter.

Section 6. Provided, however, that this Act shall not apply to any Life or Fire Insurance Company, or other Company engaged in the insurance business.

Approved April 2, A. D. 1919.

RENEWAL AND REVIVAL OF CHARTERS.

CHAPTER 108.

RENEWAL AND REVIVAL OF CHARTERS.

AN ACT providing for the renewal and revival of the Charters of Corporations which Have Expired.

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 any Corporation which was created under the provisions of an Act entitled "An Act Providing a General Corporation Law," approved March 10, A. D. 1899, and the Acts amendatory thereof and supplemental thereto, and whose charter has become inoperative or void by proclamation of the Governor or by operation of law, for non-payment of taxes, and which, by reason of lapse of time cannot be re-instated and entitled to all its franchises and privileges under the provisions of Section 16 of an Act entitled "An Act to Raise Revenue for the State by Taxing Certain Corporations," approved March 10, A. D. 1899, may, at any time before the first day of January, A. D. 1920, procure a 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 of the State of Delaware, a certificate of its last or acting President and Secretary, or the officers performing the functions of President and Secretary, or by such officers to be elected, as hereinafter provided, duly sworn or affirmed to by such officers. Such Certificate shall set forth:

1. The name of the Corporation, which name shall be the same name it bore when the Charter expired, except as otherwise provided in Section 2 of this Act;

RENEWAL AND REVIVAL OF CHARTERS.

2. The name of the City, Town or place within the County in which its principal place of business is located in this State;

3. The date when such renewal or revival is to commence, which shall be prior to the date of the expiration of the old charter, which it is desired to renew or revive; whether or not such renewal and revival is to be perpetual and, if not perpetual, the time for which such renewal and revival is to continue.

4. That the corporation desiring to be renewed and revived, and so renewing its charter, was duly organized and carried on business authorized by its Charter until the day of , A. D. 1 , at which time its charter became inoperative and void by proclamation of the Governor or by operation of law, for non-payment of taxes; and that this certificate for renewal and revival is filed by authority of those who were Directors or Managers of the said Corporation at the time its charter expired, and who, under the laws of this State, by virtue thereof, became its Trustees, or who were elected Directors of said Corporation, as hereinafter provided. Such Certificate, together with the accompanying sworn statement, as to the payment of taxes, as hereinafter provided, shall be filed in the office of the Secretary of State, and a copy thereof, certified by said Secretary, shall be recorded in the office of the Recorder of Deeds, in and for the County in which the original Certificate of Incorporation of said Corporation was recorded, and thereupon the said Corporation shall be renewed and revived, with the same force and effect as if its Charter had not become inoperative and void. Upon such revival and renewal, all acts, matters and things done and performed by such Corporation within the scope of its Charter, since the expiration of the same, shall be and hereby are expressly ratified and approved, and all real and personal property, rights and credits which were of said corporation at the time of the expiration of its charter, and which have not been since 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 its charter expired.

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Section 2. If, since the expiration of the charter of said corporation, any other corporation organized under the provisions of the laws of the State of Delaware shall have been given and shall have adopted the same name as the corporation whose charter has expired or shall have been given or adopted a name so nearly similar thereto, that the Secretary of State of the State of Delaware shall consider would constitute a confusion in names, then and in such case said renewed and revived corporation shall not be renewed under the same name which it bore when its charter expired, but shall adopt and be renewed under, any other name which, under existing law, could be adopted by any corporation intended to be formed and organized under the General Corporation Laws of the State of Delaware, and in such case the certificate to be filed by the last or acting President and Secretary, or the officers performing the functions of President and Secretary, or by such officers to be elected as hereinafter provided, as set forth in Section 1 of this Act, shall recite the name borne by said Corporation at and before the time its charter expired, and the new name under which said corporation is intended to be renewed and revived.

Section 3. Any corporation seeking to renew its charter under the provisions of this Act shall first pay all City, County, State and Franchise taxes and charges due the State of Delaware, or any City or County thereof, 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 with the certificate mentioned in Section 1 of this Act, a Statement executed and sworn or affirmed by its last or acting President and Secretary, or the officers performing the functions of President and Secretary, or by such officers to be elected as hereinafter provided. 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.

Section 4. That if the last President and Secretary or the officers performing the functions of President and Secretary, or either of them, of any such corporation so desiring to renew its existence, should be dead at the time of such renewal, the direc-

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tors of such corporation, or the survivors of them, if not less than three, may elect a successor to such deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and if less than three directors of such corporation shall be living when it is desired to effect a renewal of such corporate existence, then the stockholders of such corporation may elect as many directors as may be necessary (together with the surviving directors or director, if any) to constitute a board of three directors; and such board may elect a successor to the deceased president or secretary, or the officers performing the functions of president and secretary, or successors to both, if both be dead, and may authorize the execution of the Certificate of Renewal, as hereinbefore provided, but may not perform or exercise any other office or function. A meeting of the directors of the corporation, or of the survivors of them, or of the board, as elected wholly or partly by the stockholders as provided in this Section, may be called by any director upon ten days' written notice, delivered personally to, or mailed to the last known postoffice address of, every other director; and a meeting of the stockholders for the purpose of electing directors, as aforesaid, may be called by any stockholder upon ten days' written notice, delivered personally to, or mailed to the last known post office address of, every other stockholder. The President and Secretary, or the officers performing the functions of President and Secretary, so elected may take all steps and do all things necessary and proper to be done for the renewal of the existence of such corporation as hereinbefore provided, and their acts in furtherance of such renewal shall be as valid and effective as if performed and done by the last president and secretary, or the officers performing the functions of president and secretary, of such corporation. After a renewal of the existence of such corporation shall be effected, the last president, or the officer performing the functions of president, or his successor, elected as provided in this section, shall forthwith call a meeting of the stockholders of such corporation, upon such notice as is required by the Certificate of Incorporation, Charter or By-Laws, for a regular meeting thereof, and at such meeting the stockholders shall elect a full board of directors, which board shall then elect such officers as are provided

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by the Statute, Certificate of Incorporation or By-Laws. Such officers and directors shall then conduct the business and affairs of the corporation, under the authority and pursuant to the terms of the Certificate of Incorporation and the By-Laws of said Corporation.

Section 5. This Act shall not apply to any Life or Fire Insurance Company, or other Company engaged in the insurance business.

Approved April 2, A. D. 1919.

RENEWAL AND REVIVAL OF CHARTERS.

CHAPTER 109.

RENEWAL AND REVIVAL OF CHARTERS.

AN ACT providing for the renewal and revival of the Charters of Corporations which Have Expired.

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 any Corporation which was created under the provisions of an Act entitled "An Act Providing a General Corporation Law," approved March 10, A. D. 1899, and the Acts amendatory thereof and supplemental thereto, and whose charter has become inoperative or void by proclamation of the Governor or by operation of law, for non-payment of taxes, and which, by reason of lapse of time cannot be reinstated and entitled to all its franchises and privileges under the provisions of Section 16 of an Act entitled "An Act to Raise Revenue for the State by Taxing Certain Corporations," approved March 10, A. D. 1899, may at any time before the first day of January, A. D. 1920, procure a 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 of the State of Delaware, a certificate of its last or acting President and Secretary, duly sworn or affirmed to by such Officers. Such Certificate shall set forth:

1. The name of the Corporation, which name shall be the same name it bore when the Charter expired, except as otherwise provided in Section 2 of this Act;

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2. The name of the City, Town or place within the County in which its principal place of business is located in this State;

3. The date when such renewal or revival is to commence, which shall be prior to the date of the expiration of the old charter, which it is desired to renew or revive; whether or not such renewal and revival is to be perpetual and the time for which such renewal and revival is to continue.

4. That the corporation desiring to be renewed and revived, and so renewing its charter, was duly organized and carried on business authorized by its Charter until the day of A. D. '1 , at which time its charter became inoperative, and void by proclamation of the Governor or by operation of law, for non-payment of taxes.

This certificate for renewal and revival is filed by authority of those who were President and Directors or Managers of the said Corporation at the time its charter expired, and who, under the laws of this State, by virtue thereof, became its Trustees. Such certificate shall be filed, copied, recorded and dealt with, and in all respects shall have the same force and effect as if said charter had not become inoperative or void. Upon such revival and renewal, all acts, matters and things done and performed by such Corporation within the scope of its Charter, since the expiration of the same, shall be and hereby are expressly ratified and approved, and all real and personal property, rights and credits which were of said corporation at the time of the expiration of its charter, and which have not been since 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 its charter expired.

Section 2. If, since the expiration of the charter of said corporation, any other corporation organized under the provisions of the laws of the State of Delaware shall have been given and shall have adopted the same name as the corporation whose charter has expired or shall have been given or adopted a name so nearly similar thereto, that the Secretary of State of the State of Delaware shall consider would constitute a confusion

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in names, then and in such case said renewed and revived corporation shall not be renewed under the same name which it bore when its charter expired, but shall adopt and be renewed under, any other name which, under existing law, could be adopted by any corporation intended to be formed and organized under the General Corporation Laws of the State of Delaware, and in such case the certificate to be filed by the last or acting President and Secretary as set forth in Section 1 of this Act, shall recite the name borne by said Corporation at and before the time its charter expired, and the new name under which said corporation is intended to be renewed and revived.

Section 3. Any corporation seeking to renew 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 with the certificate mentioned in Section 1 of this Act, a statement executed and sworn or affirmed 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.

Approved March 5, A. D. 1919.

REVIVAL OF PRIVATE ACTS.

CHAPTER 110.

REVIVAL OF PRIVATE ACTS.

AN ACT to Revive and extend the time for Recording Private Acts.

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

Section 1. That all unpublished acts heretofore passed that have become void on account of not being duly recorded in compliance with the provisions of 374, Section 9, of Chapter 10, of the Revised Statutes of the State of Delaware, and that have not been repealed by special act or become void by lapse of the time for which they were limited, be and the same are hereby severally renewed and re-enacted, together with the provisions therein contained and the same are respectively declared to be in full force for the period mentioned in the 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 all 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*, 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, that no such copy of a void act shall be received for record after the expiration of one year from the passage of this Act.

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

Approved March 10, A. D. 1919.

STATE BANK COMMISSIONER.

CHAPTER 111.

STATE BANK COMMISSIONER.

AN ACT to Create the Office of State Bank Commissioner, and to Define the Powers and Duties of said Commissioner.

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

Section 1. That the office of State Bank Commissioner is hereby created. The said Commissioner shall be appointed by the Governor, by and with the consent of the Senate, and shall hold office for the term of four years from the date of his commission, or until his successor shall be duly appointed and qualified. He shall give bond to the State in the sum of twenty thousand dollars, for the faithful performance of his duties, such bond to be approved by the Governor, and filed in the office of the Secretary of State. He shall receive in full compensation for his services an annual salary of thirty-six hundred dollars, payable monthly. The said Commissioner shall be removed from office by the Governor upon conviction of misbehavior; in which event the Governor shall fill the vacancy for the unexpired term by a new appointment; and likewise, in the event of the resignation, death or disability of the said Commissioner, the vacancy in said office shall be filled by appointment of the Governor, for the unexpired term.

Section 2. That the said State Bank Commissioner shall have power to appoint a Deputy and a Clerk, who shall hold office at the pleasure of the said Commissioner. The said Deputy and Clerk shall give Bond to the State, the Deputy in the sum of ten thousand dollars, and the Clerk in the sum of five thousand dollars, for the faithful performance of their respective duties, such Bonds to be approved by the Governor and

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filed in the office of the Secretary of State. The Deputy shall receive an annual salary of twenty-four hundred dollars, and the Clerk an annual salary of fifteen hundred dollars, payable monthly, in full compensation for their respective services. The said Deputy and Clerk shall perform such duties as may be assigned to them by the Commissioner. In the event of the removal, resignation, death or disability of the said Deputy, or said Clerk, the vacancy shall be filled by appointment of the Commissioner. The said Commissioner may, from time to time, temporarily employ such additional clerks as may be necessary to assist him in the discharge of his duties. Such additional Clerks shall be paid a reasonable compensation for their services, to be fixed by the Commissioner.

Section 3. That the said State Bank Commissioner, his Deputy Clerk, and any additional clerks he may temporarily employ, shall be selected with respect to their knowledge of and experience in banking and accounting. They shall be residents of the State of Delaware. They shall not be stockholders in any corporation coming under the provisions of this Act.

Section 4. That the principal office of the said State Bank Commissioner shall be in the State House at Dover. The necessary expenses of said office, the cost of the Bonds required to be given by the said Commissioner and his Deputy and Clerk, together with their salaries, and the necessary expenses incurred by them in the performance of their respective duties, and also the compensation of any additional Clerks the said Commissioner may temporarily employ, shall be paid by the State Treasurer, but no such payments shall be made except upon vouchers approved by the Governor. The said Commissioner shall render an account monthly to the State Auditor of all taxes and charges received by him and shall pay the amount thereof to the State Treasurer.

Section 5. That the said State Bank Commissioner shall design and use an official seal, a full description of which, with the impress thereof, shall be filed in the office of the Secretary of State. The seal so designed and used shall continue to be

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the official seal of the State Bank Commissioner until changed by authority of law.

Section 6. The said State Bank Commissioner shall have supervision over all State Banks, Savings Banks, Trust Companies, Safe Deposit Companies, Building and Loan Associations, and other Corporations, engaged in like business, incorporated under the laws of Delaware, or doing business in this State, and shall secure the execution of all laws relative to such Corporations. He shall have and exercise all the powers and perform all the duties exercised and performed by the Insurance Commissioner, with respect to such Corporations, under any law of this State in force at the time of the approval of this Act, and such other powers and duties as are conferred and prescribed by this Act. All such Corporations, and the National Banks in this State, shall make to the said State Bank Commissioner the same reports heretofore made to the said Insurance Commissioner, and shall pay to the said State Bank Commissioner the same taxes and other charges heretofore paid to the said Insurance Commissioner, except as otherwise herein provided.

Section 7. That upon the appointment and qualification of the said State Bank Commissioner the powers and duties of the said Insurance Commissioner with respect to State Banks, Savings Banks, Trust Companies, Safe Deposit Companies, Building and Loan Associations, and other Corporations engaged in like business, shall cease and determine. The said Insurance Commissioner shall deliver to the said State Bank Commissioner all papers, books and records in his possession relating to such Corporations.

Section 8. That the said State Bank Commissioner, in person, or by his Deputy or Clerk, or with their assistance, or the assistance of such additional clerks as he may temporarily employ, shall, at least once in each year, and at any time that he may deem expedient, visit each State Bank, Savings Bank, Trust Company, Safe Deposit Company, Building Association, and Loan Association, and other Corporations, engaged in like busi-

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ness in this State. He shall, in the presence of one or more of the officers of the Corporation visited, have free access to the vaults, books and papers of said Corporation. He shall make a thorough examination into the affairs of such Corporation, its resources and liabilities, the investment of its funds, the mode of conducting its business, the safety and prudence of its management, the actions of its Officers, Directors or Trustees, the security afforded to those by whom its engagements are held, and whether the requirements of its Charter and of the Laws of the State have been complied with in its administration, and also, as to such other matters, as in the judgment of said Commissioner, may have relation to the solvency or insolvency of said corporation; and, in connection with such examination, the said Commissioner shall have power to examine, under oath or affirmation, the officers, directors or trustees, and the employees, of the corporation, relative to its affairs, and, for this purpose, he is hereby authorized to administer oaths or affirmations; *Provided*, that the said Commissioner, his Deputy, or Clerk, before proceeding with the examination of any corporation shall, if required, exhibit to the Officers of the said Corporation satisfactory evidence of his authority to make such examination.

Section 9. That the said State Bank Commissioner in determining, in the course of his examination, the amount of lawful money reserve required under any law of this State to be maintained, at all times, by State Banks and Trust Companies, shall not require such State Banks and Trust Companies as may be members of the Federal Reserve Bank in the Federal Reserve District embracing the State of Delaware to maintain a greater reserve than that required by the Federal Reserve Act.

Section 10. That, if said State Bank Commissioner shall, upon examination, have reason to believe that the capital of the Corporation examined has, in any way, been impaired, he shall require such corporation to make good the deficiency, within sixty days from the date upon which he serves notice to that effect. If said Corporation shall fail to comply with said notice within the time prescribed, the said Commissioner shall forthwith take possession of such Corporation, and retain such pos-

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session until such Corporation shall have made good the deficiency, or has been finally liquidated; or a Receiver shall have been appointed by due process of law to take charge of its business and affairs. The said Commissioner may cause proceedings to be instituted against such Corporation, and it shall be the duty of the Attorney General, upon the request of said Commissioner, to institute such proceedings as the nature of the case may require.

Section 11. That the said State Bank Commissioner shall make and file in his office a detailed report of each examination made by him, or by his Deputy, or Clerk, and shall furnish a copy of said report to the Corporation examined; and with respect to a State Bank or Trust Company that may be a member of the Federal Reserve Bank in the Federal Reserve District embracing the State of Delaware, he shall also furnish a copy of his report of the examination of such State Bank or Trust Company to such Federal Reserve Bank; but the said Commissioner, his Deputy, and Clerk, and any additional clerks temporarily employed by said Commissioner, shall be bound by their oath of office, to keep secret all the facts and information obtained in the course of the examination, except in so far as public duty shall require a report to be made of such examination, and except when said Commissioner, his Deputy, or Clerk, or Clerks, shall be called as a witness or witnesses in any criminal proceeding. If the said Commissioner, his Deputy, or Clerk, or any one of the additional Clerks temporarily employed by said Commissioner, shall disclose anything relative to the private accounts, or transactions of such corporation, or shall disclose any facts and information discovered in the course of the examination, or shall retain in his private possession, or remove from the office of said Commissioner, copies of any letters, papers, accounts, books, or records disclosing such facts and information, except as herein provided, whether during his term of office, or employment, or thereafter, he shall be subject, upon conviction thereof, to forfeiture of his office, and to the payment of not more than one thousand dollars, or to imprisonment for not more than two years, or both; *Provided*, that upon the request of any State Bank or Trust Company, which desires

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and has made application for membership in the Federal Reserve Bank in the Federal Reserve District embracing the State of Delaware, or is a member of such Federal Reserve Bank, together with the request of the said Federal Reserve Bank, said Commissioner shall furnish to the said Federal Reserve Bank all the facts and information at any time in his possession concerning such State Bank or Trust Company.

Section 12. That a State Bank or Trust Company which may be a member of the Federal Reserve Bank in the Federal Reserve District embracing the State of Delaware, and which shall be examined by a Federal Reserve Examiner, may be exempted from examination by the said State Bank Commissioner; and the examination by such Federal Reserve Examiner may be accepted by the said Commissioner as a sufficient compliance with the requirements of this Act with respect to examinations; and a State Bank or Trust Company, whether a member of the Federal Reserve Bank or a non-member, which shall be examined by a Certified Public Accountant, may, in like manner, be exempted from examination by the said Commissioner, and an examination by such Certified Public Accountant may be accepted by the said Commissioner as a sufficient compliance with the requirements of this Act with respect to examinations; provided, that, in every case, a certified report of the examination made by a Federal Reserve Examiner, or by a Certified Public Accountant, shall be filed in the office of the said Commissioner.

Section 13. That the said State Bank Commissioner shall charge each Corporation examined by him, or by his direction, and such corporation shall pay to the said Commissioner, twenty-five dollars on the first twenty-five thousand dollars of its assets, or fraction thereof, and two cents on each one thousand dollars of its assets over twenty-five thousand dollars, for each examination made by said Commissioner, and an additional charge of twenty dollars for the examination of each branch office maintained by such Corporation, such charges to be accounted for by said Commissioner as part of the receipts of his office.

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Section 14. That the said State Bank Commissioner shall make an annual report to the Governor of his official acts.

Section 15. That all Acts, or parts of Acts, inconsistent herewith be and the same are hereby repealed.

Section 16. That this Act shall take effect from and after the date of its passage.

Approved April 2, A. D. 1919.

MUNICIPAL COURT.

CHAPTER 112.

THE CITY OF WILMINGTON.

MUNICIPAL COURT.

AN ACT in relation to the salary of the City Judge of the Municipal 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 (two-thirds of all the members elected to each House concurring therein):

Section 1. That the Mayor and Council of Wilmington may at its discretion increase the salary of the City Judge of the Municipal Court for the City of Wilmington to an amount not exceeding Four Thousand Dollars per annum, to be paid as the compensation of other City Officials are paid.

Approved April 2, A. D. 1919.

MUNICIPAL POLICE COMMISSION.

CHAPTER 113.

THE CITY OF WILMINGTON.

MUNICIPAL POLICE COMMISSION.

AN ACT to Amend an Act entitled: "An Act to Provide for a Municipal Police Commission for the City of Wilmington" passed April 18th, 1893.

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):

Section 1. That Section 6 of an Act entitled: "An Act to provide for a Municipal Police Commission for the City of Wilmington," passed April 18th, 1893, be and the same is hereby amended by striking out the words "two Captains of Police" in lines thirteen and fourteen of said Section 6 and inserting in lieu thereof the following: "three Captains of Police, one of whom may be designated and appointed by the said Board of Police Commissioners in command of the Detective Bureau."

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

Approved April 10, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 114.

THE CITY OF WILMINGTON.

AN ACT empowering the Mayor and Council of Wilmington to pass an ordinance or ordinances providing for the levying and collection of taxes for the use of vaults or vaulted spaces beneath the streets, squares, lanes, roads and alleys of the City of Wilmington, Delaware.

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

Section 1. That The Mayor and Council of Wilmington is hereby authorized and empowered to pass an ordinance or ordinances providing for the levying and collection of taxes for the use of vaults or vaulted spaces outside the building lines beneath the Streets, squares, lanes, roads and alleys of the City of Wilmington, Delaware.

Section 2. That all acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Approved April 24, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 115.

THE CITY OF WILMINGTON.

AN ACT to further extend the Corporate Limits of the City of Wilmington.

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

Section 1. That the boundaries of the City of Wilmington be further extended to include the territory bounded and described as follows:

A. Beginning at the intersection of the center lines of Linden Street and Woodlawn Avenue, extended, thence southwest-erly along the extended center line of Woodlawn Avenue approximately 2810 feet to the northeasterly side of the right of way of the Philadelphia and Baltimore Railroad branch running from the main line to the West Yards of said company; thence southeasterly along the aforesaid side of the right of way mentioned, approximately 1310 feet to the extension of a line parallel to and distant 150 feet easterly from the easterly side of Union Street; thence northeasterly along the last mentioned line, approximately 1875 feet to its intersection with the present City boundary line; thence northerly along the said boundary line to the intersection of the southerly side of Beech Street with the westerly side of Union Street; thence northeast-erly along the said side of Union Street to the center line of Linden Street; thence northwesterly along the center line of Linden Street to the place of beginning. Said annexed territory shall be included in and form part of the Eleventh Ward of said City.

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Section 2. Within the limits of the City of Wilmington extended by this act, the Mayor and Council of Wilmington shall be vested with all power, rights and privileges and immunities which before this time belonged to them as a Municipal corporation, and all the laws, ordinances and regulations in force within the former City limits and not locally inapplicable, shall be extended and applied to the new territory comprised within the boundaries as set forth in the first Section of this Act.

Section 3. The real estate by this act added to and included within the City Limits and all persons now or hereafter residing within said boundaries shall be subject to assessment for municipal taxes in the same manner and subject to the same rights, rules and restrictions as in other cases within said City.

Section 4. That the provisions of this Act shall not go into effect before the first day of July, Nineteen hundred and nineteen.

Section 5. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 5, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 116.

THE CITY OF WILMINGTON.

AN ACT to further extend the Corporate Limits of the City of Wilmington.

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

Section 1. That the boundaries of the City of Wilmington be further extended to include the territory bounded and described as follows:

A. Beginning at a point where the present City boundary line intersects the westerly side of Concord Avenue; thence northerly by the said side of Concord Avenue, to the center line of the B. & P. R. R. as existing at the former extension of boundaries; thence westerly along the aforesaid center line of the B. & P. R. R. to its intersection with the present city boundary line (established February 24, 1869 by Act of the General Assembly of Delaware); thence easterly along the latter boundary line to the place of beginning. Said annexed territory shall be included in and form part of the Ninth Ward of said City.

B. Beginning at a point on the city line where the Westerly side of Greenhill Avenue intersects the southerly side of Pennsylvania Avenue; thence westerly along the said city line to the easterly side of Rising Sun Lane, extended; thence southerly by the same one hundred and sixty feet (160') more or less to a point distant one hundred and sixty feet (160') southerly from the said city line, measured at right angles thereto; thence

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Easterly by a line parallel with the said city line to the Westerly side of Greenhill Avenue; thence Northerly by said Westerly side of Green Hill Avenue about one hundred and sixty feet (160') to the place of beginning. Said territory shall be included in and form part of the Seventh Ward of said city.

Section 2. Within the limits of the City of Wilmington extended by this act, the Mayor and Council of Wilmington shall be vested with all power, rights and privileges and immunities which before this time belonged to them as a Municipal corporation, and all the laws, ordinances and regulations in force within the former City limits and not locally inapplicable, shall be extended and applied to the new territory comprised within the boundaries as set forth in the first Section of this Act.

Section 3. The real estate by this Act added to and included within the City limits and all persons now or hereafter residing within said boundaries shall be subject to assessment for municipal taxes in the same manner and subject to the same rights, rules and restrictions as in other cases within said City.

Section 4. That all acts or parts of acts inconsistent herewith are hereby repealed.

Section 5. That this Act shall go into effect the first day of July, A. D. 1919.

Approved April 9, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 117.

THE CITY OF WILMINGTON.

AN ACT to amend Section 49 of the Charter of the City of Wilmington, Delaware, pertaining to Election Wards and Districts.

Whereas, certain developments and extensions in the City of Wilmington, Delaware, have made the boundary lines between certain wards more or less indefinite and in order to establish said boundary lines positively, 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 elected to each House concurring therein):

Section 1. That Section 49 of the Charter of the City of Wilmington, Delaware, pertaining to election wards and districts be and the same is hereby amended as follows, to wit:—

a. By adding at the end of the paragraph defining the boundaries of the Fifth Ward the words “and Macdonough Road.”

b. By adding after the words “Ninth Street” as the same appear in the paragraph defining the boundaries of the Seventh Ward the words “and Macdonough Road.”

c. By striking out all the paragraph defining the boundaries of the Twelfth Ward and inserting in lieu thereof the following: “The Twelfth Ward shall comprise all that part of the said city lying between Franklin Street and the westerly boundary line of said City, and between Sixth Street extended and Linden Street extended westerly to the boundary line of said City.”

Approved April 9, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 118.

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," as amended.

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

Section 1. That an act to revise and consolidate the Statutes relating to the City of Wilmington, being Chapter 207 of Volume 17, Laws of Delaware, as amended, be and the same is hereby amended by adding a new paragraph at the end of Section 84 thereof in the following words to wit:

"The Council of the Mayor and Council of Wilmington may fix a rate on the assessment of all street railway lines, all gas mains, all electric light poles and wires, all telephone or telegraph poles and wires, all poles and wires used in transmitting heat, light or power, all pipes, conduits, wires or other underground construction, used as electric light, telephone or telegraph lines, or in transmitting electric light, heat or power, and all pipes or conduits used in carrying water, located on the public streets in the City of Wilmington or on private property not otherwise, taxed, excepting those now exempted from taxation by law, not exceeding two and one-half times the rate fixed on real estate in the City of Wilmington. Provided that whenever the said Council shall so fix a rate on said assessment greater than that fixed on real estate in said City such tax, when paid, shall be accepted in lieu of any and all taxes assessed or levied for that year against said property or the respective owners or operators thereof by The Mayor and Council of Wilming-

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ton, other than the normal tax assessed and levied against the real estate of such owners or operators, provided further, however, that the provisions of this Act shall not be taken as establishing a basic rate for assessing real estate."

Approved April 24, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 119.

THE CITY OF WILMINGTON.

AN ACT to amend Chapter 207, Volume 17 of the Laws of Delaware entitled: "An Act to revise and 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 House thereof concurring herein):

Section 1. That Section 31 of Chapter 207, Volume 17 of the Laws of Delaware entitled: "An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington" be and the same is hereby amended by inserting between the word "thereof" and the words "to regulate" in line 43 of said Section 31 the following: "to provide for and maintain an ambulance service for the sick or injured persons of the City."

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

Approved April 9, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 120.

THE CITY OF WILMINGTON.

AN ACT to amend Chapter 207, Volume 17 of the Laws of Delaware entitled: "An Act to revise and 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 House concurring therein):

Section 1. That Section 31 of Chapter 207, Volume 17 of the Laws of Delaware entitled: "An Act to Revise and Consolidate the Statutes relating to the City of Wilmington" be and the same is hereby amended by inserting in line 31 of said Section 31 between the words "party walls" and the words "to provide" the following: "To regulate the construction, height and material of party fences."

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

Approved February 19, A. D. 1919.

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CHAPTER 121.

THE CITY OF WILMINGTON.

AN ACT to Revise and Consolidate the Statutes relating to the City of Wilmington, pertaining to a System of Sewers for said City.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected thereto concurring herein):

Section 1. That Section 3 of Chapter 209 of Volume 19 of the Laws of Delaware, be and the same is hereby amended by striking out the word "fifty" as it appears in the fourth line thereof and inserting in lieu thereof the words "seventy-five"; and further, by striking out the words "one cent" as they appear in the sixth line thereof and inserting in lieu thereof the words "one and one-half cents."

Approved April 2, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 122.

THE CITY OF WILMINGTON.

AN ACT to amend an act entitled: "An Act to provide a Sinking Fund for the Payment of the City Debt of Wilmington" passed February 9th, 1855.

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

Section 1. That in addition to the requirements, duties and powers now conferred upon the Sinking Fund Commissioners of the City of Wilmington and upon the Several corporate officers of said City, as provided in an Act entitled: "An Act to Provide a Sinking Fund for the Payment of the City Debt of Wilmington," passed February 9, 1855, and the several Acts amendatory thereof and relating thereto, the following duties, powers and requirements be and the same are added thereto:—

(A) The Commissioners of the Sinking Fund of the City of Wilmington shall have charge of and provide for the payment of all bonds issued by said City after the first day of July, 1919.

(B) "The Council" shall provide an appropriation in the annual Appropriation Ordinance for the fiscal year beginning July First, A. D. 1919, and in each annual Appropriation Ordinance thereafter, of a sum of not less than Twenty-five Thousand Dollars in addition to the amount necessary to redeem the bonds maturing during said fiscal year. Said sum, so appropriated shall be paid to the Commissioners of the Sinking Fund in the month of August, A. D. 1919, and in the month of August of each year thereafter and shall be by said Commissioners deposited in such Bank or Trust Company in the City of Wilming-

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ton as the said Commissioners may designate; and the same shall be withdrawn only upon orders signed by the President and one other member of the Commission together with the City Treasurer. Said fund shall be expended only for the purchase of bonds of the United States of America, of the City of Wilmington, the State of Delaware or any town or county in said State and the profits arising therefrom shall be deposited with the other monies in the hands of the Commissioners of the Sinking Fund.

(C) Any and all premiums received for sales of City bonds on and after July 1st, A. D. 1919, shall be paid to the Commissioners of Sinking Fund by "The Council" and the same shall be deposited in the fund as hereinabove mentioned.

(D) The Commissioners of the Sinking Fund shall immediately upon the passage of this Act, deliver to the City Treasurer any and all bonds that have matured and been paid that may be in their charge; and thereafter all bonds upon maturity and payment shall be delivered to the City Treasurer within ten days after same have been redeemed. The City Treasurer shall then cancel all of said bonds and he shall together with one member of the Commission destroy the same by burning after having taken a record of all said bonds.

Section 2. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Approved April 24, A. D. 1919.

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CHAPTER 122.

THE CITY OF WILMINGTON.

AN ACT to amend an act entitled: "An Act to provide a Sinking Fund for the Payment of the City Debt of Wilmington" passed February 9th, 1855.

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

Section 1. That in addition to the requirements, duties and powers now conferred upon the Sinking Fund Commissioners of the City of Wilmington and upon the Several corporate officers of said City, as provided in an Act entitled: "An Act to Provide a Sinking Fund for the Payment of the City Debt of Wilmington," passed February 9, 1855, and the several Acts amendatory thereof and relating thereto, the following duties, powers and requirements be and the same are added thereto:—

(A) The Commissioners of the Sinking Fund of the City of Wilmington shall have charge of and provide for the payment of all bonds issued by said City after the first day of July, 1919.

(B) "The Council" shall provide an appropriation in the annual Appropriation Ordinance for the fiscal year beginning July First, A. D. 1919, and in each annual Appropriation Ordinance thereafter, of a sum of not less than Twenty-five Thousand Dollars in addition to the amount necessary to redeem the bonds maturing during said fiscal year. Said sum, so appropriated shall be paid to the Commissioners of the Sinking Fund in the month of August, A. D. 1919, and in the month of August of each year thereafter and shall be by said Commissioners deposited in such Bank or Trust Company in the City of Wilming-

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ton as the said Commissioners may designate; and the same shall be withdrawn only upon orders signed by the President and one other member of the Commission together with the City Treasurer. Said fund shall be expended only for the purchase of bonds of the United States of America, of the City of Wilmington, the State of Delaware or any town or county in said State and the profits arising therefrom shall be deposited with the other monies in the hands of the Commissioners of the Sinking Fund.

(C) Any and all premiums received for sales of City bonds on and after July 1st, A. D. 1919, shall be paid to the Commissioners of Sinking Fund by "The Council" and the same shall be deposited in the fund as hereinabove mentioned.

(D) The Commissioners of the Sinking Fund shall immediately upon the passage of this Act, deliver to the City Treasurer any and all bonds that have matured and been paid that may be in their charge; and thereafter all bonds upon maturity and payment shall be delivered to the City Treasurer within ten days after same have been redeemed. The City Treasurer shall then cancel all of said bonds and he shall together with one member of the Commission destroy the same by burning after having taken a record of all said bonds.

Section 2. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Approved April 24, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 123.

THE CITY OF WILMINGTON.

AN ACT to amend an Act entitled "An Act providing for Assessment Against Abutting Properties in the City of Wilmington in Proportion to the Special Benefit the present Improved Street Roadway will have to said Properties" As Approved April 27, A. D. 1917.

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):

First: Amend Section 2 by inserting after the word "assessment" in the fourth line thereof the words "or payment."

Second: Strike out all of Section 2 beginning with the word "Said" in the eighth line thereof.

Third: Strike out the words "any of said classes" as appear in the seventh and eighth lines of the first paragraph of Section 3 and insert in lieu thereof the words "this Act."

Fourth: Strike out all those words in the third paragraph of Section 3 beginning with the word "That" in the first line to the word "street" inclusive in the eighth line and insert in lieu thereof the following:

"The levy and assessment of the amount of the special tax heretofore levied under this Act for the year 1918 shall remain undisturbed. If same shall not have been paid, the assessment as originally laid shall stand as a lien for the first payment as provided for in this Act, except as follows: That any property adjoining or abutting any street paving in existence at the time of the passage of this Act, for which the adjoining or abutting

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property owners have directly paid the cost in whole or in part, shall be exempted from the provisions of this Act; and upon satisfactory evidence thereof, approved by the Board of Directors of the Street and Sewer Department, and upon certification by said Board to the Tax Collector of the Northern or Southern District of the City of Wilmington in whichever district said *said property may be located, the said tax collectors shall cancel said liens of record; and The Council of the Mayor and Council of Wilmington is authorized and directed to refund to such property owners, who previous to April 27, 1917 have directly paid the cost in whole or in part for the street paving adjoining or abutting said property, the amount of the special tax levied, assessed and paid by said owners under this Act.

That the amount of the special tax hereby levied for the year 1919 and thereafter under this Act as amended, shall be as follows; the special tax levied against each property shall be one-third of the true value of the street bed, after deducting any portion of the street bed that might be chargeable against any street railway company for street paving, as appraised by the Board of Directors of the Street and Sewer Department;”

Fifth: Amend Section 6 by making it Section 4.

Sixth: Strike out all those words in Section 7 beginning with the word “The” in the first line to the word “amounts” inclusive in the fifth line thereof and insert in lieu thereof the following:

“The Board of Directors of the Street and Sewer Department, or its successor, shall as early as practicable after having determined the value of the street paving to be assessed under this Act as amended, certify the same to the Board of Assessment for the City of Wilmington, whose duty it shall be to determine the amount of the special tax levied and assessed against each abutting property and furnish forthwith the names of the owners and the amounts of the tax.”

*So enrolled.

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Seventh: Amend Section 7 by inserting after the words "next installment" in the twelfth line thereof the words "beginning with the year 1919."

Eighth: Amend Section 7 by making it Section 5.

Ninth: Add a new Section to be known as Section 6 which shall be as follows:

"All Acts or parts of Acts inconsistent herewith are hereby repealed."

The act in its entirety when amended to read as follows:

An Act to amend an Act entitled "An Act providing for assessment against abutting properties in the City of Wilmington in proportion to the special benefit the present improved street roadway will have to said properties" as approved April 27, A. D. 1917.

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 there is hereby levied and imposed upon property in the City of Wilmington specially benefitted by improved paving (said property being hereinafter specified), a special tax of the amount hereinafter specified, said tax to continue as to each property for the life of said improvement, not exceeding, however, ten years in any event, and the entire proceeds thereof shall be used for improving paving in the City of Wilmington.

Section 2. That for the purpose of this Act all property in the City of Wilmington adjoining or abutting upon any public street which has been paved with improved paving without special assessment or payment of any part of the cost upon abutting or adjoining property owner, by the City of Wilmington, is hereby declared to be specially benefitted by such improved

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paving to an extent greater than the entire amount of the special tax hereby levied thereon.

Section 3. That the Board of Directors of the Street and Sewer Department of the City of Wilmington is hereby authorized and directed to proceed to classify and list for taxes as provided by this Act, for the fiscal year commencing July 1, 1918, all property in the City of Wilmington, which on the first day of January, A. D. 1918, was in the situation to come under the requirements of this Act.

That "improved paving," as used in this Act, shall mean any substantially improved paving, and shall include macadam, cobble, granite, or Belgium blocks, paving brick or blocks, wood blocks, asphalt or concrete blocks, sheet asphalt, bitulithic, bituminous macadam, and bituminous concrete; "property" shall mean real estate whether in fee simple or leasehold, and whether improved or unimproved.

The levy and assessment of the amount of the special tax heretofore levied under this Act for the year 1918 shall remain undisturbed. If same shall not have been paid, the assessment as originally laid shall stand as a lien for the first payment as provided for in this Act, except as follows: that any property adjoining or abutting any street paving in existence at the time of the passage of this Act, for which the adjoining or abutting property owners have directly paid the cost in whole or in part, shall be exempted from the provision of this Act; and upon satisfactory evidence thereof, approved by the Board of Directors of the Street and Sewer Department, or its successor, and upon certification by said Board, or its successor, to the Tax Collector of the Northern or Southern District of the City of Wilmington in whichever district said property may be located, the said tax collectors shall cancel said liens of record; and "The Council," of "The Mayor and Council of Wilmington," is authorized and directed to refund to such property owners, who previous to April 27, 1917 have directly paid the cost in whole or in part for the street paving adjoining or abutting said property, the amount of the special tax levied, assessed and paid by said owners under this Act.

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That the amount of the special tax hereby levied for the year 1919 and thereafter under this Act as amended, shall be as follows: the special tax levied against each property shall be one-third of the true value of the street bed, after deducting any portion of the street bed that might be chargeable against any street railway company for street paving, as appraised by the Board of Directors of the Street and Sewer Department, or its successor, provided, however, that the frontage of any corner lot abutting on two streets shall not be computed at more than the frontage of such lot on the intersecting street.

Section 4. That the amount of the special tax apportioned against each property, as hereinbefore provided, shall be a lien thereon from the first day of January, A. D. 1918, and such lien shall have priority over all other liens except those for general taxation. The fact that the property shall have been conveyed shall not prevent the lien from attaching as herein provided.

Section 5. The Board of Directors of the Street and Sewer Department, or its successor, shall as early as practicable after having determined the value of the street paving to be assessed under this Act as amended, certify the same to the Board of Assessment for the City of Wilmington, whose duty it shall be to determine the amount of the special tax levied and assessed against each abutting property and furnish forthwith the names of the owners and the amounts of the tax to the Collector of Taxes for the Northern District of the City of Wilmington, if said property be located in said District, or to the Collector of Taxes for the Southern District, if the property be located in said District, and such Collector of Taxes, when preparing the next tax bills for his District for City and School purposes shall include on them the first payment for said special tax, designating it "Paving Tax, First Installment." The next installment, beginning with the year 1919, shall be placed on the tax bills for the next year and shall be designated "Paving Tax, Second Installment," and shall so continue from year to year until ten annual installments have been placed on the tax bills, or until the owner of said property shall be subject to assessment for the repaving of said streets, at which time said special tax shall cease. Such special tax shall be paid as the

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City and School Taxes are paid, subject to the same discount and penalties, and shall for the purpose of collections be treated in the same manner in all respects as though it were a City and School Tax, and proceedings for the recovery thereof shall be taken under the provisions of an Act entitled "An Act Providing for the Collection of Taxes for the City of Wilmington," approved March 11, 1915, being Chapter 119, Volume 28, Laws of Delaware, as the same has been or may be amended.

Section 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 25, A. D. 1919.

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CHAPTER 124.

THE CITY OF WILMINGTON.

AN ACT to authorize the Mayor and Council of Wilmington to adopt an Ordinance or Ordinances Providing Rules for Conducting Pool Tables and Billiard Tables, Pool Rooms and Billiard Rooms, Open to Public use within the City of Wilmington, and to Regulate the Hours of Opening and Closing 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 thereof concurring herein):

Section 1. That "The Council" of The Mayor and Council of Wilmington be and it is hereby authorized to adopt an Ordinance or Ordinances providing rules for conducting pool tables and billiard tables, pool rooms and billiard rooms, open to public use within the City of Wilmnigton, and to regulate the hours of opening and closing the same, and providing for the punishment of the violation of such ordinance or ordinances.

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

Approved February 19, A. D. 1919.

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CHAPTER 125.

THE CITY OF WILMINGTON.

AN ACT to establish coal weighing stations in the City of Wilmington, and to prescribe penalties for short weights.

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 concurring therein):

Section 1. That the Council of the Mayor and Council of the City of Wilmington be and it is hereby empowered to establish and maintain coal weighing stations in the City of Wilmington and prescribe and collect a penalty for short weight selling thereof.

Approved April 24, A. D. 1919.

THE CITY OF WILMINGTON.

CHAPTER 126.

THE CITY OF WILMINGTON.

AN ACT to authorize the Mayor and Council of Wilmington to license persons and corporations engaged in and carrying on a business of Pawnbroker or Junk Dealer.

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. That "The Council" of the Mayor and Council of Wilmington be and it is hereby authorized to adopt an ordinance or ordinances providing for the licensing of persons or corporations engaged in and carrying on the business of pawnbroker or junk dealer within the City of Wilmington, and the said Council may make all necessary rules and regulations and provide necessary penalties for the enforcement of such ordinances and the collection of such license fees, provided, however, that no license fee shall exceed more than Two Hundred Dollars per year.

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

Approved April 24, A. D. 1919.

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CHAPTER 127.

THE CITY OF WILMINGTON.

AN ACT to raise revenue for the City of Wilmington by requiring license fees from motor vehicles used in carrying passengers for hire.

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

Section 1. That the Mayor and Council of Wilmington shall have power to issue licenses to and to require and receive a license fee from the owner or owners of all motor vehicles operated within the City of Wilmington and for the use of which as passenger vehicles a fare is charged; and also to enact and promulgate all necessary rules and regulations covering the amount of fare which may be charged for the operation of said motor vehicles in the carrying of passengers within the City of Wilmington, provided, however, that not more than Fifty Dollars per motor vehicle shall be charged for the license thereof, and provided further that the provisions of this act shall not apply to motor vehicles propelled by electric or steam power and operated upon tracks.

Approved April 24, A. D. 1919.

CITIES AND TOWNS.

CHAPTER 128.

CITIES AND TOWNS.

AN ACT requiring certain uniform fire equipment in the Towns of this State.

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

Section 1. That wherever there is a water system now or hereafter in use in a town of this State, there shall be adopted and installed the same standard coupling now in use by the fire companies in the city of Wilmington, and the same shall be changed from time to time to conform with any new coupling which shall become standard by adoption in the City of Wilmington.

Approved March 20, A. D. 1919.

CITIES AND TOWNS.

CHAPTER 129.

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AN ACT authorizing "The Mayor and Council of New Castle" to borrow money and issue bonds therefor, for the purpose of supplying the City of New Castle and its inhabitants with water and light, or either, by the acquisition, purchase, construction or erection of such property, works and apparatus as may be necessary or convenient therefor.

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 of the General Assembly):

Section 1. "The Mayor and Council of New Castle," a Municipal Corporation of the State of Delaware, is hereby authorized and empowered to borrow on the faith and credit of the City of New Castle, a sum of money not exceeding one hundred and fifty thousand dollars, for the purpose of supplying the said City and its inhabitants with water and light, or either, by the acquisition, purchase, construction and erection of such property, works and apparatus as may be necessary or convenient therefor, and for this purpose to issue bonds of the said Municipal Corporation.

The said moneys so borrowed may be used either for the acquisition, purchase and improvement of any water or light systems now in operation in said City, or for the acquisition, purchase, construction and erection of such property, works and apparatus as may be necessary or convenient for the purpose of supplying water and light in said City; and title may be taken in the name of the said Municipal Corporation to such property and works as may be necessary for the purpose, whether within or without the Corporate limits of the said City.

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Section 2. The said money shall be borrowed and the bonds issued in such amounts, at such times, in such form and denominations, and at such rate of interest not exceeding five and one-half per cent, as the Council of the said City shall by ordinance duly passed determine. The principal of said bonds shall be made payable at the expiration of thirty years from the date of the issue thereof, the said Municipal Corporation reserving the right to redeem said bonds, or any of them, at par and accrued interest, at any interest period after the expiration of five years from the date of issue, provided that if the said Municipal Corporation shall elect to redeem any of said bonds as aforesaid, such redemption shall be made in pursuance of a notice to that effect published at least twice a week for at least three successive weeks in at least two newspapers of the City of Wilmington. In calling said bonds for redemption, they shall be called consecutively beginning with the lowest number, and the interest on all bonds so called shall cease from the date named in said calls for redemption.

The Council of the said Municipal Corporation shall direct and effect the preparation and printing of and negotiate the sale and delivery of the said bonds. The said bonds shall bear date when issued and shall bear interest from date, payable semi-annually. They shall be signed by the Mayor, the President of Council and the Treasurer of said City of New Castle, and be sealed with the Corporate seal of the said Municipal Corporation and shall be exempt from State, County and Municipal taxation.

The moneys received from the sale of the said bonds shall be paid over to the Treasurer of the City of New Castle, and held by him as a special fund to be drawn out and used for the purpose of this Act upon direction of the Council of the said City. The Treasurer shall furnish additional bond to cover such fund, in such an amount as the Council may direct.

Section 3. The Council of the said City is authorized and required to levy and collect annually by taxation such sum of money as shall be sufficient to pay the interest accruing on said

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bonds; and it is further authorized and empowered to levy and collect by taxation from time to time such sum or sums as shall be necessary to provide a sinking fund adequate for the redemption of said bonds at or before their maturity. The taxes for such interest and sinking fund shall be levied and collected in the same manner as are the other City taxes in said City. The sinking fund above provided for shall not be available for any other purpose.

All necessary expenses in and about the preparation, printing and sale of said bonds shall be paid out of the moneys herein authorized to be borrowed.

Should any surplus remain after the work contemplated by this Act has been accomplished, said surplus shall be held and applied toward the payment of the principal of said bonds herein authorized.

Section 4. The Council of the said City shall cause to be published a detailed statement of all expenditures of money borrowed under the authority of this Act.

Section 5. The superintendence, management, operation and control of any such system of supplying water or light to the City of New Castle and its inhabitants, as is contemplated by section 1 of this act, shall be had and held by the Council of New Castle, under and in accordance with such rules, regulations, ordinances and directions, as the said Council may from time to time deem proper to make or adopt.

Approved April 10, A. D. 1919.

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CHAPTER 130.

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 improving the Streets of the Town of Middletown.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch of the Legislature concurring therein):

Section 1. That, "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 thirty thousand dollars, which shall be applied, appropriated and expended for the purpose of paving, repairing and permanently improving the public streets and highways of the said Town of Middletown.

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 Street 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 may designate. The principal of said bonds shall be made payable at the expiration of twenty years from

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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 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.

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 cancelled in such manner as the said "The Commissioners of the Town of Middletown," shall direct.

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

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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 establishing said sinking fund for the redemption of said bonds shall not exceed the sum of fifteen 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.

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Section 6. 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 the purpose of improving the streets." 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. 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 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

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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.

Section 7. Any person who shall wilfully vote or attempt to vote illegally at such special election, who shall wilfully receive or consent to receiving an illegal vote, or who shall wilfully refuse or consent in refusing to receive a legal vote, or who shall in any way act in a fraudulent or illegal manner at such special election, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined or imprisoned, or both in the discretion of the Court. Should a voter be challenged on the ground of nonpayment 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.

Section 8. That the faith of the said "The Commissioners of the Town of Middletown," is hereby pledged for the payment of the bonds authorized to be issued under this Act.

Approved March 5, A. D. 1919.

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CHAPTER 131.

CITIES AND TOWNS.

AN ACT to amend Section 25, Chapter 199, Volume 24, Laws of Delaware, entitled "An Act to re-incorporate the Town of Delaware City," regarding the levy and collection of taxes.

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 25 of Chapter 199, Volume 24 of the Laws of Delaware, entitled "An Act to re-incorporate the Town of Delaware City," be and is hereby amended by adding to said Section 25 the words following to wit: "The Council shall also have power and authority to levy and collect reasonable taxes upon all telephone, telegraph, electric light, electric power and trolley poles and other erections of like character erected within the Town of Delaware City, and may by ordinance prescribe the mode of levying and collecting the same. In case any of the owners or lessees of any such poles or erections within said Town shall refuse or neglect to pay the taxes that may be levied upon such poles or erections, the Council shall have authority to cause the same to be removed and may cause to be instituted by the collector, suit to recover the amount of taxes so levied and the expenses incident thereto and the expenses incident to the removal of such poles or erections."

Approved March 10, A. D. 1919.

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CHAPTER 132.

CITIES AND TOWNS.

AN ACT to further amend an act entitled "An Act to reincorporate the Town of Smyrna" passed at Dover, April 7, 1897, by increasing the amount that may be levied and collected by taxation.

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

Section 1. That an Act entitled "An Act to reincorporate the Town of Smyrna" passed at Dover, April 7, 1897, be and the same is hereby further amended by striking out the word "five" between the words "exceed" and "thousand" in line five of Section 24, of said Act as now amended and inserting in lieu thereof the word "ten."

Approved April 3, A. D. 1919.

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CHAPTER 133.

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AN ACT authorizing the Town Council of the Town of Smyrna to borrow money and issue bonds to secure the payment thereof for the purpose of acquiring necessary machinery, equipment, and supplies for lighting and furnishing motor power to the Town of Smyrna and for commercial purposes, and providing for the improvement of the water system of said town.

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

Section 1. That the Town Council of the town of Smyrna be and are hereby authorized and empowered to borrow on the credit of the town of Smyrna a sum of money not exceeding Thirty-five Thousand Dollars which shall be applied, appropriated and expended for the purpose of purchasing and acquiring the necessary machinery, equipment, material and supplies required to furnish light and power for the said town of Smyrna and for Commercial purposes.

Section 2. For the purpose of carrying into effect the provisions of this act, the said Town Council of the Town of Smyrna are hereby further authorized and empowered to issue bonds of the Town of Smyrna to be prepared under their direction: Said Bonds shall be of such form and denomination as they shall direct: shall bear interest at such a rate, not exceeding the legal rate of interest, and shall contain such provisions for redemption and maturity as they shall determine and shall be sold upon such terms as shall be most advantageous for the town of Smyrna.

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Section 3. The said Town Council of the Town of Smyrna are hereby appointed, authorized and empowered to impose and levy a tax upon the persons and the property of the persons subject to assessment for the purpose of paying the annual interest on said Bonds and for providing an adequate sinking fund for the redemption of said Bonds at maturity.

Section 4. The faith and credit of the said Town Council of the Town of Smyrna, are hereby pledged for the payment of the Bonds authorized to be issued under this Act.

Section 5. That before any bonds shall be issued under the provisions of this Act a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue" or the words "against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Approved March 31, A. D. 1919.

CITIES AND TOWNS.

CHAPTER 134.

CITIES AND TOWNS.

AN ACT authorizing the Town of Clayton to provide electric current for public and private use and to raise the necessary money for said purpose by the issuance and sale of bonds to an amount not exceeding Eight Thousand Dollars.

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 Town Council of The Town of Clayton is hereby authorized and empowered to provide electric current for lighting the streets, lanes and alleys of said town, and for public and private use for lighting and other purposes.

In order to provide said electric current, the said Town Council may locate and erect, or cause to be erected and established an electric light plant for the production of electric current, or may enter into a contract or contracts, agreement or agreements, with any person or persons, or with any public or private corporation in relation to the furnishing and providing of said current, and may erect, or cause to be erected the necessary poles and wires for conducting said current, upon and over the streets, lanes and alleys of said town, and upon and along the public highways within one mile of the corporate limits of said town, and may lay and place conduit pipes and wires in and under the streets and alleys of said town.

Section 2. That for the purpose of carrying into effect the provisions of Section 1 of this Act, the Town Council of the Town of Clayton is hereby authorized and empowered to borrow money on the credit of said town in a sum not exceeding Eight

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Thousand (\$8,000.00) Dollars, and to issue bonds of such denomination or denominations as the said Town Council may deem best. Said bonds shall be known as "Clayton Electric Light Bonds," and shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, at such Bank or Trust Company as said Town Council shall designate. The principal of said bonds shall be made payable at the expiration of thirty-five years from the date of the issue thereof at the Bank or Trust Company designated as aforesaid; the said town reserving the authority to redeem said bonds, or any of them, at the expiration of two years from the date of issue, or at any interest period thereafter, at par and accrued interest; provided that if the said town elect to redeem said bonds, or any of them, prior to their maturity, such election shall be effected at an interest period in the year of such election, and in pursuance to the notice to that effect, published by the Town Council of said town, in at least, three issues of two newspapers, one of which said newspapers shall be published in Kent County, Delaware, and the other in the City of Wilmington, Delaware. In calling said bonds for redemption and payment, they shall be called consecutively, commencing with the lowest number, and the interest on all bonds so called shall cease from the date of the redemption thereof, and said bonds when paid shall be cancelled.

If the holder or holders of any of the bonds, herein provided for, shall offer the same for redemption before such bonds are payable or called, the said town, if it deem it expedient, may redeem and pay the bond or bonds so offered, and cancel the same.

Section 3. The Town Council of said town shall prescribe the form of said bonds, determine the date of issue of the same, and cause the preparation and printing thereof. Said bonds shall be signed by the President and the Treasurer of the Town Council of the Town of Clayton, and shall be sealed with the corporate seal of the said town, and shall be exempt from State, County and Municipal taxes.

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Section 4. The Town Council of said town shall negotiate the sale and delivery of said bonds and shall apply and use the proceeds of said sale for the purposes of carrying into effect the provisions of this Act.

Section 5. That the said The Town of Clayton is hereby authorized and required to assess and collect annually, in the same manner as now provided by law for assessing and collecting other taxes for municipal purposes, an amount of tax sufficient to pay all the interest accruing on said bonds, and to assess and collect from time to time such sum or sums as shall be necessary to create a sinking fund adequate for the redemption of said bonds as the same shall mature, or shall be called for redemption as hereinbefore provided.

Section 6. The Town Council of said Town is hereby authorized and empowered to make such ordinances as may be deemed necessary for the management and control of any electric lighting plant, established under the provisions of this act, for the protection of any such plant and of the poles, wires and conduits and in relation to the use of electric current.

Section 7. That the said Town of Clayton shall not issue any bonds under the provisions of this act until a special election has been called by the Town Council of the said town, and held by the officers provided for in this Act, and until a majority of the legal votes cast at such election has been ascertained to be "For issuing Electric Light Bonds." The said town council is hereby authorized to call and provide for such special election whenever it shall deem it expedient to do so, provided that such special election shall not be held within thirty days after the approval of this Act by the Governor. If the issuing of said bonds should not be approved by a majority of the votes cast at said special election, the Town Council is authorized and directed to call other special elections at any time thereafter, in like manner, and for the same purposes, provided that not more than one such election may be held in any one year, and that such election shall be at least six months apart. Any such special election shall be held by the Alderman, and two Councilmen, of the said town, who shall be selected and appointed for that purpose

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by the Town Council. The Alderman shall be the presiding officer at such special election, but if for any reason the Alderman is not available, the Town Council shall select and appoint some other male qualified voter of the said town to be the presiding officer at such special election. Except as otherwise provided by this Act, any such special election shall be held according to the laws and regulations governing the annual town election of the said Town of Clayton, but the ballot shall contain the words "for issuing electric light bonds" and "against issuing electric light bonds," and any person desiring to vote "for issuing electric light bonds" shall strike out the words "against issuing electric light bonds," and any person desiring to vote "against issuing electric light bonds" shall strike out the words "for issuing electric light bonds." Due notice of the time and place of such special election shall be given by said Town Council by advertisements posted in at least ten public places in said town, at least ten days prior to any such special election. Every citizen of the said 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 town other than the tax assessed against him or her by the said town for the year in which such special election shall be held, upon 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 town for the year in which such special election shall be held. No fraction of one hundred dollars of assessment shall be considered.

Section 8. Any person who shall wilfully vote or attempt to vote illegally at such special election, or any person acting as an election officer at such special election, who shall wilfully receive or consent to the receiving of an illegal vote, or who shall wilfully refuse or consent to the refusal to receive a legal vote, or who shall in any way act in a fraudulent or illegal manner at such special election shall be guilty of a misdemeanor and upon conviction thereof, shall be fined or imprisoned, or both, in the discretion of the Court. Should a voter be challenged on the ground of non-payment of tax, the presiding officer of the elec-

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tion 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, and any person so swearing who shall swear falsely shall be deemed guilty of false swearing and shall be punishable accordingly.

Section 9. That the faith of the said Town of Clayton is hereby pledged for the payment of the bonds authorized to be issued under this Act.

Section 10. This Act shall be deemed and taken to be a public act.

Approved April 2, A. D. 1919.

CITIES AND TOWNS.

CHAPTER 135.

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AN ACT authorizing certain improvements in and upon the streets of the Town of Clayton, and making provisions for raising funds to pay part of the cost of said improvements by assessments against property affected, 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 branch thereof concurring therein):

Section 1. That the town council of the Town of Clayton is authorized and empowered upon petition, as hereinafter provided, to pave, gutter, curb and grade the streets of The Town of Clayton, or so many of such streets, or such parts thereof, as may be selected for that purpose, and, also, to build and improve the sewers and conduits in any of said streets selected to be paved as aforesaid, and to provide funds for the payment of the costs, or part of the cost of such improvements, as hereinafter set forth.

Section 2. Whenever a majority of the property owners owning property abutting on any street of the said The Town of Clayton, or on any section of a street, between intersecting streets, shall petition the town council of the said town to pave or improve said street, or section thereof, it shall be the duty of the said town council, and it is hereby authorized and directed, to pave, gutter, curb and grade such street or section thereof, under the provisions of this Act. Provided, however, that the said town council shall not be required to pave any street or section thereof, unless there are sufficient funds in the Treasury of the said town, or otherwise available, to pay one-third of the

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cost of such improvement; and provided, further, that said petition shall be deemed sufficient when signed by a majority of such property owners, residing in The Town of Clayton.

Section 3. Whenever any street, or section thereof, is paved or repaved after the passage of this Act, or is graded, curbed, guttered, or sewerred, the town council of said town shall assess against the properties abutting upon the street, or the section thereof which is improved, under the provisions of this Act, not exceeding two-thirds of the whole cost of making such improvement, except the cost of grading and paving the intersections of streets. Provided, however, that the said town council shall make provision for a separate connection of each property, with the sewer, extending such connection to the curb line of the street, and that the entire cost of such connection shall be paid by the owners of abutting properties.

Section 4. Whenever any improvement, made under the provisions of this Act, is completed, the town council aforesaid shall cause to be prepared a list showing the names of the property owners, the linear feet of property of each abutting on the street or section thereof improved, the amount proposed to be assessed against each lot or parcel of land and the total cost of any such improvement. Upon the completion of such list, a copy of the same shall be hung up for at least ten days in some place in the Town of Clayton for the inspection of the public, and notice of the completion of said list and of the place where the same is hung up for inspection, as aforesaid, shall be given to all parties in interest by advertisement in the newspaper published in The Town of Clayton in at least two successive issues of said paper; said advertisement shall also state the time and place, when and where the said town council will hear any objection, which may be made against any assessment as aforesaid. The time of the meeting for the hearing of objections, as aforesaid, shall be not earlier than one week nor later than four weeks from the date of the last issue of the newspaper containing the advertisement aforesaid. The place of said meeting shall be in Council Chamber of the Town of Clayton, or some other convenient room in said town. The said town council shall sit to hear any objection to the assessment aforesaid at the place advertised from

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one o'clock to four o'clock in the afternoon on the day designated and may adjourn from day to day if necessary. At said session the town council shall make such alterations and corrections of the assessment as said town council shall deem proper and in accord with the provisions of this Act.

The determination of the town council at any such session shall be final and conclusive. A copy of the assessment list as corrected as aforesaid shall be hung up for at least ten days in the same place in which the copy of the original list had been displayed. At the expiration of the ten days aforesaid the assessment list as corrected as aforesaid shall by the said town council be certified to the collector of taxes of The Town of Clayton for collection, and from the date of such certification, the several amounts shown upon such list as assessed against the properties shall be a lien upon the property upon which the assessment is made, and such lien shall have priority of any lien, encumbrance or conveyance, except taxes or prior liens for public improvements. No error or mistake in regard to the name of an owner shall be held to invalidate any assessment, and it shall be sufficient if the name of the last owner, as shown by the record in the office of the Recorder of Deeds for Kent County, is shown upon such assessment list.

Section 5. All assessments made in pursuance of this Act shall be based upon the linear feet of property actually abutting upon that section of the street improved, and each linear foot of such property affected within the same block or square shall be assessed alike, regardless of the depth, width or other dimensions of such property. All assessments so made shall be due upon the date of the certification by the town council to the Collector of Taxes of The Town of Clayton, as aforesaid, but shall not be collectible until the expiration of thirty days from said date. The payment of the amount of any assessment within the said thirty days shall be accepted by the Collector of Taxes as a full satisfaction of such assessment. On all assessments remaining unpaid after the expiration of said thirty days from the date of the certifying as aforesaid, interest, at the rate of six per centum per annum, computed from the date of certifying, as aforesaid, shall be added. Any property owner may, at his

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election to be expressed in writing to the town council, aforesaid, within thirty days after the date of the certifying, as aforesaid, pay his assessments in eight equal installments, together with interest, as above stated; the first of said installments, with accrued interest, shall be due, payable and collectible at the expiration of three months from the date of the certifying aforesaid, and thereafter one of said installments with accrued interest, shall become due, payable and collectible at the expiration of every three months until all of said installments, with accrued interest, have been fully paid. Any property owner may have the right at any installment period, to pay the balance due on his assessment in full or any part thereof not less than one installment, with accrued interest thereon. All assessments shall be due and payable to the Collector of Taxes of The Town of Clayton at such office or place in The Town of Clayton as he shall designate; the designation of such place or office to be given notice of by said Collector of Taxes by advertisement in at least two issues of the newspaper published in The Town of Clayton, the date of the last issue of which paper shall be at least five days before the expiration of thirty days from the date of the certifying of the assessments by the town council to the said Collector of Taxes, as hereinbefore set forth.

Section 6. If any property owner, who has signified his desire to pay his assessment in installments, as hereinbefore set forth, shall omit to pay any of said installments when the same shall become due and payable as aforesaid, then and in such event the entire assessment or so much thereof as shall then be unpaid, together with accrued interest, shall immediately become and be due, payable and collectible.

If any property owner, who has not elected to pay his assessment in installments, as hereinbefore set forth, shall have omitted to pay the said assessment at the expiration of the thirty days from the date of the certification of the assessment as aforesaid, and if any property owner, who shall have elected to pay his assessment in installments, shall omit to pay any of the said installments, when the same shall become due and payable, as aforesaid, then and in every such case it

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shall be the duty of the President of the Town Council of The Town of Clayton to issue his warrant directed to the Collector of Taxes of the said town, commanding him to levy the entire assessment or so much thereof as shall then remain unpaid, together with accrued interest and all cost thereon, upon the property affected by said assessment, which said property, or any part thereof, shall be sold by the said Collector of Taxes of The Town of Clayton at public auction after advertisement in two successive issues of some newspaper published in said town, and a deed from the President of the Town Council of The Town of Clayton shall convey to the purchaser of such property, as full and complete a title to said property in fee simple, or otherwise, as if the same were executed by the owner thereof.

And it shall be the duty of said Collector of Taxes of The Town of Clayton out of the purchase money of the said property so sold as aforesaid to pay all cost arising from said process and sale to the parties entitled thereto respectively and to retain the amount of such assessment with accrued interest thereon as aforesaid. The residue of said purchase money shall be immediately deposited by the said Collector of Taxes of The Town of Clayton in The Clayton Bank, to the credit of the owner of the property so sold.

Approved April 3, A. D. 1919.

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CHAPTER 136.

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AN ACT authorizing The Commissioners of Wyoming to borrow money and issue bonds to secure the payment thereof for the purpose of acquiring necessary machinery, equipment and supplies for lighting the Town of Wyoming, and providing a Water System for 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 the Commissioners of Wyoming be and they are hereby authorized and empowered to borrow on the credit of the Town of Wyoming a sum of money not exceeding ten thousand dollars, which shall be applied, appropriated and expended for the purpose of purchasing and acquiring the necessary machinery, equipment, material and supplies required to light the streets of the said Town of Wyoming, and to furnish an adequate water supply for said Town.

Section 2. For the purpose of carrying into effect the provisions of this Act the said The Commissioners of Wyoming are hereby further authorized and empowered to issue bonds of the Town of Wyoming to be prepared under their direction; said bonds shall be of such form and denomination as they shall direct; shall bear interest at such a rate, not exceeding the legal rate of interest, and shall contain such provisions for redemption and maturity as they shall determine and shall be sold upon such terms as shall be most advantageous for the Town of Wyoming.

Section 3. The said The Commissioners of Wyoming are hereby appointed, authorized and empowered to impose and

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levy a special tax upon the persons and the property of the persons subject to assessment for the purpose of paying the annual interest on said bonds and for providing an adequate sinking fund for the redemption of said Bonds at maturity.

Section 4. The faith and credit of the said The Commissioners of Wyoming are hereby pledged for the payment of the Bonds authorized to be issued under this Act.

Section 5. That before any bonds shall be issued under the provisions of this Act a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue" or the words "against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued for money borrowed under this Act.

Approved April 9, A. D. 1919.

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CHAPTER 137.

CITIES AND TOWNS.

AN ACT authorizing The Commissioners of the Town of Camden to borrow money and issue Bonds to secure the payment thereof for the purpose of acquiring necessary machinery, equipment and supplies for lighting the Town of Camden, and providing a Water system for 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 the Commissioners of the Town of Camden be and they are hereby authorized and empowered to borrow on the credit of the Town of Camden a sum of money not exceeding ten thousand dollars, which shall be applied, appropriated and expended for the purpose of purchasing and acquiring the necessary machinery, equipment, material and supplies required to light the streets of the said Town of Camden, and to furnish an adequate water supply for said Town.

Section 2. For the purpose of carrying into effect the provisions of this Act the said The Commissioners of the Town of Camden are hereby further authorized and empowered to issue Bonds of the Town of Camden to be prepared under their direction; said bonds shall be of such form and denomination as they shall direct; shall bear interest at such rate, and not exceeding the legal rate of interest, and shall contain such provisions for redemption and maturity as they shall determine and shall be sold upon such terms as shall be most advantageous for the Town of Camden.

Section 3. The said The Commissioners of the Town of Camden are hereby appointed, authorized and empowered to impose

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and levy a special tax upon the persons and the property of the persons subject to assessment for the purpose of paying the annual interest on said bonds and for providing an adequate sinking fund for the redemption of said bonds at maturity.

Section 4. The faith and credit of the said The Commissioners of the Town of Camden are hereby pledged for the payment of the bonds authorized to be issued under this Act.

Section 5. That before any bonds shall be issued under the provisions of this Act a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said Town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each *dollars or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said Town. At said election the ballots used shall have written or printed thereon the words "for the bond issue" or the words "against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Approved April 9, A. D. 1919.

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CHAPTER 138.

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AN ACT to authorize "The Commissioners of Felton" to borrow fifteen thousand dollars and to issue bonds therefor.

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

Section 1. That "The Commissioners of Felton" be and is hereby authorized and empowered to borrow, upon the faith and credit of the said Town of Felton a sum not exceeding Fifteen Thousand Dollars, to be expended as hereinafter provided, and to issue bonds of the said "The Commissioners of Felton" for the payment thereof.

Section 2. The denomination of said bonds shall be the sum of Five Hundred 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 commissioners of the said "The Commissioners of Felton" 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 3. The said bonds shall bear date as of the date of their issue and the principal thereof shall be payable at The Felton Bank, at Felton, Delaware, at the expiration of thirty years from the said date, but the said bonds, or any of them, if the commissioners of the said "The Commissioners of Felton"

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shall deem expedient, may contain a proviso for the redemption of said bonds at the option of the said "The Commissioners of Felton" at such period prior to the expiration of thirty years from their date as the said commissioners of the said "The Commissioners of Felton" shall fix and designate in said bonds, provided, however, that if the commissioners of the said "The Commissioners of Felton" shall elect to redeem any of said bonds within the period of thirty years from their date, the said commissioners of the said "The Commissioners of Felton" shall give notice, signed by the president of the commissioners of the said "The Commissioners of Felton" and by the secretary thereof, advertised for the space of thirty days in one newspaper published in the County of Kent in this State, and such notice shall indicate the bonds called and in making such calls the commissioners of the said "The Commissioners of Felton" shall call the bonds according to their number, beginning with the lowest number, and the interest of said bonds shall cease from the date set for redemption in any of said calls.

Section 4. The commissioners of the said "The Commissioners of Felton" shall direct and effect the preparation, printing and sale of said bonds authorized by this act, at such time or times and on such terms as they may deem expedient.

The said bonds shall be signed by the president of the commissioners of the said "The Commissioners of Felton" and by the treasurer of the said "The Commissioners of Felton" and sealed with the seal of the said corporation and shall be exempt from state, county and municipal taxation.

As the said bonds shall be paid the same shall be cancelled as the said the commissioners of "The Commissioners of Felton" shall direct.

Section 5. Said bonds, principal and interest, shall be payable at the Felton Bank, at Felton, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard. The said commissioners of the said "The Commissioners of Felton" is hereby authorized and directed to pay the interest on said bonds at the said bank when and as the

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same shall become due and to pay said bonds at said bank when and as the same shall mature.

The said commissioners of the said "The Commissioners of Felton" in fixing the rate of taxation in the said Town of Felton, 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 "The Commissioners of Felton" be set apart by him in a separate account to be opened for that purpose, and the moneys so set apart shall be applied by the said treasurer to the payment of the interest on said bonds and to the redemption of said bonds as the said interest and as the said principal shall become and be due and payable.

The said commissioners of the said "The Commissioners of Felton" is fully authorized and empowered to establish a sinking fund for the payment of said bonds at their maturity and for this purpose to levy and raise by taxation, from time to time, such sum or sums of money as shall be necessary for the redemption of said bonds at or before the maturity thereof. The taxes assessed in this section shall be levied and collected as other taxes in said "The Commissioners of Felton" are levied and collected, and shall be assessed on the head and on property, and shall be in excess and in addition to the sum or amount which the said "The Commissioners of Felton" is authorized by any other law to raise by taxation.

The sinking fund provided for by this act shall be deposited in The Felton Bank, at Felton, Delaware, and shall not be available for any other purpose but if the said "The Commissioners of Felton" shall elect to invest said fund or any part thereof in some safe security or securities, until such time as it may be needed for the redemption of the bonds authorized by this act, or any of them, the said commissioners of "The Commissioners of Felton" is hereby authorized to do so by a three-fourths vote of the members of said commissioners.

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Section 6. All the money received from the sale of any or all of said bonds, after the payment of all charges and expenses connected with the preparation and sale thereof, shall be deposited by the treasurer of the said "The Commissioners of Felton" in The Felton Bank, at Felton, Delaware, to the credit of the said "The Commissioners of Felton" in a separate account. The net proceeds of the sale of said bonds shall be used for the improvement of the streets in the said Town of Felton.

Neither the purchaser nor the holders of said bonds shall be bound to see to, or be affected by, the application of said money realized from the sale of said bonds or any part thereof.

Section 7. The faith and credit of the said "The Commissioners of Felton" are hereby pledged for the payment of all the bonds that may be issued under the provisions of this act.

Section 8. The bonds authorized by this act may be issued at one time and in one series or at different times and in different series as the commissioners of the said "The Commissioners of Felton" shall determine, and the authority to issue and sell any bonds or number of bonds under this act shall not be deemed to be exhausted until the aggregate of the amount of bonds issued under this act shall be Fifteen Thousand Dollars.

Section 9. The bonds to be issued under the provisions of this act shall be in the following form, to wit:

UNITED STATES OF AMERICA.

STATE OF DELAWARE

FELTON STREET IMPROVEMENT BONDS

NUMBER.....

\$500

\$500

"The Commissioners of Felton," for value received hereby acknowledge its indebtedness and promises to pay to the holder of this bond at The Felton Bank, at Felton, Delaware, on the day of A. D. nineteen hundred

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and, the sum of Five Hundred Dollars, with interest thereon at the rate of per centum per annum, payable semi-annually, on the..... day of and of.....in each year. This bond is one of the authorized issue of..... bonds aggregating Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved theday of, A. D. nineteen hundred and....., entitled "An Act Authorizing 'The Commissioners of Felton' to Borrow Fifteen Thousand Dollars and to Issue Bonds Therefor," and in pursuance of a resolution of the commissioners of the said "The Commissioners of Felton" adopted the.....day of..... A. D. nineteen hundred and.....

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and that the faith and credit of "The Commissioners of Felton" 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 commissioners of the said "The Commissioners of Felton" and the Treasurer of "The Commissioners of Felton" have hereunto respectively set their hands and the corporate seal of the said "The Commissioners of Felton," at Felton, in the State of Delaware, thisday of, A. D. nineteen hundred and.....

Section 10. If the commissioners of the said "The Commissioners of Felton" shall so desire, the said bonds may contain a provision giving said commissioners the option to redeem said bonds at some stated period prior to their maturity as set forth in Section 3 of this Act. The said commissioners 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 Commissioners shall prefer. The said bonds shall further contain such provisions, in addition to those set forth in Section 9 of this act, and not inconsistent with the requirements of this

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act, as the said commissioners of the said "The Commissioners of Felton" shall determine, and may be with or without coupons as said commissioners shall prefer.

Section 11. That before any bonds shall be issued under the provisions of this Act a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue" or the words "against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act, provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Approved April 2, A. D. 1919.

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CHAPTER 139.

CITIES AND TOWNS.

AN ACT to amend an Act entitled "An Act to Reincorporate the Town of Harrington," being Chapter 209 of Volume 24 of the Laws of Delaware, as amended by Chapter 230 of Volume 26 of the Laws of Delaware, and by Chapter 146 of Volume 29 of the Laws of Delaware prescribing the amount that may be raised by taxation in said Town of Harrington.

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 House concurring therein):

Section 1. That Section 12 of Chapter 209, Volume 24 of the Laws of Delaware, as amended by Chapter 230 of Volume 26 of the Laws of Delaware, and by Chapter 146 of Volume 29 of the Laws of Delaware, be and the same is hereby amended by striking out the first sentence of said Section 13, and inserting in lieu thereof the following words:—"That the commissioners shall, at the first stated meeting in every year, determine the amount of tax to be raised in said town for that year, which amount shall not exceed five thousand (\$5,000.00) dollars, excluding the dog tax."

Approved April 3, A. D. 1919.

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CHAPTER 140.

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AN ACT to amend an Act Entitled "An Act to Incorporate the Town of Farmington," being Chapter 194 of Volume 25 of the Laws of Delaware, providing that at least three of the Commissioners of said town shall be freeholders.

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 4 of an Act entitled "An Act to Incorporate The Town of Farmington," being Chapter 194 of Volume 25 of the Laws of Delaware, be and the same hereby is amended by striking out the last sentence in said Section 4, and by substituting in lieu thereof the following:—

"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 prior to his election, and, at least, three of said commissioners shall be freeholders in said town at the time of their election to said office of town commissioner."

Approved March 28, A. D. 1919.

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CHAPTER 141.

CITIES AND TOWNS.

AN ACT to amend Chapter 232 Volume 19, Laws of Delaware being in relation to the Board of Light and Water Commissioners of the Town of Milford.

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):

Section 1. That Section 4 of the Act entitled "An Act to allow the Town Council of Milford to issue bonds for certain purposes," approved March 31, 1891, being Chapter 232, Volume 19, of the Laws of Delaware, as amended, be and the same is hereby amended by striking out all of that part of the last sentence of said section after the word "require" and by adding a new sentence at the end of said Section 4 which shall be the last sentence of said Section, as follows: "The President, Secretary and Treasurer shall severally receive such reasonable compensation as the said Board of Light and Water Commissioners may allow."

Section 2. That Section 5 of the Act aforesaid be and the same is hereby amended by adding at the end thereof a new sentence which shall be the last sentence of said Section, as follows: "The authority conferred by this Act upon the said Light and Water Commissioners relative to the furnishing of electricity for illumination for corporate and private use shall be deemed and held to include the furnishing of electricity for power."

Approved April 7, A. D. 1919.

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CHAPTER 142.

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AN ACT empowering the Town Council of Milford to sell its Water and Light Plant and to make contracts with third parties for water and light when authorized at a special election.

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

Section 1. That when the Town Council of Milford shall be authorized at a special election as hereinafter provided, the said Town Council of Milford shall have full power and authority to sell, transfer and convey the Water and Light Plant of the said Town of Milford, the lot or parcel of ground on which it is erected, the fixtures, pipes, mains and connections, machinery, implements and equipment belonging thereto or used in connection therewith, and to make provision for the future supply of water, light and power, or any or all of them, for the said Town of Milford by contract with any person, firm or corporation.

Section 2. That a deed in the usual form and describing the said Water and Light Plant, parcel of ground, fixtures, pipes, mains, machinery, implements and equipment, or some of them, and executed in the name of the said Town Council of Milford by the President of the said Council, and attested by the Secretary and having the corporate seal affixed, pursuant to a resolution adopted by the said Council by a vote of a majority of all the members thereof, and duly acknowledged by the President of the said Council, shall be deemed and held to vest in the grantee or grantees named in the said deed the title or

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estate specified in the said deed to and in the property in said deed mentioned and described.

Section 3. That the moneys received from any sale as aforesaid, shall be applied by the Town Council of Milford to the payment of outstanding bonds issued to borrow money for the said Water and Light Plant, and any residue then remaining shall be applied to the payment of such other indebtedness of the said Town of Milford as the said Council shall determine.

Section 4. That any contract or contracts for supplying water and light for the said Town of Milford may be made by the said Town Council of Milford upon such terms and conditions as the said Town Council shall determine.

The said contract may also provide against charges to private consumers of water, light and power in excess of maximum rates specified therein unless by the express consent of the private consumer.

Section 5. That the Town Council of Milford is authorized to grant to any person, firm or corporation with whom it shall contract for the supplying of water and light as aforesaid, such franchises as shall be necessary or proper for the operation of a public service Water and Light Plant and of the transmission of water, light and power therefrom.

The said Council may also from time to time make such rules and regulations concerning water and light, not inconsistent with the terms and conditions of any contract made by the said Council as aforesaid, as they shall deem proper.

Section 6. That before the Town Council of the Town of Milford may exercise any of the powers hereinbefore referred to, the said Council shall call a special election. Notice of the day, hour and place of such election shall be given by advertisements posted in at least ten public places in the said Town for at least two weeks before the holding of such election.

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At such election, the polls shall remain open at least three hours between seven o'clock in the morning and seven o'clock in the evening.

It shall be the duty of the said Town Council to provide written, typewritten or printed ballots for the use of the voters in two sets, one set of ballots to contain the words "for the sale of the Water and Light Plant" and the other set to contain the words "Against the sale of the Water and Light Plant."

Every male and every female resident of the Town of Milford at the time of such election who is then over twenty-one years of age shall have the right to cast one ballot at such election for every dollar or fractional part of a dollar of tax payable by him or her respectively according to the last town assessment.

The officers conducting the election shall be designated by the Town Council and shall be sworn to perform their duties with fidelity.

The returns of the said election shall be certified to the said Town Council of Milford within twenty-four hours after the close of the polls.

If a majority of the ballots cast at the said election shall be "for the sale of the Water and Light Plant," the Town Council of Milford shall have the right to exercise the powers above specified when the said Council shall determine, but if a majority of the ballots shall be "against the sale of the Water and Light Plant" the said Council shall not have the right to exercise any of the said powers.

Section 7. That when the Town Council of Milford shall sell the Water and Light Plant under the provisions of this Act, the Board of Light and Water Commissioners of the said Town of Milford shall make and render to the said Town Council a full true and special account of all moneys and of all properties, books and papers in their possession or custody or under their control, and shall pay over all such moneys and deliver

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all of such books and papers to the Treasurer of the said Council without unreasonable delay, and shall deliver possession of all property as aforesaid when and as directed by the said Town Council of Milford.

The Treasurer of the said Town Council of Milford may be required to give additional bond with surety if the said Council shall so determine.

Approved April 7, A. D. 1919.

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CHAPTER 143.

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AN ACT authorizing the "Town Council of Milford" to borrow Twenty Thousand dollars for Water and Light and Power Purposes and to issue Bonds therefor.

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

Section 1. That the "Town Council of Milford" be and is hereby authorized and empowered to borrow upon the faith and credit of the said Town of Milford, a sum not exceeding Twenty Thousand Dollars, to be expended as hereinafter provided, and to issue bonds of the said Town of Milford for the payment thereof.

Section 2. The form of the aforesaid bonds, their denomination, their name, their date, number, time of maturity, rate of interest, not exceeding six per cent per annum, and the times of interest payments, shall be as prescribed by the said Town Council of Milford. The said Town Council of Milford may also reserve the option of calling the said bonds prior to their maturity provided the said option is expressly reserved by the terms of the said bonds.

Section 3. The Town Council of Milford shall direct and effect the preparation, and printing of said bonds authorized by this Act when requested so to do by the Board of Light and Water Commissioners of the said Town of Milford.

The said bonds shall be signed by the President of said Town Council and by the Treasurer of said Town, and sealed with

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the corporate seal of the said corporation, and shall be exempt from State, county and municipal taxation.

As said bonds shall be paid, the same shall be cancelled as the said Town Council shall direct.

Section 4. The said bonds, principal and interest, shall be payable at The First National Bank of Milford, at Milford, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard. The said Town Council is hereby authorized and directed to pay the interest on said bonds at the said Bank when and as the same shall become due, and to pay said bonds at said Bank when and as the same shall mature.

Section 5. As soon as the said bonds have been prepared and printed as aforesaid, the said Town Council of Milford shall place the said bonds in the hands of the said Board of Light and Water Commissioners who shall negotiate the sale and delivery of the same at such times and upon such terms as the said Board of Light and Water Commissioners shall determine. The moneys, the proceeds of the sale of the said bonds, shall be deposited with the Treasurer of the said Board of Light and Water Commissioners, to be used for the purpose of modernizing and improving the water and light plant, machinery and equipment of the town of Milford.

Section 6. That the Town Council of Milford is authorized and required to levy upon all assessable real and leasehold estates, or houses on ground rent in the said town, annually, a special tax sufficient to pay all the interest accruing on said bonds, which the rents and revenue derived from the said water works and electric light plant may be inadequate to meet.

The said Town Council of Milford is further authorized and required to provide a sinking fund adequate for the redemption of the said bonds at or before their maturity, and for this purpose may annually, or at longer intervals in their discretion, levy a further special tax upon the said real and leasehold estates, or houses on ground-rent in said town, sufficient to pro-

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duce such sinking fund. The sinking fund provided for by this Act shall be deposited in the First National Bank of Milford, and shall not be available for any other purpose; but if the Town Council shall elect to invest said fund in some safe securities until such time as it may be needed for the redemption of the bonds authorized by this Act, they are hereby authorized to do so by three-fourths of the members of the Council agreeing thereto. The Treasurer of the town shall give additional bond, with sufficient surety, for such sum as Council may determine and approve.

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 said Board of Light and Water Commissioners shall determine and the authority 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 Twenty Thousand Dollars (\$20,000.00).

Section 8. That the faith and credit of the Town of Milford is hereby pledged for the payment of the principal and interest of all bonds that are issued under this Act in accordance with the terms of the said bonds.

Section 9. That before the Town Council of the Town of Milford may exercise any of the powers hereinbefore referred to, the said Council shall call a special election. Notice of the day, hour and place of such election shall be given by advertisements posted in at least ten public places in the said Town for at least two weeks before the holding of such election.

At such election, the polls shall remain open at least three hours between seven o'clock in the morning and seven o'clock in the evening.

It shall be the duty of the said Town Council to provide written, typewritten or printed ballots for the use of the voters in the two sets, one set of ballots to contain the words "For the

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Bond Issue" and the other set to contain the words "Against the Bond Issue."

Every male and every female resident of the Town of Milford at the time of such election who is then over twenty-one years of age shall have the right to cast one ballot at such election for every dollar or fractional part of a dollar of tax payable by him or her respectively according to the last town assessment.

The officers conducting the election shall be designated by the Town Council and shall be sworn to perform their duties with fidelity.

The returns of the said election shall be certified to the said Town Council of Milford within twenty-four hours after the close of the polls.

If a majority of the ballots cast at the said election shall be "For the Bond Issue," the Town Council of Milford shall have the right to exercise the powers above specified when the said Council shall determine, but if a majority of the ballots shall be "Against the Bond Issue" the said Council shall not have the right to exercise any of the said powers.

Approved April 7, A. D. 1919.

CITIES AND TOWNS.

CHAPTER 144.

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AN ACT to amend Chapter 183, Volume 22, Laws of Delaware, entitled "An Act to Incorporate the Town of Greenwood," by requiring the present Town Commissioners to prepare a statement showing the financial condition of the Town, providing for Auditors of the Town to be elected at the next Annual Election and increasing the County Appropriation for Street Purposes.

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

Section 1. That the Commissioners of the Town of Greenwood be and they are hereby required to prepare a financial statement setting forth the amount of taxes collected by the Collector, together with all moneys received by the said Commissioners, or Town Officials, on behalf of said Town, since the first day of June, A. D. one thousand nine hundred and eighteen; from what sources said moneys were received; the amount of taxes remaining unpaid; the amount paid out by the Treasurer, the Commissioners, or any of the Officials of said Town, on behalf of said Town, and the purposes for which said amounts were expended; the amount of fines imposed by the Alderman and the actual amount of fines received by said Alderman and paid to the Town Treasurer, or the official acting in that capacity. That said statement shall be sworn to by the President and Secretary of the said Commissioners of the Town of Greenwood, and shall be posted or hung up not later than the twentieth day of March, one thousand nine hundred and nineteen, in five conspicuous places in the Town of Greenwood, for a period not less than ten days.

Section 2. That at the annual election to be held in the said Town of Greenwood, on the first Saturday in May, A. D. one

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thousand nine hundred and nineteen, and annually thereafter, there shall be elected by the qualified voters of said Town, two Auditors, who shall sometime between the first and the twentieth day of March, in each year, examine and audit the books and accounts of the said Commissioners of the Town of Greenwood, the Collertor, Treasurer and Alderman, and after having completed such examination and audit, the said Auditors shall submit a full and detailed report thereof to the Commissioners, and the same shall be spread in full upon the minutes of the said Commissioners. The said Auditors shall cause a full detailed statement of said examination and audit to be posted or hung up in five conspicuous places in the Town of Greenwood, at least one month before the annual Town election, which said statement shall show the amount of taxes collected by the Collector and the amount of taxes remaining unpaid; the amount of money received by the Treasurer and from what sources; the amounts paid out by the Treasurer and the purpose or purposes for which it was paid; the amount of fines imposed by the Alderman and the actual amount of fines received by said Alderman.

The said Auditors shall receive as compensation for their services the sum of five dollars each, per annum.

Approved April 10, A. D. 1919.

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CHAPTER 145.

CITIES AND TOWNS.

AN ACT to amend Chapter 146, Vol. 28, Laws of Delaware, entitled "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 13, A. D. 1915, 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):

Section 1. That Section 1. Chapter 146, Vol. 28, Laws of Delaware, as amended, be hereby amended by striking out in line 5 thereof, after the word "word" the word "three" and inserting in lieu thereof the word "five."

Approved April 9, A. D. 1919.

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CHAPTER 146.

CITIES AND TOWNS.

AN ACT to amend Chapter 158, Vol. 29, Laws of Delaware, entitled "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 22, A. D. 1917, by authorizing the Town of Ellendale to borrow \$5000.00, and to issue Bonds to secure the payment thereof, and for the purposes for which said money shall be used by said Town of Ellendale.

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 1, Chapter 158, Vol. 29, Laws of Delaware, as amended, be hereby amended by striking out in line 7 thereof, between the words "of" and "Thousand" the word "One," and inserting in lieu thereof the word "Five."

Section 2. That said Section 1, Chapter 158, Vol. 29, Laws of Delaware, as amended, be hereby amended by striking out the paragraph containing the lines 9, 10 and 11 thereof, and inserting in lieu thereof the following:

"The money so borrowed shall be used for the purposes of purchasing, for the use of said Town, an Electric Light Plant, for constructing a Town Lock-up and for other Municipal purposes."

Approved April 10, A. D. 1919.

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CHAPTER 147.

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AN ACT Authorizing the Town Council of Georgetown to borrow money and issue bonds to secure the payment thereof for the purpose of permanently improving the streets of the Town of Georgetown, and providing for the redemption and payment of the interest on said bonds.

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 Town Council of Georgetown, a municipal corporation of the State of Delaware, is hereby authorized and empowered to borrow on the faith and credit of the Town of Georgetown, the sum of fifteen thousand dollars, for the purpose of permanently improving the streets of the Town of Georgetown.

Section 2. For the purpose of carrying into effect the provisions of this Act, the said Town Council of Georgetown is hereby authorized and empowered to issue bonds of the said municipal corporation to the amount of fifteen thousand dollars; said bonds shall be of such denomination as the said Town Council of Georgetown shall direct, shall bear date when issued, and shall bear interest from date at a rate not exceeding the legal rate, payable annually.

Section 3. That the said Town Council of Georgetown shall prescribe the form of the said bonds, determine the date of issue of the same, and the rate of interest thereon, direct and effect the 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 President and the Secretary of Town Council of

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Georgetown, and shall be sealed with the corporate seal of Town Council of Georgetown.

Section 4. For the purpose of raising funds necessary for the redemption of said bonds, and the payment of the interest thereon, the said Town Council of Georgetown, is hereby authorized, empowered and directed to levy and collect annually in the same manner as other town taxes in said town of Georgetown are levied and collected, such further sum of money as shall be necessary and sufficient to meet the interest of the said bonds as the same shall accrue, and to pay the principal of said bonds when due.

Section 5. The faith and credit of Town Council of Georgetown are hereby pledged for the payment of the bonds authorized to be issued under this Act.

Section 6. That before any bonds shall be issued under the provisions of this Act a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue" or the words "against the bond issue." If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided, but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Approved April 9, A. D. 1919.

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CHAPTER 148.

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AN ACT to amend An Act entitled "An Act to incorporate the Town of Frankford," being Chapter 438, Volume 22, as heretofore amended.

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

Section 1. That the Act entitled "An Act to Incorporate the Town of Frankford," being Chapter 438, Volume 22, Laws of Delaware, as heretofore amended, be and the same is hereby amended by striking out of Section 25 of said Act as amended, the words and figures "Two thousand dollars (\$2000.00)," where it appears in the fourth line of said section and by inserting in lieu thereof the words "Ten Thousand Dollars." *Any by inserting after the word "streets" and before the word "of" in the sixth line of said Section 25 the words "or a water system, a light system or a fire apparatus for the protection."

Section 2. That the said Act as amended be and the same is hereby further amended by striking out of Section 23 of said Act as amended, the words "Five Hundred" where it appears in the third line of Section 23, and by inserting in lieu thereof the words "one thousand" and by adding at the end of said Section 23, the following new paragraph, to wit:

"Provided, however, that before any amount exceeding five hundred dollars shall be raised by taxation under this section there shall be a vote thereon to be conducted in all respects as the vote provided for in Section 28 of this Chapter as amended, and if said vote shall be in favor of such increased assessment, then it may be made from year to year without any further vote thereon."

Approved April 2, A. D. 1919.

*And

TITLE TEN

Religious, Reformatory and Charitable Institutions

CHAPTER 149.

FERRIS INDUSTRIAL SCHOOL.

AN ACT authorizing the acceptance of a conveyance of the property of **FERRIS INDUSTRIAL SCHOOL** to the State of Delaware, providing for the regulation and operation thereof and appropriating money for the maintenance of the same.

WHEREAS John Ferris in and by his last will and testament, left the residue of his estate to his Trustee, Caleb Harlan, in trust for certain charitable purposes, with the suggestion that said residue be employed in the establishment of a house of refuge for the improvement of the condition of wayward juveniles; and

WHEREAS in compliance with the terms of said Trust, a reform school was incorporated by the General Assembly of the State of Delaware, by act dated March 10, A. D. 1885, under the name of "The Ferris Reform School;" and

WHEREAS under the Statutes of the State of Delaware, said school is required to receive incorrigible and other boys committed thereto by the Courts of the State of Delaware; and

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WHEREAS it is considered that the care and maintenance of incorrigible and wayward juveniles is properly a State function and not the function of a private institution, and it is desired by the Ferris Industrial School and it has proposed to convey to the State of Delaware all of the lands, buildings, equipment, supplies, moneys, securities and other assets of The Ferris Industrial School, provided the State of Delaware will continue to maintain and operate said school, in accordance with the purposes for which said corporation was established and in conformity with the Trust hereinabove referred to.

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

Section 1. That the proposal of Ferris Industrial School be and the same is hereby accepted and the Governor of the State of Delaware is hereby authorized for and on behalf of the State of Delaware to accept and receive from Ferris Industrial School a deed or deeds or other instrument, properly and legally conveying the title to the lands, buildings, equipment, supplies, moneys, securities and other assets of Ferris Industrial School to the State of Delaware. Said property when received by the State of Delaware and all of the income or increments thereof shall be used for the maintenance of a Reform School, in accordance with the purposes of said Ferris Industrial School and in conformity with the Trust established by the Trustee of John Ferris.

Section 2. All of the property and assets received by the State of Delaware from said Ferris Industrial School shall be inventoried by the State Treasurer and an account under the name of "Ferris Industrial School of Delaware" shall be kept by the State Treasurer separate and apart from the general or other accounts of said State, in which account shall be included all of the income, increments or gains arising from said property and the expenditures and disbursements thereof for the purposes herein defined.

Section 3. The said School shall be known by the name of "Ferris Industrial School of Delaware" and the same shall be

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managed by a Board of five trustees who shall be appointed by the Governor; the members so appointed shall be during their terms of office citizens of the State of Delaware and one of them shall be a resident of the City of Wilmington, one a resident of New Castle County, outside of said city; one a resident of Kent County; and one a resident of Sussex County, and one from the State at large. The terms of office of those members first appointed shall be for one, two, three, four and five years and the Governor shall designate the term for which each said first appointee shall hold, and thereafter the terms of office of said trustees shall be for the period of five years; any vacancy occurring in said Board by reason of death, resignation or otherwise, shall be filled by the Governor for the unexpired term.

Section 4. Said Trustees shall receive no compensation for attendance in performance of their duties at meetings of the Board, but shall be reimbursed by the State for all necessary expense incurred therein.

Section 5. As soon as possible after appointment of the members aforesaid, they shall convene at some suitable place and organize by electing one of their members Chairman. Before entering upon the duties of the office, each member shall take and subscribe an oath or affirmation, as prescribed in Article 14 of the Constitution. Three members shall constitute a quorum.

Section 6. The said Board of Trustees shall have sole and complete control and management of Ferris Industrial School of Delaware, shall appoint the Superintendent and other officers and all other necessary employees, and shall fix their terms of office as well as their pay or compensation; and shall provide suitable food, clothing, medicine and all things necessary for the comfort and improvement of the inmates of said School. They shall likewise make rules and regulations for the government of said institution not inconsistent with the laws of this State, which they may deem necessary and proper for the public welfare and the best interests of the said institution and its inmates including the release of inmates upon parole, and the said Board of Trustees are hereby authorized to exercise

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all of the powers conferred upon the Board of Managers of the Ferris Industrial School under Chapter 70, Article 1 of Revised Code of Delaware, 1915, as fully and absolutely as if the same were herein repeated, recited and specifically set out and re-enacted.

Section 7. That the manner of commitments to and receiving inmates into said institution and appeals upon commitment shall be as now provided by the laws of this State under Chapter 70, Article 1; Chapter 71, Section 43; and Chapter 116, Section 21 of the Revised Code of Delaware as fully and absolutely as if the same were herein repeated, recited and specifically set out and re-enacted; provided, however, that commitments heretofore made shall in no manner be affected by the transfer to and taking over by the State of Delaware of said institution, but the same shall remain in full force and effect and continue after said transfer shall have been made.

Section 8. The County Treasurer of the County from which any boy is committed to said School shall pay for the maintenance and education of the said boy to the State Treasurer for the use of said School, at the rate of fifty cents (50c) per day for each such boy. The Levy Court or Levy Court Commissioners of each County shall provide the money for such payment. The appropriation shall be payable monthly and shall be based upon the number of boys in said school upon the first day of each preceding month, as shown by the monthly certificate to be furnished by said Board; provided, however, that if at any time the number of boys in said school in any month from New Castle County, as shown by said certificate, shall not be sufficient to make said appropriation for that month equal to the sum of twelve hundred and fifty dollars (\$1250), then the said Levy Court shall appropriate and pay the sum of twelve hundred and fifty dollars (\$1250), it being the purpose of this provision that the minimum amount appropriated and paid for the benefit of said school by the said Levy Court of New Castle County for any one month shall be twelve hundred and fifty dollars (\$1250).

Section 9. All of the accounts of said school shall be paid by warrant drawn upon the State Treasurer, signed by the Su-

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perintendent and countersigned by the Chairman or Acting Chairman of the Board of Trustees and the accounts of the State Treasurer relating to said school shall be audited by the State Auditor.

Section 10. The Board of Trustees shall present to the General Assembly of the State of Delaware every two years a report for the preceding two years of the number of persons received by it into the school, the disposition made of the inmates, their instruction and employment therein and in binding them out as apprentices, the receipts and expenditures of the Board and shall in said report submit a budget of the estimated expenses necessary to the maintenance and operation of the said school over and above the estimated revenues received from the Levy Courts of the respective Counties of this State, or otherwise.

Section 11. All legacies now held and existing and all legacies that may hereafter be given by persons dying after the passage of this act and the acquisition by the State of Delaware as aforesaid, of the property and rights of said now existing corporation and all appropriations for and gifts, grants and devises heretofore and hereafter to be made, given, granted, devised or bequeathed to Ferris Industrial School shall survive and enure to the benefit of and vest in the Board of Trustees of Ferris Industrial School of Delaware, as appointed under the provisions of this Act, provided that any such legacy or devise when received shall be assigned or transferred to the State of Delaware and added to the account referred to in Section 2 hereof.

Section 12. The sum of seven thousand five hundred dollars (\$7,500) per annum for a period of two years is hereby appropriated out of the funds of the State of Delaware for the maintenance and operation of said school.

Approved March 10, A. D. 1919.

FERRIS INDUSTRIAL SCHOOL.

CHAPTER 150.

FERRIS INDUSTRIAL SCHOOL.

AN ACT relating to the Commitment of Boys to the Ferris Industrial School.

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

Section 1. That Justices of the Peace in Kent and Sussex Counties shall have power to commit to the Ferris Industrial School any boy between the age of nine and sixteen years upon proof made by the parent, guardian or next friend of such boy that by reason of incorrigible or vicious conduct he cannot control such boy.

Approved April 21, A. D. 1919.

THE DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

CHAPTER 151.

THE DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

AN ACT to Appropriate Money to the Delaware Industrial School for Girls.

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

Section 1. There is hereby appropriated to The Delaware Industrial School for Girls the sum of eight thousand dollars to pay the indebtedness of said School for buildings and improvements, and the further sum of ten thousand dollars to adapt the present buildings for increased dormitory and school-room accommodations and for other improvements; and the State Treasurer is hereby authorized to pay said sums during the year 1919 to the said The Delaware Industrial School for Girls upon its warrant in accordance with the provisions of Section 20, of Chapter 15, of the Revised Code, out of any funds in the Treasury belonging to the State otherwise unappropriated.

Approved April 2, A. D. 1919.

ST. MICHAEL'S DAY NURSERY.

CHAPTER 152.

ST. MICHAEL'S DAY NURSERY.

AN ACT to amend Chapter 70 of the Revised Code of the State of Delaware fixing the annual appropriation for and the tax exemption limit of St. Michael's Day Nursery and Hospital for Babies.

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

That Chapter 70 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 2270 Section 79 and 2271 Section 80, and the insertion in lieu thereof the following Sections:

"2270. Sec. 79. APPROPRIATION FROM STATE; NO DISTINCTION OF RACE OR RELIGIOUS BELIEF IN ADMISSION TO:—The sum of Two Thousand Dollars is annually appropriated to St. Michael's Day Nursery and Hospital for Babies. The State Treasurer is authorized and directed to pay annually upon the warrant of the Treasurer of said corporation, and in accordance with the provisions of Section 20 of Chapter 15, said sum of Two Thousand Dollars out of any moneys or funds of the State of Delaware not theretofore specially appropriated to any other purpose; the said sum so appropriated, to be used in furtherance of the objects for which said corporation was organized, and for no other purpose whatsoever, and to be so paid so long as the said corporation shall provide and maintain a Day Nursery and Hospital for Babies; provided, however, that children shall be admitted from any part of this State without discrimination as to the nationality or religious belief of their parents or custodians."

"2271. Sec. 80. EXEMPTION FROM TAXATION:—The lands and tenements to the value of Fifty Thousand Dollars owned by

ST. MICHAEL'S DAY NURSERY.

any corporation or association maintained by charity in this State, and used wholly or in part as a Day Nursery and Hospital for Babies, shall be exempt from all taxes, assessments, burdens or impositions whatsoever for County or municipal purposes."

Approved April 2, A. D. 1919.

LAYTON HOME FOR COLORED.

CHAPTER 153.

LAYTON HOME FOR COLORED.

AN ACT to appropriate money to the Layton Home for Aged Colored People.

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 there is hereby appropriated to The Layton Home for Aged Colored People, and the State Treasurer is hereby authorized to pay to the said The Layton Home for Aged Colored People, the sum of two thousand dollars out of the Treasury of this State, for the maintenance and support of said Home.

Section 2. That the sum of two 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.

Section 3. That the said sum of two thousand dollars shall be paid in two equal installments, the first during the year A. D. one thousand nine hundred and nineteen, and the second during the year A. D. one thousand nine hundred and twenty.

Approved April 2, A. D. 1919.

OLD FOLKS HOME.

CHAPTER 154.

OLD FOLKS HOME.

AN ACT appropriating five thousand dollars to the Ever Ready Circle Kings Daughters, a corporation of this State, 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 five 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.

Section 2. That the said sum of five 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, and shall be paid in two instalments, the first to be paid on the first day of July in the year A. D. one thousand nine hundred and nineteen, and the second on the first day of July, A. D. one thousand nine hundred and twenty.

Approved April 2, A. D. 1919.

THE MILFORD EMERGENCY HOSPITAL.

CHAPTER 155.

THE MILFORD EMERGENCY HOSPITAL.

AN ACT for the relief of "The Milford Emergency Hospital, Incorporated."

WHEREAS, "The Milford Emergency Hospital, Incorporated" was lately incorporated under the laws of this State for the purpose of establishing, equipping and maintaining a hospital at Milford, Delaware, for the care and treatment of sick, infirm, injured, and diseased persons; and

WHEREAS, said corporation has already purchased a large and suitable brick building in Milford, Delaware, to be used as a hospital as aforesaid; and

WHEREAS, the monies for said building have all been contributed by private subscriptions; and

WHEREAS, the said monies have already been paid as the full purchase price of said building and a deed has been executed and delivered to said corporation conveying to it in fee simple and free from all incumbrances said building; and

WHEREAS, the said building containing thirty-five rooms is now being thoroughly remodeled and all modern improvements are being installed therein, including a complete hospital equipment thereof; and

WHEREAS, the total cost of said building with said improvements and equipment will amount in the aggregate to upwards of thirty-five thousand dollars (\$35,000); and

WHEREAS, the said hospital is now almost completed; and

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WHEREAS, the same will be used for the benefit of the people of Kent and Sussex Counties and the public at large; and

WHEREAS, the General Assembly of this State recognizes the importance of the work about to be undertaken by said hospital and regards it as a public benefit and a public charity, now, therefore,

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

Section 1. Whenever it shall appear by the certificate of the Board of Directors of said corporation duly signed by the President and attested by the Secretary thereof, that the sum of twenty thousand dollars (\$20,000) of the said total sum of thirty-five thousand dollars (\$35,000) has been contributed by private subscriptions and paid out and expended on account of the said total sum of thirty-five thousand dollars (\$35,000), then upon presentation to the State Treasurer of the State of Delaware of such certificate attested as aforesaid, the said State Treasurer is ordered and directed to pay over to the Treasurer of said corporation out of the general fund of the State not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000) which sum shall be used by said corporation for the payment of the balance due on said thirty-five thousand dollars (\$35,000).

Approved April 2, A. D. 1919.

TITLE ELEVEN

Education

CHAPTER 156.

FREE SCHOOLS.

AN ACT to amend Chapter 71 of the Revised Statutes of the State of Delaware with respect to the assessment and levying of taxes for Free School purposes, and providing for the performance of certain official duties connected with the assessment of property and levying of taxes for School purposes.

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 all of Section 20 of said Chapter, being Code Section 2292, except the Section numbers thereof, and by inserting in lieu of the part thus stricken out the following:

"It shall be the duty of the school committees of the several school districts for white children in the State, annually, in the month of July, to make assessment lists for their respective districts. Such lists shall consist of the rates of persons of all the white male inhabitants of the district over twenty-one years old and of the rates of property, personal and real, owned by white persons, associations or corporations, within the district, which is now liable, or which shall hereafter become liable, to assessment and taxation for County purposes. All white male persons of the age of twenty-one years or upwards residing within any school district shall be subject to and each shall be assessed

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with the capitation tax which the school committee of such district shall have fixed and determined as being the proper sum for said capitation tax, which shall not be less than two dollars per capita. The property, personal and real, of all white persons, associations or corporations, subject to tax for County purposes as aforesaid, shall also be liable to assessment and taxation for free school purposes in the school district in which it is actually located; and it shall be the duty of the school committee of the several districts for white children as aforesaid within the limits of this State, making the assessment lists for their respective districts, to place thereon the rates of both the personal and real property, subject to tax as aforesaid, in the school district in which it has an actual location, irrespective of the residence of the owner thereof; *Provided*, that any property hereafter made assessable for County purposes shall also become assessable and be assessed for free school purposes, and any intangible property (such as rights, credits, choses in action, money, and securities for money) thus becoming liable to assessment and taxation for free school purposes shall be deemed to be located in and be assessed in the school district in which its owner resides. The school committees of the several school districts within this State shall take the valuation of all property, personal and real, from the assessment lists last made and completed for County purposes; (provided that in the case of a consolidated or incorporated school district crossed by the dividing line between two Counties, the Board of Education of such District may, at their option, value the said real and personal property assessable for free school purposes in such district as aforesaid according to the actual value thereof without regard to the valuation thereof on the assessment lists for County purposes) and it shall be the duty of every person within this State lawfully possessed of an assessment list for County purposes to permit the same to be inspected by any school Committee, or representative thereof, whenever so requested, for the purpose of giving such committee a copy of the names, appearing on such list, of all male inhabitants, of the age of twenty-one years or upwards, who reside within any school district, and a copy of the valuations, appearing upon said list, of all property, personal and real, which is actually located within the same school district. The assessment list of each school

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district as aforesaid shall contain the names of all white male inhabitants of the age of twenty-one years or upwards, residing within such school district, the sum fixed by the school committee as the capitation tax for such school district, the names of all white persons, associations and corporations owning property, either real or personal, assessable as aforesaid for free school purposes in such district with the valuations of the same assessed as for county purposes, (provided that in the case of a consolidated or incorporated school district crossed by the dividing line between two Counties, the Board of Education of such district may, at their option, substitute for the valuation of the same as assessed for County purposes the actual value as determined by them of all the real and personal property owned by any white person, association or corporation which is assessable as aforesaid for free school purposes in such consolidated or incorporated school district) and the rate of the tax levied, said rate to be the same on all property, personal and real.

“When the line between two school districts crosses the lands of a person, occupied in one body, the whole of such lands shall be assessed in the school district where the dwelling house is, and no part in the other; *Provided*, that any tenant residing on such lands in an adjoining school district shall, at his election, communicated in writing to the school committee of such adjoining school district, at any time prior to the completing of the assessment list, be only assessed, and have school privileges, in the district in which such tenant resides.

“It shall be the duty of the school committee in each of the school districts aforesaid to assess and levy without regard to any vote thereon, in each of their respective districts, at least the sum of one hundred dollars for each teacher employed in the district during the previous school year, to be applied to the support of their school districts respectively.

“A copy of the assessment list shall be posted in some public and suitable place of the school district for inspection; and the committee shall, by advertisement in at least five public places in the school district, give notice that said list is posted, and where, and of the day, hour and place (not less than five days

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thereafter) of their sittings to hear objections to it. Upon such hearing, the said committee shall make just corrections and add anything omitted; *Provided*, that the valuation of all property, personal and real, assessed for school purposes shall be and remain the same as assessed last for County purposes; provided, however, that in the case of a consolidated or incorporated school district crossed by the dividing line between two Counties, the valuation of the real and personal property assessable for free school purposes in such consolidated or incorporated school district may, at the option of the Board of Education of such District, be made by the said Board according to the actual value thereof irrespective of the valuation on the county assessment. The committee may adjourn if necessary. The list when settled shall be conclusive, and the proceedings of the committee shall not be questioned except for the fraud or corruption."

Approved March 20, A. D. 1919.

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CHAPTER 157.

PUBLIC SCHOOLS.

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AN ACT to repeal Chapter 71 of the revised Code of the State of Delaware entitled "Free Schools" and to provide a new Chapter 71 entitled "Public 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 Code of the State of Delaware be, and the same is hereby repealed, including 2273, Section 1, and 2326. Section 54, and all intervening Sections, as the same have been heretofore amended, being the entire Chapter, and this new Chapter 71 is provided in lieu thereof, containing the following Sections: 2273. Section 1, and 2326-164. Section 216, and all intervening Sections; and all Acts and all parts of Acts inconsistent with the provisions of said new Chapter 71 are hereby repealed.

ARTICLE 1. STATE BOARD OF EDUCATION

2273. Section 1. The General administration and supervision of the free public schools and of the educational interests of the State shall be vested in a State Department of Education, at the head of which shall be a State Board of Education. The State Board of Education shall be composed of five members, who shall be appointed by the Governor from the citizens of the State, for a term of five years, beginning on the first day of July next succeeding their appointment, and they shall hold office until their successors qualify. Provided that the terms of office of persons who are members of the Board at the time this Act goes into effect shall automatically expire, but such members of said Board shall be qualified for appointment under the pro-

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visions of this Section, except in such cases as they are disqualified by the provisions of this Section. In making the first appointments under this Section, the Governor, immediately after this Act goes into effect, shall appoint to this Board one member to serve until the first day of July, 1920; one member to serve until the first day of July, 1921; one member to serve until the first day of July, 1922; one member to serve until the first day of July, 1923; and one member to serve until the first day of July, 1924; and until their respective successors qualify. Thereafter, as the respective vacancies occur, appointments to this Board shall be made by the Governor before the first day of July and the term of each member shall be five years. The members of the Board shall be appointed solely because of their character and fitness, but no person shall be appointed to this Board who is in any way subject to its authority. Vacancies on the Board for any cause shall be filled by the Governor for the unexpired term, and until a successor qualifies. Any member of this Board shall be eligible for reappointment unless otherwise disqualified by the provisions of this Section.

2274. Section 2. The offices of the State Board of Education shall be at Dover and shall be provided by the State. The State Board of Education shall hold its annual meeting each year, at its office, on the first day of July. At this meeting the Board shall each year elect one of its members to serve as President, and one to serve as Vice-President. Other regular meetings shall be held on the first day of September, December, and March, and such special meetings may be held and at such places as the duties and business of the Board may require. The rules generally adopted by deliberative bodies for their Government shall be observed by the State Board of Education. No motion or resolution shall be declared adopted without the concurrence of a majority of the whole Board.

2275. Section 3. The members of the State Board of Education shall receive as compensation ten (\$10.00) dollars per day for each day's attendance at the meetings of said Board provided that they shall not receive pay for more than one day's attendance each calendar month and shall also receive their

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actual traveling and other necessary expenses incurred in attending the meetings and transacting the business of the Board.

2276. Section 4. The State Board of Education shall appoint, subject to the provisions of Section 31 of this Chapter, as its executive officer, a State Commissioner of Education, who shall also be the Secretary of the State Board of Education. As Secretary he shall conduct all correspondence of the Board, keep and preserve all of its records, receive all reports required by the Board and see that such reports are in proper form, complete and accurate. He shall attend all meetings of the Board and of its committees, except when his own tenure, his salary, or the administration of his office are under discussion, and shall have the right to advise on any question under consideration, but shall have no right to vote. In case the office of the State Commissioner of Education is temporarily vacant, or when the State Commissioner is absent by reason of the business in hand, the Board shall appoint one of its members to act for the time being as Secretary.

2277. Section 5. The State Treasurer shall be the Treasurer of the State Board of Education. He shall receive and hold all moneys which the State Board of Education is entitled to by law and which may come into its possession, and shall deposit all such moneys in the financial institution which is the legal depository of State moneys in the custody of the State Treasurer. He shall pay out all such moneys on the written order of the President of the State Board of Education and of its Secretary, and shall keep such records and accounts of its funds as the State Board of Education may require.

2278. Section 6. The State Board of Education shall cause the provisions of this Chapter to be carried into effect. It shall determine the educational policies of the State and enact by-laws, or rules and regulations for the administration of the public school system, which, when enacted and published, shall have the force of law. For the purpose of enforcing the provisions of this Chapter, and the enacted and published by-laws of the Board, the State Board of Education is empowered and shall remove, for immorality, misconduct in office, incompe-

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tency or wilful neglect of duty, any officer elected by popular vote or appointed under the provisions of this Chapter or any special school law, giving him a copy of the charges against him and an opportunity of being publicly heard, in person or by counsel, in his defense, upon not less than ten days' notice. Vacancies in office caused by such removals shall be filled by the State Board of Education, such appointees holding office until the next regular school election, when the vacancy or vacancies shall be regularly filled for the remainder of the unexpired term of the officer or officers removed.

2279. Section 7. The State Board of Education shall exercise, through the State Commissioner of Education and his professional assistants, general control and supervision over the free public schools of the State; they shall consult with and advise through their executive officer and his professional assistants, County Boards of Education, Boards of Education of Special School districts, Boards of School Trustees, County Superintendents of Schools, Superintendents of Schools of Special school districts, supervisors, attendance officers, principal teachers, and interested citizens, and shall seek in every way to direct and develop public sentiment in support of public education.

2280. Section 8. The State Board of Education shall prescribe rules and regulations for the hygienic, sanitary and protective construction of school buildings. It is empowered and shall in its discretion condemn for school purposes, public school buildings that violate these rules and regulations. No contract for the erection of a new public school building, or for the material alteration of an old public school building, costing three hundred dollars (\$300) or more, shall be valid unless the plans and specifications for the same shall have been approved by the State Board of Education and received the written endorsement of the State Commissioner of Education.

2281. Section 9. The State Board of Education shall prescribe rules and regulations for the protection of the health, physical welfare, and physical inspection of school children of the State.

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2282. Section 10. The State Board of Education shall prescribe rules and regulations for grading and standardizing all public schools. It shall limit on the basis of the equipment and number of teachers employed, the years and grades of instruction offered in such schools. It shall prescribe the minimum requirements for issuing all certificates and diplomas from public schools of this State, and, in co-operation with the President of Delaware College and the Dean of the Women's College of Delaware, the minimum requirements for issuing all academic, normal school, collegiate, professional, or university degrees. No public school with only one teacher, unless otherwise authorized by the State Board of Education, shall attempt more than the first six grades of elementary school work, and no public school shall attempt high school instruction without the consent of the State Board of Education. Nor shall any public or private educational institution issue any certificate, diploma, or academic, collegiate, professional, or university degree unless in accord with the requirements prescribed as aforesaid.

2283. Section 11. The State Board of Education shall prescribe minimum courses of study for all public elementary schools and all public high schools. These courses of study shall be printed in such quantities as to provide each public school official and teacher with a copy, and sufficient for distribution among private schools and interested citizens of the State. In every elementary school of and in the State there shall be taught at least reading, spelling, handwriting, arithmetic, oral and written English, geography, history of the United States and Delaware, community civics, elementary science, hygiene and sanitation, physical training, and such other studies as may be prescribed, by the State Board of Education. English shall be the only language employed and taught in the first six grades of the elementary schools of and in the State; provided in case this provision is violated by individuals, private educational associations, corporations, or institutions, the State Board of Education shall take such legal action as will enjoin such violation.

2284. Section 12. The State Board of Education shall prescribe the textbooks to be used in all elementary schools and in

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all high schools of the State. The State Board of Education shall also fix with the respective publishers the prices at which their respective textbooks shall be sold to the County Boards of Education and to the Boards of Education of Special school districts. The State textbook list shall be an open list, that is, a list from which the local school authorities may choose. Textbooks may be added to or dropped from the list at any regular meeting of the Board, provided that when a textbook has been added to the list it may not be dropped before the expiration of four (4) years from the date of its being placed on the list. This list of textbooks shall be printed in such quantities as to provide each public school official and teacher with a copy, and sufficient for distribution among private schools and interested citizens of the State.

2285. Section 13. The State Board of Education shall prescribe rules and regulations, also the subjects and the standards of teachers' examinations, agreeable to the provisions of Article 8 of this Chapter, for the certification of teachers in the public schools of the state and, in co-operation with the President of Delaware College and the Dean of the Women's College of Delaware, for the acceptance of the diplomas of the normal schools, colleges, and universities of Delaware, as well as of other states. No individual, public or private educational association, corporation, or institution shall offer a course or courses for the training of public school teachers without having first procured the assent of the State Board of Education of such teacher training course.

2286. Section 14. The State Board of Education shall prescribe, in co-operation with the President of Delaware College and the Dean of the Women's College of Delaware, the conditions on which teachers now employed and prospective teachers may attend summer school and receive from the State the whole or part of the expenses incurred by such summer school attendance.

2287. Section 15. The State Board of Education shall prescribe, subject to the provisions of Article 12 of this Chapter, the conditions as to buildings, educational equipment and sup-

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plies, library, laboratories, courses of study and units of work offered, number and qualifications of teachers employed, and enrollment and average daily attendance which must be fulfilled in order that high schools may secure the respective amounts of State aid provided for in Article 12 of this Chapter. The State Board of Education shall annually, prior to the fifteenth of September, make, and publish a list of the high schools of each class entitled to State aid according to the provisions of Article 12 of this Chapter.

2288. Section 16. The State Board of Education shall prescribe rules and regulations governing the admission of pupils from schools under the jurisdiction of County Boards of Education into the schools—particularly into the high schools—of the special school districts. It shall fix the tuition rates which the County Boards of Education shall pay the Boards of Education of such special school districts for the instruction of children so admitted; but in determining the rate of tuition to be paid, account should be taken of the State aid received by such high schools and also of benefits derived by such schools from the provisions of the Smith-Hughes Vocational Education Act, that is the tuition rate should be a reasonable rate, based on the actual local cost of high school instruction. Provided that children must first exhaust their respective local educational opportunities, that four year high school opportunities shall be open to all the children of the State, and that in all cases the tuition shall be a county educational expense, to be paid by the County Board of Education.

2289. Section 17. The State Board of Education shall prescribe rules and regulations fixing the date of the opening and closing of the several school terms in the school year, the hours of the daily school sessions, holidays on which the schools shall be closed, the pay of the teachers during absence because of sickness or quarantine, or when the schools are closed by quarantine, and the forms of contract that shall be executed between Boards of Education and all regular employees.

2290. Section 18. The State Board of Education shall prescribe subject to the provisions of Section 122 of this Chapter,

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the conditions as to buildings and grounds, educational equipment and supplies, kinds and grades of schools supported, courses of study and units of work offered, number and qualifications of teachers employed, supervisory and administrative direction and control provided which must be met and fulfilled in order that those cities and towns designated as special school districts in Section 121 of this Chapter may continue to exercise the privileges of a special school district and to operate their respective schools under Articles 5 and 6 of this Chapter, and which must be met and fulfilled by cities or towns before they may be erected by the State Board of Education into special school districts and operate their respective schools under Articles 5 and 6 of this Chapter. In case any city or town designated in Section 121 of this Chapter as a special school district, or any city or town hereafter erected into a special school district by the State Board of Education, fails to comply with the provisions of Section 122 of this Chapter, and the rules and regulations of the State Board of Education enacted under the provisions of this section, such city or town shall by order of the State Board of Education cease to exist as a special school district and shall automatically become a part of the County system of schools and subject to the authority and jurisdiction of the County Board of Education. In case any city or town designated in Section 121 of this Chapter as a special school district, or any city or town hereafter erected into a special school district, according to the provisions of this Section, shall by order of the State Board of Education cease to be a special school district, all property belonging to or held by the Board of Education of said special school district, and all assets, shall pass to the County Board of Education and be held in the corporate name of this Board, and the Board of Education of such special school district shall make and execute such deeds of conveyance as are necessary to pass to the County Board of Education the legal title to all such property; and all liabilities of the Board of Education of such special school district shall, after proper audit by the Auditor of Accounts, be assumed by the County Board of Education. When a new special school district is created under the provisions of this Section, there shall pass from the County Board of Education to the Board of Education of said new special school district, and be held in the

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corporate name of this Board, all property that naturally belongs to such new special school district, as determined by the State Board of Education and the County Board of Education shall make and execute such deeds of conveyance as are necessary to pass to the Board of Education of such special school district the legal title to all such property; provided that in case of a county school debt, the Board of Education of the new special school district shall assume its just proportion of such county school debt, as determined by the State Board of Education on consultation with the County Board of Education, and the State Board of Education shall prescribe the conditions under which this debt shall be assumed. The State Board of Education is empowered and authorized to change, alter, fix and determine the boundaries of any and all special school districts herein designated, and of any and all special school districts hereafter created.

2291. Section 19. The State Board of Education and the State Commissioner of Education shall co-operate with County Boards of Education in the consolidation of the schools under the jurisdiction of County Boards of Education. The State Board of Education is authorized, empowered, directed, and required, to contribute twenty (20) per cent. of the total first cost of the grounds, buildings, and equipment of such consolidated schools, provided that in no fiscal year shall the amount so contributed exceed ten thousand dollars (\$10,000), and provided, further that the plans for such consolidation and the plans for such grounds, buildings, and equipment are approved by the State Board of Education.

2292. Section 20. The State Board of Education shall prescribe the rules and regulations for taking a biennial school census of all children within the State between six and eighteen years of age, inclusive; also the forms and blanks to be employed in taking such census and in compiling the reports thereon.

2293. Section 21. The State Board of Education shall prescribe rules and regulations for the enforcement of school attendance as provided for in Article 10 of this Chapter.

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2294. Section 22. The State Board of Education shall prescribe a uniform series of forms and blanks for the use of County Boards of Education, Boards of Education of special school districts, Boards of School Trustees, school officials, and teachers and shall require all financial accounts, including the annual school budget, and all educational records to be kept and all reports to be made according to these forms and blanks.

2295. Section 23. The State Board of Education shall require all persons conducting private schools, and all private educational associations, corporations, or institutions to report annually, on or before the thirty-first day of August as to enrollment, age of pupils, and attendance, on such forms as the State Board of Education may provide. Moreover, the State Board of Education shall require all private schools of an elementary and high school grade to report monthly, on forms provided by the State Board of Education, to the Superintendent of the Schools of the Special School District or to the County Superintendent of Schools, according to the location of the private school in question, giving the name of each pupil enrolled, the date of enrollment, total days of attendance to date, and the number of days in attendance during the month which the particular report is made.

2296. Section 24. The State Board of Education is authorized, empowered, directed, and required, along with the State Commissioner of Education to co-operate with the Federal Board of Vocational Education in the administration of the provisions of the Smith-Hughes Vocational Education Act. The State of Delaware accepts the benefits of this act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, entitled: "An Act to provide for the promotion of vocational education; to provide for co-operation with the State in the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the State in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," and will observe and comply with all the requirements of said Act, and the State Treasurer is hereby designated

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as custodian of any funds accruing to the State from the aforesaid Act.

2297. Section 25. The State Board of Education shall administer and enforce the law regulating the importation of dependent children, as given in Article 11 of this chapter.

2298. Section 26. The State Board of Education shall conduct investigations relating to the educational needs of the state and the means of improving educational conditions; it may employ additional expert assistance for such investigations if needed, and appoint special agents for special investigations.

2299. Section 27. The State Board of Education shall transmit biennially to the Governor and to the General Assembly, certified to by the State Commissioner of Education, an annual State public school budget, including the annual appropriation required for the State Department of Education, comprising the expenses of the State Board of Education, and the support and expenses of the Office of the State Commissioner of Education; the annual appropriation for the payment of the teachers' expenses for summer school attendance; the annual appropriation for the encouragement of the consolidation of schools; the annual appropriation to meet the provisions of the Smith-Hughes Vocational Education Act; the annual appropriation for the payment of the salaries of county superintendents, county supervisors, and county attendance officers; the annual appropriation for State aid to approved high schools; the annual appropriation for State aid to elementary schools; and such other appropriations as may be required for the support of the free public schools and the encouragement of public education.

2300. Section 28. The State Board of Education shall submit each year, on or before the first day of January, to the Governor an annual report, prepared by the State Commissioner of Education and approved by the State Board of Education, covering all operations of the State Department of Education, and support, condition, progress, and needs of education throughout

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the State. Such annual report shall be printed in sufficient quantities for general distribution.

2301. Section 29. It shall be the duty of the State Board of Education to consider the educational needs of the State, and to recommend to the Governor and the General Assembly such additional legislation, or changes in existing legislation, as may be deemed desirable. Such recommendations shall be in the form of prepared bills and shall be laid before the Governor and General Assembly. The State Board of Education and the State Commissioner of Education shall be given a hearing on the same by the committees of the Senate and the House of Representatives to which such bills are referred, if this is requested.

2302. Section 30. The State Board of Education shall perform such other duties as are assigned to it elsewhere in this Chapter, or may be assigned to it from time to time by the General Assembly.

ARTICLE 2. STATE COMMISSIONER OF EDUCATION

2303. Section 31. The State Board of Education shall appoint a State Commissioner of Education for a term of two years and said Board shall fix his salary and pay same from the appropriation for the expenses and maintenance of the State Department of Education. He shall be a graduate of a standard college, have no less than two years of academic and professional graduate preparation in a standard university, and not less than seven years' experience in teaching and administration. Provided that the present State Commissioner of Education shall serve to the end of the term for which he was originally appointed, and until a successor qualifies. The State Commissioner of Education may be removed by the Board for immorality, misconduct in office, incompetency or wilful neglect of duty, upon making known to him, in writing, the charges against him, and upon giving him an opportunity of being heard, in person or by counsel, in his own defense, upon not less than ten days' notice. In case of vacancy due to any cause, the State

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Board of Education shall fill the vacancy, and the appointment shall be for a full term, and until a successor shall qualify.

2303.* Section 32. The State Board of Education shall explain the true intent and meaning of the school laws and of the enacted and published by-laws or rules and regulations of the State Board of Education. It shall decide without expense to the parties concerned, all controversies and disputes involving the proper administration of the public school system. The Commissioner of Education shall have authority to administer oaths and to examine under oath, in any part of the State, witnesses in any matter pertaining to the public schools, and to cause the examination to be reduced to writing. Any person who, having been sworn or affirmed by him to tell the truth, and who wilfully gives false testimony, shall be guilty of false swearing and punished as perjury is punished.

2305. Section 33. The State Commissioner of Education shall enforce all the provisions of this Chapter and of the enacted and published by-laws or rules and regulations of the State Board of Education. He is empowered and directed to file charges with the State Board of Education and recommend for removal any school officer elected by popular vote or appointed under the provisions of this Chapter or special school law, for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty.

2306. Section 34. The State Commissioner of Education shall execute the educational policies of the State Board of Education. He shall call and conduct conferences of County School Boards, Boards of Education of special school districts, Boards of School Trustees, County Superintendents, Supervisors, Attendance Officers, Superintendents of Schools of special School districts, Principals and Teachers, on matters related to the condition, needs and improvements of the Schools. He shall prepare and publish the school laws of the State and by-laws or rules and regulations of the State Board of Education, and such pamphlets as will stimulate public interest, promote the work of education, and foster in teachers professional

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insight and efficiency. He shall receive and examine all the reports required under the rules and regulations of the State Board of Education, and in person, or through his assistants, shall examine the expenditures, business methods, and accounts of County School Boards of Education of special school districts and advise them on the same.

2307. Section 35. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption, by the State Board of Education, rules and regulations for the hygienic, sanitary, and protective construction of school buildings. He is empowered and directed to recommend for condemnation for school use by the State Board of Education all buildings used for school purposes, that violate these rules and regulations.

2308. Section 36. The State Commissioner of Education shall, subject to the rules and regulations of the State Board of Education, pass upon all proposals for the purchase of play grounds, school grounds or school sites, or buildings, and also upon all plans and specifications for the remodeling of old school buildings and the construction of new school buildings costing three hundred dollars (\$300) or more. In case the construction is to be done by a County Board itself, or by a Board of Education of special school district, it shall be illegal for a County Board or Board of Education of a special district to proceed until the plans and specifications shall have been approved in writing by the State Commissioner of Education; in case the construction is to be done by contract, the contract shall be invalid without the written approval of the State Commissioner of Education.

2309. Section 37. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations for the protection of the health, physical welfare, and physical inspection of the school children of the State.

2310. Section 38. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regu-

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lations for grading and standardizing all public schools of an elementary and high school grade; also for limiting, on the basis of the equipment and number of teachers employed, the years and grade of instruction that may be offered in such schools. He shall also prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, the minimum requirements for issuing all certificates, diplomas, and academic, collegiate, professional, or university degrees.

2311. Section 39. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, minimum courses of study for the different grades and kinds of public elementary schools, high schools, and, in co-operation with the President of Delaware College and the Dean of the Women's College of Delaware, minimum courses of study for normal schools, and also college courses for teachers.

2312. Section 40. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, lists of textbooks to be used in all public elementary schools and all public high schools of the State.

2313. Section 41. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations governing the certification of teachers and the holding of teachers' examinations. Subject to the rules and regulations of the State Board of Education, and the provisions of Article 8 of this Chapter, he shall certificate all teachers in the public schools of the State of an elementary and high school grade.

2314. Section 42. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations under which teachers now employed and prospective teachers may attend summer school and receive from the State the whole or a part of the expenses incurred by such summer school attendance,

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2315. Section 43. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations fixing the date for the opening and closing of the several terms of the school year, the hours of the daily school sessions, holidays on which the schools shall be closed, the pay of teachers during absence because of sickness or quarantine, or when the schools are closed by quarantine, and the forms of contract that shall be executed between boards of Education and all regular employees.

2316. Section 44. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations, in agreement with Section 122 of this Chapter, setting forth the conditions which must be met and fulfilled in order the cities and towns may exercise and continue to exercise the privileges of a special school district and operate their respective schools according to the provisions of Articles 5 and 6 of this chapter. The State Commissioner of Education shall annually inspect the management, conduct and work of the schools of each special school district, and in case of violations of the enacted rules and regulations of the State Board of Education and the provisions of Section 122 of this Chapter, he shall recommend to the State Board of Education that the given special school district be dropped from the list of cities and towns exercising the privileges of a special school district and of operating their respective schools according to the provisions of articles 5 and 6 of this Chapter. When application is made to the State Board of Education by a City or town to be erected into a special school district, the State Commissioner of Education shall investigate the management, conduct and work of the schools of the said city or town, report his findings, and make recommendations to the State Board of Education as to the granting or denial of the petition.

2317. Section 45. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for the approval and adoption by the State Board of Education, rules and regulations, in agreement with the provisions of Article 12 of

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this Chapter, setting forth the conditions which must be met and fulfilled in order that high schools may receive the respective amounts of State aid provided for in Article 12 of this Chapter. Subject to the enacted rules and regulations of the State Board of Education, and the provisions of Article 12 of this Chapter, the State Commissioner of Education shall annually inspect the management, conduct, and work of each high school receiving State aid according to the provisions of Article 12 of this Chapter. In case of violations of the enacted rules and regulations of the State Board of Education and the provisions of Article 12 of this Chapter, the State Commissioner of Education shall recommend to the State Board of Education that such high schools be dropped from the list of high schools receiving State aid according to the provisions of Article 12 of this Chapter. When application is made to the State Board of Education that a given high school be included in the list of high schools receiving State aid according to the provisions of Article 12 of this Chapter, the State Commissioner of Education shall investigate the management, conduct, and work of the given high school, report his findings, and make recommendations to the State Board of Education as to the granting or denial of the petition.

2318. Section 46. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations governing the admission of pupils from schools under the control of County Boards of Education into the schools of special school districts, and the rate of tuition to be paid for the instruction of pupils so admitted.

2319. Section 47. When a County Board of Education shall make application for the State aid, as provided for in section 19 of this Chapter, the State Commissioner of Education shall examine the proposed plans for the new grounds, buildings, and equipment, report his findings, and make recommendations to the State Board of Education as to the granting or denial of the petition.

2320. Section 48. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval

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and adoption by the State Board of Education, rules and regulations for the taking of a biennial school census of all children in the State between six and eighteen years of age, inclusive, also the forms and blanks to be employed in taking such census and in compiling the reports thereon. This school census shall be taken under the direction of the State Commissioner of Education, first in the year 1920 and every two years thereafter. The State Commissioner of Education may cause the whole or any part of the school census of any county or any special school district to be retaken at any time, if, in his judgment, the whole or any part of such census has not been properly or correctly taken.

2321. Section 49. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations for the enforcement of school attendance, as provided for in Article 10 of this Chapter.

2322. Section 50. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, a uniform series of forms and blanks for the use of County Boards of Education, Boards of Education of special districts, Boards of School Trustees, school officials, and teachers, and it shall be his duty to see that all financial accounts, including school budget, and all educational records are so kept and that all reports are made according to these forms and blanks. He shall also prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, forms and blanks to be used in the annual report and in the monthly reports required of persons conducting private schools and of private educational associations, corporations, or institutions.

2323. Section 51. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, plans and rules and regulations for the administration of the provisions of the Smith-Hughes Vocational Education Act.

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2324. Section 52. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, rules and regulations for the enforcement of the law regulating the importation of dependent children, as given in Article 11 of this Chapter.

2325. Section 53. The State Commissioner of Education shall propose from time to time to the State Board of Education, and submit for its approval and authorization, investigations into the educational needs of the State, and into means of improving educational conditions.

2326. Section 54. The State Commissioner of Education shall prepare, or cause to be prepared, the annual report of the State Board of Education and shall submit on or before the first day of December the same to the Board for its approval and adoption; he shall also prepare, or cause to be prepared, all other reports which are or may be required of this Board.

2326-1. Section 55. The State Commissioner of Education shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, the annual State public school budget.

2326-2. Section 56. The State Commissioner of Education shall prepare, or cause to be prepared, and submit prior to the regular meeting of the General Assembly for approval and adoption by the State Board of Education, such legislative measures as are, in his opinion, needed to further the development and to improve the free public schools of the State.

2326-3. Section 57. The State Commissioner of Education, acting under the rules and regulations of the State Board of Education, shall be responsible for the administration of the State Department of Education, and shall have general supervision of all the professional and clerical assistants of the department. He shall nominate for appointment by the State Board of Education and fix the salaries of, subject to the approval of the Board, all the professional and clerical assistants

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of the Department and may recommend their dismissal for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty.

2326-4. Section 58. The State Department of Education shall hereafter be provided with at least the following clerical and professional assistants:

1. Two stenographers for the correspondence of the State Board of Education and of the State Commissioner of Education.

2. One record clerk in charge of all records and reports.

3. One professional assistant having charge of statistical tabulations and the compilation of reports, and who shall perform such other duties as may be assigned him by the State Commissioner of Education.

4. And such other clerical and professional assistants as may be authorized by the State Board of Education on the recommendation of the* State Department of Education.

2326-5. Section 59. The State Commissioner of Education shall perform such other duties as are assigned to him elsewhere in this Chapter, or may be assigned to him from time to time by the State Board of Education and by the General Assembly.

ARTICLE 3. COUNTY BOARDS OF EDUCATION

2326-6. Section 60. The general administration and supervision of the free public schools and the educational interests of each county, with the exception of the special school districts, hereinafter created and designated, shall be vested in a County Board of Education. The County Board of Education shall be composed of three members. They shall be elected from the residents of the county, outside of the several special districts in the county, by the male residents qualified as hereinafter

*So enrolled.

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provided, and by women who have paid a tax at any time during the preceding twelve months on real or personal property, at a special election for terms of three years beginning with the first day of July next succeeding their election, and shall hold office until their respective successors qualify.

Residents of special school districts shall not vote for members of the County Board of Education, but may vote for members of the Board of Education of their respective special school district. The County school election, herein provided for, shall be held on the third Saturday of June in each year, between the hours of two and four o'clock in the afternoon, and shall be conducted by members of the Boards of School Trustees of the several school attendance districts. The President of the Board of Trustees of each school attendance district shall preside at the election, and the other two members of the Board shall be the Judges of the election. Provided that if, for any reason, one or more of the members of the Board of School Trustees of any school attendance district should be unable to serve as election officers, the Board of School Trustees of such school attendance district shall designate another person, or persons, to act in such capacity, and provided further that should the Board of School Trustees of any school attendance district fail, or neglect to act as election officers at any such election, or to provide other persons to act as such election officers, the voters present shall designate and appoint election officers to conduct the election in such school attendance district.

The County School Election shall be by ballot and the names of the candidates for election to the County Board of Education shall be entered on the ballot alphabetically, and without party designation. Nominations shall be made by petition, containing the written names of not less than twenty-five qualified voters of the respective county, outside of the special school districts in the county, and such petition shall be filed with the Clerk of the Peace not later than fifteen days prior to the time of the school election. The ballots and other needed election supplies shall be provided by the Clerk of the Peace.

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Women entitled to vote at the County School Election shall be permitted to do so on presentation of a tax receipt for taxes assessed against them, within the preceding 12 months. Any male resident of the said school attendance district who would be entitled at the time of the holding of the said school election to register and vote in any election district, of which said attendance district is a part, at a general election, if such general election were to be held at the time of such school election, shall be deemed to be a qualified voter at the school election in the school attendance district where he then resides. The method of voting at such school election shall be that the voter shall indicate the candidate or candidates for whom he desires to vote by marking in front or after the name or names of such candidate or candidates a cross mark in pencil upon said ballot. If any person, not duly qualified to vote, shall offer to vote at a County School election, or shall offer to vote in more than one school attendance district in such election, he shall be guilty of a misdemeanor, and shall be punished by fine or imprisonment, or both, in the discretion of the Court. The election officers in each school attendance district shall ascertain the result of the election in their respective school attendance districts, and shall certify in duplicate the result of said election, under their hands, and the presiding officer at such election shall immediately forward one of said certificates to the State Board of Education at Dover, and shall retain in his custody the other of said certificates, together with the ballots cast at said election until after the canvass of the vote by the State Board of Education.

On Thursday succeeding such election, the State Board of Education shall meet at Dover, as a Board of Canvass, and shall publicly ascertain and announce the result of the election in the respective counties of the State. If the presiding officer of the election in any school attendance district shall neglect to forward the certificate of the result of said election, as heretofore specified, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the Court. When this Act goes into effect the terms of office of the persons who are at that time members of the County School Commissions shall automatically expire, but such members of the Commission shall be qualified for appoint-

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ment and election under the provisions of this Section, except in such cases as they are disqualified by the provisions of this section. When this Act goes into effect, the Governor shall as soon as possible thereafter appoint from the qualified voters of the county, outside of the special school districts, three members to the County Board of Education, who shall take office immediately and serve until the first day of July, 1920, and until their successors qualify. At the school election of 1920, three members shall be elected to the County Board of Education; one to serve for one year, or until the first day of July, 1921; one to serve for two years, or until the first day of July, 1922, and one to serve for three years, or until the first day of July, 1923, and until their respective successors qualify. Provided that in the first election, under the provisions of this Section, the candidate receiving the highest number of votes shall be declared elected for three years; the candidate receiving the next highest number of votes shall be declared elected for two years and the candidate receiving the next highest number of votes shall be declared elected for one year. Thereafter one member shall be elected each year for the full term of three years. The members of the County Board of Education shall be chosen solely because of their character and fitness; but no person shall be appointed or elected to this Board under the provisions of this Section who is in any way subject to the authority of this Board. Vacancies in this Board for any cause shall be filled by the State Board of Education, such appointees serving until the next school election succeeding such appointment or appointments, the vacancy or vacancies shall be filled for the remainder of the respective unexpired term or terms. Any member of the County Board of Education shall be eligible for re-election, unless otherwise disqualified by the provisions of this Section.

2326-7. Section 61. The offices of the County Board of Education shall be at the County seat of the respective county. These offices shall be provided and furnished by the Levy Court of the respective counties, but the County Board of Education may provide its own office. The County Board of Education shall hold its annual meeting each year at its office on the first day of July. At this meeting the Board shall each year elect one of its members to serve as President and one to serve as

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Vice-President. Other regular meetings shall be held on the second Friday of September, December, and March, and such special meetings may be held and at such places as the duties of the business of the Board may require. The rules generally adopted by deliberative bodies for their government shall be observed by the County Boards of Education. No motion or resolution shall be declared adopted without the concurrence of a majority of the whole Board.

2326-8. Section 62. The members of the County Board of Education shall receive as compensation ten (10) dollars per day for each day's attendance at the meetings of said Board, provided that they shall not receive pay for more than one day's attendance in each calendar month, and shall also receive necessary traveling expenses incidental to attending the meetings and transacting the business of the board within the County.

2326-9. Section 63. The County Board of Education shall appoint, subject to the provisions of Section 89 of this Chapter, as its executive officer a county Superintendent of Schools, who shall also be the Secretary of the County Board of Education. As Secretary he shall conduct all correspondence of the Board, keep and preserve all of its records, receive all reports required by the Board, and see that such reports are in proper form, complete and accurate. He shall attend all meetings of the Board and of its committees, except when his own tenure, his salary, or the administration of his office are under discussion, and shall have the right to advise on any question under consideration but shall have no vote. In case the office of the County Superintendent of Schools is temporarily vacant, or when the County Superintendent is absent by reason of the nature of business in hand, or otherwise, the Board shall appoint one of its members to act for the time being as Secretary.

2326-10. Section 64. The County Treasurer shall be the Treasurer of the County Board of Education. He shall receive and hold all moneys which the County Board of Education is entitled by law and which may come into its possession, and shall deposit all such moneys in the financial institution which is the legal depository of State moneys in the custody of the

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State Treasurer. He shall pay out all such moneys on the written order of the President of the County Board of Education and of its Secretary, and shall keep such records and accounts of its funds as shall be required by the State Board of Education.

2326-11. Section 65. The County Board of Education is hereby vested with all the powers necessary or proper for the control and management of the free public schools under their jurisdiction, subject to the limitations and restrictions prescribed in this Act.

2326-12. Section 66. All the property, estate, effects, money, funds, claims, and State Donations heretofore vested by law in the public school authorities of any county, for the benefit of the free public schools of said county, are hereby placed under and subject to the control and management of the County Board of Education of such County. Real and personal estate granted, conveyed, devised, or bequeathed for the use of any county shall be held in trust by the County Board of Education for the benefit of the schools of such county, and such grants, bequests, and money invested in trust shall be exempt from all State, county and local taxes.

2326-13. Section 67. With the enactment of this Act and immediately after the expiration of the present school year, June 30th, 1919, all the governing and administrative school boards and committees of every school district in this State including all school districts created, united or consolidated by special Act prior to the approval of this Act which have accepted the provisions of this Act as hereinafter set forth in this Section (except the Boards of Education of such special school districts as are hereinafter provided for and designated) are abolished and the jurisdiction of the free public schools in such districts, shall pass to the County Board of Education, as authorized, constituted and empowered by this Chapter, and become integral parts of the county school system. As soon after June 30th, 1919, as the Auditor of Accounts shall have audited the records and accounts of the several District School Committees and Boards of Education hereby abolished, all school prop-

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erty held by such District School Committees and Boards of Education and all their assets shall be under the administration, management and control of the County Board of Education, subject to all legal liabilities. Real and personal estates granted, conveyed, devised, or bequeathed for the use of any particular school district shall be held in trust by the County Board of Education for the benefit of the schools of such district, and such grants and bequests or money invested in trust shall be exempt from State, County, and local taxes.

The Board of Education or School Committee of every District in this State which was created, united or consolidated by special Act prior to the approval of this Act is hereby authorized and empowered in the name of and for such District to accept the provisions of this Act by a resolution of a majority of the members of such Board or Committee adopted prior to the thirtieth day of June, 1919, and a written copy of such resolution certified by the Clerk or Secretary of the said Board or Committee filed with the Secretary of the State Board of Education together with a duplicate copy filed with the Trustee of the School Fund on or before the said thirtieth day of June, 1919, shall be deemed and taken to be conclusive evidence of the acceptance by the said District of the provisions of this Act; provided that the State Board of Education may, for good cause, shown, extend the time for the adoption of such resolution and for the filing of such copies in the discretion of the said State Board.

2326-14. Section 68. The County Board of Education is authorized, empowered, directed, and required to maintain a uniform, equal and effective system of free public schools throughout the county, and shall cause the provisions of this Chapter, the by-laws or rules and regulations and the policies of the State Board of Education to be carried into effect. The schools provided shall be of two kinds, those for white children and those for colored children. The schools for white children shall be free to all white children between the ages of six and twenty-one years, inclusive, and the schools for colored children shall be free to all colored children between the ages of six and twenty-one years, inclusive. The schools for white children

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shall be numbered No. 1, No. 2, etc., and the schools for colored children shall be similarly numbered No. 1, No. 2, etc. The free public schools of the County shall include elementary schools, that is, grades 1 to 8, inclusive, and high schools, that is, grades 9 to 12, inclusive, provided, if it seem undesirable for any reason to maintain a standard four year high school in any school attendance district, the County Board of Education in lieu thereof shall pay, if need be, the tuition of the children of such school attendance district in the nearest standard four year high school by direct traveled highway. A County Board of Education may establish kindergartens and playgrounds, and it may establish on the recommendation of the County Superintendent of Schools and, subject to the approval of the State Commissioner of Education, such other types of schools as in its judgment will promote the educational interests of the County. The school year in all regular day elementary schools and all regular day high schools of the County outside of the special school districts shall be not less than one hundred and eighty (180) days, beginning on the first Tuesday after the first Monday in September.

2326-15. Section 69. The County Board of Education shall exercise, through its executive officer, the County Superintendent of Schools, and his professional assistants, control and supervision over the public school system of the County. The Board shall consult and advise, through its executive officer and his professional assistants, with the Boards of School Trustees, principals, teachers, and interested citizens, and shall seek in every way to promote the interests of the schools under its jurisdiction.

2326-16. Section 70. The County Board of Education shall determine, on the recommendation of the County Superintendent of Schools, and subject to the provisions of this Chapter and to the rules and regulations and the policies of the State Board of Education, the educational policies of the County and shall prescribe rules and regulations for the conduct and management of the schools.

2326-17. Section 71. The County Board of Education shall, on the recommendation of the County Superintendent of

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Schools, divide the county into appropriate and convenient school attendance districts, shall keep full and complete records of the boundaries thereof, and shall locate and maintain schools, as needed, in each school attendance district. Provided that when there is no public elementary school within two (2) miles, by direct traveled highway, of the home of a child who has not completed the sixth grade of the elementary school, the county Board of Education shall arrange, through the County Superintendent of Schools, when possible without charge to the County, and may* when necessary, for the transportation of such child to and from the nearest public school.

2326-18. Section 72. The County Board of Education is authorized, empowered, directed, and required to provide ample, appropriate, and suitable grounds, buildings, and equipment for all the needed schools of the County, conforming to the rules and regulations of the State Board of Education for the hygienic, sanitary, and protective construction of school buildings. The County Board of Education is authorized and empowered, on the recommendation of the County Superintendent of Schools and the approval of the State Commissioner of Education to purchase playgrounds, school grounds or school sites, and buildings, and to sell the same when no longer needed for educational purposes; to rent, repair, improve, and construct school buildings, or approve contracts for so doing, when the plans conform to the rules and regulations of the State Board of Education and are approved by the State Commissioner of Education. The County Board of Education shall employ an architect or architects, on the recommendation of the County Superintendent of Schools, to assist in the preparation of plans and specifications for remodeling old buildings and for constructing new buildings, but the architect or architects employed shall be approved by the State Board of Education.

The County Board of Education may receive donations of playgrounds, school grounds and school sites, or of houses already built suitably located and adapted to school purposes, but in no case shall any site be built upon, or any house occu-

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pied, until a good and sufficient title has been obtained for the same in the corporate name of the Board.

When lands shall be required for the site of a school house, or for enlarging a schoolhouse lot, or for play grounds or other school purposes, and the county Board of Education shall for any cause be unable to contract with the owner or owners thereof upon what they deem to be a fair valuation thereof, the County Board of Education may institute condemnation proceedings; but no lot so taken or enlarged shall exceed, in the whole, ten (10) acres, including the land occupied by the school building.

Whenever it shall be necessary to institute condemnation proceedings, to acquire any land for school purposes, as provided in this section, the County Board of Education may apply to the Associate Judge of the State of Delaware, resident in the county where any such land is located, for the condemnation thereof, and the said Resident Judge shall thereupon appoint five judicious and impartial freeholders residing in the special districts of said county, or in one, or more of said special districts, to view the premises and assess the damages which the owner, or owners, will sustain by reason of the taking of the said lands for the purposes aforesaid. The freeholders shall be sworn or affirmed faithfully and impartially to perform the duties assigned them. They shall give ten days' notice, in writing, to the owner or owners of the premises proposed to be condemned, if within the State, and to the said County Board of the time of their meeting to view the premises and assess damages. If the owner, or owners, reside outside of the State, or if under any legal disability, and have no legal representative in the State, publication of such notice shall be made in some newspaper in the county in which proceedings were instituted, at least ten days prior to the date fixed for said meeting, and such publication shall be sufficient notice thereof. The said freeholders shall ascertain and assess the damages to the owner or owners, taking into consideration all circumstances of convenience or injury, but shall allow, at least, the cash value of the land taken, and shall certify their award to the owner or owners, and, also, to the County Board, and shall return a

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record of their proceedings, with their finding and award to the Prothonotary of the County in which the proceedings are instituted. If the said freeholders should be guilty of misconduct in their proceedings, or if they should make a grossly improper award, the said Judge shall, on application, set aside their award and shall appoint other freeholders in their place, who shall proceed anew in the manner hereinbefore provided, and in like manner may set aside their finding or award, or the finding or award of freeholders subsequently appointed for the purposes aforesaid, until a fair and equitable award has been made or accepted. The said Judge may substitute other freeholders in the place of any freeholder who, for any reason, may be unable to serve. When the amount of damages has been ascertained, the said County Board of Education may pay, or tender the amount thereof, within two months, to the person or persons entitled thereto, or if, for any reason, payment can not be made to the owner or owners, the amount of said damages may be deposited to the credit of the persons entitled thereto in the Farmers Bank of the State of Delaware, at the County seat of the County in which said proceedings are instituted, and thereupon the said lands may be taken and occupied for the use and purpose for which said lands were condemned. The said freeholders shall be allowed Three Dollars (\$3.00) per day for their services, which sum, together with other expenses of the condemnation proceedings, shall be paid by the County Board of Education of the respective county.

If for any reasons the current income of a County Board of Education is inadequate to provide ample, appropriate, and suitable grounds, buildings, and equipment for all the needed schools of the county, the County Board of Education is authorized, and empowered, on the recommendation of the County Superintendent of Schools, to issue bonds on the credit of the county, exclusive of the special school districts herein provided for and designated or hereafter to be created, in amounts sufficient to provide ample, appropriate, and suitable grounds, buildings, and equipment for all the needed schools of the county. Provided that the County Board of Education shall not be authorized to issue bonds for the purpose of this section in a greater amount in the aggregate than five per cent, (5%)

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of the assessed value of the real estate of the County outside of the special districts. Provided further that the funds derived from such bond issues shall be used only to provide or purchase new grounds, new buildings, and new permanent equipment. Such bonds shall not be issued or sold at less than their face value, and shall be issued in series, with no bond of any given series running more than twenty-five (25) years. The bonds provided for in this section shall be in such denomination or denominations, in such form, and shall bear such rate of interest, not exceeding six per cent per annum, as shall be determined by the County Board of Education of the respective county. The said bonds shall be signed by the President and other members of the said County Board of Education. The County Board of Education is authorized to adopt a seal to be used in the execution of the said bonds. The faith and credit of the school districts under the jurisdiction of the said County Board of Education shall be deemed to be pledged by every such bond. The said bonds shall be denominated as of the county in which they are issued, shall be of the series of the year in which they are issued, and the principal and interest shall be made payable at the branch of the Farmers Bank in the county in which said bonds are issued, and the said bonds shall be exempted from all State, County or Municipal taxes. Provided further the County Board of Education shall in its current school budget, hereinafter provided for, under the item, "Debt Service," make provisions for the payment of the current interest on each and every series of bonds issued, and also for the payment or liquidation, each year, of not less than one-twenty-fifth (1-25) of each and every series of bonds issued.

2326-19. Section 73. Schools on or near the division line of two counties shall be free to the children of each county; and the County Boards of Education of the respective counties shall have power to provide jointly for the maintenance of said schools.

2326-20. Section 74. The County Board of Education shall prescribe, on the recommendation of the County Superintendent of Schools and subject to the provisions of this Chapter and the policies and rules and regulations of the State Board of Edu-

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cation, the conditions on which pupils in elementary schools, limited to the first six grades of elementary instruction, shall be admitted to elementary schools giving the two higher grades of elementary instruction. Where the distance from the homes of the respective children concerned to such complete elementary schools is in excess of three (3) miles by direct traveled highway, the County Board of Education shall arrange, through the County Superintendent, when possible without charge to the County, and may pay when necessary, for the transportation of such children to and from such elementary schools.

2326-21. Section 75. The County Board of Education shall prescribe, on the recommendation of the County Superintendent of Schools, and subject to the provisions of this Chapter and the policies and rules and regulations of the State Board of Education, the conditions on which children may be admitted to the high schools of the county and also the conditions on which children may be admitted to the high schools of special school districts and have their tuition in such high schools paid by the County Board of Education. When such high schools, whether under the jurisdiction of the County Board of Education or in special school districts are in excess of three (3) miles by direct traveled highway from the home of the respective children concerned, the County Board of Education shall arrange, through the County Superintendent of schools, when possible without charge to the county, and may pay when necessary, for the transportation of such children to and from such high schools.

2326-22. Section 76. The County Board of Education shall, on the recommendation of the County Superintendent of Schools and when, in the Board's judgment, it is practicable, consolidate schools. When the distance from the homes of the respective children concerned to such consolidated school is in excess of two (2) miles by direct traveled highway, the County Board of Education shall arrange, through the County Superintendent of Schools, when possible without charge to the county, and may pay when necessary, for the transportation of such children to and from such consolidated schools. Provided that the County Board of Education shall not be responsible for the transportation of children to and from such consoli-

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dated schools who have completed the sixth grade of the elementary school, unless the consolidated school is in excess of three (3) miles by direct traveled highway from the homes of the respective children concerned.

2326-23. Section 77. The County Board of Education shall not maintain any single one room school, without the written approval of the State Commissioner of Education, which during the three (3) preceding school years has had an average daily attendance of less than twelve (12) pupils. But when such a school is closed, the County Board of Education shall arrange, through the County Superintendent of Schools, when possible without charge to the county, and shall pay when necessary, for the transportation of the children concerned to and from the nearest school maintained by the Board. Provided that the County Board of Education shall not be responsible for the transportation of such children unless the distance from the homes of the respective children concerned to the nearest school maintained by the Board, is by direct traveled highway, in excess of two (2) miles, and shall not be responsible for the transportation of such children in grades above the sixth, unless the distance is in excess of three (3) miles.

2326-24. Section 78. The County Board of Education, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall, on the written recommendation of the County Superintendent of Schools, grade and standardize all the schools under its jurisdiction.

2326-25. Section 79. The County Board of Education, subject to the provisions of this Chapter, the rules and regulations, prescribed courses of study, and the policies of the State Board of Education, shall prescribe on the written recommendation of the County Superintendent of Schools, courses of study for the schools under its jurisdiction, and a printed copy of these courses of study shall be supplied to every teacher and to every interested citizen of the County.

2326-26. Section 80. The County Board of Education shall, on the written recommendation of the County Superintendent

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of Schools, appoint all principals, teachers, and all other regular employees, and fix their salaries, subject to the provisions of Article 9 of this Chapter. The County Board of Education may suspend or dismiss any principal or teacher or other regular employees so appointed, on the written recommendation of the County Superintendent of Schools, for immorality, misconduct in office, incompetency, or wilful neglect of duty. Provided that in case of a principal or teacher or supervisor or attendance officer the charges be stated in writing, and that the principal or teacher or supervisor or attendance officer be given an opportunity to be heard by the Board upon not less than ten days' notice; provided, further that in all cases when the Board is not unanimous in its decisions to suspend or dismiss, the right of appeal shall lie to the State Board of Education. The contract of every principal, teacher, supervisor, attendance officer, and other regular employees shall be for the school year, beginning July 1st and ending June 30th, except when they are employed after the beginning of the school year, when contracts shall be for the remainder of the school year.

2326-27. Section 81. The County Board of Education shall select and adopt, on the written recommendation of the County Superintendent of Schools, from the textbook list prescribed by the State Board of Education, purchase and distribute free of charge to all day elementary, and all day high school pupils, such textbooks as are necessary to carry out the adopted courses of study, provided that textbooks so selected and adopted shall not be changed more often than once in three (3) years. The County Board of Education shall also select and purchase, on the written recommendation of the County Superintendent of Schools, such supplementary readers, maps, globes and charts, materials of instruction, stationery and school supplies, school furniture, educational equipment, apparatus, and supplies as are necessary to the work of the schools, and no charge shall be made either day elementary or day high school pupils for the use of such supplies or equipment.

2326-28. Section 82. The County Board of Education, subject to the provisions of this Chapter and the rules and regulations of the State Board of Education, shall prescribe, on the

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recommendation of the County Superintendent of Schools, forms and blanks on which Boards of Trustees, supervisors, attendance officers, principals, teachers, janitors, and other regular employees shall make such reports as may be required from them, on the recommendation of the County Superintendent, by the County Board of Education.

2326-29. Section 83. The County Board of Education is authorized, empowered, directed, and required to provide ample funds for the maintenance and operation of uniform, equal, and efficient schools throughout the county. Each year, beginning with 1920, prior to the usual date on which the Levy Courts of the respective counties levy other county taxes, the County Board of Education shall prepare, subject to the rules and regulations of the State Board of Education and on the recommendation of the County Superintendent of Schools, an itemized and detailed annual school budget. This annual school budget shall show the amount needed during the succeeding school year for (1) debt service, as provided for in Section 72 of this Chapter; (2) permanent improvements and repairs; and (3) current maintenance and operation, including the transportation of school children. The annual* budget shall also show the estimated amount that will be received from the State for (1) aiding elementary schools, which amount shall be used for paying elementary teachers' salaries and the purchasing free text-books, materials of instruction and school supplies; (2) aiding high schools, which amount shall be used for paying high school teachers' salaries and purchasing free text-books, materials of instruction, and school supplies; (3) the estimated amount of high school aid that will be received by reason of the provisions of the Smith-Hughes Vocational Education Act; (4) the estimated amount that will be received in payment of the salary of the County Superintendent of Schools, supervisors, and attendance officers; (5) the estimated income of the Board other than from County taxation; and (6) the estimated amount that will need to be raised by county taxation. Taxes for county school purposes shall be of two kinds: (1) a capitation tax, the amount of which shall be fixed annually by the County Board of Education and stated in its

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annual school budget, but which shall not be less than three dollars (\$3) nor more than six dollars (\$6) annually, and shall be levied on the person of all male residents of the school districts of the county under the jurisdiction of the County Board of Education, twenty-one years of age or over; (2) a property tax to be levied on the assessed value, as determined and fixed for other county taxation purposes, of the personal and real property in and of the school districts under the jurisdiction of the County Board of Education provided for or that may hereafter be created, provided that said tax so levied shall not exceed one and one-half per cent. of the assessed value of the property in the county other than in the special districts subject to taxation as aforesaid. This annual school budget shall be submitted, in writing, not less than ten (10) days before the usual date for levying other county taxes, to the Levy Court of the respective county; at the same time a written copy of this annual school budget shall be submitted to the State Commissioner of Education. The Levy Court of the respective county is authorized, empowered, directed, and required to levy and to collect, at the time of collection and through the collector or collectors of other county taxes, the capitation tax as fixed and specified in the annual school budget of the County Board of Education, and to levy and collect such tax, at the time of collection and through the collector or collectors of the other county taxes, on the assessed value, as determined and fixed for other county taxation purposes, of all personal and real property of the county subject to the county school tax aforesaid, as shall produce the remainder and the total amounts required by the County Board of Education to be raised by county taxation. All the powers and remedies, now or hereafter vested by law in the collector or collectors of taxes for County purposes, is hereby vested in the said collector or collectors in the collection of the County school tax, levied under the provisions of this Section. The County school tax so levied and collected, after deducting the fees for the collection if any, shall be turned over by the collector or collectors immediately on collection to the Treasurer of the County Board of Education. On the tax bills presented to the taxpayers of the county, the county school tax shall appear as a separate item, entitled "County School Tax," and shall show as sub items and separately the amount of capitation tax and the amount of personal and real property tax.

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Provided that for the school year 1919-20, the County Board of Education shall prepare the annual school budget for the school year 1919-20 and present it as soon as possible after July 1, 1919, to the Levy Court of the respective County, and that the amount required to be raised by county taxation shall be levied and collected, as provided for, beginning with 1920, in this Section, by the Levy Court at the time local school taxes are now levied and collected under the existing laws. All taxes received by the County Board of Education shall be expended by them in accordance with the items of its annual school budget.

2326-30. Section 84. If for any reason the current funds on hand are not sufficient to meet the current expenses of the Board, the County Board of Education, on the recommendation of the County Superintendent of Schools, may borrow money on the credit of the county to meet such current expenses, provided that all such current loans shall be paid within the school year in which such current loans are made and shall be paid from the funds derived from the taxes levied and collected for the current support of the schools within the given school year, and provided further that the amount so borrowed shall at no time exceed ten per cent (10%) of the sum estimated for current expenses as shown by the school budget for that year.

2326-31. Section 85. The Auditor of Accounts shall each year as soon as possible after July 1st audit the business and financial transactions of the County Board of Education and the records and accounts of its Treasurer, and the County Board of Education shall publish the results of this audit.

2326-32. Section 86. The County Board of Education shall make all the reports required by the State Board of Education at such times, upon such items, and in such form and on such blanks as may be prescribed by the State Board of Education.

2326-33. Section 87. The County Board of Education shall cause to be prepared and published annually, in the month of November, in sufficient quantities for distribution among the citizens of the county, an annual report addressed to the people of the county, covering the condition, current accomplishments,

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and needs for the improvement of the schools, also a statement of the business and financial transactions of the Board.

2326-34. Section 88. The County Board of Education shall perform such other duties as are assigned to it elsewhere in this Chapter or may be assigned to it from time to time by the General Assembly.

ARTICLE 4. COUNTY SUPERINTENDENTS OF SCHOOLS

2326-35. Section 89. The County Board of Education of each county shall appoint a County Superintendent of Schools for a term of two years, and he shall hold office until his successor qualifies. No person shall be eligible for appointment to the office of County Superintendent of Schools who does not hold from the State Commissioner of Education a certificate in administration and supervision, as provided for in Article 8 of this Chapter, nor shall the appointment of any person by the County Board of Education to the position of County Superintendent of Schools be valid without the written approval of the State Board of Education. Provided that County Superintendents of Schools holding office at the time when this Act shall take effect shall continue to serve to the end of the term for which they were last appointed, and until their successors qualify, unless removed, as hereinafter provided, and shall also be eligible for reappointment; and provided, further that all County Superintendents of Schools shall be paid, beginning with the school year 1919-20, on the basis of the salaries hereinafter specified. The salary of a County Superintendent of Schools shall not be diminished during his term of office. The County Superintendent of Schools shall devote his entire time to public school business and shall receive such compensation as the County Board of Education shall direct, provided that no County Superintendents of schools appointed to office under the provisions of this Section, or continuing in office under the provisions of this Section, shall be paid an annual salary of less than twenty-seven hundred dollars (\$2700) and the State of Delaware shall, as hereinafter provided pay the annual salary of the County Superintendent of Schools, up to and including

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an annual salary of twenty-seven hundred dollars (\$2700). County Boards of Education may, in their discretion, pay to a County Superintendent an annual salary in excess of twenty-seven hundred dollars (\$2700), but the State shall not share in the payment of such excess. The State Board of Education may remove any County Superintendent of Schools appointed under the provisions of this Section, or continuing in office under the provisions of this Section, for immorality, misconduct in office, for incompetency, or wilful neglect of duty, upon making known to him, in writing the charges against him, and upon giving to him an opportunity of being heard, in person or by counsel, in his own defense, upon not less than ten days' notice. In case of vacancy due to any cause, the County Board of Education shall fill the vacancy and the appointment shall be for a full term of four years, and until a successor shall qualify.

2326-36. Section 90. The County Superintendent of Schools as the executive officer of the County Board of Education, shall see that the laws relating to the schools, the enacted and published rules and regulations and the policies of the State Board of Education, and the rules and regulations and the policies of the County Board of Education are carried into effect.

2326-37. Section 91. The County Superintendent of Schools shall explain the true intent and meaning of the school laws, and of the rules and regulations of the State Board of Education, subject to the approval in writing of the State Board of Education; he shall decide, without expense to the parties concerned, all controversies and disputes involving the rules and regulations of the County Board of Education and the proper administration of the public school system of the county, and his decision shall be final, except that an appeal may be had to the State Board of Education if taken in writing within thirty (30) days. The County Superintendent of Schools shall have authority to administer oaths and to examine under oath, in any part of the county, witnesses in any matter pertaining to the public schools of the county, and to cause the examination to be reduced to writing. Any person who, having been sworn or affirmed by him to tell the truth, and who wilfully gives false

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testimony, shall be guilty of false swearing and shall be punished as perjury is punished.

2326-38. Section 92. The County Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall recommend for approval and adoption by the County Board of Education, the kind, grade, and location of schools to be established and maintained and the school attendance districts to be established.

2326-39. Section 93. The County Superintendent of Schools, subject to the provisions of this Chapter and the policies and rules and regulations of the State Board of Education, shall recommend for approval and adoption by the County Board of Education educational policies adapted to promote the educational interests of the county, and rules and regulations for the conduct of the schools.

2326-40. Section 94. The County Superintendent of Schools, as the executive officer of the County Board of Education, shall call and conduct conferences with Boards of School Trustees, supervisors, attendance officers, principals, and teachers, and shall in every way seek to foster in teachers professional insight and efficiency and develop public interest in education.

2326-41. Section 95. The County Superintendents of schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall develop a building program adequate to meet the needs of the schools of the county, and shall submit the same for approval and adoption by the county Board of Education. The County Superintendent of Schools shall recommend to the County Board of Education for condemnation school buildings which are insanitary and unfit for use; he shall recommend in writing all repairs, the purchase of playgrounds, school grounds or school sites, and buildings, or the sale of same, and shall prepare or cause to be prepared all plans and specifications for the remodeling of old buildings, and the construction of new buildings, subject to the provisions of Section 36 of this Chapter; and he

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shall recommend, in his discretion, the County Board of Education, an architect or architects to assist in the preparation of the plans and specifications for remodeling old buildings or the construction of new buildings, and shall supervise such remodeling and construction. He shall approve in writing all contracts of whatever kind entered into by the County Board of Education, and no contract entered into by the County Board of Education shall be valid without the written approval of the County Superintendent of Schools.

2326-42. Section 96. The County Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall prepare and submit for approval and adoption by the County Board of Education rules and regulations governing the conditions on which pupils in schools limited to the first six grades of elementary instruction shall be admitted to elementary schools giving the two higher grades of elementary instruction.

2326-43. Section 97. The County Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall prepare and submit for approval and adoption by the County Board of Education rules and regulations governing the conditions on which children may be admitted to the high schools of the county, also into the high schools of special school districts and have their tuition in such high schools paid by the County Board of Education.

2326-44. Section 98. The County Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall work out plans for the consolidation of schools and for the grounds, buildings, and equipment of such consolidated schools, and submit the same for approval and adoption by the County Board of Education.

2326-45. Section 99. The County Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall report

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annually and recommend to be closed by the County Board of Education all single one room schools which during three (3) preceding years have not had an average daily attendance of twelve (12) pupils.

2326-46. Section 100. The County Superintendent of schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall prepare rules and regulations for grading and standardizing all the public schools of the county, and shall submit the same in writing for approval and adoption by the county Board of Education. He shall grade and standardize all the public schools of the county and shall recommend the same for approval by the County Board of Education.

2326-47. Section 101. The County Superintendent of Schools, subject to the provisions of this Chapter, the prescribed course of study, and the policies and rules and regulations of the State Board of Education and of the County Board of Education, shall prescribe courses of study for the schools of the county and submit the same for approval and adoption by the County Board of Education. Printed copies of these courses of study shall be supplied to every teacher and every interested citizen in the county.

2326-48. Section 102. The County Superintendent of Schools shall be the representative of the State Commissioner of Education in all State examinations for teachers' certificates conducted within the county other than in special school districts, and shall perform such duties in connection therewith as may be required by the State Commissioner of Education. He may issue, without charge, provisional certificates to teachers, valid in the county schools, subject to the provisions of Article 8 of this Chapter.

2326-49. Section 103. The County Superintendent of Schools shall nominate, in writing, for appointment by the County Board of Education and fix their salaries, subject to the provisions of Article 9 of this Chapter, and the salary provisions of Section 112 of Article 4, and to the approval of the Board, all

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principals, all teachers and all other regular employees of the Board, shall assign to them their positions, transfer them as the needs of the schools require, recommend them for promotion, suspend them for cause, and recommend them for dismissal.

2326-50. Section 104. The County Superintendent of Schools shall organize and attend county and local institutes for teachers and citizens, shall organize and direct the reading circle work of the county, advise teachers as to their further study and professional reading, and assist parents and citizens to acquire a knowledge of the aims and work of the schools.

2326-51. Section 105. The County Superintendent of Schools shall select from the textbook list prescribed by the State Board of Education such textbooks as are needed by the schools, also select such supplementary readers, maps, globes, and charts, materials of instruction, stationery and school supplies, school furniture, educational equipment, apparatus, and supplies as are necessary to the work of the schools, and recommend, in writing, the adoption, purchase, and distribution of the same by the County Board of Education. No contract for textbooks, supplementary readers, maps, globes and charts, materials of instruction, stationery and school supplies, school furniture, education equipment, apparatus, and supplies shall be valid without the written approval of the County Superintendent of Schools.

2326-52. Section 106. The County Superintendent of Schools shall visit the schools, observe the management and instruction and give suggestions for the improvement of the same. He shall advise with principals and teachers, counsel Boards of Trustees, and shall labor in every way to awaken public interest and to improve educational conditions within the county.

2326-53. Section 107. The County Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall prepare forms and blanks on which Boards of Trustees, supervisors, attendance officers, principals, teachers, janitors, and other regular employees shall make such reports as shall be

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required by the County Board of Education, and shall submit the same for approval and adoption by the County Board of Education.

2326-54. Section 108. The County Superintendent of Schools, subject to the provisions of this Chapter, the policies, rules and regulations of the State Board of education, shall prepare the annual school budget provided for in Section 83 of this Chapter, and shall submit the same for approval and adoption by the County Board of Education. He shall in every way seek to secure adequate funds for the support and development of the schools of the country.

2326-55. Section 109. The County Superintendent of Schools shall direct the taking in the county of the biennial school census provided for in Section 20 of this Chapter.

2326-56. Section 110. The County Superintendent of Schools shall, subject to the rules and regulations of the State Board of Education, enforce the provisions of Article 10 of this Chapter, relating to School attendance.

2326-57. Section 111. The County Superintendent of Schools shall prepare, or cause to be prepared, and submit to the County Board of Education for adoption, all reports required of the County Board by the State Board of Education and the State Commissioner of Education, and he shall prepare, or cause to be prepared, and submit for approval to the County Board of Education, the annual report addressed to the people of the County, provided for in Section 87 of this Chapter.

2326-58. Section 112. The County Superintendent of Schools, acting under the rules and regulations of the County Board of Education, shall be responsible for the administration of the office of the County Superintendent of Schools. He shall nominate, for appointment by the County Board of Education, and fix the salaries subject to the approval of the Board, all the professional, clerical, statistical and stenographic assistants of the office; he shall recommend their removal for immorality, misconduct in office, incompetency, or wilful neglect of duty, and

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he shall see that all regular appointees of the County Board of Education devote their entire time to their duties. The office of the County Superintendent of Schools shall, beginning with the school year 1919-20, be provided at least as follows with professional, clerical, statistical and stenographic assistants:

(1) In each county there shall at least be appointed elementary school supervisors as follows: In Kent County two (2); in New Castle County, two (2), and in Sussex County, three (3). Elementary school supervisors shall receive such compensation as the County Board of Education shall direct, provided that no person shall be eligible for appointment as elementary school supervisor who does not hold from the State Commissioner of Education a certificate in elementary school supervision, as provided for in Article 8 of this Chapter; nor shall the appointment of any person as elementary school supervisor by the County Board of Education be valid without the written approval of the State Commissioner of Education. And provided further that no elementary school supervisor appointed under the provisions of this Section shall be paid an annual salary of less than sixteen hundred dollars (\$1600), and the State of Delaware shall, as hereinafter provided, pay the annual salary of two (2) elementary school supervisors in Kent County, of two (2) in New Castle County, and of three (3) in Sussex County, up to and including an annual salary for each of sixteen hundred dollars (\$1600). County Boards of Education may employ, on the recommendation of the County Superintendent of Schools, a greater number of elementary school supervisors than above designated and pay each an annual salary in excess of sixteen hundred dollars (\$1600), but the State shall not share in the payment of the salary of such additional elementary school supervisors or in the payment of said excess in annual salary.

(2) There shall be appointed in each county at least one attendance officer, whose duty it shall be to enforce regular school attendance. Attendance officers shall receive such compensation as the County Board of Education shall direct, provided that the appointment of no person as an attendance officer shall be valid without the written approval of the State Commis-

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sioner of Education. And provided further that no attendance officer appointed under the provision of this Section shall be paid an annual salary of less than ten hundred dollars (\$1,000) and the State of Delaware shall pay, as hereinafter provided, the annual salary of one attendance officer up to and including an annual salary of ten hundred dollars (\$1,000). County Boards of Education may employ on the recommendation of the County Superintendent of Schools as many additional attendance officers as in their judgment are necessary, and may pay annual salaries to attendance officers in excess of ten hundred dollars (\$1,000), but the State shall not share in the payment of their salaries or in the payment of said excess annual salary.

(3) There shall be employed in each county at least one statistical and stenographic clerk.

(4) And such other clerical, statistical, and stenographic assistants, and such other professional assistants (assistant superintendents, supervisors, attendance officers, medical inspectors, and school nurses) as the County Board of Education shall authorize on the recommendation of the County Superintendent of Schools; provided that no professional assistant shall be appointed who does not hold the appropriate certificate issued by the State Board of Education, and the appointment of no professional assistant shall be valid without the written approval of the State Board of Education.

2326-59. Section 113. The County Board of Education shall provide the County Superintendent of Schools and his professional and clerical assistants, with ample, convenient, and comfortable office quarters, and with adequate clerical supplies and equipment, and the County Superintendent of Schools and his professional assistants shall be provided with such means of transportation as are necessary for the convenient, effective, and efficient performance of their official duties. They shall be reimbursed for all actual and necessary traveling expenses and disbursements incurred or made by them in the performance of their official duties, and no part of the traveling expenses of the County Superintendent of Schools or his professional as-

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sistants incurred in the performance of their official duties, shall be included in, or counted as a part of their annual salary.

2326-60. Section 114. The County Superintendent of Schools shall perform such other duties as are assigned to him elsewhere in this Chapter or may be assigned to him from time to time by the County Board of Education and the General Assembly.

ARTICLE 5. BOARDS OF EDUCATION

2326-61. Section 115. The general administration and supervision of the free public schools and educational interest of each special school district shall be vested in a Board of Education. Such Board of Education shall be composed of three members. They shall be elected from the residents of the given special school district by the male residents qualified as hereinafter provided, and by women who have paid a tax at any time during the preceding twelve months on real or personal property, at a special election for terms of three years beginning with the first day of July next succeeding their election, and shall hold office until their respective successors qualify. Residents of the county, outside of the special school districts, shall not vote for members of the Boards of Education in special school districts. The school election in each special school district shall be held on the third Saturday of June in each year, between the hours of two and four o'clock in the afternoon at the principal school-house in the respective school districts, and shall be conducted by members of the Board of Education at each special school district. The President of the Board of Education shall preside at the election, and the other two members of the Board shall be the Judges of the election; provided that if, for any reason, one or more of the members of the Board of Education should be unable to serve as election officers, the said Board of Education shall designate another person, or persons, to act in such capacity; and provided, further, that should the Board of Education of any special school district fail or neglect to provide election officers at any such election, the voters present shall designate and appoint election officers to conduct the election in such special school district. The

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school election in special school districts shall be by ballot upon which shall be written or printed the names of the candidates for whom the voter desires to vote. Any male resident of the said special school district, who would be entitled, at the time of the holding of the said school election, to register and vote in any election district, of which said special district is a part, at a general election, if such general election were to be held at the time of such school election, shall be deemed to be a qualified voter at the school election in the special school district where he then resides. Women residents of the special school district shall be entitled to vote at a school election therein, upon presentation of a tax receipt for taxes assessed against them, within the preceding twelve months. If any person, not duly qualified to vote, shall offer to vote at a special district school election, he shall be guilty of a misdemeanor, and shall be punishable by a fine, or imprisonment, or both, in the discretion of the Court. The election officers, conducting the election in a special district school election, shall publicly count the votes cast at any such election and shall certify the result of such election under their hands and seals to the State Board of Education. When this act goes into effect the terms of office of the persons who are at that time members of the Board of Education of the towns and cities hereinafter created and designated as special school districts shall automatically expire; but such members shall be qualified for appointment and election under the provisions of this Section, unless otherwise disqualified by the provisions of this Section. When this Act goes into effect, the Governor shall as soon as possible thereafter appoint from the members of the Boards of Education of the respective special school districts at the time this Act goes into effect, three members to the Board of Education of the respective special school districts who shall take office immediately and serve under the provisions of this chapter until the first day of July 1920 and until their respective successors qualify. At the school election of 1920, three members shall be elected to the Board of Education of each special school district; one to serve for one year, or until the first day of July 1921; one to serve for two years, or until the first day of July 1922, and one to serve for three years, or until the first day of July 1923, and until their respective successors qualify. Provided that in the first election,

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under the provisions of this section, the candidate receiving the highest number of votes in each special school district shall be declared elected for three years; the candidate receiving the next highest number of votes shall be declared elected for two years, and the candidate receiving the next highest number of votes shall be declared elected for one year. Thereafter one member shall be elected each year for the full term of three years. The members of the Board of Education of special school districts shall be chosen solely because of their character and fitness; but no person shall be appointed or elected to this Board under the provisions of this Section who is in any way subject to the authority of this Board. Vacancies in this Board for any cause shall be filled by the State Board of Education, such appointees serving until the next school election and until their respective successors qualify. At the next school election succeeding such appointment or appointments, the vacancy or vacancies shall be filled for the remainder of the respective unexpired term or terms. Any member of a Board of Education of a special school district shall be eligible for reelection, unless otherwise disqualified by the provisions of this Section. Whenever a new special school district shall be created and erected under the provisions of Section 18 hereof, the State Board of Education shall at once appoint three suitable persons, possessing the necessary qualifications, for members of a Board of Education, to be members of the Board of Education of such special school district who shall take office immediately and serve under the provisions of this Chapter until the first day of July following the next school election thereafter, and until their respective successors qualify. At the next school election after such appointment, there shall be elected to the Board of Education of such special school district three members; one to serve for one year, one to serve for two years and one to serve for three years from the first day of July following such elections, and until their respective successors qualify. Provided, that at such election the candidate receiving the highest number of votes shall be declared elected for three years, the candidate receiving the next highest number of votes shall be declared elected for two years, and the candidate receiving the next highest number of votes shall be declared elected for one

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year. Thereafter one member shall be elected at each school election for the full term of three years.

2326-62. Section 116. The office of the Board of Education shall be in the principal school building of the respective special school district unless otherwise adequately provided for. The Board of Education shall hold its annual meeting each year at its office on the first day of July. At this meeting the Board shall each year elect one of its members to serve as President and one to serve as Vice-President. Other regular meetings shall be held on the second Friday of September, December and March, and such special meetings may be held as the duties and the business of the Board may require. The members of the Board of Education shall receive no compensation for their services. The rules generally adopted by deliberative bodies for their government shall be observed by Boards of Education. No motion or resolution shall be declared adopted without the concurrence of a majority of the whole Board.

2326-63. Section 117. The Board of Education of each special school district shall appoint, subject to the provisions of Section 137 of this Chapter, as its executive officer, a Superintendent of Schools, who shall also be Secretary of the given Board of Education. As Secretary he shall conduct all correspondence of the Board, keep and preserve all of its records, receive all reports required by the Board, and see that such reports are in proper form, complete and accurate. He shall attend all meetings of the Board and of its committees except when his own tenure, his salary, or the administration of his office are under discussion, and shall have the right to advise on any question under consideration, but shall have no vote. In case the office of Superintendent of Schools is temporarily vacant, or when the Superintendent of Schools is absent by reason of the nature of the business in hand or otherwise, the Board shall appoint one of its members to act for the time being as Secretary.

2326-64. Section 118. The County Treasurer shall be the Treasurer of each respective special school district. He shall

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receive and hold all moneys which the respective Board of Education is entitled to by law and which may come into its possession, and shall deposit all such moneys in the financial institution which is the legal depository of State moneys in the custody of the State Treasurer.

He shall pay out all such moneys on the written order of the President of the respective Board of Education and of its Secretary, and shall keep such records and accounts of its funds as shall be required by the State Board of Education.

2326-65. Section 119: The Board of Education of each special school district is hereby vested with all the powers necessary or proper for the administration and management of the free public schools within such special school district, subject to the limitations and restrictions provided in this Act.

2326-66. Section 120. All property, estate, effects, money, funds, claims and state donations heretofore vested by law in the public school authorities of any special school district, for the benefit of the free public schools of such district, are hereby placed under and subject to the control and management of the Board of Education of such special school district. Real and personal estate granted, conveyed, devised, or bequeathed for the use of any special school district, shall be held in trust by the Board of Education for the benefit of the free public schools of the respective special school district, and such grants, bequests and moneys invested in trust shall be exempt from all State, county and local taxes.

2326-67. Section 121. The following cities, towns, and school districts which shall accept the provisions of this Act as hereinafter in this Section provided, are hereby created and designated special school districts, subject to the provisions of this Article and Chapter: In New Castle County: Wilmington, comprising the present school districts, which may operate its schools according to the provisions of special school laws, except in so far as these special school laws are in conflict with the provisions of Articles 1 and 2: of Sections 121, 122, 123, 124, 126, 127, 128, 129, 130, 133, 134, and 135 of Article 5; of Sections 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149,

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150, 151, 153, 154, 155, 156, and 156-A of Article *5; and of Articles 8, 9, 10, 11, 12 and 14 of this Chapter, all of which shall apply to Wilmington, School District 23 and 75 (Alexis I. duPont School), Newark, comprising the present school districts, and New Castle, comprising the present school districts; in Kent County: consolidated District No. 1 (the Caesar Rodney School), Dover, comprising the present school districts, Harrington, comprising the present school districts, Milford, comprising the present school districts, and Smyrna, comprising the present school district; in Sussex County: Georgetown, comprising the present school districts, Laurel, comprising the present school districts, Lewes, comprising the present school districts, and Seaford, comprising the present school districts; The Board of Education of each of the school districts, in this section above specified, is hereby authorized and empowered in the name of and for such district to accept the provisions of this Act by a resolution of a majority of the members of such Board adopted prior to the thirtieth day of June 1919, and* written copy of such resolution certified by the Secretary of such Board, filed with the secretary of the State Board of Education, together with a duplicate copy filed with the trustee of the school fund, on or before the said thirtieth day of June 1919, shall be deemed and taken to be conclusive evidence of the acceptance by the said district of the provisions of this Act; provided that the State Board of Education may, for good cause shown, extend the time for the adoption of such resolution and for the filing of such copies, in the discretion of the said State Board.

The said State Board of Education shall have the power to create other special school districts, subject to the provisions of this Article and Chapter.

2326-68. Section 122. The Special school districts herein created and designated, and special school districts hereafter created by the State Board of Education to continue to exercise the privilege of a special school district and of operating its schools according to the provisions of this Article, shall meet and continue to fulfill the following conditions:

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(1) Ample grounds, buildings and equipment shall be provided conforming to the rules and regulations of the State Board of Education.

(2) An elementary school including grades one to eight inclusive, shall be maintained, also a standard, first class high school, as defined in Article 12 of this Chapter and the rules and regulations of the State Board of Education. The Board of Education may establish kindergartens and playgrounds, and it may establish, on the recommendation of the Superintendent of Schools and subject to the approval of the State Commissioner of Education, such other types of schools as in its judgment will promote the educational interest of the district. The school year in all regular day elementary schools and all regular day high schools shall be ten calendar months and all such schools shall be in session during each school year not less than one hundred and eighty days, beginning on the first Tuesday after the first Monday in September. Into the High school or High schools of each special school district shall be admitted children from the county school systems, on the conditions and at the tuition rates prescribed by the State Board of Education.

(3) Free Textbooks, school supplies, and instructional materials shall be provided all pupils attending the kindergarten, day elementary schools, and day high schools, free textbooks, school supplies, and instructional materials may be provided pupils in such other schools as are established and maintained.

(4) Each special school district shall employ a Superintendent of Schools who shall hold the certificate prescribed for Superintendent of Schools in Article 8 of this Chapter. The Superintendent of Schools shall not be paid an annual salary less than the minimum annual salary for Superintendents of Schools prescribed in Article 9 of this Chapter, but any Board of Education may pay a Superintendent of Schools more than the minimum salary prescribed in Article 9 of this Chapter. The Superintendent of Schools shall have at least one-half of his entire time free for supervision.

(5) The Boards of Education may employ a high school prin-

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principal or principals, elementary school principal, or principals, elementary school supervisors, high school supervisors, and attendance officers, subject to the conditions of Article 8 and Article 9 of the salary provisions of Section 112 of Article 4 of this Chapter. Provided that if the Board of Education of a Special school district does not employ an attendance office or officers, the enforcement of school attendance in the respective special school district shall fall to the County Superintendent of Schools of the County in which the respective special school district is located, and the Superintendent of Schools of the respective special school district shall make to the County Superintendent of Schools such reports on the school population, school enrollment, and school attendance of the respective special school district as may be required by the State Board of Education. Provided that Wilmington shall employ sufficient attendance officer to enforce school attendance. Boards of Education of special school districts may also employ medical inspectors and school nurses subject to the provisions of Article 8 of this Chapter.

(6) In the regular day high schools of the special school districts no teacher shall hereafter be employed unless such teacher holds a high school teacher's certificate as provided for in Article 8 of this Chapter, and such high school teachers shall not be paid less than the minimum annual salaries prescribed for teachers holding high school teachers' certificates in Article 9 of this Chapter, but any Board of Education on recommendation of the Superintendent of Schools may pay such high school teachers more than the minimum annual salaries prescribed for teachers holding high school teachers' certificates in Article 9 of this Chapter:

(7) In regular day elementary schools of special school districts, no teacher shall hereafter be employed unless such teacher holds a first grade elementary school teacher's certificate as prescribed in Article 8 of this Chapter, and such elementary teachers shall not be paid less than the minimum annual salaries prescribed for teachers holding first grade elementary school teachers' certificates in Article 9 of this Chapter, but any Board of Education on recommendation of the Superintendent of

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Schools may pay such elementary school teachers more than the minimum salaries prescribed for teachers holding first grade elementary school teachers' certificates in Article 9 of this Chapter.

(8) Boards of Education of special school districts may on the recommendation of their respective Superintendent of Schools employ such other professional assistance and such clerical, accounting, and statistical assistance as in their judgment is necessary to the work of the schools under their respective jurisdiction.

(9) Special school districts shall meet and shall continue to fulfill such other conditions as may hereafter be prescribed by the State Board of Education.

2326-69. Section 123. The Board of Education shall exercise through its executive officer, the Superintendent of Schools, and his professional assistants, control and supervision over the public schools of the district. The Board shall consult and advise, through its executive officer and his professional assistants, principals, teachers, and interested citizens, and shall see in every way to promote the interests of the schools under its jurisdiction.

2326-70. Section 124. The Board of Education shall determine, on the recommendation of the Superintendent of Schools and subject to the provisions of this Chapter, the rules and regulations, and the policies of the State Board of Education, the educational policies of the district and shall prescribe rules and regulations for the conduct and the management of the schools, and shall maintain separate schools for white and for colored children.

2326-71. Section 125. The Board of Education is authorized, empowered, directed, and required to provide ample, appropriate, and suitable grounds, buildings, and equipment for all the needed schools of the district, conforming to the rules and regulations of the State Board of Education for the hygienic, sanitary, and protective construction of school buildings.

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The Board of Education is authorized and empowered, on the recommendation of the Superintendent of Schools and approval of the State Commissioner of Education, to purchase playgrounds, school grounds, or school sites, and buildings, and to sell the same when no longer needed for educational purposes; to rent, repair, improve, and construct school buildings, or approve contracts for so doing when the plans conform to the rules and regulations of the State Board of Education. The Board of Education shall employ an architect or architects on the recommendation of the Superintendent of Schools to assist in the preparation of the plans and specifications for remodeling old buildings and for constructing new buildings, but the architect or architects employed shall be approved by the State Commissioner of Education.

The Board of Education may receive donation of playgrounds, school grounds or school sites, or of houses, already built suitably located and adapted to school purposes, but in no case shall any site be built upon or any house be occupied until a good and sufficient title has been obtained for the same in the corporate name of the Board.

When land shall be required for the site of a school house or for enlarging a schoolhouse lot, or for playgrounds or other school purposes, and the Board of Education shall for any cause be unable to contract with the owner or owners thereof upon what they deem to be a fair valuation thereof, the Board of Education may institute condemnation proceedings, but no lot so taken or enlarged shall exceed in the whole ten (10) acres including the land occupied by the school building.

Whenever it shall be necessary to institute condemnation proceedings to acquire any land for school purposes, as provided in this Section, the Board of Education may apply to the Associate Judge of the State of Delaware, resident in the County where any such land is located for the condemnation thereof, and the said resident Judge shall thereupon appoint five judicious and impartial freeholders residing in the county outside of such special school district, to view the premises and assess the damages which the owner or owners will sustain by reason

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of the taking of the said lands for the purposes aforesaid. The freeholders shall be sworn or affirmed faithfully and impartially to perform the duties assigned them. They shall give ten days' notice in writing to the owner or owners of the premises proposed to be condemned if within the State, and to the said Board of Education of the time of their meeting to view the premises and assess damages. If the owner or owners reside outside of the State, or if under any legal disability, and having no legal representative in the State, publication of such notice shall be made in some newspaper in the county in which proceedings were instituted, at least, ten days prior to the date fixed for said meeting, and such publication shall be sufficient notice thereof. The said freeholders shall ascertain and assess the damages to the owner or owners, taking into consideration all circumstances of convenience or injury, but shall allow, at least, the cash value of the land taken, and shall certify their award to the owner or owners, and also to the Board of Education, and shall return a record of their proceedings with their finding and award to the Prothonotary of the County in which the proceedings were instituted. If the said freeholders should be guilty of misconduct in their proceedings, or if they should make a grossly improper award, the said Judge shall on application set aside their award and shall appoint other freeholders in their place, who shall proceed anew in the manner hereinbefore provided, and in like manner he may set aside their finding or award, or the finding or award of freeholders subsequently appointed for the purposes aforesaid, until a fair and equitable award has been made and accepted. The said Judge may substitute other freeholders in the place of any freeholder who for any reason may be unable to serve. When the amount of damages has been ascertained, the said Board of Education may pay, or tender the amount thereof, within two months, to the person or persons entitled thereto, or if, for any reason, payment can not be made to the owner or owners, the amount of such damages may be deposited to the credit of the persons entitled thereto in the Farmers Bank of the State of Delaware at the County Seat of the County in which said proceedings were instituted, and thereupon the said lands may be taken and occupied for the use and purpose for which said lands were condemned. The said freeholders shall be allowed Three

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Dollars (\$3) per day for their services which sum together with other expenses of the said condemnation proceedings, shall be paid by the Board of Education of the respective special school district.

If for any reason the current income of the Board of Education is inadequate to provide ample, appropriate, and suitable grounds, buildings, and equipment for all the needed schools of the district the Board of Education is authorized, and empowered, on the recommendation of the Superintendent of Schools, to issue bonds on the Credit of the district in amount sufficient to provide ample, appropriate, and suitable grounds, buildings, and equipment for all the needed schools of the district.

Provided that the Board of Education shall not be authorized to issue bonds for the purpose of this section in a greater amount in the aggregate than five per cent (5%) of the assessed value of the real estate of such special school district. Provided further, that the funds derived from such bond issue shall be used only to provide or purchase new grounds, new buildings, and new permanent equipment. Such bonds shall not be issued or sold at less than their face value, and shall be issued in series, with no bond of any given series running more than twenty-five (25) years.

The bonds provided for in this section shall be in such denomination or denominations, in such form, and shall bear such rate of interest, not exceeding six per cent (6%) per annum, as shall be determined by the Board of Education of the respective special school district. The said bonds shall be signed by the President and other members of the said Board of Education. The said Board of Education shall have the power to adopt and use a seal for the execution of the said bonds. The faith and credit of the special school district shall be deemed to be pledged for the payment of the said bonds. The said bonds shall be denominated as of the special school district in which they are issued, shall be of the series of the year in which they are issued, and the principal and interest shall be made payable at the branch of the Farmers Bank in the County in which

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said bonds are issued. The said bonds shall be exempt from all State, County or Municipal taxes.

Provided further, that the Board of Education shall, in its current school budget, hereinafter provided for, under the item "Debt Service", make provisions for the payment of the current interest on each and every series of bond issues and also for the payment and liquidation each year of not less than one twenty-fifth (1-25) of each and every series of bonds issued.

2326-72. Section 126. The Board of Education, subject to the provisions of this Chapter, and the policies, rules and regulations of the State Board of Education, shall, on the written recommendation of the Superintendent of Schools, grade and standardize all the schools under its jurisdiction.

2326-73. Section 127. The Board of Education, subject to the provisions of this Chapter, the rules and regulations, prescribe courses of study, and the policies of the State Board of Education, shall prescribe, on the written recommendation of the Superintendent of schools, courses of study for the schools under its jurisdiction, and a printed copy of these courses of study shall be supplied to every teacher and to every interested citizen of the district.

2326-74. Section 128. The Board of Education shall, on the written recommendation of the Superintendent of Schools, appoint all principals, teachers, all supervisors, attendance officers, janitors, and all other regular employees, and fix their salaries, subject to the provisions of Article 9 of this Chapter, and of the salary provisions of Section 112 of Article 4. The Board of Education may suspend or dismiss* any principal, or teacher, or supervisor, or attendance officer, or other regular employee so appointed on the written recommendation of the Superintendent of Schools, for immorality, misconduct in office, incompetency, or wilful neglect of duty. Provided that in the case of a principal, or teacher, or supervisor, or attendance officer, the charges be stated in writing, and that the principal, or teacher, or supervisor, or attendance

*without appeal

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officer be given an opportunity to be heard by the Board upon not less than ten (10) days' notice; provided further that in all cases when the Board is not unanimous in its decision to suspend or dismiss a principal, or teacher, or supervisor, or attendance officer, the right of appeal shall lie to the State Board of Education. The contracts of every principal, teacher, supervisor, attendance officer, and other regular employees shall be for the school year, beginning July 1st and ending June 30th, except when they are employed after the beginning of the school year, when the contract shall be for the remainder of the school year.

2326-75. Section 129. The Board of Education shall select and adopt, on the written recommendation of the Superintendent of Schools, from the textbook list prescribed by the State Board of Education, purchase, and distribute free of charge to all day elementary and all day high school pupils, such textbooks as are necessary to carry out the adopted courses of study, provided that the textbooks so selected and adopted shall not be changed more often than once in three (3) years. The Board of Education shall also select and purchase, on the written recommendation of the Superintendent of Schools, such supplementary readers, maps, globes, and charts, materials of instruction, stationery and school supplies, School furniture, educational equipment, apparatus, and supplies as are necessary to the work of the schools, and no charge shall be made to either day elementary or day high school pupils for the use of such supplies or equipment.

2326-76. Section 130. The Board of Education, subject to the provisions of this Chapter and the rules and regulations of the State Board of Education, shall prescribe, on the recommendation of the Superintendent of Schools, forms and blanks on which principals, teachers, supervisors, attendance officers, janitors, and other regular employees shall make such reports as may be requested from them on the recommendation of the Superintendent of Schools, by the Board of Education.

2326-77. Section 131. The Board of Education is authorized, empowered, directed, and required to provide ample funds for the maintenance and operation of uniform, equal, and effi-

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cient schools throughout the district. Each year beginning with 1920, prior to the usual date on which the Levy Court of the respective county levy other county taxes, the Board of Education shall prepare, subject to the rules and regulations of the State Board of Education on the recommendation of the Superintendent of Schools, an itemized and detailed annual school budget. This annual school budget shall show the amounts needed during the succeeding school year for (1) debt service as provided for in Section 125 of this Chapter, (2) permanent improvements and repairs, and (3) current maintenance and operation, including the transportation of school children. The annual school budget shall also show the estimated amount that will be received from the State for (1) aiding elementary schools, which amount shall be used for paying elementary teachers' salaries and purchasing free textbooks, materials of instructions, and school supplies; (2) aiding high schools which amount shall be used for paying high school teachers' salaries and purchasing free textbooks, materials of instruction, and school supplies; (3) the estimated amount of high school aid that will be received by reason of the provisions of the Smith-Hughes Vocational Education Act; (4) the estimated income of the Board other than from district taxation; and (5) the estimated amount that will need to be raised by district taxation. Taxes for special school district purposes shall be of two kinds; (1) a capitation tax, the amount of which shall be fixed annually by the Board of Education and stated in its annual school budget, but which shall not be less than three dollars (\$3.00) nor more than six dollars (\$6.00) annually, and shall be levied on the person of all male residents of the respective special school district, twenty-one (21) years of age or over; (2) a property tax, to be levied on the assessed value, as determined and fixed for other county taxation purposes, of the personal and real property in the respective special school district, provided that said tax so levied shall not exceed one and one-half per cent of the assessed value of the property in said special district. This annual school budget shall be submitted in writing, not less than ten (10) days before the usual date for levying other county taxes, to the Levy Court of the respective county; at the same time a written copy of this annual school budget shall be submitted to the State

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Commissioner of Education. The Levy Court of the respective county is authorized, empowered, directed and required to levy and to collect at the time of collection and through the collector or collectors of other county taxes, the capitation tax as fixed and specified in the annual school budget of the respective Board of Education, and to levy and collect such tax at the time of collection, and through the collector or collectors of county taxes, on the assessed value, as determined and fixed for other county taxation purposes, of all personal and real property in and of the respective special school district as shall produce the remainder and the total amount required by the respective Board of Education to be raised by district taxation. All the powers and remedies, now or hereafter vested by law in the collector or collectors of taxes for County purposes, is hereby vested in the said collector or collectors in the collection of the special school district tax, levied under the provisions of this Section. The district school taxes so levied and collected, after deducting the fees for collection, if any, shall be turned over by the collector or collectors immediately on collection to the Treasurer of the Board of Education of the respective special school district. On the tax bills presented to the taxpayers of the respective special school districts, the school tax shall appear as a separate item entitled "District School Tax", and shall show as sub-items and separately the amount of capitation tax and the amount of personal and real property tax. Provided that for the school year 1919-20 the Board of Education shall prepare the annual school budget for the school year 1919-20 and present it as soon as possible after July 1, 1919, to the Levy Court of the respective county, and that the amounts required to be raised by district taxation shall be levied and collected, as provided for beginning with 1920 in this Section, by the Levy Court at the time local school taxes are now levied and collected under the existing school laws. All taxes received by the Board of Education shall be expended by them in accordance with the items of its annual school budget.

2326-78. Section 132. If, for any reason the current funds on hand are not sufficient to meet the current expenses of the Board, the Board of Education, on the recommendation of the Superintendent of Schools, may borrow money on the credit of

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the district to meet current expenses, provided that all such current loans shall be paid within the school year in which such current loans are made and shall be paid from the funds derived from the taxes levied and collected for the current expenses of the schools within the given school year and provided further that the amount so borrowed shall at no time exceed ten per cent. (10%) of the sum estimated for current expenses as shown by the school budget for that year.

2326-79. Section 133. The auditor of accounts shall each year, as soon as possible after July 1st, audit the business and financial transactions of the Board of Education of each special school district, and the records and accounts of its respective Treasurer, and the Board of Education of the respective special school district shall make public the result of this audit.

2326-80. Section 134. The Board of Education shall make all reports required by the State Board of Education, at such time, upon such items, and in such form and on such blanks as may be prescribed by the State Board of Education.

2326-81. Section 135. The Board of Education shall cause to be prepared and published annually in the month of November, in sufficient quantities for distribution among the citizens of the district, an annual report addressed to the people of the district, covering the condition, current accomplishments, and needs for the improvement of the Schools, also a statement of the business and financial transactions of the Board.

2326-82. Section 136. The Board of Education shall perform such other duties as are assigned to it elsewhere in this Chapter, or may be assigned to it from time to time by the General Assembly.

ARTICLE 6. SUPERINTENDENTS OF SCHOOLS

2326-83. Section 137. The Board of Education of each special school district shall appoint a Superintendent of Schools for a term of three years, and he shall hold office until his suc-

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cessor qualifies. No person shall be eligible for appointment to the office of Superintendent of Schools who does not hold from the State Board of Education a Superintendent of Schools' certificate as provided for in Article 8 of this Chapter, nor shall the appointment of any person by a Board of Education to the position of Superintendent of Schools be valid without the written approval of the State Commissioner of Education. Provided that the Superintendent of Schools, in the special school districts created by this Act, holding office at the time when this Act shall take effect shall continue to serve to the end of the term for which they were last appointed, and until their successors qualify, unless removed as hereinafter provided, and shall also be eligible for reappointment; and provided further that all Superintendents of Schools shall be paid, beginning with the school year 1919-1920, on the basis of the salaries hereinafter specified. The Superintendent of Schools shall devote his entire time to public school business and shall receive such compensation as the Board of Education shall direct, provided that no Superintendent of Schools appointed to office under the provisions of this Section or continuing in office under the provisions of this Section shall be paid an annual salary less than the annual salary provided for in Article 9 of this Chapter. Boards of Education may, in their discretion, pay to a Superintendent of Schools an annual salary in excess of the annual salary specified in Article 9 of this Chapter. The State Board of Education may remove any Superintendent of Schools appointed under the provisions of this Section, or continuing in office under the provisions of this Section, for immorality, misconduct in office, incompetency, or wilful neglect of duty, upon making known to him in writing the charges against him and upon giving to him an opportunity of being heard, in person or by counsel, in his own defense upon not less than ten (10) days' notice. In case of vacancy due to any cause, the Board of Education shall fill the vacancy, and the appointment shall be for a full term of three (3) years and until a successor shall qualify.

2326-84. Section 138. The Superintendent of Schools, as the executive officer of the Board of Education, shall see that the laws relating to the schools, the enacted and published rules and regulations and the policies of the State Board of Educa-

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tion, and the rules and regulations and policies of the Board of Education of the particular special school district are carried into effect.

2326-85. Section 139. The Superintendent of Schools shall explain the true intent and meaning of the school laws and of the rules and regulations of the State Board of Education, subject to the approval in writing of the State Board of Education; he shall decide, without expense to the parties concerned, all controversies and disputes involving the rules and regulations of the Board of Education of the respective special school district and the proper administration of the public schools of the district, and his decision shall be final except that an appeal may be had to the State Board of Education if taken in writing within thirty (30) days. The superintendent of Schools shall have authority to administer oaths, and to examine under oath in any part of the respective special school district, witnesses in any matter pertaining to the public schools of the district, and to cause the examination to be reduced to writing. Any person who, having been sworn or affirmed by him to tell the truth, wilfully gives false testimony, shall be guilty of false swearing and shall be punished accordingly.

2326-86. Section 140. The Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall recommend for approval and adoption by the Board of Education the kind, grade, and location of the schools to be established and maintained in the respective special school district.

2326-87. Section 141. The Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall recommend for approval and adoption by the Board of Education of the respective special school district policies adapted to promoting the educational interest of the district and rules and regulations for the conduct of the schools of the district.

2326-88. Section 142. The Superintendent of Schools, as the executive officer of the Board of Education shall call and con-

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duct conferences with the supervisors, attendance officers, principals, and teachers of the respective special school district, and shall in every way seek to foster in teachers professional insight and efficiency and develop public interest in education.

2326-89. Section 143. The Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall develop a building program adequate to meet the needs of the schools of the respective school district, and shall submit the same for approval and adoption by the Board of Education. The Superintendent of Schools shall recommend to the Board of Education for condemnation school buildings which are insanitary and unfit for use; he shall recommend in writing all repairs, the purchase of playgrounds, school grounds or school sites, and buildings, or the sale of the same, and shall prepare or cause to be prepared all plans and specifications for the remodeling of old buildings and the construction of new buildings, subject to the provisions of Section 36 of this Chapter; and he shall recommend, in his discretion, to the Board of Education an architect or architects to assist in the preparation of plans and specifications for remodeling old buildings or the construction of new buildings, and shall supervise such remodeling and construction. He shall approve in writing all contracts of whatever kind entered into by the Board of Education of the respective special school district, and no contract entered into by the Board of Education of the respective special school district shall be valid without the written approval of its Superintendent of Schools.

2326-90. Section 144. The Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall prepare rules and regulations for grading and standardizing all the public schools of the district and shall submit the same for approval and adoption by the Board of Education. He shall grade and standardize all the public schools of the district and shall recommend the same for approval by the Board of Education.

2326-91. Section 145. The Superintendent of Schools, sub-

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ject to the provisions of this Chapter, the prescribed courses of study, and the policies and rules and regulations of the State Board of Education, and of the Board of Education of the respective special school district, shall prescribe courses of study for the schools of the respective school district and submit the same for approval and adoption by the Board of Education. Printed copies of these courses of study shall be supplied to every teacher and every interested citizen of the district.

2326-92. Section 146. The Superintendent of Schools shall be the representative of the State Commissioner of Education in all State examinations for teachers' certificates conducted within the respective special school district, and shall perform such duties in connection therewith as may be required by the State Commissioner of Education.

2326-93. Section 147. The Superintendent of Schools shall nominate in writing for appointment by the Board of Education, and fix their salaries, subject to the provisions of Article 9 of this Chapter and the salary provisions of Section 112 of Article 4, and to the approval of the Board, all principals, all teachers, supervisors, attendance officers, janitors, and all other regular employees of the Board, shall assign to them their positions, transfer them as the needs of the schools require, recommend them for promotion, suspend them for cause, and recommend them for dismissal.

2326-94. Section 148. The Superintendent of Schools shall organize institutes for teachers and citizens, shall organize and direct the reading circle work of the district, advise teachers as to their further study and professional reading, and assist parents and citizens to acquire a knowledge of the aims and work of the schools of the district.

2326-95. Section 149. The Superintendent of Schools shall select from the textbook list prescribed by the State Board of Education such textbooks as are needed by the schools; also select such supplementary readers, maps, globes, and charts, materials of instruction, stationery, and school supplies, school furniture, educational equipment, apparatus and supplies as

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are necessary to the work of the schools, and recommend in writing the adoption, purchase, and distribution of the same by the Board of Education of the respective special school district. No contract for textbooks, supplementary readers, maps, globes, and charts, materials of instruction, stationery and school supplies, school furniture, educational equipment, apparatus and supplies shall be valid without the written approval of the Superintendent of Schools.

2326-96. Section 150. The Superintendent of Schools shall visit the schools, observe the management and instruction, and give suggestions for the improvements of the same. He shall advise with principals and teachers, and shall labor in every way to awaken public interest and improve educational conditions within the respective special school district.

2326-97. Section 151. The Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall prepare forms and blanks upon which principals, teachers, supervisors, attendance officers, janitors, and other regular employees shall make such reports as shall be required on the recommendation of the Superintendent of Schools by the Board of Education, and shall submit the same for approval to the Board of Education.

2326-98. Section 152. The Superintendent of Schools, subject to the provisions of this Chapter, the policies and rules and regulations of the State Board of Education, shall prepare the annual school budget provided for in Section 131 of this Chapter, and shall submit the same for approval and adoption by the Board of Education. He shall in every way seek to secure adequate funds for the support and development of the schools of the respective special school district.

2326-99. Section 153. The Superintendent of Schools shall direct the taking, in the respective special school district, of the biennial school census provided for in Section 20 of this Chapter.

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2326-100. Section 154. The Superintendent of Schools in such special school districts as employ attendance officers, shall, subject to the rules and regulations of the State Board of Education, enforce the provisions of Article 10 of this Chapter relating to school attendance. In such special school districts as do not employ attendance officers, the Superintendents of Schools shall co-operate in every way with the County Superintendents of Schools in the enforcement of the provisions of Article 10 of this Chapter relating to school attendance.

2326-101. Section 155. The Superintendent of Schools shall prepare, or cause to be prepared, and submit to the Board of Education for adoption, all reports required by the State Board of Education; and he shall prepare, or cause to be prepared, and submit for approval to the Board of Education the annual report addressed to the people of the respective special school district provided for in Section 135 of this Chapter.

2326-102. Section 156. The Superintendent of Schools, acting under the rules and regulations of the Board of Education, shall be responsible for the administration of the office of the Superintendent of Schools, and he shall see that all regular appointees of the Board of Education devote their entire time to their duties.

2326-103. Section 156-A. The Board of Education shall provide the Superintendent of Schools and his professional and clerical assistants with ample, convenient, and comfortable office quarters, and with adequate clerical supplies and equipment.

2326-104. Section 157. The Superintendent of Schools shall perform such other duties as are assigned to him elsewhere in this Chapter, or may be assigned to him from time to time by the Board of Education and the General Assembly.

ARTICLE 7. BOARDS OF SCHOOL TRUSTEES

2326-105. Section 158. In each school attendance district of the county school system there shall be, as the local representative of the County Board of Education and as the representa-

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tive of local educational interest, a Board of School Trustees. There shall be one such Board for each school attendance district. Boards of school trustees shall be composed of three members elected from the residents of the several school attendance districts at the annual school election for a term of three years from the first day of July next succeeding their election, and they shall hold office until their successors qualify. Provided that when this Act goes into effect, and as soon after July 1st, 1919, as possible, the County Boards of Education of the respective counties shall appoint from the residents of the several school attendance districts of their respective counties three members of the Board of School Trustees of the respective school attendance districts in their respective counties, who shall take office immediately, and serve until the first day of July 1920, and until their respective successors qualify.

At the school election of 1920, three members shall be elected to the Board of Trustees of each school attendance district, one to serve for one year, or until the first day of July 1921, one to serve for two years, or until the first day of July 1922, one to serve for three years, or until the first day of July 1923, and until their respective successors qualify. Provided that in the first election under the provisions of this section, the candidate receiving the highest number of votes shall be declared elected for three years; the candidate receiving the next higher number of votes shall be declared elected for two years, and the candidate receiving the next highest number of votes shall be declared elected for one year. Thereafter, one member shall be elected at the school election in each school attendance district for the school term of three years. Provided, that nominations for members of the Board of School Trustees of the respective school attendance districts may be made on the day of the school election, and without petition. And provided, also, that the name of any person to be voted for as a member of the Board of School Trustees may be written upon the ballot of any voter. A County Board of Education may remove any member of a Board of School Trustees of the same county for immorality, misconduct in office, incompetency or wilful neglect of duty, giving to him a copy of the charges against him, and an opportunity of being publicly heard in person, or by counsel,

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in his own defense upon not less than ten (10) days' notice. Vacancies on the Boards for any cause shall be filled by the County Boards of Education for the unexpired term, and until his successor qualifies. If, for any reason, it should be found impossible to provide any school attendance district with a Board of School Trustees, the duties of the Board for the particular school attendance district shall devolve upon the County Board of Education.

2326-106. Section 159. The office of the Board of School Trustees shall be the schoolhouse of the respective school attendance district. The board of School Trustees shall meet on the first Saturday in the month of July after their election, and shall elect one of its members to serve as President, and shall give notice of such election to the Secretary of the County Board of Education of the respective County. Other regular meetings of the Board shall be held on the third Friday of September, December and March, and such special meetings may be held as the duties and business of the Board may require. The rules generally adopted by deliberative bodies for their government shall be observed by the Boards of School Trustees. No motion or resolution shall be declared adopted, without the consent of a majority of the whole Board.

2326-107. Section 160. The principal or the teacher or the senior teacher of the school of the respective school attendance district shall be the Secretary of the Board of School Trustees. The principal or the teacher or the senior teacher, thus acting as secretary, shall attend all meetings of the Board, except when the given principal or teacher or senior teacher is under consideration; shall have the right to speak upon all questions, but shall have no right to vote; shall prepare for adoption all reports required of this Board; shall keep all its records; shall keep the minutes of the meetings of the Board and its accounts in a record book provided by the County Board of Education, and shall conduct the correspondence of the Board. Any teacher of the school of the respective school attendance district shall have the right to appear before the Board and speak upon any question, but no teacher shall be entitled to be present when the respective teacher is under con-

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sideration. In case the principalship of the school of the respective school attendance district is vacant or there is no teacher, or whenever the principal or teacher is absent by reason of the business in hand or otherwise, the Board shall appoint one of its members to act for the time being as Secretary.

2326-108. Section 161. The Board of School Trustees shall have the care in its respective school attendance district of the buildings and land connected therewith intended for school purposes, also the school apparatus and other school property. They shall attend to all incidental repairs, and charge the cost among the incidental expenses of the school to be paid by the County Board of Education. Provided that when the repairs are to be paid by the County Board of Education, the amount to be expended shall be approved by the County Superintendent of Schools and authorized by the County Board of Education before the repairs are made.

2326-109. Section 162. The Board of School Trustees shall meet, each year, at the call of the President at least two months before the usual time of the preparation of the annual school budget by the County Board of Education, to consider the condition and needs of the school property of its respective school attendance district, and shall report its findings and its recommendations to the County Board of Education.

2326-110. Section 163. Any person who shall disturb a public school in session or wilfully destroy any public school property shall, upon conviction thereof be deemed guilty of a misdemeanor, and shall upon conviction forfeit and pay twenty dollars (\$20), to be collected as other fines, and paid to the Board of School Trustees for the benefit of the respective school attendance district; or said offender shall be imprisoned not exceeding thirty days, or both, in the discretion of the court.

2326-111. Section 164. The Board of School Trustees shall employ and fix the salary of a janitor or janitors for the school of its respective school attendance district, subject to the approval of the County Superintendent of Schools. No teacher shall be required to do janitorial service, but where it is impos-

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sible or otherwise impracticable to employ a janitor or janitors, the Board of School Trustees may employ a teacher or teachers, paying the usual wages for such janitorial services, but the amount received for such janitorial service shall not be regarded or considered as a part of the teacher's annual salary as a teacher.

2326-112. Section 165. The Board of School Trustees shall have the power to refuse to accept the original assignment of a principal, or teacher, or teachers to the school of its respective school attendance district, and on notification of such refusal, the County Superintendent of Schools shall name another principal or another teacher for each teacher so refused by the Board of School Trustees. Provided, that the County Superintendent of Schools shall not be required to name more than two principals or two teachers for any one place in said school.

2326-113. Section 166. The Board of School Trustees shall meet at the school of its respective school attendance district on the Saturday preceding the day for opening the school for the school year, have present the principal, or teacher, and teachers, and discuss the general policy of conducting the school, and take definite steps toward making the school a real centre for the community's civic and educational activities.

2326-114. Section 167. The Board of School Trustees shall visit the school of its respective school attendance district, and shall seek in every way to develop public sentiment in support of the school. In case of dissatisfaction, they may file, with the County Board of Education, written charges requesting the removal of the principal or teacher, or teachers.

2326-115. Section 168. When the citizens of any community are organized into a nonpartisan, nonsectarian, nonexclusive association for the presentation and discussion of public questions, such organizations, upon request in writing to the Board of School Trustees of any school attendance district shall have the free use of the schoolhouse for weekly, bi-weekly, or monthly gatherings, or at such times as the citizens' organization shall request or designate; provided that said meetings shall be held

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during those hours when the school building is not being used for its principal purpose.

The Board of School Trustees and Boards of Education of special school districts shall allow, on written request, the free use of the schoolhouse or schoolhouses under their jurisdiction for farmers' meetings, public speakings, lectures, entertainments, church festivals, Red Cross meetings, Y. M. C. A. meetings, political meetings, or for any other purposes which are for the civic welfare. Provided that the person or persons making application for the use of a schoolhouse for a public meeting shall be responsible for all damage to the property occurring at such meeting, ordinary wear and tear excluded, and upon failure of the person or persons to respond in damages for any such injury to the property, the Board in charge of the schoolhouse may refuse all future applications until such injury is repaired without expense to the Board in charge of the property.

ARTICLE 8. TEACHERS' CERTIFICATES

2326-116. Section 169. The examination and certification of teachers, after July 1, 1920, shall be a State function, and all examinations for teachers' certificates shall be on uniform questions prepared, subject to the approval of the State Board of Education, and sent out by the State Commissioner of Education either in person or through his assistants. All examination papers shall be forwarded to, read and graded by, the State Commissioner of Education, either in person or by his assistants. The County Superintendents of Schools and the Superintendents of Schools of special school districts shall render such assistance in conducting examinations as may be required by the State Commissioner of Education. All details connected with examinations for teachers' certificates, the exchange and the renewal of the same, the granting of such on certificates or diplomas, and the conditions under which certificates, diplomas, and degrees of institutions of the State of Delaware and of other States will be recognized, not provided for in this Article, shall be determined by the State Board of Education. The Commissioner of Education shall publish a

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bulletin containing full information of the time and place, the number and kinds of examinations, the rules and regulations controlling examinations, and the issuance of certificates on credentials or diplomas.

2326-117. Section 170. No person shall be employed as county superintendent of schools, superintendent of schools of a special school district, assistant superintendent, supervisor, principal, or teacher unless such person shall hold a certificate issued by the State Board of Education, of the kind and grade required for the position, but any county or special school district may require as a condition of employment a higher standard for a certificate of a similar kind and grade than is required by the State. Provided that all teachers' certificates in force at the time this Section goes into effect shall be exchanged for State certificates of equal time value and validity. Provided further, that no certificate heretofore issued shall be valid after this Section goes into effect, for appointment to the position of county superintendent of schools, superintendent of schools of a special school district, assistant superintendent, supervisor, high school principal, high school and elementary school principal, or elementary school principal in elementary schools having three teachers or more, including the principal, high school teacher, or elementary school teacher in special school districts, except in case of persons holding the foregoing positions at the time this Section goes into effect, and then valid only in the particular county or special school district in which they are employed at the time this Section goes into effect.

2326-118. Section 171. The certificates hereafter to be granted shall be:

(1) A certificate in administration and supervision, valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit and required of all county superintendents, may be issued to persons who are graduates of a standard college or university, who have completed in addition one graduate year's work at a recognized university, including public school administra-

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tion, supervision, and method of teaching, and who have had five (5) years' experience as administrator or teacher.

(2) A certificate in elementary school supervision, valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and required of assistant superintendents and elementary school supervisors, may be granted to persons who are graduates of a two year standard normal school, who have completed in addition two academic years' work at a standard college or university, including academic branches related to the elementary school and elementary school methods and supervision, and who have had three (3) years' experience in elementary schools as supervisor or teacher. Such a certificate may also be granted to persons who are graduates of a four year course of a standard college or university, who have had as a part of their college or university course, work in academic branches related to the elementary school and in elementary school methods and supervision, and who have had three (3) years' experience in elementary schools as supervisor or teacher.

(3) A certificate in supervision (special), valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and required of special supervisors in physical training, music, fine and applied arts, household arts, manual or industrial training, agriculture, etc., may be granted to persons who have had four years of work of a college grade, who have specialized in the branch or branches for which the certificate is issued, including the art of teaching and supervising their particular specialty, and who have had three (3) years' experience as supervisor or teacher of their specialty.

(4) A superintendent of schools' certificate, valid in all special school districts of the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and also valid as a high school principal's certificate, and required in all special school districts, may be granted to persons who are graduates of a standard college or university, who have had in addition a year's graduate work at

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a standard university, including elementary school and high school methods, supervision and administration, and who have had three (3) years' experience as administrative, principal or teacher.

(5) A high school principal's certificate, valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and required in all first class State aided high schools, may be granted to persons who are graduates of a standard college or university, who have had in addition a year's graduate work at a standard university, including high school methods, supervision, and administration, and who have had two (2) years' experience as principal or teacher. This certificate is also valid in second class State aided high schools.

(6) A high and elementary school principal's certificate valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and required in all State aided high schools of the second class and in all schools rated as high schools by the Commissioner of Education, may be granted to persons who are graduates of a standard college or university, who have had, as a part of their college or university course, work in the teaching of elementary school and high school subjects and in supervision and administration, and who have had one (1) year's experience as principal or teacher. This certificate is also valid in an elementary school, when such elementary school is in the same building as a second class State aided high school or school rated as a high school by the State Commissioner of Education.

(7) A high school teacher's certificate in the regular academic studies, valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and required in all State aided high schools and all schools rated as high schools by the State Commissioner of Education, may be granted to persons who are graduates of a standard college or university, provided that during their college course at least two high school branches were continuously pursued for two years, and that they have

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had work in the aims and methods of secondary education, and practice teaching of high school studies; provided further that the State Commissioner of Education may in his discretion certificate persons possessing the foregoing qualifications to *each in the advanced grades of elementary schools.

(8) A high school teacher's certificate in the special branches of music, manual or industrial training, household arts, fine and applied arts, commercial branches, physical training, agriculture, etc., valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and required in all State aided high schools and all schools rated as high schools by the State Commissioner of Education, may be granted to persons who have had four years' work of a college grade, and who have specialized in the branch or branches for which the certificate is issued, including the art of teaching their particular specialty.

(9) An elementary school principal's certificate, valid throughout the State for three years, renewable for three year periods on evidence of successful experience and professional spirit, and required in all elementary schools having three or more teachers including the principal may be granted to persons who have completed a two year standard normal school course, who have had in addition not less than a full half year's work at a recognized college or university in elementary school methods, supervision, and administration, and who have had three (3) years' teaching experience. Such a certificate may also be granted to persons having had equivalent academic and professional work in a recognized college or university and who have had three (3) years teaching experience.

(10) An elementary school teacher's certificate of the first grade, valid for three years in the elementary schools of the State, required in the elementary schools of all special school districts, renewable for three year periods on evidence of successful experience and professional spirit, may be issued to persons who have completed a two year professional elementary school course in a standard normal school, college or university. Provided also that an elementary school teacher's cer-

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fificate of the first grade, valid for three years in the kindergarten and first three primary grades of the elementary schools of the State, required in the elementary schools of all special school districts, and renewable for three year periods on evidence of successful experience and professional spirit, may be granted to persons who have completed a two year professional course in kindergarten or in primary work in a standard normal school, college or university. Provided further that elementary school teachers' certificates of no other grade may be issued after July 1st, 1935.

(11) An elementary school teacher's certificate of the second grade, valid for two years in the elementary schools of the State, except in the elementary schools of special school districts, may be issued to graduates of high schools having a four year course, or the equivalent, on examination in reading, spelling, handwriting, arithmetic, oral and written English, geography, history of the United States and of Delaware, community civics, elementary science, hygiene and sanitation, music, drawing, handwork, physical training, the theory and practice of teaching, and such other subjects as may be required by the State Board of Education. Provided that no applicant shall be granted such a certificate who has not completed at least six weeks of professional preparation in a standard institution, nor shall such certificate be issued to any person under twenty (20) years of age. Provided further, that this certificate may be renewed for a period of two years on evidence of successful experience and completion of not less than six weeks of additional academic and professional preparation in a standard institution. This certificate may be renewed for a second time for a period of three years, next succeeding or otherwise, on evidence of successful experience and completion of not less than six additional weeks of academic and professional preparation in a standard institution, and so on for an indefinite number of three year periods, successive or otherwise; but this certificate may not be issued a second time to the same person on examination. Elementary school teachers' certificates of this grade may not be issued after July 1st, 1935.

(12) An elementary school teacher's certificate of the third

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grade, valid for two years in the elementary schools of the State, except in the elementary schools of special school districts, may be issued to persons having had less than a four year high school course, on examination in reading, spelling, handwriting, arithmetic, oral and written English, geography, history of the United States and Delaware, community civics, elementary school science, hygiene and sanitation, physical training, the theory and practice of teaching, and such other subjects as may be required by the State Board of Education. Provided that no applicant shall be granted such a certificate who has not completed at least six weeks of professional preparation in a standard institution, nor shall such certificate be issued to any person under twenty (20) years of age. Provided, that this certificate may be renewed for one year on presentation of evidence of successful experience and completion of not less than six weeks of additional academic and professional preparation in a standard institution. Provided further, that this certificate may be renewed for a second time for a period of three years, next succeeding or otherwise, on evidence of successful experience and completion of an additional six weeks of academic and professional preparation in a standard institution, and so on for an indefinite number of three year periods, successive or otherwise; but this certificate may not be issued a second time to the same person on examination. Elementary school teachers' certificates of this grade may not be issued after July 1st, 1930.

(13) County Superintendents of Schools may issue elementary school teachers' certificates of the second and third grade, valid only in their respective counties and valid only until the next State examination. Such provisional certificates may not be renewed unless such renewal is approved by the State Commissioner of Education. Nor shall such provisional certificates be issued to persons under twenty (20) years of age. Provided, further, that the State Board of Education in co-operation with the Federal Board for Vocational Education shall fix the standards for the certification of teachers in vocational schools or classes receiving Federal Aid.

2326-120. Section 172. Any County Board of Education or

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tificate of the first grade, valid for three years in the kindergarten and first three primary grades of the elementary schools of the State, required in the elementary schools of all special school districts, and renewable for three year periods on evidence of successful experience and professional spirit, may be granted to persons who have completed a two year professional course in kindergarten or in primary work in a standard normal school, college or university. Provided further that elementary school teachers' certificates of no other grade may be issued after July 1st, 1935.

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2326-120. Section 172. Any County Board of Education or

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any Board of Education of a special school district may, on the recommendation of its respective Superintendent of Schools, suspend any teacher, principal, supervisor, or assistant superintendent, for immorality, misconduct in office, incompetency, or wilful neglect of duty, and may recommend to the State Commissioner of Education the revocation of the certificate of such person, stating in writing the grounds for such recommendations, and giving an opportunity, upon not less than ten days' notice, to be heard in defense, in person or by counsel, and the State Board of Education may order such investigations as it may deem necessary. If the State Board of Education approves the recommendation, the person's certificate shall be revoked and the person shall be dropped from the service.

2326-121. Section 173. The State Commissioner of Education shall keep a full and complete record of the academic preparation, the professional training and teaching experience of each applicant to whom a certificate is issued. He shall keep a complete record and file of all certificates issued and of all certificates in force. He shall make known to County Superintendents and to Superintendents of special school districts the names of teachers holding certificates who are unemployed, but seeking positions and no provisional certificate may be issued by a County Superintendent when it is possible to employ persons holding regularly issued certificates; nor shall persons be employed in the elementary schools of a county school system holding elementary school teachers' certificates of the third grade when it is possible to employ persons holding elementary school teachers' certificates of the second grade; nor shall persons be employed holding elementary school teachers' certificates of the second grade when it is possible to employ persons holding elementary school teachers' certificates of the first grade.

2326-122. Section 174. Principals' and teachers' certificates shall be of two classes: first class and second class. All principals' and teachers' certificates issued by the State Board of Education shall, when issued, be of the second class, and shall be subject to classification by County Superintendents and Superintendents of Schools of special school districts. The cer-

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tificates of all principals and teachers employed shall be respectively classified by County Superintendents and Superintendents of Schools of special school districts not less than once in two years. In determining the class of the certificate of a particular principal or teacher, the following points are to be considered: (a) scholarship; (b) executive ability; (c) personality; and (d) teaching power. County Superintendents and Superintendents of Schools of special school districts may add such other requirements as are approved by the State Commissioner of Education. County Superintendent of Schools and Superintendents of Schools of special school districts shall keep a record of the kind, grade, and class of certificate held by each principal and teacher employed and on or before the first day of October each year shall submit to their respective Boards of Education a list of all principals and teachers employed, together with the kind, grade, and class of their certificates, and a copy of this report shall be transmitted to the State Commissioner of Education.

ARTICLE 9. TEACHERS' SALARIES

2326-123. Section 175. No teacher holding a provisional elementary school teacher's certificate of the third grade shall be employed in any free public school of the State at an annual salary of less than four hundred dollars (\$400); and no teacher holding a provisional elementary school teacher's certificate of the second grade shall be employed in any free public school of the State at an annual salary of less than four hundred and fifty dollars (\$450).

2326-124. Section 176. No teacher holding an elementary school teacher's certificate of the third grade as defined in Article 8 of this Chapter shall be employed in any free public school of the State at an annual salary of less than five hundred dollars (500). Provided that if such teacher holding an elementary school teacher's certificate of the third grade, classified as first class, as provided for in Article 8 of this Chapter, has taught in the free public schools of the State two (2) full school years, such teacher shall thereafter receive an annual salary of

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not less than six hundred dollars (\$600) ; provided further that if such teacher holding an elementary school teacher's certificate of the third grade, classified as first class, has taught in the free public schools of the State four (4) full school years, such teacher shall thereafter receive an annual salary of not less than seven hundred dollars (\$700) ; and provided further that if such teacher holding an elementary school teacher's certificate of the third grade, classified as first class, has taught in the free public schools of the State six (6) full school years, such teacher shall thereafter receive an annual salary of not less than eight hundred dollars (\$800).

2326-125. Section 177. No teacher holding an elementary school teacher's certificate of the second grade, as defined in Article 8 of this Chapter, shall be employed in any free public school of the State at an annual salary of less than six hundred dollars (\$600). Provided that if such teacher holding an elementary school teacher's certificate of the second grade, classified as first class as provided for in Article 8 of this Chapter, has taught in the free public schools of the State two (2) full school years, such teacher shall thereafter receive an annual salary of not less than seven hundred dollars (\$700) ; provided further that if such teacher holding an elementary school teacher's certificate of the second grade classified as first class, has taught in the free public schools of the State four (4) full school years, such teacher shall thereafter receive an annual salary of not less than eight hundred dollars (\$800) ; and provided further that if such teacher holding an elementary school teacher's certificate of the second grade, classified as first class, has taught in free public schools of the State six (6) full school years, such teacher shall thereafter receive an annual salary of not less than nine hundred dollars (\$900).

2326-126. Section 178. No teacher holding an elementary school teacher's certificate of the first grade, as defined in Article 8 of this Chapter, shall be employed in any free public school of the State at an annual salary of less than seven hundred and fifty dollars (\$750). Provided that if such teacher holding an elementary school teacher's certificate of the first grade, classified as first class as provided for in Article 8 of this

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Chapter, has taught in the free public schools of the State two (2) full school years, such teacher shall thereafter receive an annual salary of not less than eight hundred and fifty dollars (\$850); provided further that if such teacher holding an elementary school teacher's certificate of the first grade, classified as first class, has taught in the free public schools of the State four (4) full school years, such teacher shall thereafter receive an annual salary of not less than eight hundred and fifty dollars (\$850); provided further that if such teacher holding an elementary school teacher's certificate of the first grade, classified as first class, has taught in the free public schools of the State six (6) full school years, such teacher shall thereafter receive an annual salary of not less than one thousand and fifty dollars (\$1,050).

2326-127. Section 179. No principal holding an elementary school principal's certificate as defined in Article 8 of this Chapter, shall be employed as principal in any free public elementary school of the State having three or more teachers including the principal, at an annual salary of less than nine hundred and fifty dollars (\$950). Provided that if such a principal holding an elementary school principal's certificate, classified as first class as provided for in Article 8 of this Chapter, has served as principal of a free public elementary school of the State having three or more teachers including the principal, two (2) full school years, such principal shall thereafter receive an annual salary of not less than one thousand and fifty dollars (\$1,050); provided further that if such principal holding an elementary school principal's certificate, classified as first class, has served as principal of a free public elementary school of the State having three or more teachers including the principal four (4) full school years, such principal shall thereafter receive an annual salary of not less than eleven hundred and fifty dollars (\$1150); and provided further that if such principal holding an elementary school principal's certificate, classified as first class, has served as principal of a free public elementary school of the State having three or more teachers including the principal six (6) full school years, such principal shall thereafter receive an annual salary of not less than twelve hundred and fifty dollars (\$1250).

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2326-128. Section 180. No teacher holding a high school teacher's certificate as defined in Article 8 of this Chapter, shall be employed in any free public high school of the State at an annual salary of less than eight hundred dollars (\$800). Provided that if such teacher holding a high school teacher's certificate, classified as first class as provided for in Article 8 of this Chapter, has taught in a free public high school of the State two (2) full school years, such teacher shall thereafter receive an annual salary of not less than one thousand dollars (\$1000); provided further that if such teacher holding a high school teacher's certificate, classified as first class, has taught in a free public high school of the State four (4) full school years, such teacher shall thereafter receive an annual salary of not less than twelve hundred dollars (\$1200); and provided further that if such teacher holding a high school teacher's certificate, classified as first class, has taught in a free public high school of the State six (6) full school years, such teacher shall thereafter receive an annual salary of not less than fourteen hundred dollars (\$1400).

2326-129. Section 181. No principal holding a high and elementary school principal's certificate as defined in Article 8 of this Chapter shall be employed in any free public high and elementary school of the State at an annual salary of less than one thousand dollars (\$1000). Provided that if such principal holding a high and elementary school principal's certificate, classified as first class as provided for in Article 8 of this Chapter, has served as principal of a free public high and elementary school of the State two (2) full school years, such principal shall thereafter receive an annual salary of not less than twelve hundred dollars (\$1200); provided further that if such principal holding a high and elementary school principal's certificate, classified as first class, has served as principal of a free public high and elementary school of the State four (4) full school years, such principal shall thereafter receive an annual salary of not less than fourteen hundred dollars (\$1400); and provided further that if such principal holding a high and elementary school principal's certificate, classified as first class, has served as principal of a free public high and elementary school of the State six (6) full school years, such principal shall

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thereafter receive an annual salary of not less than sixteen hundred dollars (\$1600).

2326-130. Section 182. No principal holding a high school principal's certificate as defined in Article 8 of this Chapter shall be employed in any free public high school of the first class of the State at an annual salary of less than twelve hundred dollars (\$1200). Provided that if such principal holding a high school principal's certificate, classified as first class as provided for in Article 8 of this Chapter, has served as principal of a free public high school of the first class of the State two (2) full school years, such principal shall thereafter receive an annual salary of not less than fourteen hundred dollars (\$1400); provided further that if such principal holding a high school principal's certificate, classified as first class, has served as principal of a free public high school of the first class of the State four (4) full school years, such principal shall thereafter receive an annual salary of not less than sixteen hundred dollars (\$1600); and provided further that if such principal holding a high school principal's certificate, classified as first class, has served as principal of a free public high school of the first class of the State six (6) full school years, such principal shall thereafter receive an annual salary of not less than eighteen hundred dollars (\$1800).

2326-131. Section 183. No superintendent of schools holding a superintendent of schools' certificate as defined in Article 8 of this Chapter shall be employed as superintendent of the free public schools of any special school district of the State at an annual salary of less than sixteen hundred dollars (\$1600). Provided that if such superintendent of schools holding a superintendent of schools' certificate has served as superintendent of the free public schools of any special school district of the State two (2) full school years, such superintendent of schools shall thereafter receive an annual salary of not less than eighteen hundred dollars (\$1800); provided further that if such superintendent of schools holding a superintendent of Schools' certificate has served as superintendent of the free public schools of any special school district of the State four (4) full school years, such superintendent of

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schools shall thereafter receive an annual salary of not less than two thousand dollars (\$2000); provided further that if such superintendent of schools holding a superintendent of schools' certificate has served as superintendent of the free public schools of any special school district of the State six (6) full school years, such superintendent of schools shall thereafter receive an annual salary of not less than twenty-two hundred dollars (\$2200).

2326-132. Section 184. Any County Board of Education or any Board of Education of a special school district may pay higher salaries than are prescribed in the scale of salaries provided for in this Article, but no County Board of Education or Board of Education of a special school district may pay lower salaries than are provided for in this Article; and the salary of no superintendent of schools, principal, or teacher employed at the time this Article goes into effect shall be diminished by reason of the provisions of this Article, but every superintendent of schools, principal, and teacher shall be entitled to any increase in salary, beginning with the school year 1919-1920, that may herein be granted when this Article goes into effect; provided that the length of service required to give additional salary, as provided in this Article, shall be reckoned from the date of the approval of this Act.

2326-133. Section 185. Every County Board of Education and every Board of Education of a special school district is authorized, empowered, directed, and required to provide in its respective annual school budget funds to meet the scale of salaries provided for in this Article.

2326-134. Section 186. The salaries of county superintendent of schools, supervisors, attendance officers, superintendents of schools, principals, teachers, and of all other regular employees of County Boards of Education and of Boards of Education of special school districts shall be paid monthly, on or before the tenth (10th) day of each calendar month succeeding that for which the salary is due, but no person shall be entitled to receive payment for services unless all required current

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records are accurately and correctly kept and all required reports are made and submitted.

ARTICLE 10. SCHOOL ATTENDANCE

2326-135. Section 187. Every parent, guardian, or other person in this State having control of a child between the ages of seven and fourteen is required to and shall send such child to a free public school during the entire period of each year the free public schools of the county or the special school district in which said child resides are in session, unless it can be shown to the satisfaction, and witnessed by written endorsement, of the respective County Superintendent of Schools or to the respective Superintendent of Schools of the given special school district that such child is elsewhere receiving regular and thorough instruction during such period in the studies taught in the free public schools of the State to children of the same age and stage of advancement. Provided that the County Superintendents of Schools and the Superintendents of Schools of special school districts, or persons duly authorized by such Superintendents of Schools, may excuse, subject to the rules and regulations of the State Board of Education, cases of necessary and legal absence of pupils enrolled in the public schools. Provided further that the provisions of this Section shall not apply to children whose mental or physical condition, as attested by a physician's certificate, is such as to render the instruction above described inexpedient or impracticable. And provided further that private teachers in families, and principals and teachers in private schools and educational institutions, whose instruction in lieu of public school attendance has the written endorsement of the respective County Superintendent of Schools or of the Superintendent of Schools of the given special school district, may excuse, subject to the rules and regulations of the State Board of Education, cases of necessary and legal absence of pupils from school work, but such private teachers and such principals and teachers in private schools and educational institutions shall make, to the respective County Superintendent of Schools or respective Superintendent of Schools of the given special school district, all reports on the attendance of children

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in their charge and under their instruction as may be required by the State Board of Education.

2326-136. Section 188. Every person, guardian, or other person in this State having control of a child fourteen years of age or fifteen years of age or sixteen years of age, who has not completed the work of the eighth grade of the free public schools, is required to and shall send such child to the free public schools of the county or special school district in which the child resides, not less than one hundred (100) days, as nearly consecutive as possible, beginning not later than November first, during the period of each year the free public school of the respective county or special school district are in session; and such child shall be sent to school the entire period of each year, the free public schools of the respective county or special school district are in session if not regularly or legally employed to labor at home or elsewhere, unless it can be shown to the satisfaction, and witnessed by written endorsement, of the County Superintendent of Schools or of the respective Superintendent of Schools of the given special school district that such child is elsewhere receiving regular and thorough instruction during such period in the studies taught in the free public schools of the State to children of the same age and stage of advancement. Provided that the provisions of this Section shall not apply to children whose mental or physical condition, as attested by a physician's certificate, is such as to render the instruction above described inexpedient or impracticable. Provided further that private teachers, principals and teachers in private schools and educational institutions shall make, to the respective County Superintendent of Schools or Superintendent of Schools of the given special school district, all reports on the attendance of such children in their charge and under their instruction as may be required by the State Board of Education.

2326-137. Section 189. For every neglect of duty imposed by Sections 187 and 188 of this Article on parents, guardians, or other persons, the parents, guardians, or other persons offending shall be guilty of a misdemeanor, and shall, upon conviction thereof forfeit a fine of not less than five dollars (\$5) or more than twenty-five dollars (\$25) on first conviction, and

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a fine of not less than twenty-five dollars (\$25) or more than fifty dollars (\$50) for each subsequent conviction, and in default of payment of said fine, the defendant may be committed to the county prison for a period not exceeding two (2) days for the first conviction, and for a period not exceeding five (5) days for each subsequent conviction. Provided, however, that before such action shall be brought for any of the aforesaid penalties, the parent, guardian, or other person liable therefor, shall be notified in writing by the County Superintendent of Schools or by the Superintendent of Schools of the special district, according to the residence of the offending person, of such liability, and shall have opportunity, by compliance with the requirements of this Article within three school days then and thereafter to avoid the imposition of (*) penalty. The mailing of such notice to the usual address of offending party shall be deemed sufficient under this Article. But after such notice has been given, if the same child is absent from school three days or their equivalent in time during the remaining period of compulsory attendance, without excuse provided for by Section 187 of this Article, the parent, guardian, or person in parental relation, shall be liable to prosecution under this Article without further notice.

2326-138. Section 190. The fines provided for by this Article, shall, when collected, be paid over by the officers collecting the same, to the Treasurer of the County Board of Education or of the Board of Education, of the special school district, according to the residence of the person convicted, to be accounted for by such Treasurer as other moneys raised for school purposes; such fines shall be collected by a process of law similar to the collection of other fines.

2326-139. Section 191. It shall be the duty of attendance officers to apprehend or arrest without warrant truants and those who fail to attend school in accordance with the provisions of Sections 187 and 188 of this Article. When an attendance officer apprehends or arrests a truant or other person, as herein set forth, he shall have power immediately to place him or her in the free public schools in which he or she is or should be enrolled; or to place such child, at the expense of the parent,

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guardian, or person in parental relation, under such private person, or in such private school or educational institution, as is provided for in Section 187 of this Article, when so requested.

2326-140. Section 192. The Board of Education of any county, on the recommendation of the County Superintendent of Schools, and the Board of Education of any special school district, on the recommendation of its respective Superintendent of Schools, (*) may establish special schools for children who are habitual truants or who are insubordinate or disorderly during their attendance upon instruction in the free public schools, and may provide for the proper care, maintenance and instruction of such children in such schools and for such period of time as the respective Board, on the recommendation of its respective Superintendent of Schools, may prescribe. But before the pupil shall be placed in such special school, the parent, guardian, or person in parental relation shall have opportunity to be heard.

2326-141. Section 193. All truancy and incorrigibility shall be deemed disorderly conduct, and in case no special school, as herein prescribed, has been established, the County Superintendent of Schools and the Superintendents of Schools of special school districts shall proceed against such truant or incorrigible pupil as a disorderly person, and upon conviction the pupil may be sentenced for a definite time to the Ferris Industrial School for Boys or Delaware Industrial School for Girls. The State Treasurer shall pay to the authorities of the said school the sum of fifty cents (50c) per day, from money not otherwise appropriated, for each day such pupil is confined in said institution.

2326-142. Section 194. County Superintendents of Schools and Superintendents of Schools in special school district, or persons designated by such superintendents, shall issue employment certificates, permits and badges, and the principal or the head teacher of the several free public schools, and private teachers and the principal or head teacher of private schools or educational institutions provided for in Section 187 of this Article shall make out and sign such records as are required by the

*either separately or jointly

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laws regulating child labor as provided by Article 3 of Chapter Ninety, of the Revised Code.

ARTICLE 11. IMPORTATION OF DEPENDENT CHILDREN

2326-143. Section 195. It shall be unlawful for any person, association, or corporation to bring or send, or cause to be brought or sent, into the State of Delaware, any dependent child, for the purpose of placing such child in any home in this State, or for the purpose of procuring the placing of such child in any home by indenture, adoption or otherwise, without first obtaining the written consent of the State Commissioner of Education, and giving bond, as hereinafter provided.

2326-144. Section 196. Before any child shall be brought into this State for any of the purposes provided in Section 195 of this Article, the person, association, or corporation desiring to bring or send any such child into this State, shall execute a bond to the State of Delaware in the penal sum of Three thousand dollars (\$3000) to be approved by the State Commissioner of Education, and to be with surety, if the said State Commissioner of Education shall so require. The condition of said bond shall be substantially that such person, association or corporation shall not bring or send, or cause to be brought or sent, into this State any child that is incorrigible, that is of unsound mind or body, or that is feeble-minded; that such person, association or corporation shall at once, upon the placing of any child, report to the State Commissioner of Education the name and age of such child, and the name and residence of the person with whom placed; that if any such child shall become a public charge before reaching the age of twenty-one years, such person, association or corporation shall, within thirty days after written notice given by the State Commissioner of Education, remove such child from the State; that if, within three years from the time of its arrival in the State, any such child shall be convicted of crime, or misdemeanor, and be imprisoned, that such person, association, or corporation, shall remove any such child from the State immediately upon its being released from

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imprisonment, and, upon failure to remove any such child, after thirty days' notice and demand so to do, or to remove any child that has been convicted as aforesaid, such person, association or corporation, shall, at once, pay to the county, or municipality, wherein the expense was incurred in behalf of such child, such sum as the said county, or municipality, shall have expended in the care, maintenance, or prosecution of such child; that, in placing any child, such person, association, or corporation shall and will enter into contract with the person, with whom placed, requiring that such child shall receive a proper home and suitable care, training and education; that such person, association, or corporation shall properly supervise the care and training of every such child, and that every such child shall be visited, at least once a year, by a responsible agent or representative of the person, association or corporation placing the child; and that such reports shall be made to the State Commissioner of Education as the State Board of Education may from time to time require.

2326-145. Section 197. The State Board of Education shall have general supervision in relation to the importation, placing, removal and supervision of all children placed under the provisions of this Article, and shall make such rules and regulations in relation thereto, and in relation to the rejection of incorrigible, unsound or feeble-minded children, and to the removal of children who have been convicted of crime, or who have become a public charge, as the State Board of Education may deem necessary and proper, not inconsistent with the provisions of this Article.

2326-146. Section 198. Any person, association, or corporation, or any officer, agent or employee thereof, who shall violate any of the provisions of this Article, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than Fifty dollars (\$50) or more than One hundred dollars (\$100)

ARTICLE 12. HIGH SCHOOLS

2326-147. Section 199. For the encouragement of high school education in Delaware, the State shall extend aid to such classes or groups of high schools, in such amounts, in such

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manner, and on such conditions as hereinafter designated and described. All high schools of the State of Delaware receiving State aid shall be arranged by the State Commissioner of Education, subject to the provisions of this Article and the rules and regulations of the State Board of Education, as first class or first group high schools, and as second class or second group high schools.

First class or first group high schools shall meet and continue to fulfill the following minimum conditions and such other conditions as may be prescribed by the State Board of Education: (1) Each such high school shall be in session not less than one hundred and eighty (180) days each school year and give not less than four (4) years of high school instruction. (2) There shall be over each such high school a principal giving not less than one-fourth of his time to high school supervision; such principal may either be the Superintendent of Schools, holding a superintendent of schools' certificate as defined in Article 8 of this Chapter, or a principal holding a high school principal's certificate as defined in Article 8 of this Chapter. (3) There shall be employed in each such high school at least three (3) teachers, or the equivalent in time, of the usual high school studies, exclusive of science, each holding a high school teacher's certificate as defined in Article 8 of this Chapter. (4) There shall be employed in each such high school at least the following special high school teachers, each holding a high school teacher's certificate as defined in Article 8 of this Chapter: (a) a teacher of the industrial and the applied arts for boys, (b) a teacher of the household and applied arts for girls, and (c) a teacher of science and agriculture; such special high school teachers shall give to daily instruction such time as shall be determined by the rules and regulations of the State Board of Education. And (5) there may be employed in each such high school (a) on part or full time, a teacher of the commercial branches, (b) on part or full time, a teacher of music, (c) on part or full time, a teacher of physical training, and (d) on part or full time, such other teachers, each holding high school teachers' certificates as defined in Article 8 of this Chapter, as the respective Board of Education, on the recommendation of its Superintendent of Schools and subject to the approval of the

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State Commissioner of Education, may deem necessary to meet the high school needs of the community.

Second class or second group high schools shall meet and continue to meet the following minimum conditions and such other conditions as may be prescribed by the State Board of Education: (1) Each such high school shall be in session not less than one hundred and eighty (180) days in each school year and give not less than two (2) or more than three (3) years of high school instruction. (2) There shall be over each such high school a principal holding a high and elementary school principal's certificate as defined in Article 8 of this Chapter and giving not less than one fourth of his time to high school supervision. (3) There shall be employed in each such high school at least two (2) teachers, or the equivalent in time, of the usual high school studies, exclusive of science, each holding a high school teacher's certificate as defined in Article 8 of this Chapter. (4) There shall be employed in each such high school at least the following special high school teachers, each holding a high school teacher's certificate as defined in Article 8 of this Chapter: (a) a teacher of the industrial and applied arts for boys, (b) a teacher of the household and applied arts for girls, and (c) a teacher of science and agriculture; such special high school teachers shall give to daily instruction such time as shall be determined by the rules and regulations of the State Board of Education. And (5) there may be employed in each such high school (a) on part or full time, a teacher of the commercial branches, (b) on part or full time, a teacher of music, (c) on part or full time, a teacher of physical training, and (d) on part or full time, such other teachers, each holding a high school teacher's certificate as defined in Article 8 of this Chapter, as the respective Board of Education, on the recommendation of the Superintendent of Schools and subject to the approval of the State Commissioner of Education, may deem necessary to meet the high school needs of the community.

2326-148. Section 200. It shall be the duty of the State Commissioner of Education or an assistant designated by him to make an annual inspection of all high schools receiving State aid, and also such other schools as make application, through

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their respective Boards of Education, to receive said State aid. The State Commissioner of Education shall, on or before the fifteenth day of September of each year, prepare a list of high schools and submit the names for approval and adoption by the State Board of Education, designating the group to which each belongs, the amount of said State aid to which each is entitled, and to whom the same shall be paid. The preparation of this list shall be based on information obtained through inspection, supervision, written reports of the principal or Superintendent of Schools or other reliable sources. He shall certify this list as approved and adopted by the State Board of Education to the State Treasurer, on or before the fifteenth day of September of each year, and the State Treasurer shall pay said amounts as certified above, on or before October the first of each year, to the Treasurers of the respective Boards of Education. Provided that not more than one high school for white children and not more than one high school for colored children in the same city or town shall be granted State aid, unless each additional high school for white children and each additional high school for colored children shall respectively have an average daily attendance in excess of two hundred (200) pupils.

2326-149. Section 201. Each first class high school or high school of the first group in the State shall receive State aid up to one half of the total amount paid locally for high school teachers' salaries, including one-fourth of the salary of the principal or of the Superintendent of Schools serving as principal, provided that the State aid to any such high school shall not exceed twenty-four hundred dollars (\$2400) in any one school year. Each second class high school or high school of the second group in the State shall receive State aid up to one half of the total amount paid locally for high school teachers' salaries, including one-fourth of the salary of the principal, provided that the State aid to any such high school shall not exceed sixteen hundred dollars (\$1600) in any one school year. Provided further that such State aid shall be in addition to any aid that such high schools may receive by reason of the provisions of the Smith-Hughes Vocational Education Act.

2326-150. Section 202. Boards of Education of special

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school districts shall admit to the high schools under their respective jurisdiction pupils from the county systems of schools, on the conditions and at the tuition rate prescribed by the State Board of Education.

2326-151. Section 203. All certificates or diplomas issued to students having completed a course of study in a State aided high school shall show the group to which said high school belongs, the course taken by the student, and the number of years of instruction given; and the graduates of any State aided high school providing four years of instruction shall be admitted without examination to the freshman class of any college of Delaware receiving financial aid from the State.

2326-152. Section 204. The State Board of Education, subject to the provisions of this Article shall prepare courses of study to be used by the respective groups of high schools described in this article, and shall, make rules and regulation for their government.

ARTICLE 13. TRUSTEE OF SCHOOL FUND

2326-153. Section 205. The State Treasurer shall be Trustee of the School Fund, with power to receive, sue for and recover any money, or property bequeathed, given or belonging to said fund, except stock of the Farmers Bank; to vote as holder of any stock belonging to said fund; to lease any real estate devised, given, or belonging thereto, for terms not exceeding three (3) years, and to distrain for and collect the rents thereon accruing, and to improve and manage such estate, as may be proper.

2326-154. Section 206. All moneys or property given, appropriated, or in said fund, are appropriated and dedicated to the purpose of free public education in the State of Delaware. The public faith is solemnly pledged for the faithful appropriation of all bequests, or gifts, to said fund toward the establishment and support of free public schools. The principal of said fund is inviolable, only the current income therefrom may be

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used, and no part of the income of said fund may be applied to any college or university.

2326-155. Section 207. The income of the School Fund shall be apportioned annually to the support of free public schools according to the provision of Section 213 of Article 14 of this Chapter.

2326-156. Section 208. The Auditor of Accounts shall each year as soon as possible after July first audit the investments, the business and financial transactions, and the records and the accounts of the Trustee of the School Fund. The Trustee of the School Fund shall publish the results of such audit, and shall also mention the name of any person who has made within the last year a gift, to said fund, with the amount, or value thereof.

ARTICLE 14. STATE SUPPORT AND DISTRIBUTION OF STATE
SUPPORT

2326-157. Section 209. The State Treasurer shall charge against and pay as hereinbefore or hereinafter provided the annual appropriation made by the General Assembly for the support of the State Department of Education, including the expenses of the State Board of Education, and the support and expenses of the office of the State Commissioner of Education; the annual appropriation for the payment of teachers' expenses for summer school attendance; the annual appropriation for the encouragement of the consolidation of schools; the annual appropriation to meet the provisions of the Smith-Hughes Vocational Education Act; the annual appropriation for the payment of the salaries of county superintendents, county supervisors and county attendance officers; the annual appropriation for State aid to approved high schools; the annual appropriation for State aid to elementary schools; and such other appropriations as may be made for the support and encouragement of the free public schools of the State.

2326-158. Section 210. Such appropriations as are made by the General Assembly for the payment of the expenses of

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the State Board of Education and for the support and expenses of the office of the State Commissioner of Education, also the appropriation for the payment of teachers' expenses for summer school attendance, the appropriation for the encouragement of the consolidation of schools, the appropriation for the payment by the State of the salaries of County Superintendents of Schools, of county supervisors, and of county attendance officers, and the appropriation to meet the provisions of the Smith-Hughes Vocational Education Act and such money as is received from the Federal Government by reason of the provisions of the Smith-Hughes Vocational Education Act, shall be paid by the State Treasurer on the second Tuesday of January of each year, or as soon thereafter as possible, to the Treasurer of the State Board of Education, and the Treasurer of the State Board of Education shall pay out such funds only on orders signed by the President and the Secretary of the State Board of Education.

2326-159. Section 211. The State Treasurer shall pay such amounts as are due to the Treasurers of the respective County Boards of Education, and of the respective Boards of Education of special school districts, on account of the appropriation for State aid to approved high schools, as is provided for in Section 200 of Article 12 of this Chapter.

2326-160. Section 212. State aid to elementary schools shall include the entire income from the School Fund, the entire income from the Income Tax as provided for in Chapter 8 of Volume XXIX of the Laws of Delaware, and such additional appropriation as the General Assembly may make for State aid to elementary schools.

2326-161. Section 213. The State Board of Education shall, on or before the fifteenth day of September in each year, beginning with the year 1919, certify to the trustee of the school fund every school district in this State in which are maintained free public schools adequate for the children of school age in such district, and conforming to the standards, rules and regulations prescribed by the said State Board of Education under the provisions of this Act. The State Treasurer shall apportion

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on or before the last day of September, in his capacity as Trustee of the School Fund and Treasurer of the State, the entire above mentioned amounts among all the school districts of this State (including all special school districts then in being) certified to him by the State Board of Education, as aforesaid. The entire above mentioned amounts shall be apportioned on the basis of the total elementary school enrollment during the preceding school year, as certified to each year on or before the fifteenth day of September by the State Commissioner of Education. Provided that neither the enrollment nor the attendance of pupils in high schools shall be taken into account in making this apportionment. On or before the first day of October of each year, the State Treasurer, in his capacity as Trustee of the School Fund and Treasurer of the State, shall pay in the above proportions the amounts due from State aid to elementary schools to the respective Treasurers of all the school districts in this State (including special school districts then in being) certified to him by the State Board of Education as hereinbefore in this Section provided, and he shall report to the State Commissioner of Education the amounts paid to each of the respective Treasurers.

MISCELLANEOUS

2326-162. Section 214. County Superintendents of Schools and Superintendents of Schools of special school districts in which deaf and dumb pupils reside, who receive oral instruction by a private tutor, shall see that appropriations for that purpose are so expended.

2326-163. Section 215. Unclaimed proceeds of sale of strays and fines imposed by virtue of stray laws shall be paid to the Treasurers of the respective County Boards of Education and Boards of Education of the respective special school districts, instead of as provided for in Chapter One Hundred and Four of the Revised Code.

2326-164. Section 216. That all Acts and all parts of Acts inconsistent with the provisions of this Act, be and the same are hereby repealed to the extent of such inconsistency.

Approved April 14, A. D. 1919.

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CHAPTER 158.

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AMERICANIZATION.

AN ACT to Assist in the Americanization of the Foreign Born Non-English Speaking Residents of the State of Delaware, and to appropriate a sum of money therefor.

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

Section 1. That in any School District within the State of Delaware, including the City of Wilmington, where there are ten or more persons over sixteen years of age, who do not speak the English language, and who desire to attend a class or classes in which they may receive instruction in speaking English, the School Committee or other body having control of the Public Schools of such District or of said City is hereby authorized and empowered to establish a class or classes, to be held in the evening or at such other time as may be convenient for such persons, for the instruction of such persons in the English language and in the institutions and forms of government of the United States and the State of Delaware. The teachers for such classes shall be employed by such School Committee or other body having control, as aforesaid, and need not be the holders of certificates under the provisions of the General School Law of this State.

Section 2. That the sum of fifteen thousand dollars (\$15,000.00) per annum for each of the two years beginning January 1, 1919 and January 1, 1920 is hereby appropriated out of the general fund of the State for the purposes of this Act. That the said sum, or so much thereof as may be necessary, shall be used

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to pay the cost of inaugurating and maintaining classes for instruction as aforesaid, when such costs shall have been approved by the State Board of Education, and the said Board is authorized to give orders on the State Treasurer for the payment of such costs; such orders to be signed by the President or Acting President of said Board and attested by its Secretary. The State Treasurer is authorized and directed to honor all such orders up to the amount appropriated by this Act.

Section 3. That this Act shall take effect from the date of its approval by the Governor.

Approved April 2, A. D. 1919.

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CHAPTER 159.

FREE SCHOOLS.

AN ACT relating to the date for Annual School Elections 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 from and after the passage of this Act the Annual School Election of the unincorporated school districts of Sussex County shall be held on the last Saturday in May in each and every year between the hours of one and four o'clock in the afternoon.

Approved March 10, A. D. 1919.

FREE SCHOOLS.

CHAPTER 160.

FREE SCHOOLS.

AN ACT for the relief of State Consolidated School District No. 1, and making an appropriation to said district.

WHEREAS, State Consolidated School District No. 1 received as its portion of the State dividend for the school year 1917-1918 a sum apportioned on the basis of the employment of seven teachers only in said District, whereas in fact nine teachers had been employed in the school of said District, for the said school year, whereby the said District was deprived of the sum of Three Hundred and Seventy-six Dollars (\$376.00) ; therefore,

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

Section 1. That the sum of Three Hundred and Seventy-six Dollars be and the same is hereby apportioned to the said State Consolidated School District No. 1 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 April 2, A. D. 1919.

FREE SCHOOLS.

CHAPTER 161.

FREE SCHOOLS.

AN ACT to amend Chapter 54, Volume 15 of the Laws of Delaware, as amended and renewed by increasing the amount that may be raised annually for the public schools 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 each branch of the Legislature concurring):

Section 1. That Chapter 54 of Volume 15 of the Laws of Delaware, as the same has since been amended and renewed, be and the same is hereby amended by striking out of the Eighth line of Section 6 of said Chapter, as amended by Chapter 50, Volume 17, Laws of Delaware, and by Chapter 188 of Volume 29, Laws of Delaware the word "eight" and in lieu thereof, after the word "exceed" and before the word "thousand", inserting the word "sixteen."

Approved February 24, A. D. 1919.

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CHAPTER 162.

FREE SCHOOLS.

AN ACT to authorize the school committee of School District No. 1 in New Castle County to borrow a sum or sums of money not exceeding two hundred thousand dollars in the aggregate, to be expended for the erection and equipment of a new school house in and for said school district, 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):

Section 1. That the School Committee of School District No. 1 in New Castle County, called Claymont School District, be and it is hereby authorized and empowered to borrow upon the faith and credit of said District in the manner hereinafter set forth, a sum of money not to exceed Two Hundred Thousand Dollars, to be expended for the erection and equipment of a new public school in said District, and for the purpose of securing the payment of the money so borrowed, to issue bonds in denominations of One Thousand Dollars each, bearing such rate of interest not exceeding five and one-half per centum per annum as said School Committee may *deem expedient. The interest upon such bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Section 2. None of said money shall be borrowed and none of said bonds shall be issued until ratified and approved by proceedings to be had and taken in the following manner:—

At any time when ten or more taxables for school taxes of the aforesaid School District shall present a written petition to the said School Committee setting forth the necessity of a new

*deem

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school house for said District, and naming in said petition the amount of money necessary therefor, and praying that a special election be called in order that the voters of said School District may vote upon the proposition, it shall be the duty of said School Committee forthwith to issue a call for a special election to be held at a time and at a place in said District, both to be designated in said notice, at which the question of borrowing money for the purposes set forth in this Act shall be voted upon. Notice of the election aforesaid shall be posted in at least ten public places in said School District for at least ten days prior to the date fixed for such election. In case the proposal to borrow money shall not be approved by a majority of the votes cast at such special election, the said School Committee shall, on the further application of ten or more freehold taxables as aforesaid, call another election with similar notices as aforesaid; provided six months shall have elapsed since any preceding election for the purpose was held. At every election held under the provisions of this Section each person who would have had a right to vote at the regular school election of the said District, next preceding such special election, and also every female resident seized of an estate of freehold situated in said District, shall have a right to cast one vote for every dollar and fractional part of a dollar of school tax assessed for the year in which such election is held, against him or her respectively. At every election held under the provisions of this Section, the voting upon the question aforesaid shall be by ballot, upon which shall be written or printed, the words "For New School House and Equipment." In case a majority of the ballots cast at any such election held under the provisions of this Section shall be "For New School House and Equipment," the School Committee of said District shall issue and sell the bonds authorized by this Act and by such election.

Section 3. The principal of said bonds shall be made payable twenty years from the date thereof, at Central National Bank, Wilmington, Delaware. Said bonds may, at the option of said School Committee, contain a provision for the redemption of all or any part thereof by said School Committee at any time after the expiration of five years from the date thereof at a premium not to exceed five and one-half per cent. Said

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bonds, principal and interest, shall be payable in gold coin of the United States of America, equal in weight and fineness to the present standard, out of the money provided for that purpose in the manner hereinafter set forth; and the said School Committee is hereby authorized and directed to pay the interest on said bonds to said Central National Bank, when and as the same shall become due and payable, and to pay the principal of said bonds when the same matures.

Section 4. Said bonds shall be prepared under the supervision of said School Committee and shall be signed and sealed by the senior member and the clerk of said School Committee in the following manner:—School Committee of School District No. 1 in New Castle County, Delaware.

By:.....[Seal]
Senior Member of said Committee.

By:.....[Seal]
Clerk of said Committee.

It shall be the duty of such officers to execute said bonds when directed so to do by the said School Committee, and it shall be the duty of said clerk to keep a record of said bonds.

Section 5. Said bonds or any part thereof may be sold when and as the said School Committee shall by resolution determine and direct. Whenever in the judgment of said School Committee it shall be deemed expedient that any part or all of said bonds shall be sold, the said School Committee may sell and dispose of the same on the most advantageous terms possible, after having advertised the same in one daily newspaper published in the City of Wilmington at least once each week for at least two weeks.

Section 6. 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 said School Committee at a bank to be by it designated, to the credit of the said School Committee, and

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payments therefrom shall be made in the same manner as other payments are made by the said School Committee, provided that no part of the money so obtained except as in this section provided, shall be used for any other purpose than for the purchase of land in said School District, and for the erection of a school house thereon, and for the equipment of said school house; and provided further that the purchasers or holders of said bonds shall not be bound to see to, nor to be affected by the application of said money realized from the sale of said bonds.

Section 7. The said School Committee of said 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 such purposes. 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 School District is authorized to raise by taxation for other purposes.

Section 8. The said School Committee of School District No. 1 in New Castle County, and all the members and officers thereof shall be deemed and taken 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, and which it may be necessary to do and perform in relation to the issuing and executing of said bonds and the payment of the interest thereon, and the principal thereof, as the same shall become due, so that said bonds shall be the good and valid obligation of said School District No. 1 in New Castle County.

Section 9. The bonds to be issued shall conform as nearly as possible to the following form, to wit:—

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UNITED STATES OF AMERICA
STATE OF DELAWARE

No.....

\$1000.00

BONDS OF SCHOOL DISTRICT NO. 1 IN NEW CASTLE COUNTY,
DELAWARE.

The School Committee of School District No. 1 in New Castle County, Delaware, called Claymont School District, for value received, hereby acknowledges its indebtedness and promises to pay to the bearer at Central National Bank in Wilmington, Delaware, on the day of
A. D. 19 , the sum of One Thousand Dollars with interest thereon at the rate of per centum per annum payable semi-annually, on the day of
and the day of and in each year. This bond is one of an authorized issue of
bonds aggregating Thousand Dollars
(\$ 000.00) by virtue of and in strict compliance with an Act of the General Assembly approved
A. D. 1919, entitled "An Act to Authorize the School Committee of School District No. 1 in New Castle County to Borrow a Sum or Sums of Money not exceeding Two Hundred Thousand Dollars in the aggregate, to be expended for the Erection and Equipment of a New School House in and for said School District, and to issue Bonds to secure the Payment thereof." The issue and sale of this bond was duly ratified and approved by the voters of said School District at a special election duly called and duly held for that purpose on the day of
A. D. 19 , and by a resolution of said
School Committee duly adopted on the day of
A. D. . 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 School District No. 1 in New Castle County is pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF
member of said School Committee, and

, senior

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clerk of said School Committee, have hereunto set their hands
and seals this day of A. D. 19 .

SCHOOL COMMITTEE OF SCHOOL DISTRICT NO. 1 IN NEW
CASTLE COUNTY, DELAWARE.

By:.....[Seal]
Senior Member of said Committee.

By:.....[Seal]
Clerk of said Committee.

Section 10. Said bonds shall contain such provisions in addition to those set forth in Section 9 of this Act and not inconsistent with the requirements of this Act, as the said School Committee in School District No. 1 in New Castle County shall determine.

Approved April 21, A. D. 1919.

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CHAPTER 163.

FREE SCHOOLS.

AN ACT providing for the erection of a school building for colored children in the Town of Smyrna, in Kent County, Delaware, and appropriating money therefor.

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 Thousand Dollars is hereby appropriated from the General Fund for the purpose of providing a suitable school building for colored children in School District No. 135, in the Town of Smyrna, Kent County, Delaware, said amount to be under the control and direction of the County School Commission for Kent County.

Section 2. The County School Commission shall decide upon the location of the school and if necessary purchase a site therefor and make the contract for the erection and equipment of the school building. The total cost thereof to be within the amount of this appropriation, the same to be paid out upon warrants drawn by the County School Commission upon the State Treasurer.

Approved April 2, A. D. 1919.

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CHAPTER 164.

FREE SCHOOLS.

AN ACT to appropriate the sum of One Hundred and eighty-eight Dollars to Marydel School District No. 115, Kent County, to cover an Insufficiency in the amount allowed to said District in the distribution of the State School Funds.

WHEREAS, Marydel School District No. 115, of Kent County, is now employing an additional teacher and is entitled to an additional allowance by the State Board of Education of One Hundred and eighty-eight Dollars for such additional teacher; and

WHEREAS, by an oversight on the part of the Commissioners of said School District said District failed to receive said additional allowance from the State Board of Education for said additional teacher; 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 Eighty-eight Dollars, be and the same is hereby appropriated to be paid to the said Marydel School District No. 115, 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 April 2, A. D. 1919.

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CHAPTER 165.

FREE SCHOOLS.

AN ACT to amend "An Act to Incorporate the Board of Education of the Town of Harrington," being Chapter 98 of Volume 23 of the Laws of Delaware, as amended by Chapter 110 of Volume 26 of the Laws of Delaware, increasing the amount of school tax that may be raised in any one year.

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

Section 1. That Section 6 of Chapter 98, Volume 23 of the Laws of Delaware, as amended by Chapter 110 of Volume 26 of the Laws of Delaware, entitled "An Act to Incorporate The Board of Education of The Town of Harrington", be and the same is hereby amended by striking out the words "Four thousand dollars" where they occur in the last line of said section, and inserting in lieu thereof the words "six thousand dollars."

Approved April 9, A. D. 1919.

FREE SCHOOLS.

CHAPTER 166.

FREE SCHOOLS.

AN ACT to authorize "The Board of Commissioners of the Public Schools of Georgetown, Sussex County" to borrow money to pay, discharge and redeem certain bonded indebtedness and other indebtedness, to issue bonds to secure the same, and to levy a tax to pay the bonds so issued.

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

Section 1. That "The Board of Commissioners of the Public Schools of Georgetown, Sussex County," and its successors, is hereby authorized and empowered to borrow a sum not to exceed Ten Thousand Dollars, to be expended in paying, discharging and redeeming the bonds issued under the provisions of Chapter 357, Volume 22, Laws of Delaware, together with the accrued interest thereon, and to pay and discharge the outstanding indebtedness of said "The Board of Commissioners of the Public Schools of Georgetown, Sussex County."

Section 2. For the purpose of securing the payment of the money borrowed under the provisions of this Act, The Board of Commissioners of the Public Schools of Georgetown, Sussex County, is hereby authorized to issue and to sell bonds to an amount not to exceed the sum of Ten Thousand Dollars. The bonds shall be of such denomination as may be determined by said Board of Commissioners, or in such proportions of such denominations as may be determined by said Board. The bonds shall be dated on the first day of June, A. D. 1919, and shall be numbered consecutively, commencing with number one, and shall bear interest from and after that date, at such rate as the said Board of Commissioners may determine, not to exceed six (6) per centum per annum. Interest shall be payable annually on the first day of June in each year at the Farmers Bank of

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the State of Delaware, at Georgetown, upon presentation of the coupons representing said annual interest, each annual instalment of interest being represented by coupons attached to said bonds. The said bonds shall be payable at the Farmers Bank of the State of Delaware, at Georgetown, on the first day of June, A. D. 1934, but said bonds may be redeemed at the option of said Board of Commissioners at any time after the first day of June, A. D. 1924, provided, however, that no more of said bonds than shall amount in the aggregate, at par value, to the sum of One Thousand Dollars, shall be redeemed in any one year; and provided, further, such redemption shall be effected on the first day of June, and in pursuance of notice signed by the President and Treasurer of the Board of Commissioners of the Public Schools of Georgetown, Sussex County, and published in four consecutive issues of two newspapers published in Georgetown, Sussex County, Delaware. The notice shall indicate the bonds called, and the bonds shall be called according to their numbers, beginning with the lowest number.

Section 3. The Board of Commissioners of the Public Schools of Georgetown, Sussex County, shall direct and effect the preparation, printing and sale of the bonds authorized by this Act, and the bonds shall be sold at such time and on such terms, and for such sums, not less than the par value thereof, as may be deemed expedient. The bonds shall be signed by the President and Treasurer, and shall be exempt from state, county and municipal taxation.

Section 4. The bonds issued under the provisions of this Act shall be denominated "Georgetown School Bonds," and shall be in the following form:

FREE SCHOOLS.

UNITED STATES OF AMERICA /
STATE OF DELAWARE.

UNITED SCHOOL DISTRICTS NOS. 67, 96, 106 AND 107 OF GEORGETOWN, IN THE COUNTY OF SUSSEX.

No.....

Series.....

These presents certify and make known that "THE BOARD OF COMMISSIONERS OF THE PUBLIC SCHOOLS OF GEORGETOWN, SUSSEX COUNTY," is held and firmly bound unto the bearer in the sum of.....lawful money of the United States of America, which the said Board of Commissioners binds itself to pay to the bearer on the first day of June, A. D. 1934, with interest at the rate of..... per centum per annum, payable at the Farmers Bank of the State of Delaware, at Georgetown, on the first day of June in each year until the principal be paid, upon the presentation of the coupons hereto annexed, representing each annual installment of interest; provided, however, and it is expressly stipulated that the said Board of Commissioners reserve to itself the power, at its option, to call in and redeem this bond on and after the first day of June, A. D. one thousand nine hundred and twenty-four, pursuant to the notice provided for by the Act of Assembly, in accordance with the provisions of which this bond is issued; and provided, further, that when this bond shall be called by notice aforesaid, interest thereon shall cease to accrue from and after the first day of June next succeeding the date of such notice. Dated at Georgetown this first day of June, A. D. 1919.

WITNESS the seal of the said "The Board of Commissioners of the Public Schools of Georgetown, Sussex County," and the hands of the President and Treasurer of said Board.

.....
President of the Board of Commissioners.

[Corporation Seal]

.....
Treasurer of the Board of Commissioners.

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As the interest coupons and the bonds are paid from time to time, the said coupons and bonds shall be cancelled in such manner as the said Board of Commissioners shall direct. The bonds issued and sold hereunder shall be a lien upon all the real property situated and lying in united school districts Nos. 67, 96, 106 and 107, in the County of Sussex.

Section 5. The money derived from the sale of said bonds shall be used and expended in the following manner:

First. For the payment and redemption of the bonds issued and sold under the provisions of Chapter 357, Volume 22, Laws of Delaware, and the accrued interest thereon.

Second. To pay and discharge the floating indebtedness of The Board of Commissioners of the Public Schools of Georgetown, Sussex County.

The Board of Commissioners of the public schools of Georgetown, Sussex County is specifically prohibited from issuing or selling bonds to an amount more than will, on the first day of June, A. D. 1919, be sufficient to pay and redeem the bonds issued under Chapter 357, Volume 22, Laws of Delaware, together with accrued interest thereon, and to pay and discharge the floating indebtedness as aforesaid.

Section 6. That for the purpose of raising funds necessary for the redemption of said bonds, and for the payment of the interest thereon, the said Board of Commissioners is hereby further authorized to assess, raise and collect annually, in the same manner as is now provided by law for assessing, raising and collecting the school taxes in said united school districts, such further sums of money as shall be necessary and sufficient to meet the interest on said bonds, as the same shall accrue, and to redeem the said bonds as the same shall be called in by the said Board of Commissioners, according to the provisions of this Act. The money assessed, raised and collected under this section shall be in addition to the money assessed, raised and collected by said Board of Commissioners for school purposes, provided that the money levied and assessed under

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and by virtue of this section shall not exceed the interest of the bonds then outstanding, and the par value of the bonds called in for that year be more than twenty per centum of the aggregate of said interest and par value of said bonds.

Approved April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 167.

DELAWARE COLLEGE.

AN ACT to Appropriate Money to Delaware College to meet its Extraordinary Expenses incurred during the Period of the War.

WHEREAS, the Trustees of Delaware College, during the period of the war, were compelled to incur certain emergency expenses owing to the high cost of coal, labor and food, and for the equipment and maintenance of the students' commons, and for moving laboratory apparatus into the new agricultural building, and in adapting the College to the training of soldiers and officers for the army and navy, in compliance with the direction of the War Department, which war expenditures were in excess of its income,

THEREFORE, 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 the sum of twenty-six thousand, nine hundred and twelve dollars and sixty-one cents is hereby appropriated to the Trustees of Delaware College, out of any moneys in the State Treasury, to be used by it to pay its extraordinary expenses incurred during the period of the war, for the purposes in the preamble of this Act set forth, said sum to be paid by the Treasurer of the State of Delaware to the Trustees of Delaware College, in the amounts and at the times following, to wit:—

Thirteen thousand, four hundred and fifty-six dollars and thirty cents thereof on the first day of July, A. D. one thousand

DELAWARE COLLEGE.

nine hundred and nineteen, and thirteen thousand, four hundred and fifty-six dollars and thirty-one cents thereof on the first day of January, A. D. one thousand nine hundred and twenty.

Approved April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 168.

DELAWARE COLLEGE.

AN ACT Appropriating Money for the Maintenance of the Women's College,
Affiliated with Delaware College, at Newark.

*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 maintenance of the Women's College, affiliated with Delaware College, the sum of Sixty Thousand Dollars is hereby appropriated out of any moneys in the Treasury of the State of Delaware, to be paid by the Treasurer of the State of Delaware to the Trustees of Delaware College, in the amounts and at the times following, to-wit:

Fifteen Thousand Dollars on the first day of July, A. D. one thousand nine hundred and nineteen, fifteen thousand dollars on the first day of January, A. D. one thousand nine hundred and twenty, fifteen thousand dollars on the first day of July, A. D. one thousand nine hundred and twenty, and fifteen thousand dollars on the first day of January, A. D. one thousand nine hundred and twenty-one.

Approved April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 169.

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 maintenance, support, repair and general care 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 instruction and other purposes as are not provided for in said Act of Congress, the sum of Thirty Thousand Dollars is hereby appropriated, annually, out of any money in the Treasury of the State of Delaware to the Trustees of Delaware College, on the first day of July in each year.

Approved April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 170.

DELAWARE COLLEGE.

AN ACT to Provide for the Maintenance of a Summer School at Delaware College for the Instruction of Teachers in a Summer Session.

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

Section 1. The Trustees of Delaware College shall 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.

Section 2. The sum of Four Thousand Dollars is hereby appropriated annually out of any moneys in the Treasury of the State of Delaware, for the maintenance of said School. Said sum shall be paid by the State Treasurer to the Treasurer of the Trustees of Delaware College, in each and every year, which sum shall be used exclusively for the purposes of this Act.

Approved April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 171.

DELAWARE COLLEGE.

AN ACT to provide for the Establishment and Maintenance of a Short Winter Course of Instruction in Agriculture and Horticulture 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. The Trustees of Delaware College shall establish and maintain at Delaware College, a short course in agriculture and horticulture, during the winter term of each and every year, in which shall be given such courses of instruction in agriculture and horticulture as may be determined upon by the Trustees of Delaware College and the State Board of Agriculture, and shall be continued for such time as said Trustees and said Board of Agriculture shall determine. Admission to such courses of instruction shall be free to all persons engaged in agricultural and horticultural pursuits in the State of Delaware.

Section 2. The sum of One Thousand Dollars is hereby appropriated, annually, out of any moneys in the State Treasury, for the maintenance of said course, and shall be paid by the Treasurer of the State of Delaware to the Trustees of Delaware College, on the first day of January in each year.

Approved April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 172.

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):

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 Acts of Congress approved July 2, 1862, and of Acts supplementary thereto and the United States Department of Agriculture," the sum of Twelve Thousand, one hundred and fifty-five Dollars and twenty-seven cents 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:

Five Thousand, Five Hundred and Forty-four Dollars and fifty-one cents to be paid on the first day of July, A. D. 1919, and Six Thousand and Ten Dollars and seventy-six cents to be paid on the first day of July, A. D. 1920.

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 April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 173.

DELAWARE COLLEGE.

AN ACT Authorizing and Empowering the Trustees of Delaware College to Dedicate and convey Certain Lands.

WHEREAS, it is proposed to widen South College Avenue in the Town of Newark, and said South College Avenue, extended, in White Clay Creek Hundred, New Castle County, Delaware, on the East side thereof, along Delaware College grounds, from the public road bounding the Women's College grounds on the South and East to Main Street of Newark, in order to provide a wider street or driveway, and to construct a sidewalk along the same; therefore

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

Section 1. That the Trustees of Delaware College be, and it is hereby authorized and empowered, in its name and for the State of Delaware, to dedicate for public use and to convey in its name and for the State of Delaware, as aforesaid, to the State of Delaware, for the use of New Castle County, and to The Council of Newark, a Municipal Corporation of the State of Delaware, so much land, on the East side of said South College Avenue, as now laid out, in said White Clay Creek Hundred and said Town of Newark, as may, in the judgment of the Trustees of Delaware College, the Levy Court of New Castle County and the Council of The Council of Newark, be necessary for the purpose of widening the said Avenue and laying a curb and sidewalk along the same, for the use of the public, as aforesaid.

Approved April 2, A. D. 1919.

DELAWARE COLLEGE.

CHAPTER 174.

DELAWARE COLLEGE.

AN ACT to appropriate Money for the Construction of a Sidewalk for the Benefit 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 the members elected to each branch thereof concurring therein):

Section 1. That for the purpose of enabling The Trustees of Delaware College to pay for the construction of a sidewalk for the benefit of the Women's College, Affiliated with Delaware College, at Newark, Delaware, the sum of five thousand 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 such time as the said Trustees shall designate.

Approved April 2, A. D. 1919.

STATE COLLEGE FOR COLORED STUDENTS.

CHAPTER 175.

STATE COLLEGE FOR COLORED STUDENTS.

AN ACT appropriating money to pay for farm recently purchased by the Trustees of State College for Colored Students.

WHEREAS, in order to promote interest in agriculture amongst the colored citizens of the State, and to develop efficiency in farming, the trustees of State College for Colored Students have purchased a farm, adjoining other property of said college;

AND WHEREAS, there is owing and unpaid on said farm the sum of eighteen thousand (\$18,000.00) dollars, which it is desirable should be paid; therefore

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

That the sum of eighteen thousand (\$18,000.00) dollars be, and the same is hereby appropriated out of any moneys in the Treasury of the State of Delaware, not otherwise appropriated, to be paid to the trustees of State College for Colored Students, and applied in payment of the farm recently purchased by said institution.

Approved April 2, A. D. 1919.

TITLE TWELVE

Fish, Oysters and Game

CHAPTER 176.

FISH, OYSTERS AND GAME.

GAME.

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware in relation to Fish and Game.

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 Delaware, be and the same is hereby amended by repealing 2373. Sec. 16 of said Chapter and substituting in lieu thereof the following Section to be styled 2373 Section 16.

"2373. Sec. 16. UNLAWFUL TO CATCH, KILL, HAVE IN POSSESSION, BUY, SELL OR SHIP BIRDS OTHER THAN GAME BIRDS: EXCEPTIONS:—That it shall be unlawful to catch, kill, have in possession, (living or dead), purchase, sell or expose for sale, transport or ship any wild bird other than a game bird, or any part of the plumage, skin, or body of any such bird, or any game bird, or game animal except as expressly permitted by law; provided, however, that turkey buzzards, black birds, crows, English sparrows, starlings and hawks, (except fishing hawks) may be killed, sold, or shipped by any person in any manner and at any time, and a bounty may be offered and paid by said Board on any or all of said unprotected birds."

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Section 2. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by repealing 2389. Sec. 32 of said Chapter and by substituting in lieu thereof the following Section to be styled 2389. Sec. 32.

"2389. Sec. 32. UNLAWFUL TO BUY OR SELL GAME BIRDS, ANIMALS, OR FISH:—It shall be unlawful for any person, firm or corporation at any time of the year to barter, sell, offer for sale or buy any game birds, game animals or game fish protected by the laws of this State and killed or caught either lawfully or unlawfully within this State, except always the muskrat, and diamond back terrapin trade during the seasons when it is lawful to have said animals and their meat in possession and trading at any and all times in muskrat skins and other skins and in terrapins of lawful size which have been lawfully taken; provided any one person who has himself lawfully killed or trapped rabbits in the County of his residence may himself sell said rabbits within such County not exceeding the number of twenty in any one open season."

Section 3. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by inserting immediately after 2391. Sec. 34 of said Chapter the following Section to be styled 2391 A. Sec. 34 A.

"2391 A. Sec. 34 A. PENALTY WHERE NOT OTHERWISE PRESCRIBED:—The penalty for violating any Section of the game or fish laws of this State, now in force or which may be hereafter enacted, where the same is not or shall not hereafter be prescribed, or is or shall hereafter be omitted, shall be as provided in 2405. Sec. 48 of Chapter 74 of the Revised Code of Delaware; and wherever payment of a fine and costs is or may hereafter be imposed for the violation of any game or fish law of this State and no authority is granted to imprison the violator upon his refusal or neglect to pay such fine and cost, then and in all such cases such violator shall be committed to the County Jail or Work House of the County in which the offense was committed for thirty days unless said fine and costs be sooner paid or unless an appeal be taken."

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Section 4. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by inserting immediately after 2405. Sec. 48 thereof the following Section to be styled 2406. Sec. 49:

"2406. Sec. 49. UNLAWFUL FOR DOGS TO RUN AT LARGE:—It shall hereafter be unlawful for the owner or custodian of any dog to permit such dog to run at large off his own home premises, anywhere in this State outside the limits of the City of Wilmington or of any incorporated Town between the first day of March and the first day of October, next following in each year unless accompanied by its owner or custodian and under his or her immediate control. And it shall also hereafter be unlawful for the owner or custodian of any female dog to permit such dog while in heat, to run at large at any time of the year anywhere in this State, and any such female dog may be caught and impounded by any person and if the owner shall not redeem her, immediately after having been found guilty of violating this provision by paying the fine imposed, she shall then be killed. The person impounding her shall receive half of such fine and the other half shall be paid to the Board of Game and Fish Commissioners. If, however, the owner cannot be found in five days such female dog shall then be killed and the person having impounded her shall be paid five dollars (\$5.00) by said Board.

It shall also hereafter be unlawful for the owner or custodian of any dog to permit such dog to injure or disturb any muskrat den, trap, lead of house, and any dog detected in the act of committing such injury may be then and there killed by any person there present, provided that nothing in this section shall prohibit the owner or custodian of any bird, rabbit or fox dogs from training and breaking the same at any time of the year and provided further that if any such dog or dogs shall during such training wander off and out of control of the owner or custodian without his fault then this section shall not apply to such cases."

Section 5. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by inserting immediately

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after 2417. Sec. 60 of said Chapter the following section to be styled 2417 A. Sec. 60 A:

"2417 A. Sec. 60 A. GAME REFUGES:—All State lands, and State, County, and Municipal Parks in Delaware shall be State Game Refuges and it shall hereafter be unlawful for any person to hunt upon said lands and parks or kill or injure any game therein at any time of the year."

Section 6. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by repealing 2538. Sec. 181 of said Chapter and substituting in lieu thereof the following Section to be styled "2538. Sec. 181.

"2538. Sec. 181. BOARD MAY TAKE GAME AND FISH FOR PROPAGATING, ETC.:—It shall be lawful for the Board of Game and Fish Commissioners of this State to take any game birds, animals, or fish in or out of season in any way for strictly propagating and restocking purposes."

Section 7. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by inserting immediately after 2382. Sec. 25 thereof, the following Section to be styled 2382 A. Sec. 25 A.

"2382 A. Sec. 25 A. MINORS UNDER FIFTEEN NOT TO USE GUNS UNLESS ACCOMPANIED BY AN ADULT:—It shall be unlawful for any minor under fifteen years of age to hunt game birds or game animals anywhere in this State with a rifle or a shotgun of any kind unless accompanied by an adult lawfully hunting."

Section 8. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by repealing 2529. Sec. 172 of said Chapter and substituting in lieu thereof the following Section to be styled 2529. Sec. 172.

"2529. Sec. 172. HOOK AND LINE FISHING PERMITTED, NETS PROHIBITED:—It shall be unlawful to take or catch any game fish in any of the waters of this State at any time except with

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hook and line which shall always be under the immediate observation of the person using it and it shall also be unlawful for any person to set or place any net, trap, seine, fyke, or other device or contrivance whatever at any time of the year in any of the fresh water ponds or fresh water streams in this State (except in waters where the lunar tide regularly ebbs and flows and in the Chesapeake and Delaware Canal) for the purpose of catching any kind of fish whatsoever or for any other purpose. Provided that the owner or tenant of any fresh water pond or stream may catch therein for his own family consumption only, non-game fish with a net not smaller than a three-inch mesh stretched measure, and any game fish caught therein shall be at once returned to the water with wet hands and with the least possible injury. All Sections or parts of Sections of said Chapter 74 inconsistent with this Section or any part thereof are hereby repealed."

Section 9. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by repealing 2534. Sec. 177 of said Chapter and by substituting in lieu thereof the following section :

"2534. Sec. 177. DAILY LIMIT ON GAME FISH :—One person may take or catch lawfully in any one day during the open seasons prescribed respectively not to exceed the following numbers of fish :

Large mouth and small mouth bass, black bass and rainbow, brown and brook or speckled trout, 10.

Calico bass, crappies, strawberry bass, yellow bass, rock bass and white bass, 20.

Pike-perch, pike, pickerel and wall-eyed pike, 15.

Section 10. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by repealing 2558. Sec. 201 and 2537. Sec. 180 of said Chapter.

Section 11. That Chapter 74 of the Revised Code of Delaware, be and the same is hereby amended by inserting imme-

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diately after 2415. Section 58 thereof the following Section to be styled 2415 A. Sec. 58 A.:

"2415 A. Sec. 58 A. SUMMER RESIDENTS DEFINED:—Non-residents of Delaware, who own or lease property at the sea-side and bay-side summer resorts of this State and their friends, relatives and patrons while temporarily sojourning at such resorts shall, for the purpose of fishing for non-game fish and of hunting on the shores of said summer resorts, and only during the months of June, July, August and September, be classed as residents."

Approved April 24, A. D. 1919.

GAME.

CHAPTER 177.

FISH, OYSTERS AND GAME.

GAME.

AN ACT to amend Chapter 74, of the Revised Code of the State of Delaware, by changing the date for the killing of muskrat.

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 all of 2375, Sec. 18, and inserting in lieu thereof the following, to be styled "2375. Sec. 18." :

2375. Sec. 18. Quail (bob-white partridges) from November fifteenth to December thirty-first, next following; partridges from November fifteenth to December thirty-first, next following; reed bird from September first to November first, next following; rail bird from September first to November first, next following; wild goose from October first to March fifteenth, next following; brant from October first to March fifteenth, next following; summer duck from September first to October thirty-first, next following; other wild duck from October first to March fifteenth, next following; woodcock from November fifteenth to December thirty-first, next following; dove in Kent and Sussex Counties from August first to December thirty-first, next following; hare and rabbit from November fifteenth to December thirty-first, next following; skunk, mink, and otter from December first to March twenty-fifth, next following; muskrat from December first to March tenth, next following; fox from October first to April thirtieth, next following; raccoon from October first to January first, next following; opossum from October first to January first, next following; fox

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squirrel, black squirrel and gray squirrel from September fifteenth to November first, next following; frog from July first to December thirty-first, next following. The above open seasons shall include the days defining them. Provided, however, that any person may protect his property and premises from the ravages and deprecations of any wild birds or animals protected by law, at any time and in any way; and provided further that landlords and tenants and their respective children may trap rabbits in the open season on their freeholds, and leaseholds, respectively.

Approved April 21, A. D. 1919.

COLLECTOR OF OYSTER REVENUE.

CHAPTER 178.

FISH, OYSTERS AND GAME.

COLLECTOR OF OYSTER REVENUE.

AN ACT relating to the salary of the Collector of Oyster Revenue and the pay of the officers and crew of the Watch Boat being a temporary increase of their pay, as provided in Chapter 74 of the Revised Code.

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

Section 1. That beginning with the first day of March, 1919, and until the first day of March, 1921, the pay of the officers and crew of the Watch Boat, as provided by Chapter 74 of the Revised Code shall be as follows, to-wit:

The Captain shall receive a salary of Eighty Dollars per month, the Mate Seventy Dollars per month and the other members of the crew Sixty Dollars per month each to be paid by the State Treasurer, in lieu of the pay provided for the officers and crew of the Watch Boat by the provisions of Chapter 74, 2438, Sec. 81 of the Revised Code.

Section 2. And that for the said period the salary of the Collector of Oyster Revenue shall be Eighty Dollars per month payable monthly, in lieu of the salary provided by 2455, Sec. 98 of Chapter 74 of the Revised Code.

Approved March 10, A. D. 1919.

OYSTERS.

CHAPTER 179.

FISH, OYSTERS AND GAME.

OYSTERS.

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware, in reference to taking Oysters in Certain Rivers.

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 the first paragraph of 2468. Sec. 111 thereof, and inserting in lieu thereof a new paragraph as follows: }

2468. Sec. 111. TAKING OYSTERS IN CERTAIN RIVERS AND CREEKS UNLAWFUL; EXCEPTION FOR HOME CONSUMPTION; TAKING, CARRYING AWAY OR DISPOSING OF OYSTERS FROM CERTAIN RIVERS REGULATED; PENALTIES:—It shall be unlawful for any person to catch or take any oysters in Mahon's River and Little River between the last day of June and the first day of September; provided however that the citizens of this State, between the days specified, may take or catch for home consumption, from said Creeks and Rivers a quantity of oysters not exceeding five bushels in any one day.

Approved April 24, A. D. 1919.

FISH.

CHAPTER 180.

FISH, OYSTERS AND GAME.

FISH.

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware in relation to the length of seine to be used in a certain part of the Delaware Bay.

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

Section 1. That Chapter 74 of the Revised Code of the State of Delaware, be and the same is hereby amended by inserting immediately after 2510. Sec. 153. thereof, the following Section to be styled 2510A. Sec. 153A. :—

“2510A. Sec. 153A. LENGTH OF SEINE LIMITED TO FIVE HUNDRED YARDS:—It shall hereafter be unlawful for any person to fish for food fish in the Delaware Bay between low and high water marks thereof, from the mouth of the Mispillion Creek southward to a point known as Fowler’s Crossing with any seine longer than five hundred yards.”

Approved February 24, A. D. 1919.

TITLE THIRTEEN

Deaf, Dumb, Blind and Insane

CHAPTER 181.

DEAF, DUMB AND BLIND.

AN ACT to amend Chapter 75 of the Revised Code of the State of Delaware in relation to deaf, dumb and blind.

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

Section 1. That 2581. Sec. 8 of Chapter 75 of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out all of the said section and by inserting in lieu thereof the following to be known as "2581. Sec. 8."

2581. Sec. 8. APPROPRIATION; HOW EXPENDED:—There shall be appropriated annually for the purposes of said Commission the sum of ten thousand dollars which shall be paid by the State Treasurer upon the warrant of said Commission, in accordance with the provisions of Section 20 of Chapter fifteen.

Approved March 25, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 182.

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 the first paragraph of 2598 Section 6, Chapter 76, of the Revised Statutes of the State of Delaware as amended by Chapter 214, Volume 29, Laws of Delaware, be and the same is hereby amended by striking out all of said first paragraph as it appears in Chapter 214, Volume 29, Laws of Delaware, and by inserting in lieu thereof the following:

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 a member of 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

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AT FARNHURST.

character as requires, in their judgment, hospital care and treatment, and that said physicians, or either of them, are in no way related by blood to or connected by marriage with such person, nor in any way connected with said hospital.

Approved March 10, 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 183.

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, providing for the transfer of insane prisoners from the New Castle County Workhouse 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:

Section 1. That Chapter 76, of the Revised Code of the State of Delaware, be, and the same is, hereby amended by adding thereto the following to be known as 2607-A. Sec. 15-A:

2607-A. Sec. 15-A. Whenever in any case it shall appear to the Court of Oyer and Terminer or to the Court of General Sessions of this State, or to any Judge thereof in vacation, upon information received from the Board of Trustees of the New Castle County Workhouse that a prisoner confined in said New Castle County Workhouse, has become insane after conviction and sentence, the said Court or Judge shall have power to appoint two reputable practising physicians to inquire of the mental condition of said prisoner and make report of their finding to the said Court, if in session, or to any Judge of the said Courts during vacation, within two days from the date of their appointment, by writing under their hands and seals. Should the report of the said physicians be that the prisoner is insane, he shall at once be ordered by said Court or by said Judge, transferred from said New Castle County Workhouse to the Delaware State Hospital at Farnhurst.

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The expenses of the removal of such insane person and of his admission into such Hospital and his maintenance therein up and until the time he shall be discharged by said Court or by said Judge, shall be borne by the Levy Court of the County where the act charged was committed or of the County of such insane person's residence; but if any such insane person shall have any real or personal estate, said Levy Court may have for the expenses and charges so incurred as aforesaid, the same remedy as is provided in Section 27 of Chapter 54 in the case of Insane Persons supported in the County Almshouse.

Whenever said Court or Judge shall be satisfied that the public safety or the safety of the other inmates of the New Castle County Workhouse shall not be thereby endangered, may order that such insane person be returned to the said New Castle County Workhouse to serve the balance of the term for which he was sentenced, or if said term is expired, then to have the power to release said person.

Approved April 10, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
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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
respecting sales of real estate of insane persons.

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

That Chapter 76 of the Revised Code of the State of Delaware
be, and the same is, hereby amended by repealing 2617, Section
25, and inserting in lieu thereof the following:

2617. Section 25. SALE OF REAL ESTATE OF INSANE PERSON;
DEED; TITLE:—If it appear to the Chancellor proper to sell any
real estate of an insane person, he may direct such sale to be
made by the trustee; and if the return of such sale be confirmed,
the trustee shall make a deed to the purchaser, which shall con-
vey as full a title to the land as the insane person had at the
time of sale. The Chancellor may, in his discretion, order that
the real estate be sold clear and discharged of any lien or in-
cumbrance thereon at the time of the sale created by or recover-
ed against the said insane person, and in such case the Chan-
cellor shall in the order of sale direct that reasonable notice of
the sale be given to the holders of such lien or incumbrance by
newspaper advertisement, or otherwise; and the lien or incum-
brance shall without change of priority be transferred to the
proceeds of sale.

Approved February 17, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 185.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

AN ACT authorizing "The State Board of Trustees of the Delaware State Hospital at Farnhurst" to sell a piece of land to "The Delaware Railroad Company."

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

Section 1. That "The State Board of Trustees of the Delaware State Hospital at Farnhurst" be and they are hereby authorized and empowered to sell and convey, in fee simple, by a good and valid deed, to "The Delaware Railroad Company," part of the land held by them, not exceeding one acre in area, adjoining the right of way of the said Railroad Company, near Farnhurst Station, in New Castle County, Delaware, for such price as the said Board of Trustees and the said Railroad Company may agree upon. The money received from said sale to be paid into the treasury of the said Board of Trustees, and by said Board of Trustees to be paid to the Treasurer of the State of Delaware.

Approved March 5, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 186.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

AN ACT appropriating Nineteen Thousand Two Hundred and Eight Dollars and Ninety-six cents to the State Board of Trustees of the Delaware State Hospital at Farnhurst, for the purpose of meeting the deficiency in the appropriation for the expenses of the State Board of Trustees of the Delaware State Hospital at Farnhurst for the past fiscal year.

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 Nineteen Thousand Two Hundred and Eight Dollars and Ninety-six Cents is hereby appropriated and authorized to be paid out of the Treasury of this State to The State Board of Trustees of The Delaware State Hospital at Farnhurst, for the purpose of paying expenditures already made, being the amount of the deficit during the past fiscal year of The State Board of Trustees of The Delaware State Hospital at Farnhurst.

Approved March 10, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 187.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

AN ACT appropriating Five Thousand Dollars to the State Board of Trustees of the Delaware State Hospital at Farnhurst for installing new Cement Drainage Tanks.

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 Five Thousand Dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to the State Board of Trustees of the Delaware State Hospital at Farnhurst for the purpose of installing new Cement Drainage Tanks at the Delaware State Hospital at Farnhurst.

Approved April 2, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 188.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

AN ACT appropriating twelve hundred dollars to the State Board of Trustees
of the Delaware State Hospital at Farnhurst, as an amusement fund.

*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 Twelve Hundred Dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to The State Board of Trustees of The Delaware State Hospital at Farnhurst, as an amusement fund for the benefit of the inmates at The Delaware State Hospital at Farnhurst.

Approved April 2, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 189.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

- AN ACT appropriating Forty-four Hundred and Fifty Dollars to the State Board of Trustees of 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:

Section 1. That the sum of Forty-four Hundred and Fifty Dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to the State Board of Trustees of The Delaware State Hospital at Farnhurst, in addition to the amount heretofore appropriated, for the purpose of improving and completing unfinished walls and providing a new mangle and press for laundry.

Approved April 2, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 190.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

AN ACT appropriating two hundred and twenty thousand five hundred and thirty dollars as a general appropriation to the State Board of Trustees of 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:

Section 1. That the sum of Two Hundred and Twenty Thousand, Five Hundred and Thirty Dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to The State Board of Trustees of The Delaware State Hospital at Farnhurst, for the purpose of paying the general expenses of the said The State Board of Trustees of The Delaware State Hospital at Farnhurst for the fiscal years 1919 and 1920.

Approved April 2, A. D. 1919.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

CHAPTER 191.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL
AT FARNHURST.

AN ACT to appropriate ten thousand dollars to State Board of Trustees of
the Delaware State Hospital at Farnhurst, for repairs.

*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 ten thousand dollars is hereby appropriated and authorized to be paid out of the Treasury of this State to the State Board of Trustees of the Delaware State Hospital at Farnhurst, for the purpose of paying for necessary repairs at The Delaware State Hospital at Farnhurst.

Approved April 2, A. D. 1919.

TITLE FOURTEEN

Regulation Concerning Trade

CHAPTER 192.

GENERAL PROVISIONS RESPECTING TRADE.

UNIFORM CONDITIONAL SALES ACT.

AN ACT concerning conditional sales and to make uniform the law relating thereto.

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

Section 1. (Definition of Terms) In this Act "Conditional Sale" means (1) any contract for the sale of goods under which possession is delivered to the buyer and the property in the goods is to vest in the buyer at a subsequent time upon the payment of part or all of the price, or upon the performance of any other condition or the happening of any contingency; or (2) any contract for the bailment or leasing of goods by which the bailee or lessee contracts to pay as compensation a sum substantially equivalent to the value of the goods, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming the owner of such goods upon full compliance with the terms of the contract.

"Buyer" means the person who buys or hires the goods *covered by the conditional sale, or any legal successor in interest of such person.

*covered

UNIFORM CONDITIONAL SALES ACT.

"Filing district" means the sub-division of the State in which conditional sale contracts, or copies thereof, are required by this act to be filed.

"Goods" means all chattels personal other than things in action and money, and includes emblements, industrial growing crops, and things attached to or forming a part of land which are agreed to be severed before sale or under the conditional sale.

"Performance of the condition" means the occurrence of the event upon which the property in the goods is to vest in the buyer, whether such event is the performance of an act by the buyer or the happening of a contingency.

"Person" includes an individual, partnership, corporation, and any other association.

"Purchase" includes mortgage and pledge.

"Purchaser" includes mortgagee and pledgee.

"Seller" means the person who sells or leases the goods covered by the conditional sale, or any legal successor in interest of such person.

Section 2. (Primary Rights of Buyer) The buyer shall have the right when not in default to retain possession of the goods, and he shall also have the right to acquire the property in the goods on the performance of the conditions of the contract. The seller shall be liable to the buyer for the breach of all promises and warranties, express or implied, made in the conditional sale contract, whether or not the property in the goods has passed to the buyer.

Section 3. (Primary Rights of Seller) The buyer shall be liable to the seller for the purchase price, or for instalments thereof, as the same shall become due, and for breach of all promises made by him in the conditional sale contract, whether or not the property in the goods has passed to the buyer.

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Section 4. (Conditional Sales Valid Except as Otherwise Provided) Every provision in a conditional sale reserving property in the seller after possession of the goods is delivered to the buyer, shall be valid as to all persons, except as herein after otherwise provided.

Section 5. (Conditional Sales Void as to Certain Persons) Every provision in a conditional sale reserving property in the seller, shall be void as to any purchaser from or creditor of the buyer, who, without notice of such provision, purchases the goods or acquires by attachment or levy a lien upon them, before the contract or a copy thereof shall be filed as hereinafter provided, unless such contract or copy is so filed within ten days after the making of the conditional sale.

Section 6. (Place of Filing) The conditional sale contract or copy shall be filed in the office of the Recorder of Deeds in the County in which the goods are first kept for use by the buyer after the sale. It shall not be necessary to the validity of such conditional sale contract, or in order to entitle it to be filed, that it be acknowledged or attested. This section shall not apply to the contracts described in Section 8.

Section 7. (Fixtures) If the goods are so affixed to realty, at the time of a conditional sale or subsequently as to become a part thereof and not to be severable wholly or in any portion without material injury to the freehold, the reservation of property as to any portion not so severable shall be void after the goods are so affixed, as against any person who has not expressly assented to the reservation. If the goods are so affixed to realty at the time of a conditional sale or subsequently as to become part thereof but to be severable without material injury to the freehold, the reservation of property shall be void after the goods are so affixed as against subsequent purchasers of the realty for value and without notice of the conditional seller's title, unless the conditional sale contract, or a copy thereof, together with a statement signed by the seller briefly describing the realty and stating that the goods are or are to be affixed thereto, shall be filed before such purchase in the office where a deed of the realty would be recorded or registered

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to affect such realty. As against the owner of realty, the reservation of the property in goods by a conditional seller shall be void when such goods are to be so affixed to the realty as to become part thereof but to be severable without material injury to the freehold, unless the conditional sale contract, or a copy thereof, together with a statement signed by the seller briefly describing the realty and stating that the goods are to be affixed thereto, shall be filed before they are affixed, in the office where a deed would be recorded or registered to affect such realty.

Section 8. (Railroad Equipment or Rolling Stock) No conditional sale of railroad, or street or interurban railway equipment or rolling stock shall be valid as against the purchasers and creditors described in Section 5, unless the contract shall be acknowledged by the buyer or attested in like manner as a deed of real property, and the contract, or a copy thereof, shall be filed or recorded in the office of the Secretary of State of Delaware; and unless when any engine or car so sold is delivered there shall then be plainly and conspicuously marked upon each side thereof the name of the seller, followed by the word "owner."

Section 9. (Conditional Sale of Goods for Resale) When goods are delivered under a conditional sale contract and the seller expressly or impliedly consents that the buyer may resell them prior to performance of the condition, the reservation of property shall be void against purchasers from the buyer for value in the ordinary course of business, and as to them the buyer shall be deemed the owner of the goods, even though the contract or a copy thereof shall be filed according to the provisions of this act.

Section 10. (Filing) The filing officer shall mark upon the contract or copy filed with him the day and hour of filing and shall file the contract or copy in his office for public inspection. He shall keep a separate book in which he shall enter the names of the seller and buyer, the date of the contract, the day and hour of filing, a brief description of goods, the price named in the contract and the date of cancellation thereof; except that

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in entering the contracts mentioned in Section 8, the Secretary of State shall record either the sum remaining to be paid upon the contract or the price of the goods. Such book shall be indexed under the names of both seller and buyer. For filing and entering such contract or copy the filing officer shall be entitled to a fee of One Dollar except that for filing and entering a contract described in Section 8 the Secretary of State shall be entitled to a fee of Two Dollars.

Section 11. (Refiling) The filing of conditional sale contracts provided for in Sections 5, 6 and 7 shall be valid for a period of three years only. The filing of the contract provided for by Section 8 shall be valid for a period of fifteen years only. The validity of the filing may in each case be extended for successive additional periods of one year from the date of refiling by filing in the proper filing district a copy of the original contract within thirty days next preceding the expiration of each period, with a statement attached signed by the seller, showing that the contract is in force and the amount remaining to be paid thereon. Such copy, with statement attached, shall be filed and entered in the same manner as a contract or copy filed and entered for the first time, and the filing officer shall be entitled to a like fee as upon the original filing.

Section 12. (Cancellation of Contract) After the performance of the condition, upon written demand delivered personally or by registered mail by the buyer or any other person having an interest in the goods, the seller shall execute, acknowledge and deliver to the demandant a statement that the condition in the contract has been performed. If for ten days after such demand the seller fails to mail or deliver such a statement of satisfaction, he shall forfeit to the demandant five dollars (\$5.00) and be liable for all damages suffered. Upon presentation of such statement of satisfaction the filing officer shall file the same and note the cancellation of the contract and the date thereof on the margin of the page where the contract has been entered. For filing and entering the statement of satisfaction the filing officer shall be entitled to a fee of twenty-five cents, except that the Secretary of State

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shall be entitled to a fee of fifty cents for filing and entering a statement of the satisfaction of a contract described in Section 8.

Section 13. (Prohibition of Removal or Sale Without Notice) Unless the contract otherwise provides, the buyer may, without the consent of the seller, remove the goods from any filing district and sell, mortgage or otherwise dispose of his interest in them; but prior to the performance of the condition, no such buyer shall remove the goods from a filing district in which the contract or a copy thereof is filed, except for temporary uses for a period of not more than thirty days, unless the buyer not less than ten days before such removal shall give the seller personally or by registered mail written notice of the place to which the goods are to be removed and the approximate time of such intended removal; not prior to the performance of the condition shall the buyer sell, mortgage or otherwise dispose of his interest in the goods, unless he, or the person to whom he is about to sell, mortgage or otherwise dispose of the same, shall notify the seller in writing personally or by registered mail of the name and address of the person to whom his interest in the goods is about to be sold, mortgaged or otherwise transferred, not less than ten days before such sale, mortgage or other disposal. If any buyer does so remove the goods, or does so sell, mortgage or otherwise dispose of his interest in them without such notice or in violation of the contract, the seller may retake possession of the goods and deal with them as in case of default in payment of part or all of the purchase price. The provisions of this section regarding the removal of goods shall not apply, however, to the goods described in Section 8.

Section 14. (Refiling on Removal) When, prior to the performance of the condition, the goods are removed by the buyer from a filing district in this State to another filing district in this State in which such contract or a copy thereof is not filed, or are removed from another state into a filing district in this State where such contract or copy is not filed, the reservation of the property in the seller shall be void as to the purchasers and creditors described in Section 5, unless the conditional

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sale contract or a copy thereof shall be filed in the filing district to which the goods are removed, within ten days after the seller has received notice of the filing district to which the goods have been removed. The provisions of this section shall not apply, however, to the goods described in Section 8. The provisions of Section 11 regarding the duration of the validity of the filing and the necessity for refiling shall apply to contracts or copies which are filed in a filing district other than that where the goods are originally kept for use by the buyer after the sale.

Section 15. (Fraudulent Injury, Concealment, Removal or Sale) When, prior to the performance of the condition, the buyer maliciously or with intent to defraud, shall injure, destroy or conceal the goods, or remove them to a filing district where the contract or a copy thereof is not filed, without having given the notice required by Section 13, or shall sell, mortgage, or otherwise dispose of such goods under claim of full ownership, he shall be guilty of a misdemeanor and upon conviction thereof shall be imprisoned for not more than one year or be fined not more than Five Hundred Dollars (\$500) or both fined and imprisoned in the discretion of the Court.

Section 16. (Retaking Possession) When the buyer shall be in default in the payment of any sum due under the contract, or in the performance of any other condition which the contract requires him to perform in order to obtain the property in the goods, or in the performance of any promise, the breach of which is by the contract expressly made a ground for the retaking of the goods, the seller may retake possession thereof. Unless the goods can be retaken without breach of the peace, they shall be retaken by legal process; but nothing herein shall be construed to authorize a violation of the criminal law.

Section 17. (Notice of Intention to Retake) Not more than forty nor less than twenty days prior to the retaking, the seller, if he so desires, may serve upon the buyer personally or by registered mail a notice of intention to retake the goods on account of the buyer's default. The notice shall state the default and the period at the end of which the goods will be

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retaken, and shall briefly and clearly state what the buyer's rights under this act will be in case they are retaken. If the notice is so served and the buyer does not perform the obligations in which he has made default before the day set for retaking, the seller may retake the goods and hold them subject to the provisions of Sections 19, 20, 21, 22 and 23 regarding resale, but without any right of redemption.

Section 18. (Redemption) If the seller does not give the notice of intention to retake described in Section 17, he shall retain the goods for ten days after retaking within the State in which they were located when retaken, during which period the buyer, upon payment or tender of the amount due under the contract at the time of retaking and interest, or upon performance or tender of performance of such other condition as may be named in the contract as precedent to the passage of the property in the goods, or upon performance or tender of performance of any other promise for the breach of which the goods were retaken, and upon payment of the expenses of retaking, keeping and storage, may redeem the goods and become entitled to take possession of them and to continue in the performance of the contract as if no default had occurred. Upon written demand delivered personally or by registered mail by the buyer, the seller shall furnish to the buyer a written statement of the sum due under the contract and the expense of retaking, keeping and storage. For failure to furnish such statement within a reasonable time after demand, the seller shall forfeit to the buyer Ten Dollars (\$10.00) and also be liable to him for all damages suffered because of such failure. If the goods are perishable so that retention for ten days as herein prescribed would result in their destruction or substantial injury, the provisions of this section shall not apply, and the seller may resell the goods immediately upon their retaking. The provision of this section requiring the retention of the goods within the State during the period allowed for redemption shall not apply to the goods described in Section 8.

Section 19. (Compulsory Resale by Seller) If the buyer does not redeem the goods within ten days after the seller has retaken possession, and the buyer has paid at least fifty per

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cent of the purchase price at the time of the retaking, the seller shall sell them at public auction in the State where they were at the time of the retaking, such sale to be held not more than thirty days after the retaking. The seller shall give to the buyer not less than ten days' written notice of the sale, either personally or by registered mail, directed to the buyer at his last known place of business or residence. The seller shall also give notice of the sale by at least three notices posted in different public places within the filing district where the goods are to be sold, at least five days before the sale. If at the time of the retaking Five Hundred Dollars (\$500) or more has been paid on the purchase price, the seller shall also give notice of the sale at least five days before the sale by publication in a newspaper published or having a general circulation within the filing district where the goods are to be sold. The seller may bid for the goods at the resale. If the goods are of the kind described in Section 8, the parties may fix in the conditional sale contract the place where the goods shall be resold.

Section 20. (Resale at Option of Parties) If the buyer has not paid at least fifty per cent of the purchase price at the time of the retaking, the seller shall not be under a duty to resell the goods as prescribed in Section 19, unless the buyer serves upon the seller, within ten days after the retaking, a written notice demanding a resale, delivered personally or by registered mail. If such notice is served, the resale shall take place within thirty days after the service, in the manner, at the place and upon the notice prescribed in Section 19. The seller may voluntarily resell the goods for account of the buyer on compliance with the same requirements.

Section 21. (Proceeds of Resale) The proceeds of the resale shall be applied (1) to the payment of the expenses thereof, (2) to the payment of the expenses of retaking, keeping and storing the goods, (3) to the satisfaction of the balance due under the contract. Any sum remaining after the satisfaction of such claims shall be paid to the buyer.

Section 22. (Deficiency on Resale) If the proceeds of the resale are not sufficient to defray the expenses thereof, and also

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the expenses of retaking, keeping and storing the goods and the balance due upon the purchase price, the seller may recover the deficiency from the buyer, or from any one who has succeeded to the obligations of the buyer.

Section 23. (Rights of Parties Where There is no Resale) Where there is no resale, the seller may retain the goods as his own property without obligation to account to the buyer except as provided in Section 25, and the buyer shall be discharged of all obligation.

Section 24. (Election of Remedies) After the retaking of possession as provided in Section 16 the buyer shall be liable for the price only after a resale and only to the extent provided in Section 22. Neither the bringing of an action by the seller for the recovery of the whole or any part of the price, nor the recovery of judgment in such action, nor the collection of a portion of the price, shall be deemed inconsistent with a later retaking of the goods as provided in Section 16. But such right of retaking shall not be exercised by the seller after he has collected the entire price, or after he has claimed a lien upon the goods, or attracted them, or levied upon them as the goods of the buyer.

Section 25. (Recovery of Part Payments) If the seller fails to comply with the provisions of Sections 18, 19, 20, 21 and 23 after retaking the goods, the buyer may recover from the seller his actual damages, if any, and in no event less than one-fourth of the sum of all payments which have been made under the contract, with interest.

Section 26. (Waiver of Statutory Protection) No act or agreement of the buyer before or at the time of the making of the contract, nor any agreement or statement by the buyer in such contract, shall constitute a valid waiver of the provisions of Sections 18, 19, 20, 21 and 25.

Section 27. (Loss and Increase) After the delivery of the goods to the buyer and prior to the retaking of them by the seller, the risk of injury and loss shall rest upon the buyer.

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The increase of the goods shall be subject to the same conditions as the original goods.

Section 28. (Act Prospective Only) This act shall not apply to conditional sales made prior to the time when it takes effect.

Section 29. (Rules for Cases not Provided for) In any case not provided for in this act the rules of law and equity, including the law merchant, and in particular those relating to principal and agent and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall continue to apply to conditional sales.

Section 30. (Uniformity of Interpretation) This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section 31. (Short Title) This act may be cited as the Uniform Conditional Sales Act.

Section 32. (Inconsistent Laws Repealed) Except so far as they are applicable to conditional sales made prior to the time when this act takes effect, all acts or parts of acts inconsistent herewith are hereby repealed.

Section 33. (Time of Taking Effect) This act shall take effect the first day of June, A. D. 1919.

Approved April 3, A. D. 1919.

LEGAL HOLIDAY.

CHAPTER 193.

LEGAL HOLIDAY.

AN ACT to amend Chapter 78 of the Revised Code of the State of Delaware by making Saturday afternoons after twelve o'clock noon a Legal Holiday in Kent County.

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

Section 1. That Chapter 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 "2841 B. Sec. 197 B":—

2841 B. Sec. 197 B. That hereafter Saturday afternoons after twelve o'clock noon, known as Bank Half Holiday in New Castle County, shall also be a legal holiday in Kent County, and that all the provisions of Chapter 78 of the Revised Code of the State of Delaware, insofar as they apply to other legal holidays, shall be applicable to Saturday afternoons after twelve o'clock noon, in Kent County as well as in New Castle County.

Approved April 21, A. D. 1919.

LIENS.

CHAPTER 194.

LIENS.

AN ACT to amend Chapter 79 of the Revised Code of Delaware relating to Liens.

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

That 2844, Section 2, Chapter 79 of the Revised Code of Delaware be and the same is hereby repealed and the following is substituted in lieu thereof:

2844. Sec. 2. PROCEEDINGS FOR RECOVERY OF CLAIMS; SCIRE FACIAS; FORM OF; WHEN ISSUED; SERVICE OF; JUDGMENT IN DEFAULT OF AFFIDAVIT OF DEFENSE; PROCEEDINGS IN CASE OF; FILING STATEMENT WITHIN TEN DAYS OF RETURN DAY OR IN CASE JUDGMENT BE NOT ENTERED; PROCEEDINGS; EXECUTION BY LEVARI FACIAS; FORM OF:—The proceedings to recover the amount of any claim as aforesaid shall be by writ of scire facias, in the following form, to wit:

“.....County, ss. The State of Delaware. To the Sheriff of said County, greeting:

WHEREAS.....hath filed a claim in our Superior Court for the County of..... against for the sum of..... (for work and labor done or materials furnished as the case may be) to or for a certain building, to wit: (describing it as in the claim). And whereas it is alleged that the said sum still remains due and unpaid to the said.....; now we command you that you make known to said.....

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..... and to all such persons as may hold or occupy the said building, that they be and appear before the judges of our said Court at..... on the..... day of..... next, to show if anything they know, or have to say, why the said sum of should not be levied of the said building to the use of the said..... according to the form and effect of the Act of Assembly in such case made and provided. And have you then there this writ.

Witness (as in similar writs)

Unless the plaintiff shall direct the issuance of the writ of scire facias before the second term, after the filing of the statement aforesaid, the proceedings shall abate and all rights obtained by the filing of said statement shall cease and determine.

No such Scire Facias shall be issued in any case within ten days previous to the return day thereof. The said writ shall be served in the same manner as other writs of Scire Facias, upon the defendant therein named, if he can be found within the county; and a copy thereof shall be left with some person residing in the building, if occupied as a place of residence; but if not so occupied, it shall be the duty of the sheriff to affix a copy of such writ upon the door or other front part of such building. Judgment by default may be entered upon motion by the plaintiff on the last day of the term to which said process is returnable, notwithstanding appearance by the defendant, unless said defendant shall have previously filed in the cause an affidavit that he verily believes there is a legal defense to the whole or part of such cause of action, and setting forth the nature and character of the same; and if the defense be to a part only, then specifying the sum really due; and judgment may be entered for the plaintiff at his election for the sum acknowledged to be due. If such claim be not filed ten days before the return day of said writ, or if judgment be not so entered by default, then like proceedings shall be had as in other cases of Scire Facias.

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The execution of every judgment under the foregoing provisions shall be by writ of *Levari Facias*, in the following form, to wit:

".....County, ss. The State of Delaware.
To the Sheriff of said County, greeting:

We commend you that without any other writ from us of the following described building and lot of ground, to wit, (describing the same according to the record) in your bailiwick, you cause to be levied as well a certain debt of.....which.....lately in our Superior Court for the County aforesaid, before the judges thereof, recovered against.....to be levied of the said building and lot of ground, as also the interest thereon from theday of....., A. D.; and also the sum of.....for the cost which accrued thereon, according to the form and effect of an Act of the General Assembly in such cases made and provided, and have you there monies before our Judges at.....at our Superior Court in and for the County of.....there to be held on the.....day ofnext, to render unto the said.....for his debt, interest and costs aforesaid, and have you then there this writ."

Witness (as in similar writs.)

If the proceeds received from any sale under such writ of *Levari Facias* shall not be sufficient to pay in full all liens, such proceeds shall be ratably divided among the persons who shall have availed themselves of the provisions of this Act without priority or preference of one over the other.

Approved April 21, A. D. 1919.

PARTNERSHIP.

CHAPTER 195.

PARTNERSHIP.

AN ACT Providing for the Recovery by a Partner, or Partners, of His or Their Share of Moneys, Chattels, or Indebtedness Due the Partnership Firm, and Collected or Received by the Wrongdoing Partner, and Converted to His Own Use.

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

Section 1. Whenever any partner, during the partnership or after the termination thereof, collects or receives moneys, chattels, or debts belonging, or which formerly belonged, to the partnership firm, and wrongfully appropriates or converts the same to his own private use, and upon a demand made, refuses to turn over to the other partner, or partners, his or their share thereof, the partner or partners thus wronged may jointly or severally have an action at law, or suit in equity, for his or their share of the same, against said wrong doing partner, in the manner following:

A. ACTION AT LAW. He may file a statement under oath of the facts of the case, in the Superior Court of the County in which the action is brought, and thereupon an attachment shall issue forthwith for the seizure of any moneys, chattels, or debts of any kind whatsoever belong to or due the wrong doing partner, and whether said moneys, chattels, or debts belonging to or due the said partner were formerly of a partnership character, or whether they were always, and now are, of a purely private character, and nowise connected with the said partnership. The said moneys, chattels, and debts thus attached shall be considered to be and remain in custodia legis until the final determination of said action at law. If said action at law fail, said attachment shall then be considered lifted and vacated.

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If the Plaintiff recover judgment, said attachment shall remain in force for a period of fifteen days thereafter, during which time the Plaintiff in said action, if he wish to reap the benefit of said attachment, shall proceed by a writ of testatum *fi. fa.* upon said judgment, as is now provided by law, and upon the execution and levy of said writ, the said original attachment shall cease and be of no further effect.

B. **SUIT IN EQUITY.** He may file a bill in Chancery, as in the manner above prescribed, and thereupon a restraining order shall issue, restraining the said wrong doing partner, or his agents, from in any manner disposing of said moneys and goods, and from collecting any indebtedness due him; and likewise restraining any one owing money to the said partner, in any manner whatsoever, as above set out in the action at law, from paying the same to him until the final determination of said suit in equity.

Approved April 21, A. D. 1919.

WEIGHTS AND MEASURES.

CHAPTER 196.

WEIGHTS AND MEASURES.

AN ACT to Amend Chapter 82 of the Revised Code of the State of Delaware Extending the Powers and Duties of Regulators of Weights and Measures and Fixing Penalties for Short Weights of Coal and Ice.

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 adding a new paragraph at the end of 2918, Section 5, which shall read as follows:

Whenever he shall see fit so to do, or whenever he shall be so requested the Regulator of Weights and Measures in Kent or Sussex County shall weigh any quantity of coal or ice on its way to or in process of delivery and the expense of weighing same shall be paid to him by the Levy Court of the County upon presentation of a receipted bill therefor, showing the payment thereof by him.

Section 2. And the said Chapter is hereby further amended by adding a new paragraph at the end of 2934, Section 21 of said Chapter, which shall read as follows:

"And every person, firm or corporation delivering or attempting to deliver in the way of sale in Kent or Sussex County of this State any quantity of coal or ice purporting to be of a greater net weight than the same shall actually be at the time of delivery shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of one hundred dollars for the first offense, which fine shall be doubled for any second

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offense and doubled progressively for each subsequent offense thereafter, which penalty shall in Kent and Sussex Counties be in lieu of the penalty prescribed by the foregoing paragraph of this Section.

Approved April 22, A. D. 1919.

TITLE FIFTEEN

Domestic Relations

CHAPTER 197.

HUSBAND AND WIFE.

MARRIED WOMEN.

AN ACT to Amend Chapter 87 of the Revised Code of the State of Delaware,
Relating to Married Women.

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

Section 1. That Chapter 87 of the Revised Code of the State of Delaware, as published in 1915, be and the same is hereby amended, by repealing 3048, Section 16, 3049, Section 17, 3050, Section 18, 3051, Section 19, 3052, Section 20, 3054, Section 22, 3055, Section 23, 3056, Section 24, 3057, Section 25, 3058, Section 26, and 3059, Section 27, and substituting in lieu thereof the following sections, to be known and styled as the respective numbers appear at the beginning of each of said sections:

3048. Section 16. RIGHTS OF MARRIED WOMEN:—That the property of a married woman, whether real, personal or mixed, and choses in action which she may have acquired in any manner, and all the income, rents and profits thereof, shall be deemed to be her sole and separate property and she may sell, convey, assign, transfer, devise, bequeath, encumber or otherwise dispose of the same, and she may contract jointly (including with her husband) or separately, sue and be sued, and exercise all other rights and powers, including the power to make a will, which a femme sole may do under the laws of this State; provided that nothing in this section contained shall be deemed

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to affect the right of the husband, if he survive his wife, as tenant by the courtesy in the real estate of his wife. Acknowledgments by married women of all instruments relating to or affecting real estate shall be taken as provided in Chapter 92 of the Revised Code of Delaware of 1915.

3049. Section 17. CERTAIN ACTS OF MARRIED WOMEN HERETOFORE COMPLETED, CONFIRMED AND MADE VALID:—All sales or other disposition of real estate, mortgages, stocks, or silver plate heretofore made by a married woman and all encumbrances upon her real estate heretofore created by such married woman, and any disposition of the rents, issues and profits thereof, and the interest upon her mortgages or dividends, or other income arising from her stocks, heretofore made by a married woman without her husband's consent, which are otherwise valid and lawful, shall not be invalid and unlawful because of the failure of such married woman to secure her husband's consent in writing thereto, and the same are hereby confirmed and made valid.

3050. Section 18. ANTE-NUPTIAL MARRIAGE CONTRACTS:—A man and woman in contemplation of matrimony by a marriage contract executed in the presence of two witnesses at least ten days before the solemnization of the marriage, may determine what rights each shall have in the other's estate during marriage and after its dissolution by death, and may bar each other of all rights in their respective estates not so secured to them, and any such contract duly acknowledged before any officer authorized to take acknowledgments may be recorded in the deed records in the Office of the Recorder of Deeds in any and all counties of the State.

3051. Section 19. CONVEYANCE OF LAND BY MARRIED WOMEN, DESERTED WITHOUT JUST CAUSE; ACKNOWLEDGMENT; CERTIFICATE OF ABANDONMENT; EFFECT OF DEED:—Every married woman abandoned by her husband without just cause, and being the owner in her own right of real estate in this State shall have full power to sell or otherwise dispose of the same as effectually to all intents and purposes as if she were a single woman.

MARRIED WOMEN.

Conveyances made in pursuance of this section shall be acknowledged before the Chancellor, Chief Justice, or Resident Judge of the County in which the lands lie; and in addition to the certificate that it is the act and deed of the party signing the same, the Chancellor, Chief Justice, or Resident Judge shall further certify that it had satisfactorily appeared to him that the party executing the same had been abandoned by her husband without just cause.

A deed so executed and certified and recorded in the County in which the lands lie, shall be as good and effectual, to all intents and purposes whatsoever, as if the grantor executing the same were a single woman.

3052. Section 20. MORTGAGE; RECOGNIZANCE; BOND; WHEN MARRIED WOMEN MAY ACT; HUSBAND NOT LIABLE:—Where a married woman becomes a purchaser of real estate, she may secure the purchase money, or part of it, by recognizance, bond, mortgage or otherwise, as single women may, and her husband need not be a party nor consent to such act of giving security; and in such case any such recognizance, bond, mortgage or other obligation or lien shall not be subject to any right or estate in courtesy of the husband of such married woman. Provided, however, that in case of her entering into recognizance or giving bond or mortgage, or making other contract for the payment of the purchase money of such real estate, her husband shall not be liable unless he be a party thereto.

Approved April 21, A. D. 1919.

MOTHERS' PENSION COMMISSION.

CHAPTER 198.

PARENTS AND CHILDREN.

MOTHERS' PENSION COMMISSION.

AN ACT to Amend Chapter 88 of the Revised Code of Delaware Relating to the Mothers' Pension Commission and Increasing the Payments Thereunder and the Appropriation Therefor.

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

That Chapter 88 of the Revised Code of Delaware be and the same is hereby amended by striking out of 3071 A, Section 11 A, all that part thereof after the fifty-ninth line of said Section and by inserting in lieu thereof the following: .

If the Mothers' Pension Commission, upon receipt of the written report of the Investigation, shall deem it for the best interests of the family that the mother receive aid, the said Mothers' Pension Commission shall pay to the mother or to such person as the Mothers' Pension Commission may designate, such sum as the said Mothers' Pension Commission shall deem proper to be used in aid of the maintenance, support and education of such child or children, such payments to continue during such time as the said Mothers' Pension Commission shall specify; provided that no payment shall be made for the support of any child beyond the time when the law will permit such child to secure a general employment certificate. Such payments shall, in no case, exceed nine dollars (\$9.00) a month for a single child and five dollars (\$5.00) for each additional child in the same family, except for a limited period in case of sickness, or of some unusual condition requiring an increase thereof. The said Mothers' Pension Commission may, at the recommendation of the members of the Commission of the

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County vary the terms of such payments by directing the furnishing of food, clothing, or supplies, instead of the payment of money to the person aforesaid for the use and benefit of such child or children.

After the award of aid, the members of the Commission of the County shall cause the family to be visited at least once in two months to see that the mother is properly caring for the child or children; that they are sufficiently clothed and fed, that they attend school regularly, and that they are receiving religious instruction.

The members of the Commission of the County shall make a report each three months to the Mothers' Pension Commission which shall show:

- (a) The number of families receiving aid.
- (b) The number of visits made to each family, together with the number of children in each family, the number receiving aid, the amount paid for each child, and, in each case, a recommendation with regard to the continuance of aid, and any other information the said Commission may desire.

It shall be the duty of the Mothers' Pension Commission to make a report each three months to the Levy Court of each County of all warrants drawn under this Section on said County Treasurer during the preceding three months.

The amount paid to a beneficiary under this Section shall be on a warrant drawn by the Mothers' Pension Commission, or authorized agent thereof, on the County Treasurer of the County in which such beneficiary resides. And the said County Treasurer is hereby authorized and directed to pay the said warrants on the approval of the Comptroller of said County out of any moneys he may have belonging to said County not otherwise appropriated.

The traveling and administrative expenses of the Mothers' Pension Commission shall be paid on warrants drawn by the

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Mothers' Pension Commission, or authorized agent thereof, on the State Treasurer, and the said State Treasurer is hereby authorized and directed to pay said warrants on the approval of the State Auditor, from any moneys he may have belonging to the State and not otherwise appropriated; provided, however, that the total amount of the traveling and administrative expenses of the said Mothers' Pension Commission shall not exceed three thousand dollars (\$3,000.00) in any one year.

On the first day of January of each year, the County Treasurer shall certify, under oath, in duplicate, to the Secretary of the State and to the State Treasurer the amount paid out by such County during the preceding year under this Section, and the State Treasurer thereupon shall pay to the County Treasurer of the said County, a sum equal to one-half of the amount paid out by such County; provided, however, that the amount paid by the State to any County in any one year shall not exceed the sum of five thousand dollars (\$5,000.00).

That for the purpose of this Section the sum of eighteen thousand dollars (\$18,000.00) shall be deemed and taken to be appropriated annually, beginning with the year nineteen hundred and nineteen, out of any moneys in the State Treasury, not otherwise appropriated.

Approved March 10, A. D. 1919.

MOTHERS' PENSION COMMISSION.

CHAPTER 199.

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MOTHERS' PENSION COMMISSION.

AN ACT to Authorize the State Treasurer to Pay to the County Treasurer of New Castle County the Share of Funds to Which It Is Entitled Under the Provisions of Chapter 88 of the Revised Code of the State of Delaware Providing for Mothers' Pensions.

WHEREAS, the County Treasurer of New Castle County failed to certify on the first day of January, A. D. 1919, under oath to the Secretary of the State and State Treasurer the amount paid out by said County during the preceding year under 3071A. Section 11A, Chapter 88 of the Revised Code of the State of Delaware in relation to Mothers' Pensions, and

WHEREAS, said County during the year A. D. 1918 spent Twenty-three Hundred and Seventy-six Dollars (\$2376.00) under the provisions of said Section of said Chapter, and

WHEREAS, said Section provides that said Treasurer shall pay to the County Treasurer in the County, certifying as aforesaid a sum equal to one-half of the amount paid out by said County, provided that the amount paid out by the State to any County in any one year shall not exceed the sum of Twenty-five Hundred Dollars (\$2500.00).

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

Section 1. That the State Treasurer be and he is hereby authorized and directed to pay to the County Treasurer of New Castle County the sum of Eleven Hundred and Eighty-eight Dollars (\$1188.00).

Approved April 2, A. D. 1919.

ILLEGITIMATE CHILDREN.

CHAPTER 200.

PARENTS AND CHILDREN.

ILLEGITIMATE CHILDREN.

AN ACT to Amend Chapter 38 of the Revised Code of Delaware, in Relation to Parents and Children, Providing for the Descent of Real and Personal Property of the Mother of Illegitimate Children.

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

That Section 3087-A, being Section 27-A of Chapter 88 of the Revised Code of Delaware, be and the same is hereby repealed and the following substituted in lieu thereof:—

3087-A. Section 27-A. DESCENT FROM MOTHER OF ILLEGITIMATE PERSONS:—When the Mother of an illegitimate child or children dies interstate, such illegitimate child or children, or the issue of such who may be dead, shall share in her real and personal estate, in the same manner as legitimate children or their issue.

Approved March 20, A. D. 1919.

DEPENDENT CHILDREN.

CHAPTER 201.

DEPENDENT CHILDREN.

AN ACT Authorizing Duly Accredited Child Placing Agencies to Remove Placed Out Children in the Promotion of Their Best Interest.

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

Section 1. All agencies or organizations, engaged in the placement of dependent children within the State, shall have authority to remove any child so placed when, in the judgment of such agency, the welfare and best interests of the child require such action, whether such right was received or not at the time the child was placed;

Whenever any person, with whom a dependent child has been placed, shall refuse to give up such child on the demand of the representative of such agency, such agency, through its duly recognized representative, may give written notice to such person to deliver said child to the nearest railroad station, or some other equally convenient place, at a day and hour to be fixed in said notice, not less than one or more than three days after the date of the notice, and any person wilfully refusing or neglecting to comply with the requirements of such notice shall be deemed guilty of misdemeanor, and upon conviction thereof shall be liable to fine or imprisonment, or both, at the discretion of the Court.

Approved March 31, A. D. 1919.

GUARDIANS AND WARDS.

CHAPTER 202.

GUARDIANS AND WARDS.

AN ACT to Amend Chapter 89 of the Revised Code of the State of Delaware Respecting Guardians and Wards.

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

Section 1. Amend Section 2 of Chapter 89 of the Revised Code of the State of Delaware by adding to said section the following:

Provided, however, that the Orphans' Court may, in its discretion, appoint two persons as guardians of the minor, one to have the care of the person of the minor, and the other to have possession and management of the property of the minor with all the rights and powers, and subject to all the duties respecting the property of the minor, or the Court may appoint one person guardian with all the rights and powers and subject to all the duties respecting both the person and property of the minor.

Approved February 17, A. D. 1919.

THE DELAWARE WORKMEN'S COMPENSATION LAW.

CHAPTER 203.

THE DELAWARE WORKMEN'S COMPENSATION LAW.

AN ACT to Amend An Act Known and Cited as "The Delaware Workmen's Compensation Law of 1917," being Chapter 90 of the Revised Code of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, by Providing for Certain Increases in Medical Fees and in Compensation in Certain Cases; For Procedure on Appeals; For Decreased Compensation to Non-Resident Alien Dependents; For More Effectually Securing the Payment of Compensation; For Providing a Proper Definition for Wages; and for other purposes.

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, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 a. Section 94, and the insertion in lieu thereof, of the following, to be styled 3193 a. Section 94:—

3193 a. Section 94. This Act shall be called and cited as "The Delaware Workmen's Compensation Law of 1917," and shall apply to all accidents occurring within this State, irrespective of the place where the contract of hiring was made, renewed or extended, and shall not apply to any accident occurring outside of this State.

Section 2. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 h. Section 101, and the insertion in lieu thereof, of the following, to be styled 3193 h. Section 101:—

3193h. Section 101. No compensation shall be paid for any injury which does not incapacitate the employee for a period

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of at least two weeks from earning full wages, but if incapacity extends beyond the period of two weeks, compensation shall begin on the fifteenth day after the injury; provided, however, that if such disability continues for four weeks or longer, such compensation shall be computed from the date of the injury. During the first two weeks after the injury, the employer shall furnish reasonable surgical, medical and hospital services, medicines and supplies, as and when needed, unless the employee refuses to allow them to be furnished by the employer. The cost of such services, medicines and supplies shall not exceed seventy-five dollars. If the employer shall, upon application made to him, refuse to furnish such services, medicines and supplies, the employee may procure the same, and shall receive from the employer, the reasonable cost thereof within the above limitations. If the employee shall refuse reasonable surgical, medical and hospital services, medicines and supplies tendered to him by his employer, he shall forfeit the right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal.

Section 3. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 j. Section 103, and the insertion in lieu thereof, of the following, to be styled 3193 j. Section 103:

3193 j. Section 103. The following schedule of compensation is hereby established for injuries resulting in total disability:—

(a) For the first four hundred and seventy-five weeks of total disability, fifty per centum of the wages of the injured employee as defined by this Act as amended; but the compensation shall not be more than fifteen dollars per week nor less than five dollars per week, and shall not exceed in the aggregate the sum of four thousand dollars; provided, that if at the time of injury, the employee receives wages of less than five dollars per week, then he shall receive the full amount of such wages per week as compensation. Nothing in this paragraph (a) shall require the payment of compensation after disability shall cease.

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Should partial disability be followed by total disability, the period of four hundred and seventy-five weeks mentioned in this paragraph (a) of this Section shall be reduced by the number of weeks during which compensation was paid for such partial disability.

(b) For disability for work partial in character (except the particular cases mentioned in the next succeeding sub-section (c) of this Section), fifty per centum of the difference between the wages received by the injured employee before the injury and the earning power of the employee thereafter, but such compensation shall not be more than fifteen dollars per week. This compensation shall be paid during the period of such partial disability for work; not, however, beyond two hundred and eighty-five weeks. Should total disability for work be followed by partial disability for work, the period of two hundred and eighty-five weeks mentioned in this sub-section (b) shall be reduced by the number of weeks during which compensation was paid for such total disability.

(c) For all permanent injuries of the following classes, the compensation, regardless of the earning power of such injured employee after such injury, shall be exclusively as follows:

For the loss of a hand, fifty per centum of wages during one hundred and fifty-eight weeks.

For the loss of an arm, fifty per centum of wages during one hundred and ninety-four weeks.

For the loss of a foot, fifty per centum of wages during one hundred and thirty-five weeks.

For the loss of a leg, fifty per centum of wages during one hundred and ninety-four weeks.

For the loss of an eye, fifty per centum of wages during one hundred and thirteen weeks.

For the loss of any two or more of such members, not constituting total disability, fifty per centum of wages during the aggregate of the period specified for each.

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Unless the Board shall otherwise determine from the facts, the loss of both hands, or both arms, or both feet, or both legs, or both eyes, or an injury to the spine resulting in permanent and complete paralysis of both legs, or both arms, or of one leg and one arm, or an injury to the skull resulting in incurable imbecility or insanity, shall constitute total disability for work, to be compensated according to the provisions of sub-section (a) of this Section. Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand, and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot. Amputation at or above the elbow shall be considered as the loss of an arm, and amputation at or above the knee shall be considered as the loss of a leg. Permanent loss of the use of a hand, arm, foot, leg, or eye, shall be considered as the equivalent of the loss of such hand, arm, foot, leg or eye.

This compensation shall not be more than fifteen dollars per week, nor less than five dollars per week; provided, that, if at the time of injury, the employee receives wages of less than five dollars per week, then he shall receive the full amount of such wages per week as compensation.

(d) Should the employee die as a result of the injury, the period during which compensation shall be payable to his dependents under the next succeeding section shall be reduced by the period during which compensation was paid to him in his lifetime under this Section of this Article. No reduction shall be made for the amount which may have been paid for medical, surgical and hospital services and medicines nor for the expenses of last sickness and burial as hereinbefore provided. Should the employee die from some other cause than the injury as herein defined, the liability for compensation, expenses of last sickness and burial of such employee, shall cease.

Section 4. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 k. Section 104, and the insertion in lieu thereof, of the following, to be styled 3193 k. Section 104:—

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3193 k. Section 104. In case of death, compensation shall be computed on the following basis and distributed to the following persons:

1. To the child or children, if there be no widow nor widower entitled to compensation, twenty-five per centum of wages of deceased, with ten per centum additional for each child in excess of two, with a maximum of sixty per centum, to be paid to their guardian.

2. To the widow or widower, if there be no children, twenty-five per centum of wages.

3. To the widow or widower, if there be one child, forty per centum of wages.

4. To the widow or widower, if there be two children, forty-five per centum of wages.

5. To the widow or widower, if there be three children, fifty per centum of wages.

6. To the widow or widower, if there be four children, fifty-five per centum of wages.

7. To the widow or widower, if there be five children or more, sixty per centum of wages.

Such compensation to the widow or widower shall be for the use and benefit of such widow or widower and of the dependent children, and the Industrial Accident Board may from time to time, apportion such compensation between them in such way as it deems best. The Industrial Accident Board, in its discretion, may require payments to be made direct to a minor who has been injured, and may also require payments to be made to the person caring for any dependent minor, when, in the opinion of the Industrial Accident Board, the expense of securing the appointment of a Guardian would be disproportionate to the amount of compensation payable to such minor.

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8. If there be neither widow, widower nor children, then to the father and mother; or the survivor of them, if dependent to any extent upon the employee for support at the time of his death, twenty per centum of wages.

9. If there be neither widow, widower, children nor dependent parent, then to the brothers and sisters, if actually dependent to any extent upon the decedent for support at the time of his death, fifteen per centum of wages for one brother or sister, and five per centum additional for each additional brother or sister, with a maximum of twenty-five per centum; such compensation to be paid to their guardian.

Compensation shall be payable under this Section to or on account of any child, brother or sister, only if and while such child, brother or sister, is under the age of sixteen years. No compensation shall be payable under this Section to a widow, unless she was living with her deceased husband at the time of his death or was then actually dependent upon him for support, but in such case, compensation shall be distributed to the persons who would be dependents in case there were no widow. No compensation shall be payable under this Section to a widower, unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support.

The terms "child" and "children" shall include step-children and adopted children and children to whom the deceased stood in loco parentis, if members of the decedent's household at the time of his death, and shall include posthumous children, but shall not include married children.

Should any dependent of a deceased employee die, or should the widow or widower remarry, or should the widower become capable of self-support, the right of such dependent or such widow or widower to compensation under this Section shall cease.

If the compensation payable under this Section to or on account of any person shall for any cause cease, the compensation of the remaining persons entitled thereunder shall thereafter

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be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased, provided, however, that the period shall be reduced by the number of weeks during which payments were made to the deceased or to any other person or class of persons entitled.

The wages upon which death compensation shall be based shall not in any case be taken to exceed thirty dollars per week nor to be less than ten dollars per week. Subject to the provisions of subsection (d) of the last preceding section, this compensation shall be paid during two hundred and eighty-five weeks and in the case of children entitled to compensation under this Section, the compensation of each child shall continue after such period of two hundred and eighty-five weeks until such child reach the age of sixteen years, at the rate of fifteen per centum of wages if there be but one child, with ten per centum additional for each additional child, with a maximum of sixty per centum. Children are not entitled to compensation during the period that compensation is payable to their mother or father, except as herein provided.

Section 5. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 r. Section 111, and the insertion in lieu thereof, of the following, to be styled 3193 r. Section 111:—

3193 r. Section 111. An award of said Board in the absence of fraud shall be final and conclusive between the parties, except as provided in 3193 p. Section 109, unless, within ten days after a copy thereof has been sent to the parties, either party appeals to the Superior Court for the County in which the injury occurred. In case of every such appeal, the cause shall be determined by the Court from the record, (which shall include a typewritten copy of the evidence and the finding and award of the Board), without the aid of a jury, and the Court may reverse, affirm, or modify the award of the Board, or remand the cause to the Board for a rehearing. In case any cause shall be remanded to the Board for a rehearing, the procedure and the rights of all parties to such cause shall be the same as in

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case of the original hearing before the Board. The Prothonotary shall not require any deposit or security to cover the costs incident to the taking of any appeals under this Article.

The Superior Courts for the several counties of the State of Delaware are hereby vested with jurisdiction to hear and determine all appeals taken pursuant to this Article. Said Courts may, by proper rules, prescribe the procedure to be followed in the case of such appeals, provided, however, that the Court shall fix a time for such hearings at the pending of next term of said court, after the date of such appeal, but the Court may extend the time for adequate cause shown.

The decision of the Court shall be in writing and shall show conformity to the provisions of this Article, and shall be filed with the Prothonotary of said Court, and such Prothonotary shall file a certified copy thereof with the Industrial Accident Board. When any such certified copy of the decision of said Court shall be filed as aforesaid, it shall be subject to the provisions of 3193 p. Section 109, and if the Board shall, in accordance with the provisions of 3193 p. Section 109, and, diminish, increase, or renew the compensation, then and in such case there shall be the same right of appeal as is above provided in this Section.

Costs may be awarded by said Court in its discretion, and when so awarded, the same costs shall be allowed, taxed and collected as are allowed, taxed and collected for like services in the same Court. Upon the hearing of any appeal, the Court may, in its discretion, appoint one or more impartial physicians or surgeons to examine the injuries of the claimant and to report thereon to the Court. Said Court shall have power to fix the compensation of such physicians or surgeons, and to tax the same as a part of the costs of the proceedings. Such report shall not be conclusive of the facts therein stated, but shall be advisory only.

Section 6. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of

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3193 s. Section 112, and the insertion in lieu thereof, of the following, to be styled 3193 s. Section 112:—

3193 s. Section 112. Compensation under this Article to alien dependent widows and children not residents of the United States, shall be one-half of the amount provided in each case for residents; and the employer may at any time commute all future installments of compensation payable to alien dependents, not residents of the United States, by paying to such alien dependents, the then value thereof, calculated in accordance with the provisions of 3193 t. Section 113 of the Act to which this is an amendment. Alien widowers, parents, brothers and sisters, not residents of the United States, shall not be entitled to any compensation. Non-resident alien dependents may be officially represented by the Consular Officers of the nation of which such alien or aliens may be citizens or subjects, and in such cases, the Consular officers shall have the not be entitled to any compensation. Non-resident alien dependents, all compensation awarded hereunder, and the receipt of such Consular Officers shall be a full discharge of all sums paid to and received by them.

Section 7. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 u. Section 114, and the insertion in lieu thereof, of the following, to be styled 3193 u. Section 114:

3193 u. Section 114. At any time after the entry of the award, or after the filing of the agreement for compensation, a sum equal to all future installments of compensation, may (where death or the nature of the injury renders the amount of future payments certain), by leave of the Industrial Accident Board, be paid by the employer to any Savings Bank or Trust Company approved by said Board and chartered and doing business in this State and having an office in the County in which the award was entered, and such sum, together with all interest arising from the investment thereof, shall thereafter be held in trust for the employee, or his dependents, who shall have no further recourse against the employer.

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Such payment of such sum by the employer shall operate as a satisfaction of such award or agreement as to the employer.

Payments from said fund shall be made by the said Trustee on orders from the Industrial Accident Board in the same amounts and at the same periods as are herein required of the employer. If, after liability shall have ceased, any balance of said fund shall remain, the same shall be returned to the employer who deposited the same, on an order signed as aforesaid.

Section 8. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 z. Section 119, and the insertion in lieu thereof, of the following, to be styled 3193 z. Section 119:—

3193 z. Section 119. Every employer under this Article shall either insure or keep insured his liability hereunder in some corporation, association or organization approved by the Industrial Accident Board and authorized to transact the business of Workmen's Compensation Insurance in this State, or shall furnish to the Industrial Accident Board, satisfactory proof of his financial ability to pay direct the compensation in the amount and manner and when due as provided for in this Article. In the latter case, the Board may, in its discretion, require the deposit of an acceptable security, indemnity or bond, to secure the payment of compensation liabilities as they are incurred.

Whenever a self-insurer under this Section shall enter into an agreement to pay compensation to an injured employee or his dependents in case of his death, or whenever an award shall be made by the Board in favor of such injured employee or his dependents in case of his death, the employer shall pay the full liability under said agreement or award to a Savings Bank or Trust Company in accordance with the provisions of 3193 u. Section 114, and the said fund, together with all interest arising from the investment thereof, shall be held and paid out in accordance with the provisions of said last mentioned section. Failure on part of the employer to make such payment within

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thirty days after such an agreement or award, shall forthwith terminate the right of such employer to carry his own insurance.

Section 9. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 rr. Section 137, and the insertion in lieu thereof, of the following, to be styled 3193 rr. Section 137:—

3193 rr. Section 137. The terms "injury" and "personal injury" as used in this Article, shall be construed to mean only violence to the physical structure of the body and such disease or infection as naturally results directly therefrom when reasonably treated; and whenever death is mentioned as a cause for compensation under this Article, it shall mean only death resulting from such violence and its resultant effect when reasonably treated as aforesaid, and occurring within two hundred and eighty-five weeks after the accident.

Section 10. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 uu. Section 140, and the insertion in lieu thereof, of the following, to be styled 3193 uu. Section 140:—

3193 uu. Section 140. Wherever in this Act the term "wages" is used, it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident, and shall not include gratuities received from the employer or others; nor shall it include board, lodging, or similar advantages received from the employer, unless the money value of such advantages shall have been fixed by the parties at the time of hiring; nor shall it include amounts deducted by the employer, under the contract of hiring, for labor, material, supplies, tools, or other things furnished or paid for by the employer, and necessary for the performance of such contract by the employee. In occupations involving seasonal employment or employment dependent upon the weather, the employee's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from

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all occupations during the year immediately preceding the accident, unless it be shown that during such year, by reason of exceptional causes, such method of computation does not ascertain fairly the earnings of the employee; in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings. In continuous employments, if immediately prior to the accident, the rate of wages was fixed by the day or hour, or by the output of the employee, his weekly wages shall be taken to be five and one-half times his average earnings at such a rate for a working day of ordinary length, excluding earnings from overtime, and using as a basis of calculation, his earnings during so much of the preceding six months as he worked for the same employer.

Section 11. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby amended by the repeal of 3193 xx, Section 143, and the insertion in lieu thereof, of the following, to be styled 3193 xx, Section 143:

3193 xx. Section 143. This Act shall begin and take effect from the first day of January, A. D. 1918.

If any provision of this Article shall be held to be void or unconstitutional, it is hereby provided that all other portions of the same, which are not expressly held to be void or unconstitutional, shall continue in full force and effect.

Approved March 20, A. D. 1919.

INSURANCE FOR MASTERS, APPRENTICES AND EMPLOYEES.

CHAPTER 204.

MASTERS, APPRENTICES AND EMPLOYEES.

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AN ACT to regulate insurance carriers which insure employers against the liability imposed by the Act known and cited as "The Delaware Workmen's Compensation Law of 1917," said Act being Chapter 233, Volume 29, Laws of Delaware, by requiring that premium rates for such insurance shall be reasonable and adequate; by preventing discrimination in the classification of risks and in the premiums or allowances thereon made or charged by such insurance carriers; and by providing for the determination of such discrimination; and by taxing said insurance carriers and employers carrying their own risk, for the purpose of raising revenue for the State of Delaware, and for paying the necessary expenses of the Industrial Accident Board of the State of Delaware; and providing penalties for the violation of this Act, being an Amendment to Chapter 90 of the Revised Code of Delaware, entitled "Masters, Apprentices and Employees" by the addition of a new article thereto, entitled "Masters, Apprentices and Employees,—Article 6,—Insurance for Masters, Apprentices and Employees."

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

That Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by adding a new Article thereto, entitled, "Masters, Apprentices and Employees,—Article 6,—Insurance for Masters, Apprentices and Employees," and the following new sections to be styled as 3193 yy. Section 144, 3193 zz. Section 145, 3193 aaa. Section 146, 3193 bbb. Section 147, 3193 ccc. Section 148, 3193 ddd. Section 149, 3193 eee. Section 150, 3193 fff. Section 151, and 3193 ggg. Section 152.

3193 yy. Section 144. That every insurance carrier which insures employers against the liability for compensation imposed by the Act known and cited as "The Delaware Workmen's Compensation Law of 1917," said Act being Chapter 233,

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Volume 29, Laws of Delaware, or Acts amendatory thereof, or against liability at common law on account of accidental injuries to employees, shall file with the Industrial Accident Board of the State of Delaware, its classifications of risks and normal premium rates relating thereto, and all rules governing the application of the same (including rules or practices relating to payroll audits and the collection of premiums in advance or otherwise), together with any system of schedule or merit rating which purports to provide deviations from said normal premium rates for a hazard of the individual risk greater or less than that of the classification to which such risk is assigned; none of which shall take effect until approved by the said Industrial Accident Board as adequate and reasonable for the risks to which they respectively apply.

The said Industrial Accident Board may withdraw its approval of any such classification, rule, normal premium rate, or system of schedule or merit rating, if in the judgment of said Board, such classification, rule, normal premium rate, or system of schedule or merit rating is inadequate for the risks to which it applies, or is unreasonable or discriminates unfairly between risks of a like degree of hazard.

On and after the first day of July, 1919, no such insurance carrier shall issue, renew, or carry any insurance against liability for compensation under "The Delaware Workmen's Compensation Law of 1917," or Acts amendatory thereof, or against liability at common law on account of accidental injuries to employees, except in accordance with the classifications, rules, normal premium rates, and system of schedule or permit rating approved by the said Industrial Accident Board for such carrier as adequate and reasonable for the risks to which they respectively apply.

3193 zz. Section 145. Every system of schedule or merit rating providing deviations from normal premium rates for insurance against liability under the said "The Delaware Workmen's Compensation Law of 1917," or Acts amendatory thereof, shall be uniform in its application to all the risks in the class for which the deviation is made, and no such deviation shall be

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applied otherwise than upon inspection of the risk and calculation of the merit deviation by a rating bureau or association approved by the said Industrial Accident Board as adequate for the uniform application of classifications, rules, normal premium rates and schedule or merit rating.

Every deviation from normal premium rates herein provided for shall be clearly set forth in the policy or contract of insurance, or endorsements attached thereto.

3193 aaa. Section 146. An attested copy of every policy, contract or endorsement which purports to give any insurance against liability under "The Delaware Workmen's Compensation Law of 1917," or Acts amendatory thereof, and an attested copy of every endorsement thereon, shall be filed with the Industrial Accident Board of the State of Delaware, or with a rating Bureau or association approved by the said Board.

3193 bbb. Section 147. No insurer against the liability provided for in the said "The Delaware Workmen's Compensation Law of 1917," or Acts amendatory thereof, or in this Act, or against liability at common law on account of accidental injuries to employees, shall fix any classification, rule or schedule or merit rating, or charge any premium for such insurance, which is unreasonable or which discriminates unfairly between risks of essentially the same hazard, and having substantially the same degree of protection against accidents.

3193 ccc. Section 148. The Industrial Accident Board of the State of Delaware, upon written complaint or upon its own information, that discrimination in the classification of risks and in the normal premiums relating thereto, or in any rule or practice governing the application of the same, or in schedule or merit rating, exists, or that any insurance carrier, as herein defined, discriminates unfairly in any respect between risks of essentially the same hazard and having substantially the same degree of protection against accident, may, after due notice to all parties concerned, order a hearing for the purpose of determining such question of discrimination, and if upon such hearing the said Board shall determine that discrimination exists,

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it shall have power to order such discrimination removed. Any party in interest being dissatisfied with such order of the said Industrial Accident Board may, within thirty (30) days from the issuance of such order and notice thereof, commence an action in the Superior Court of the State of Delaware against the said Board as defendant, to vacate and set aside any such order upon the ground that such order is unlawful or unreasonable; in which suit the said Industrial Accident Board shall be served with subpoena and copy of the causes of action. The said Industrial Accident Board shall file its answer, and on leave of Court, any interested party may file an answer and become a party to the suit. Upon the filing of the answer of the said Industrial Accident Board, said action shall be at issue, and stand ready for hearing upon ten (10) days' notice by either party. The said Court is hereby given jurisdiction in such suit, and empowered to affirm, vacate, or set aside the order of the said Board in whole or in part, and to make such other order or decree as the Court shall decide to be in accordance with the facts and the law. During the pendency of such proceedings the order shall be suspended, and in event of the final determination against any insurer, any overcharge during the pendency of such proceedings shall be refunded by the insurer to the persons entitled thereto.

3193 ddd. Section 149. Every insurance corporation, mutual association or company, or interinsurance exchange, which insures employers against liability under "The Delaware Workmen's Compensation Law of 1917," or Acts amendatory thereof, or against liability at common law for accidental injuries to employees, shall annually, at such time as may be fixed by the Industrial Accident Board of the State of Delaware, file with the said Board a sworn statement of its premiums and loss experience from or on account of such insurance in the State of Delaware, together with a sworn statement of its total assets and liabilities, both of which statements shall be in such detail and form as the said Board may prescribe.

3193 eee. Section 150. For the purpose of securing to the State of Delaware the moneys necessary for paying the salaries and necessary expenses of the said Industrial Accident Board

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and its assistants and employees in administering and carrying out the provisions of said Act, and also for the purpose of securing other revenue for the general purposes of the State, a fund shall be created and maintained in the following manner :

(a) Every insurance carrier hereinbefore referred to, insuring employers who are or may be liable under "The Delaware Workmen's Compensation Law of 1917" to pay for compensation for personal injuries to or death of their employees, under the provision of "The Delaware Workmen's Compensation Law of 1917," and all amendments and supplements thereto, shall, as hereinafter provided, pay a tax upon all workmen's compensation or employers' liability premiums received, whether in cash or notes, in this State, or on account of business done in this State, or on account of premiums for compensation payable under said Compensation Law for such insurance in this State, at the rate of four per centum of the amount of such premiums, which tax shall be in lieu of all other taxes on such premiums, and said tax shall be assessed and collected as hereinafter provided; provided, however, that such insurance carriers shall be credited with all cancelled or returned premiums actually refunded during the year on such insurance, and with premiums on reinsurance with companies authorized and licensed to transact business in this State, which reinsurance shall be reported by the insurer; but no credit shall be allowed for reinsurance in companies not licensed to transact business in Delaware; provided, further, that mutual insurance companies shall be taxed upon the gross premium charged and collected and shall not be credited with unabsorbed premiums or dividends.

(b) Every such insurance carrier shall, between the first and fifteenth days of January, 1920, make a return verified by the affidavit of its President and Secretary, or other chief officers or agents, to the Insurance Commissioner of the State of Delaware, stating the amount of all such premiums and credits during the period covered by such return, which period shall be from and including the date of the approval of this act until and including the thirty-first day of December, 1919. Every such insurance carrier shall thereafter annually, between the

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first and the fifteenth days of January, make a like return verified as aforesaid, for the preceding calendar year. Every insurance carrier required to make such return shall pay to the Insurance Commissioner a tax of Four Dollars (\$4.00) per hundred on such premiums ascertained as provided in sub-paragraph (a) of this Section, less returned premiums on cancelled policies and reinsurance with other companies licensed to transact business in this State, and upon payment file a statement with the Secretary of State. Upon receiving such payments the Insurance Commissioner shall pay the same to the State Treasurer.

(c) If any such insurance carrier shall fail to make the return required by this Act, the said Insurance Commissioner shall assess the tax against such insurance carrier at the rate herein provided for, on such amount of premiums as he may deem just, and the proceedings thereon shall be the same as if the return had been made.

(d) If any such insurance carrier shall withdraw from business in this State before the tax shall fall due, as herein provided, or shall fail or neglect to pay such tax, the Insurance Commissioner shall at once proceed to collect the same, and when so collected he shall pay the same into the State Treasury. The suit may be brought by the Insurance Commissioner in his official capacity in any Court having jurisdiction; reasonable attorneys' fees may be taxed by the Court as costs in such suit.

(e) Whenever any officer of the State of Delaware is required to give any notice to an insurance carrier, same may be given by personal delivery, or by mailed registered letter properly addressed and stamped, to the principal office or chief agent of such Insurance carrier within this State, or to its home office, or to the secretary, general agent, or chief officer thereof in the United States, or to the Insurance Commissioner of the State of Delaware.

(f) Any insurance carrier liable to pay a tax upon premiums under this Act shall not be liable to pay any other or further

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and its assistants and employees in administering and carrying out the provisions of said Act, and also for the purpose of securing other revenue for the general purposes of the State, a fund shall be created and maintained in the following manner:

(a) Every insurance carrier hereinbefore referred to, insuring employers who are or may be liable under "The Delaware Workmen's Compensation Law of 1917" to pay for compensation for personal injuries to or death of their employees, under the provision of "The Delaware Workmen's Compensation Law of 1917," and all amendments and supplements thereto, shall, as hereinafter provided, pay a tax upon all workmen's compensation or employers' liability premiums received, whether in cash or notes, in this State, or on account of business done in this State, or on account of premiums for compensation payable under said Compensation Law for such insurance in this State, at the rate of four per centum of the amount of such premiums, which tax shall be in lieu of all other taxes on such premiums, and said tax shall be assessed and collected as hereinafter provided; provided, however, that such insurance carriers shall be credited with all cancelled or returned premiums actually refunded during the year on such insurance, and with premiums on reinsurance with companies authorized and licensed to transact business in this State, which reinsurance shall be reported by the insurer; but no credit shall be allowed for reinsurance in companies not licensed to transact business in Delaware; provided, further, that mutual insurance companies shall be taxed upon the gross premium charged and collected and shall not be credited with unabsorbed premiums or dividends.

(b) Every such insurance carrier shall, between the first and fifteenth days of January, 1920, make a return verified by the affidavit of its President and Secretary, or other chief officers or agents, to the Insurance Commissioner of the State of Delaware, stating the amount of all such premiums and credits during the period covered by such return, which period shall be from and including the date of the approval of this act until and including the thirty-first day of December, 1919. Every such insurance carrier shall thereafter annually, between the

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first and the fifteenth days of January, make a like return verified as aforesaid, for the preceding calendar year. Every insurance carrier required to make such return shall pay to the Insurance Commissioner a tax of Four Dollars (\$4.00) per hundred on such premiums ascertained as provided in sub-paragraph (a) of this Section, less returned premiums on cancelled policies and reinsurance with other companies licensed to transact business in this State, and upon payment file a statement with the Secretary of State. Upon receiving such payments the Insurance Commissioner shall pay the same to the State Treasurer.

(c) If any such insurance carrier shall fail to make the return required by this Act, the said Insurance Commissioner shall assess the tax against such insurance carrier at the rate herein provided for, on such amount of premiums as he may deem just, and the proceedings thereon shall be the same as if the return had been made.

(d) If any such insurance carrier shall withdraw from business in this State before the tax shall fall due, as herein provided, or shall fail or neglect to pay such tax, the Insurance Commissioner shall at once proceed to collect the same, and when so collected he shall pay the same into the State Treasury. The suit may be brought by the Insurance Commissioner in his official capacity in any Court having jurisdiction; reasonable attorneys' fees may be taxed by the Court as costs in such suit.

(e) Whenever any officer of the State of Delaware is required to give any notice to an insurance carrier, same may be given by personal delivery, or by mailed registered letter properly addressed and stamped, to the principal office or chief agent of such Insurance carrier within this State, or to its home office, or to the secretary, general agent, or chief officer thereof in the United States, or to the Insurance Commissioner of the State of Delaware.

(f) Any insurance carrier liable to pay a tax upon premiums under this Act shall not be liable to pay any other or further

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tax upon such premiums or on account thereof, under any other Law of this State.

(g) Every employer carrying his own risk, and thereby insuring himself, under the provisions of "The Delaware Workmen's Compensation Law of 1917," or Acts amendatory thereof, shall annually on or before the thirtieth day of January, report under oath to the Industrial Accident Board the total amount of his payroll for the preceding calendar year, classified in accordance with classifications approved by the Industrial Accident Board for the purpose of fixing compensation insurance rates. The Industrial Accident Board shall have power to verify such classifications and such statement of payroll by inspection and audit at the expense of the employer, and such verification shall be made by the Rating Bureau or Association provided for in 3193 zz. Section 145 of this Act, and the charges to self-insurers shall be the same charges which other insurance carriers shall be required to pay under the provisions of this Act. The said Board shall assess against such payroll a maintenance fund tax computed by taking four per centum of the amount of premium payable upon the payroll so ascertained in accordance with the classifications and premium rates approved by the said Board for insurance against liability under the said "The Delaware Workmen's Compensation Law of 1917" and Acts amendatory thereof. On and after the first day of January, 1920, no employer shall become or continue a self-insurer under the provisions of "The Delaware Workmen's Compensation Law of 1917" and Acts amendatory thereof, except upon the payment of the said tax for the preceding calendar year. The moneys so assessed against and paid by said insurers who carry their own risks shall be paid to the State Treasurer.

(h) All fines and forfeitures collected under the provisions of 3193 fff. Section 151 of this Act shall be paid into the maintenance fund herein provided for.

(i) All moneys received by the State Treasurer under the provisions of this Act are hereby appropriated for the purpose of paying the salaries and other expenses of the Industrial Accident Board of the State of Delaware during and for the year in

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which such moneys are received by the State Treasurer. Any money appropriated herein or received to the credit of the said Board or otherwise appropriated for said Board in any one year, if unexpended during said year, shall be turned into the general funds of the State at the expiration of such year. The State Treasurer is hereby authorized and directed to disburse moneys in the State Treasury to the credit of the Industrial Accident Board upon its warrants signed by any two members of said Board stating the use of the moneys for which such warrant calls. All such bills other than salaries of the members of the Board and of its Secretary shall be presented, approved and paid in substantial compliance with the provisions of Section 20, Chapter 15, Revised Code of Delaware.

After the year 1919, the Industrial Accident Board of the State of Delaware shall not be authorized to incur expenses or indebtedness in any calendar year in excess of the maintenance fund created by the premium tax and the tax against self-insurers and the fines and forfeitures on hand or chargeable to such fund for the same period.

3193 fff. Section 151. (a) Any insurance corporation, mutual association or company, or interinsurance exchange, which violates any provision of this Act, or which shall neglect or refuse to comply with any of the provisions of this Act, or which shall wilfully make any false or fraudulent statement of its business or condition, or a false or fraudulent return as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each such offense; provided, that in the case of continuing violation, each day's continuance shall constitute a separate offense; and provided further that the Insurance Commissioner of the State of Delaware shall have power, upon complaint of the Industrial Accident Board of the State of Delaware, after notice and hearing, to suspend or revoke the license of any insurance corporation, mutual association or company, or interinsurance exchange, which violates any of the provisions of this Act.

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(b) Any person or persons who shall in this State act or assume to act as an agent in any capacity whatsoever for any insurance corporation, mutual association or company, or inter-insurance exchange, which is not authorized to do business in this State, or whose authority to do business in this State has been suspended, while such suspension is in force, or who shall neglect or refuse to comply with any provision of this Section obligatory upon such person or persons, or who shall wilfully make any false or fraudulent statement of the business or condition of any such insurance carrier, or false or fraudulent return as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000) or by imprisonment for not more than ninety (90) days, or both, such fine and imprisonment to be in the discretion of the Court.

3193 ggg. Section 152. If any clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered unless such judgment of invalidity shall prevent the effective execution of the provisions of this Act, in which event this Act shall become and be wholly invalid and void.

Approved March 20, A. D. 1919.

TITLE SIXTEEN

Titles to Real Property.

CHAPTER 205.

CONVEYANCES.

ACKNOWLEDGMENT AND PROOF OF DEEDS.

AN ACT to Amend Chapter 92, of the Revised Code of the State of Delaware, with Relation to Deeds dated prior to January 1st, 1919.

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

Sec. 1. That 3214. Sec. 18, of Chapter 92 of the Revised Code of the State of Delaware, be and the same is hereby repealed and the following, to be known as 3214. Sec. 18, inserted in lieu thereof:

3214. Sec. 18. The record of any deed dated prior to the first day of January, A. D. 1919, and which was duly signed and sealed by the parties therein named as grantors, notwithstanding that said deed had not been properly acknowledged, or the acknowledgment or the private examination of any married woman, a party thereto, had not been taken and certified in conformity with the requirements of the laws of this State in force at the time of its execution, shall be and the same is made valid and effective in law as if said deed had been correctly acknowledged and certified, and the said record, the original deed. or any office copy thereof shall be admitted as

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evidence in all courts of this State and shall be valid and conclusive evidence as if said deed had been, in all respects, acknowledged and acknowledgment certified in accordance with the then existing law.

Approved April 10, A. D. 1919.

CONVEYANCE OF REAL ESTATE.

CHAPTER 206.

CONVEYANCE OF REAL ESTATE.

AN ACT to authorize "The Riverview Cemetery Company of Wilmington, Delaware," to convey certain real estate.

WHEREAS, The Riverview Cemetery Company of Wilmington, Delaware, on June 11, A. D. 1899, purchased of James D. Carter a certain piece or parcel of land, being and lying on the northwesterly side of Market Street between what is now known as Thirty-third Street or Talley Street and Thirty-first Street, in the County of New Castle and State of Delaware, comprising about twenty-one acres, two roods and thirty-six perches of land, the Indenture for said land being recorded in the Office for the Recording of Deeds, &c., at Wilmington, in and for New Castle County, Delaware, in Deed Record W, Volume 17, Page 24.

AND WHEREAS, the said The Riverview Cemetery Company of Wilmington, Delaware, has conveyed to The Mayor and Council of Wilmington, a municipal corporation of the State of Delaware, out of the above mentioned track of land, all those two certain lots, pieces or parcels of land, situate in the City of Wilmington, County and State aforesaid, the first being and comprising that portion of the bed of that street or thoroughfare known as thirty-first street, extending from Washington Street in the direction of Market Street, and the second lot, piece or parcel of land situated as aforesaid, being and comprising that portion of the bed of that street or thoroughfare known as Washington Street and extending from Thirty-first Street to Thirty-third Street or Talley Street, Indentures to said pieces of land (first) bearing date the third day of February, A. D. 1914, and recorded in the office for the Recording of Deeds, at Wilmington aforesaid, in Deed Record

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W, Volume 24, Page 284, and (second) bearing date the thirty-first day of May, A. D. 1916, and recorded in the Office for the Recording of Deeds, at Wilmington aforesaid, in Deed Record F, Volume 26, Page 475.

AND WHEREAS, said pieces or parcels of land so sold and conveyed to The Mayor and Council of Wilmington as aforesaid, by The Riverview Cemetery Company of Wilmington, Delaware, by extending Thirty first street and Washington street through the lands of the said The Riverview Cemetery Company of Wilmington, Delaware, cut off or segregate from the main body of land owned and controlled by the said Company so as to render the piece or parcel of land so cut off or segregated on the northwesterly side of Washington Street, and the piece or parcel of land so cut off or segregated lying on the southwesterly side of Thirty-first Street and the northwesterly side of Washington Street, and likewise the piece or parcel of land so cut off or segregated lying on the southwesterly side of Thirty-first street and the southeasterly side of Washington Street practically useless for cemetery or burial purposes.

AND WHEREAS, The Riverview Cemetery Company of Wilmington, Delaware, was organized as a corporation under and by virtue of the laws of the State of Delaware, for burial or cemetery purposes.

AND WHEREAS, some doubt has arisen as to the powers of said Company to sell or convey its lands for any other purpose except for those of burial or cemetery purposes.

AND WHEREAS, it is the desire of The Riverview Cemetery Company of Wilmington, Delaware, to sell said pieces or parcels of land so cut off or segregated as aforesaid, and to give to the purchaser or purchasers thereof a good and sufficient marketable title for the same.

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

Section 1. That The Riverview Cemetery Company of Wil-

CONVEYANCE OF REAL ESTATE.

mington, Delaware, a corporation of the State of Delaware, be and it is hereby authorized and empowered to sell, either at public or private sale, on such terms as it may deem expedient, with power to execute, acknowledge and deliver good and sufficient deed or deeds for all those three certain pieces or parcels of land hereinbefore mentioned and more particularly bounded and described as follows, to-wit:

No. 1. Beginning at a point on the southwesterly side of Thirty-first street at fifty feet wide, at a distance of seventy-three feet six and one-half inches westerly from the northwesterly side of Washington Street at sixty feet wide; thence southerly one hundred feet ten and three-eighths inches to a point distant thirty-eight feet four inches from the northwesterly side of Washington Street, measured at right angles thereto, and one hundred and forty-five feet, five and three-fourth inches from the northeasterly side of Thirtieth Street, measured at right angles thereto; thence in an easterly direction thirty-nine feet four inches to the said northwesterly side of Washington Street; thence with the northwesterly side of Washington Street eighty-five feet eight and one-fourth inches to the southwesterly side of Thirty-first street; and thence with the said southwesterly side of Thirty-first street seventy-three feet six and one-half inches, more or less, to the place of Beginning.

No. 2. Beginning at the intersection of the southwesterly side of Thirty-first street with the southeasterly side of Washington Street; and thence southwesterly by the said southeasterly side of Washington Street seventy-two feet six inches, more or less, to a point; thence in a southeasterly direction three hundred and twenty-five feet; more or less, to a point in the southwesterly side of Thirty-first Street; thence with the said southwesterly side of Thirty-first Street northwesterly three hundred and ten feet, more or less, to the place of Beginning.

No. 3. Beginning at the intersection of the northwesterly side of Washington Street and the northeasterly side of Thirty-first Street; thence by the said northwesterly side of Washing-

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ton Street in a northeasterly direction five hundred and eighty-eight feet three inches, more or less, to a point on the southwesterly side of Thirty-third Street or Talley Street; thence northerly by the said southwesterly side of Thirty-third Street or Talley Street two hundred and ninety-four feet, more or less, to a point; thence southwesterly five hundred and sixty-two feet, more or less, to the northeasterly side of Thirty-first Street; and thence by the said northeasterly side of Thirty-first Street in a southerly direction ninety-one feet, more or less, to the place of Beginning.

Section 2. This Act shall be deemed and taken to be a public Act.

Approved March 20, A. D. 1919.

UNIFORM FRAUDULENT CONVEYANCE ACT.

CHAPTER 207.

UNIFORM FRAUDULENT CONVEYANCE ACT.

AN ACT Concerning Fraudulent Conveyances and to Make Uniform the Law Relating Thereto.

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

Section 1. (Definition of Terms) In this act "Assets" of a debtor means property not exempt from liability for his debts. To the extent that any property is liable for any debts of the debtor, such property shall be included in his assets.

"Conveyance" includes every payment of money, assignment, release, transfer, lease, mortgage or pledge of tangible or intangible property, and also the creation of any lien or incumbrance.

"Creditor" is a person having any claim, whether matured or unmatured, liquidated or unliquidated, absolute, fixed or contingent.

"Debt" includes any legal liability, whether matured or unmatured, liquidated or unliquidated, absolute, fixed or contingent.

Section 2. (Insolvency) (1) A person is insolvent when the present fair salable value of his assets is less than the amount that will be required to pay his probable liability on his existing debts as they become absolute and matured.

(2) In determining whether a partnership is insolvent there shall be added to the partnership property the present fair

UNIFORM FRAUDULENT CONVEYANCE ACT.

salable value of the separate assets of each general partner in excess of the amount probably sufficient to meet the claims of his separate creditors, and also the amount of any unpaid subscription to the partnership of each limited partner, provided the present fair salable value of the assets of such limited partner is probably sufficient to pay his debts, including such unpaid subscription.

Section 3. (Fair Consideration) Fair consideration is given for property, or obligation.

(a) When in exchange for such property, or obligation, as a fair equivalent therefor, and in good faith, property is conveyed or an antecedent debt is satisfied, or

(b) When such property, or obligation is received in good faith to secure a present advance or antecedent debt in amount not disproportionately small as compared with the value of the property, or obligation obtained.

Section 4. (Conveyances by Insolvent) Every conveyance made and every obligation incurred by a person who is or will be thereby rendered insolvent is fraudulent as to creditors without regard to his actual intent if the conveyance is made or the obligation is incurred without a fair consideration.

Section 5. (Conveyances by Persons in Business) Every conveyance made without fair consideration when the person making it is engaged or is about to engage in a business or transaction for which the property remaining in his hands after the conveyance is an unreasonably small capital, is fraudulent as to creditors and as to other persons who become creditors during the continuance of such business or transaction without regard to his actual intent.

Section 6. (Conveyances by a Person about to Incur Debts) Every conveyance made and every obligation incurred without fair consideration when the person making the conveyance or entering into the obligation intends or believes that he will

UNIFORM FRAUDULENT CONVEYANCE ACT.

incur debts beyond his ability to pay as they mature, is fraudulent as to both present and future creditors.

Section 7. (Conveyance Made with Intent to Defraud) Every conveyance made and every obligation incurred with actual intent, as distinguished from intent presumed in law, to hinder, delay, or defraud either present or future creditors, is fraudulent as to both present and future creditors.

Section 8. (Conveyance of Partnership Property) Every conveyance of partnership property and every partnership obligation incurred when the partnership is or will be thereby rendered insolvent, is fraudulent as to partnership creditors, if the conveyance is made or obligation is incurred.

(a) To a partner, whether with or without a promise by him to pay partnership debts, or

(b) To a person not a partner without fair consideration to the partnership as distinguished from consideration to the individual partners.

Section 9. (Rights of Creditors Whose Claims Have Matured) (1) Where a conveyance or obligation is fraudulent as to a creditor, such creditor, when his claim may, as against any person except a purchaser for fair consideration without knowledge of the fraud at the time of the purchase, or one who has derived title immediately or mediately from such a purchaser.

(a) Have the conveyance set aside or obligation annulled to the extent necessary to satisfy his claim, or

(b) Disregard the conveyance and attach or levy execution upon the property conveyed.

(2) A purchaser who without actual fraudulent intent has given less than a fair consideration for the conveyance or obligation, may retain the property or obligation as security for repayment.

UNIFORM FRAUDULENT CONVEYANCE ACT.

Section 10. (Rights of Creditors Whose Claims Have Not Matured) Where a conveyance made or obligation incurred is fraudulent as to a creditor whose claim has not matured he may proceed in a court of competent jurisdiction against any person against whom he could have proceeded had his claim matured, and the court may,

- (a) Restrain the defendant from disposing of his property,
- (b) Appoint a receiver to take charge of the property,
- (c) Set aside the conveyance or annul the obligation, or
- (d) Make any order which the circumstances of the case may require.

Section 11. (Cases not Provided for in Act) In any case not provided for in this Act the rules of law and equity including the law merchant, and in particular the rules relating to the law of principal and agent, and the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy or other invalidating cause shall govern.

Section 12. (Construction of Act) This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section 13. (Name of Act) This act may be cited as the Uniform Fraudulent Conveyance Act.

Section 14. (Inconsistent Legislation Repealed) All acts or parts of acts inconsistent with this Act are hereby repealed.

Approved April 3, A. D. 1919.

WILLS.

CHAPTER 208.

WILLS.

AN ACT to Amend Chapter 93 of the Revised Code of Delaware, Relating to Wills.

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

That Chapter 93 of the Revised Code of Delaware be and the same is hereby amended by inserting after 3244, Section 6 thereof, a new section to be known as 3244-A, Section 6-A.

3244-A. Section 6-A. That where by the terms of a Will a power of sale is granted to an executor or trustee, there shall be no liability upon the purchaser to see to the application of the purchase money, unless the Will shall expressly impose such liability.

Approved April 10, A. D. 1919.

TITLE SEVENTEEN

Administration of Estates

CHAPTER 209.

SETTLEMENT OF PERSONAL ESTATES.

DEPOSITS OF DECEDENTS.

AN ACT to Amend Chapter 98 of the Revised Code of the State of Delaware by Repealing 3381 Section 48 thereof and inserting in lieu thereof a new section in reference to Deposits of Decedents.

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 be and the same is hereby amended by repealing 3381. Sec. 48 thereof and substituting in lieu thereof a new section to be styled "3381. Sec. 48."

3381. Sec. 48. DEPOSITS OF DECEDENTS; PAYABLE WITHOUT LETTERS UPON ESTATES OF; WHEN; TO WHOM; LIMIT OF AMOUNT; SUCH PAYMENT A FULL DISCHARGE:—It shall be lawful for any Bank or individual banker, Trust Company, Savings Bank or Savings Society in this State, having on deposit to the individual credit of any deceased person, a sum of money not exceeding seventy-five dollars, to pay at any time, not less than fifteen days after the death of such person, such sum of money so on deposit to the wife, husband, children, father, mother, sister or brother (preference being given in the order named) of such deceased person, without requiring letters of

DEPOSITS OF DECEDENTS.

administration to be issued upon the estate of such deceased person. The payment of such sum of money, in accordance with the above provisions, shall be a full discharge and release to such Bank, Trust Company or Savings Bank for the amount of the deposit so paid.

Approved Feby 15, A. D. 1919.

DISTRIBUTION OF RESIDUE.

CHAPTER 210.

SETTLEMENT OF PERSONAL ESTATES.

DISTRIBUTION OF RESIDUE.

AN ACT to Amend Chapter 98, of the Revised Code of the State of Delaware, by providing for the Distribution of Intestate Personal Property.

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 striking out the last proviso of 3382 Sec. 49 beginning with the word "or" where it occurs after the word "parent," and inserting in lieu thereof the following:

"Or if the intestate leave a widow she shall be entitled absolutely if there be issue of the intestate, to one-third part of such residue, or if there be no such issue, but brothers, sisters, or other kin, she shall be entitled to the entire residue of such personal estate up to three thousand dollars; and to that portion of the residue of the personal estate which exceeds three thousand dollars she shall be entitled to one-half and the brothers, sisters, or other kin, shall be entitled to the other half; or if there be no kin to the intestate, she shall be entitled to the whole of such residue."

Approved April 10, A. D. 1919.

SALE OF LANDS BY EXECUTORS AND ADMINISTRATORS.

CHAPTER 211.

SALE OF LANDS BY EXECUTORS AND ADMINISTRATORS.

AN ACT to Amend Chapter 99 of the Revised Code of the State of Delaware, in reference to the Sale of Lands by 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 99 of the Revised Code of the State of Delaware be, and the same is, hereby amended by repealing all of 3435. Sec. 19. thereof, and inserting in lieu thereof a new section to be styled "3435 Sec. 19," as follows:

3435. Sec. 19. POWER OF SALE IN WILL; BY WHOM MAY BE EXECUTED:—If, by any will, authority be given to several executors, or other persons, to sell real estate, if one or more of them die before the complete execution of said authority, such authority shall survive. If, by any will, real estate be devised to be sold, and no person be authorized to make said sale, the person, or persons, having the execution of the said will, or the survivors, or survivor, of them, if several, shall have authority to sell said real estate in execution of said devise. If, by any will, real estate be devised to a person or persons for life and after the death of such life tenant or life tenants to be sold, and no person be authorized to make said sale, the person or persons who shall have the execution of said will at the period when such sale is directed to be made, or the survivor or survivors of them, if several, shall have authority to sell said real estate in execution of said devise. If by any will authority be given to an executor to sell real estate, and the person so named as executor therein shall die, or be removed, or discharged from his office of executor before the execution of said authority, or shall refuse or neglect to give bond, or renounce, or is incapable,

SALE OF LANDS BY EXECUTORS AND ADMINISTRATORS.

the person or persons having the execution of the said will, or the survivor or survivors of them, if several, shall have authority to sell said real estate in execution of said devise. Whenever real estate is sold and conveyed in any such case as mentioned and provided for in this section, the purchaser or purchasers thereof shall take the same free and discharged from any liability as to the application, misapplication or non-application of the purchase money or any part thereof; provided, that nothing in this section shall contravene any express direction contained in any will.

Approved March 20, A. D. 1919.

TITLE EIGHTEEN

The General Police

CHAPTER 212.

GENERAL PROVISIONS RESPECTING THE POLICE.

MOTOR VEHICLES.

AN ACT to Amend Chapter 100 of the Revised Code of the State of Delaware,
in Relation to Motor Vehicles.

*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 the repeal of 3583, Section 148, and the insertion in lieu thereof of the following, which shall be styled "3583, Sec. 148."

3583. Sec. 148. Whoever shall take and operate the motor vehicle of another, without the consent of the owner thereof or the person having the same in charge, shall be guilty of a felony, and upon the conviction thereof shall be fined not less than one hundred dollars (\$100) or more than one thousand dollars (\$1000), or imprisoned not exceeding five years or both, at the discretion of the Court, and at the discretion of the Court such offender may be whipped with not exceeding forty lashes.

Approved March 20, A. D. 1919.

MOTOR VEHICLES.

CHAPTER 213.

GENERAL PROVISIONS RESPECTING THE POLICE.

MOTOR VEHICLES.

AN ACT to Provide for the Regulation of the Weight, Speed, and Operation of Vehicles on State Highways.

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

Section 1. No vehicle that has a gross weight, including vehicle and load, of more than 26,000 lbs., shall be operated upon a State Highway.

Section 2. No vehicle bearing a load in excess of 700 lbs. per inch (1") width of tire shall be operated upon a State Highway.

Section 3. Whenever it is necessary to operate a vehicle in excess of the above weight, a special permit shall be obtained from the State Highway Department; this permit will regulate the time that the vehicle shall be operated and the owner of such vehicle shall be liable for any damage done to the State Highway.

Section 4. Authorized representatives of the State Highway Department shall have the right to stop vehicles that have indication of exceeding the prescribed limits of this law, and weigh such vehicles provided it shall not delay the vehicle more than thirty minutes.

Section 5. No self propelled vehicle equipped with metal tires shall be operated upon State Highways with the excep-

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tion of traction engines, road rollers, and farming implements, and these shall be operated only after securing permit from the State Highway Department.

Section 6. Traction engines, road rollers, and farming implements must comply with the requirements of this law and shall not be allowed on the State Highways unless the wheels are smooth or equipped with smooth cleats of at least two inches in width. If the vehicles have cleats other than above specified that cannot be removed, then cushions shall be placed between the cleats in such a manner that the cleat will **not** come in contact with the pavement, so as to cause any injury to the Highway.

Section 7. Trailers equipped with metal tires bearing a gross load in excess of 6000 lbs., shall not be allowed on State Highways.

Section 8. Rough lock chains, or chain wrapped wheels, or other metal projections shall not be used on vehicles whose gross load weight is in excess of 6000 lbs., when operated on State Highways.

Section 9. No vehicle of any kind whose gross load weight is greater than 6000 lbs. shall be operated at a speed in excess of thirty miles (30) per hour, or greater than maximum set forth in Section 10.

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Section 10. *Table showing maximum allowable rates of speed in miles per hour for vehicles of gross load weights.*

PNEUMATIC TIRES.

<i>Maximum gross weight, including weight of vehicle and load.</i>	<i>Maximum speed open country no greater speed shall be maintained for a distance exceeding one quarter of a mile. This is allowable only for passing another vehicle.</i>	<i>Maximum speed thru suburban sections, villages and towns.</i>	<i>Maximum speed in thickly built up parts of cities and towns.</i>
6000 lbs.	30 M	15 M	15 M
8000 lbs.	25 M	15 M	15 M
12000 lbs.	25 M	15 M	15 M
16000 lbs.	25 M	15 M	15 M
20000 lbs.	22 M	12 M	12 M
26000 lbs.	20 M	12 M	12 M

SOLID TIRES.

<i>Maximum gross weight, including weight of vehicle and load.</i>	<i>Maximum speed open country no greater speed shall be maintained for a distance exceeding one quarter of a mile. This is allowable only for passing another vehicle.</i>	<i>Maximum speed thru suburban sections, villages and towns.</i>	<i>Maximum speed in thickly built up parts of cities and towns.</i>
6000 lbs.	25 M	15 M	15 M
8000 lbs.	20 M	15 M	12 M
12000 lbs.	18 M	15 M	12 M
16000 lbs.	16 M	15 M	12 M
20000 lbs.	15 M	12 M	12 M
26000 lbs.	15 M	12 M	12 M

Section 11. All vehicles having a gross weight, including vehicle and load, in excess of 4,000 lbs., shall have attached on each side of the vehicle in plain view, plates at least 6" x 8" in size, that can be easily read, giving the actual weight of the

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vehicle as equipped, and weight of loading capacity as specified by the manufacturer.

Section 12. No vehicle shall have a height greater than twelve feet two inches (12' 2'') nor a greater width than ninety-six inches (96''), except traction engines, whose width shall not exceed one hundred eight inches (108'').

Section 13. In case of any accident, such as collision with a person, animal, or vehicle, the operator of the vehicle in such accident must immediately stop and give his name, residence, and number of his license to operate, and render such assistance as may be reasonable and necessary, within his power. In all cases of accident resulting in injury to any person, the operator or operators of vehicle or vehicles shall within twenty-four hours report the detail of the same to the Secretary of State. All provisions of this section shall apply to the owner of any motor vehicle who is present when the accident occurs, whether such owner is operator or not.

Section 14. *State Highway* in this *Act* shall mean any highway constructed, re-constructed, or maintained by the State Highway Department.

Section 15. *Vehicle* in this *Act* shall mean any vehicle on the highway except vehicles run on rails or tracks.

Section 16. Authorized representatives of the State Highway Department, when so certified by the Chairman of the State Highway Department, shall have police powers similar to that of Sheriffs, Constables, Police, for the purpose of enforcing the provisions of this Act.

Section 17. Any person violating any of the provisions of this Act, shall upon complaint before any Justice of the Peace of this State, and upon proof of the charge, be subject to a fine of not less than ten dollars (\$10), nor more than one hundred

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Section 10. *Table showing maximum allowable rates of speed in miles per hour for vehicles of gross load weights.*

PNEUMATIC TIRES.

<i>Maximum gross weight, including weight of vehicle and load.</i>	<i>Maximum speed open country no greater speed shall be maintained for a distance exceeding one quarter of a mile. This is allowable only for passing another vehicle.</i>	<i>Maximum speed thru suburban sections, villages and towns.</i>	<i>Maximum speed in thickly built up parts of cities and towns.</i>
6000 lbs.	30 M	15 M	15 M
8000 lbs.	25 M	15 M	15 M
12000 lbs.	25 M	15 M	15 M
16000 lbs.	25 M	15 M	15 M
20000 lbs.	22 M	12 M	12 M
26000 lbs.	20 M	12 M	12 M

SOLID TIRES.

<i>Maximum gross weight, including weight of vehicle and load.</i>	<i>Maximum speed open country no greater speed shall be maintained for a distance exceeding one quarter of a mile. This is allowable only for passing another vehicle.</i>	<i>Maximum speed thru suburban sections, villages and towns.</i>	<i>Maximum speed in thickly built up parts of cities and towns.</i>
6000 lbs.	25 M	15 M	15 M
8000 lbs.	20 M	15 M	12 M
12000 lbs.	18 M	15 M	12 M
16000 lbs.	16 M	15 M	12 M
20000 lbs.	15 M	12 M	12 M
26000 lbs.	15 M	12 M	12 M

Section 11. All vehicles having a gross weight, including vehicle and load, in excess of 4,000 lbs., shall have attached on each side of the vehicle in plain view, plates at least 6" x 8" in size, that can be easily read, giving the actual weight of the

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vehicle as equipped, and weight of loading capacity as specified by the manufacturer.

Section 12. No vehicle shall have a height greater than twelve feet two inches (12' 2'') nor a greater width than ninety-six inches (96''), except traction engines, whose width shall not exceed one hundred eight inches (108'').

Section 13. In case of any accident, such as collision with a person, animal, or vehicle, the operator of the vehicle in such accident must immediately stop and give his name, residence, and number of his license to operate, and render such assistance as may be reasonable and necessary, within his power. In all cases of accident resulting in injury to any person, the operator or operators of vehicle or vehicles shall within twenty-four hours report the detail of the same to the Secretary of State. All provisions of this section shall apply to the owner of any motor vehicle who is present when the accident occurs, whether such owner is operator or not.

Section 14. *State Highway* in this *Act* shall mean any highway constructed, re-constructed, or maintained by the State Highway Department.

Section 15. *Vehicle* in this *Act* shall mean any vehicle on the highway except vehicles run on rails or tracks.

Section 16. Authorized representatives of the State Highway Department, when so certified by the Chairman of the State Highway Department, shall have police powers similar to that of Sheriffs, Constables, Police, for the purpose of enforcing the provisions of this Act.

Section 17. Any person violating any of the provisions of this Act, shall upon complaint before any Justice of the Peace of this State, and upon proof of the charge, be subject to a fine of not less than ten dollars (\$10), nor more than one hundred

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dollars (\$100) for the first offense, and not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200) for second offense, and each subsequent offense, and in default of said fine shall be imprisoned for a term of not more than thirty days (30).

Section 18. All Acts or parts of Acts inconsistent with this Act, be and the same are hereby repealed.

Approved April 2, A. D. 1919.

MORPHINE, OPIUM, COCAINE, CHLORAL HYDRATE AND COMPOUNDS.

CHAPTER 214.

GENERAL PROVISIONS RESPECTING THE POLICE.

MORPHINE, OPIUM, COCAINE, CHLORAL HYDRATE AND COMPOUNDS.

AN ACT to Amend Chapter 100 of the Revised Code of the State of Delaware by Prohibiting the Sale of Narcotic Drugs.

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

Section 1. That Article 40 of Chapter 100 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3595, Section 160, and substituting in lieu thereof the following:—

3595, Section 160. It shall be unlawful for any person to sell, barter, exchange, distribute, give away, or in any manner dispose of, at retail or to a consumer, opium or coca leaves, morphine, cocaine, chloral-hydrate, alpha or betacocaine, heroin, codeine, or any compound, manufacture, salt, derivative, or preparation thereof, or any synthetic substitute therefor, (hereinafter called narcotic drugs) within this State except upon the original written prescription of a duly licensed physician, dentist, or veterinary surgeon, and pursuant to all the requirements of this Act.

3595A, Section 160A. That the provisions of this Act shall not be construed to apply to the sale, barter, exchange, distribution, giving away, dispensing or the disposition in any manner, or the possession, within this State, of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce; or,

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if a solid or semisolid preparation, in one avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for and can be used for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine, or any of their salts or any synthetic substitute for them: Provided, that such remedies and preparations are sold, distributed, given away, dispensed, or possessed in good faith as medicines and not for the purpose of evading the intendment and provisions of this Act. The provisions of this Act shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine.

3595B, Section 160B. That the original written prescription required by the provisions of Section 160 of this Act shall be signed in full by the duly licensed physician, dentist or veterinary surgeon issuing it and dated as of the day on which so signed, and shall also indicate the office address, office hours, and telephone number of such duly licensed physician, dentist or veterinary surgeon, the name, age, and address of the person to whom such written prescription is issued, and when given by a duly licensed veterinary surgeon, shall indicate, in addition, the kind of animal for the treatment of which such written prescription is issued. No written prescription containing more than four grains of morphine, thirty grains of opium, two grains of heroin, four grains of codeine, or two grains of cocaine, shall be filled unless the due issuance and correctness thereof be first verified. No written prescription shall be filled without sufficient verification, if, for any reason, the proper issuance and presentation thereof appears questionable. Such verification may be made by telephone, or by some other sufficient method. Such written prescription shall be exactly filled as soon as received, or as soon thereafter as practicable, but no such written prescription shall be filled more than ten days subsequent to the date on which it was signed. The person filling such written prescription shall write or indicate thereon the date of filling and the date when, and the name, age and address of the person to whom he delivers the drugs so prescribed, and there shall be annexed to such prescription after filling a certificate signed by the person receiving such drugs, stating that

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such have been received by him. Such written prescription shall be filled but once, and shall not be copied, except for the purpose of record by the duly licensed physician, dentist or veterinary surgeon issuing it, or by the person filling it, and shall be preserved on file, receiving a consecutive file number, by the person filling it, for a period of two years from the day on which such prescription is filled, in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in Section 160H of this Act.

3595C, Section 160C. No person shall sell, barter, exchange, distribute, give away, or in any manner dispose of any narcotic drug mentioned in Section 160 of this Act without affixing to the bottle, package, vessel, box or container a label containing the name of the article and the word "poison" distinctly shown, and the name and address of the seller printed in red ink, together with the date of filling, the name, age, and address of the person to whom delivered or sold, the name and address of the physician, dentist or veterinary surgeon issuing the prescription written plainly thereon; a narcotic drug so delivered or sold shall always be kept in such original container until actually used.

3595D, Section 160D. That it shall be unlawful for any duly licensed physician, dentist or veterinary surgeon to issue the written prescription required by Section 160 of this Act except in good faith, and in the course of his professional practice for medicinal purposes only. It shall be unlawful for any duly licensed veterinary surgeon to prescribe any of the drugs mentioned in this Act for the treatment of or consumption by a human being. No person shall issue a prescription for a narcotic drug to a minor.

3595E, Section 160E. That a duly licensed physician, dentist or veterinary surgeon may dispense, distribute or in any manner give, within this State to his patient any of the drugs mentioned in this Act, provided such dispensing, distribution or giving is made in good faith, and in the course of his professional practice for medicinal purposes only: Provided, further, that such duly licensed physician, dentist, or veterinary sur-

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geon shall keep a record of all such drugs so dispensed, distributed or given, the date when, and the name and address of the patient to whom such drugs are so dispensed, distributed or given, except such drugs as may be dispensed, distributed or given to a patient upon whom such duly licensed physician, dentist or veterinary surgeon shall personally attend; and such record shall be kept for a period of two years from the date of dispensing, distributing or giving such drugs, subject to the inspection provided for in Section 160H of this Act. It shall be unlawful for any duly licensed veterinary surgeon to dispense, distribute or give away any of the drugs mentioned in this Act for the treatment of or consumption by a human being.

3595F, Section 160F. That, except as provided in the preceding sections of this Act, it shall be unlawful for any person to sell, barter, exchange, distribute, give away, or in any manner dispose of within this State the drugs mentioned in this Act, except in pursuance of a written order in the form defined in this Section of the person to whom any such drug is sold, bartered, exchanged, distributed, given away, or in any manner disposed of. Every person who shall accept any such order, and in pursuance thereof, shall sell, barter, exchange, distribute, give away or in any manner dispose of any of the aforesaid drugs, shall preserve such order for a period of two years in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in Section Eight of this Act. Every person who shall give an order, as in this Section provided, to any other person for any of the aforesaid drugs, shall, at or before the time of giving such order, make or cause to be made in duplicate thereof in the form defined in this Section, and in the case of the acceptance of such order, shall preserve such duplicate for said period of two years in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in Section Eight of this Act. The official order forms and the duplicate copies thereof issued by the Commissioner of Internal Revenue of the United States Treasury Department under the Act of Congress approved December 17th, 1914, entitled, "An Act To provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, dis-

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tribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," shall be the official order forms and duplicate copies thereof required by this Section. It shall be unlawful for any person to obtain by means of said order forms any of the aforesaid drugs for any purpose other than the use, sale or distribution thereof by him in the conduct of a lawful business in said drugs or in the legitimate practice of his profession, pursuant to the intendment of this Act. The provisions of this Section requiring official order forms shall not apply.

(a) To the sale, exportation, shipment or delivery of any of the aforesaid drugs by any person within this State to any person in any foreign country, regulating their entry in accordance with such regulations for importation thereof into such foreign country as are prescribed by the said country, pursuant to such regulations as are promulgated from time to time by the Secretary of State of the United States.

(b) To the sale, barter, exchange, or giving away of any of the aforesaid drugs to any officer of the United States Government or of any State, territorial, district, county, or municipal or insular government lawfully engaged in making purchases thereof for the various departments of the Army and Navy, the Public Health Service, and for Government, State, territorial, district, county, or municipal or insular hospitals or prisons.

3595G, Section 160G. RECORD OF RECEIPTS:—That any person who produces, manufactures, compounds, deals in, dispenses, sells, distributes, gives away, or in any manner disposes of within this State any of the drugs mentioned in this Act shall, whenever required so to do by the State Board of Health, or any peace officer, render to said State Board of Health, or any peace officer, a true and correct statement or return verified by affidavit setting forth the quantity of the aforesaid drugs received by him in this State during such period immediately preceding the demand of the said State Board of Health, or any peace officer, not exceeding three months, as the said State Board of Health, or any peace officer may fix and determine; the names of the persons from whom said drugs were received;

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the quantity in each instance received from each of such persons and the date when received.

3595H, Section 160H. That the order forms and duplicate copies thereof, the prescriptions, and other records required to be preserved under the provisions of Sections 160B, 160E, and 160F of this Act, and the statements or returns under the provisions of Section 160G of this Act, shall be open to inspection by the officers, agents and employees of the United States Treasury Department duly authorized to make similar inspection under the Act of Congress approved December 17th, 1914, hereinbefore mentioned. Any such officer, agent or employe who shall disclose or use the information contained in said statements or returns, or in said order forms or duplicate copies thereof, or in the other records mentioned in this Section, except as herein expressly provided, and except for the purpose of enforcing the provisions of this Act or the Act of Congress approved December 17th, 1914, hereinbefore mentioned, and except for the purpose of enforcing any ordinance of any organized town or municipality within this State regulating the sale, prescribing, dispensing, dealing in, or distribution of the aforesaid drugs, and except in the public interest, unless directed by a court, shall, on conviction, be fined or imprisoned as provided in Section 160P of this Act.

3595I, Section 160I. That whenever a complaint shall be made to any Justice of the Peace that any person is addicted to the use of the drugs mentioned in this Act in a manner contrary to the public welfare, and such use is not prescribed, directed or approved by a duly licensed physician acting in the course of his professional practice, and such Justice of the Peace, after a fair hearing held upon a reasonable notice, is satisfied that the complaint is sufficiently founded he may commit such person to a State, County, or City hospital or institution. Whenever it shall appear to any Justice of the Peace that such person is no longer addicted to the use of the aforesaid drugs in a manner contrary to the public welfare, or in his discretion, he may order a discharge from such commitment. The provisions of this Section shall not be construed to prohibit any person committed to any institution under its provisions from appealing to any

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Court having jurisdiction for a review of the sufficiency of the evidence upon which the commitment was made.

3595J, Section 160J. That the board or officers of this State duly empowered to issue a license to a physician, dentist, veterinary surgeon, pharmacist or nurse, authorizing the practice of such professions in this State may, at any time, and after a fair hearing held upon a reasonable notice, revoke such license upon the production of sufficient evidence that the licensee is addicted to the use of the drugs mentioned in this Act in a manner contrary to the public welfare. Whenever it shall appear to such board or officers that such physician, dentist, veterinary surgeon, pharmacist or nurse is no longer addicted to the use of the aforesaid drugs in a manner contrary to the public welfare they may reissue said license.

3595K, Section 160K. That a duly licensed physician, dentist, veterinary surgeon, pharmacist, or nurse duly convicted of a substantial violation of this Act shall be liable to a revocation of his license by the board or officers of this State duly empowered to issue such license, after a fair hearing upon a reasonable notice, provided such revocation shall be in the public interest. Such board or officers may in their discretion reissue such license.

3595L, Section 160L. That it shall be unlawful for any person to send, ship, carry or deliver any of the aforesaid drugs within this State in a manner contrary to the provisions of this Act; provided, that nothing contained in this Section shall be construed to apply to the delivery of the aforesaid drugs to common carriers or warehouseman, provided the requirements of this Act are in all other respects complied with; or to the handling of the aforesaid drugs by any employee or agent, acting within the scope of his employment or agency, of any person dealing in such drugs pursuant to all requirements of this Act; or to the delivery of the aforesaid drugs by a duly licensed physician, dentist, or veterinary surgeon, to a nurse for administration to his patient under the direction and supervision of such duly licensed physician, dentist or veterinary surgeon in the course of his professional practice.

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3595M, Section 160M. UNLAWFUL POSSESSION DEFINED :—That it shall be unlawful for any person to have in his possession or under his control any of the drugs mentioned in this Act, if such possession or control is obtained in a manner contrary to the provisions of this Act; and such possession or control shall be presumptive evidence of a violation of this Act; provided, that this section shall not apply to the possession or control of the aforesaid drugs by any employee or agent acting within the scope of his employment or agency, of any person dealing in such drugs pursuant to all the requirements of this Act, and such possession or control does not operate to evade any of the provisions or the intendment of this Act; or to the possession or control by a nurse for medicinal treatment only, and not on his own account, acting under the supervision and direction of a duly licensed physician, dentist or veterinary surgeon engaged in the legitimate practice of his profession; or to the possession or control of the aforesaid drugs by any United States, State, County, Municipal or other duly authorized public officer or official who has such possession or control by reason of his official duties; or to the possession or control of the aforesaid drugs by a warehouseman or a common carrier holding such possession or control under the direction of a person who has received such drugs pursuant to the requirements of this Act; provided, further, that it shall not be necessary to negative any of the aforesaid exemptions in any complaint, information or indictment, or other writ or proceeding laid or brought under this Act, and the burden of proof of any such exemption shall be upon the defendant.

3595N, Section 160N. It is unlawful for any person to sell at retail or to furnish to any person other than a duly licensed physician, dentist or veterinary surgeon, an instrument commonly known as a hypodermic syringe or an instrument commonly known as a hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection, without a written order of a duly licensed physician, dentist, or veterinary surgeon. Every person who disposes of or sells at retail, or furnishes or gives away to any person the above instruments, upon the written order of a duly licensed physician, dentist or veterinary surgeon, shall before delivering

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the same, enter in a book kept for that purpose the day of the sale, the name, age and address of the purchaser, and a description of the instrument sold, disposed of, furnished or given away. It shall be unlawful for any person or persons, except a licensed pharmacist, licensed druggist, licensed physician, licensed dentist, licensed veterinary surgeon, hospital or regular dealer in medical or surgical supplies, to possess such instrument, without having in their possession a certificate from a physician certifying that the possession of such instrument is necessary for the treatment of injury, deformity or disease then suffered by the person possessing the same, of* if possessed by a nurse, a certificate from a duly licensed physician that such possession is for professional purposes. Any person or persons who sell, dispose of or give away any instrument commonly known as a hypodermic syringe, or an instrument commonly known as a hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection, except in the manner prescribed in this section, shall be guilty of a misdemeanor, provided, however, that any person owning or having in his possession any such hypodermic syringe or hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection at the time this section takes effect, may lawfully keep or retain the same upon obtaining from a duly licensed and registered physician, dentist or veterinary surgeon within ten days after this section shall take effect, a certificate to the effect that such syringe, needle or instrument was purchased before this section took effect, and that such syringe, needle or instrument may be required for future use for treatment of an injury, deformity or disease from which the person possessing the instrument is then suffering.

3595-O, Section 160-O. That the word "person" as used in this Act shall be construed to mean and including a partnership, association, company or corporation, as well as a natural person.

3595-P, Section 160-P. That any person who violates or fails to comply with any of the requirements of this Act shall be

*or

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guilty of a misdemeanor, and shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than three years, or by both such fine and imprisonment in the discretion of the court.

3595Q, Section 160Q. It shall not be necessary to negative any exemption in any complaint, information or indictment, or other writ or proceeding laid or brought under this Act, and the burden of proof of any such exemption shall be upon the defendant.

Approved February 24, A. D. 1919.

TITLE NINETEEN

Courts

CHAPTER 215.

JUDICIAL REPORTS.

AN ACT to Amend Chapter 109 of the Revised Code.

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

Section 1. That Chapter 109 of the Revised Code is hereby amended by the addition thereto of a new section, to be known as, 3706 A. Sec. 5 A., as follows:

3706 A. Sec. 5 A. The Chancellor and the Judges of the Supreme Court are authorized and empowered to have made and prepared, a digest of all the reported decisions of the several Courts of the State of Delaware. They may employ any person or corporation experienced in the preparation of digests of judicial decisions, to prepare such digest.

The sum of Five Thousand Dollars is hereby appropriated for the expense of the work provided for herein, and all payments therefor shall be made by the State Treasurer upon orders signed by the Chancellor and Chief Justice.

The Chancellor and the said Judges are empowered to determine the selling price of the digest, and the number of volumes to be printed for the State of Delaware.

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The bound volumes of the digest shall be delivered to the Secretary of State, who shall sell the same from time to time, at the price so determined as aforesaid, and he shall forthwith pay over to the State Treasurer all funds received by him from such sales.

The Chancellor and the said Judges shall also determine the number of volumes of said digest to be delivered by the Secretary of State to the State Librarian, for the purpose of exchange with other State Libraries; and they are also empowered to contract with, or arrange with, the person or corporation preparing, printing or publishing said digest in respect of the disposition or sale of the copyright for said digest, and any funds deriving therefrom shall be paid to the Treasurer of the State of Delaware.

Approved April 3, A. D. 1919.

JUDICIAL REPORTS.

CHAPTER 216.

JUDICIAL REPORTS.

AN ACT to Authorize the Printing and Publishing of Equity Cases Decided by Former Chancellor John R. Nicholson, During His Term of Office as Chancellor, and Not Heretofore Published in the Delaware Chancery Reports.

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

Section 1. That John R. Nicholson, former Chancellor, be and he is hereby authorized to collect and publish before the thirty-first day of December A. D. 1919, such equity cases decided by him during his term of office as Chancellor and not heretofore published in the Delaware Chancery Reports, as in his Judgment, are proper to be reported.

Such cases to be printed and published in two volumes of not less than four hundred pages each, including an index. He shall deposit one hundred copies of each volume with the Secretary of State.

Section 2. All provisions of law relating to the publication of equity cases by the Chancellor, and payment for the same, shall apply to the volumes of reports herein above authorized.

Approved March 21, A. D. 1919.

. SUPREME COURT.

CHAPTER 217.

SUPREME COURT.

AN ACT to Amend Chapter 110 of the Revised Code Relative to the Clerk of the Supreme Court.

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

Section 1. That Chapter 110 of the Revised Code be and the same is hereby amended by striking out all of 3708, Section 2 and inserting in lieu thereof the following:

3708. Section 2. CLERK; APPOINTMENT; TERM OF OFFICE; DUTIES; REMOVAL; SALARY:—Beginning with the first Tuesday in January, A. D. 1921, the Prothonotary of the Superior Court of the State of Delaware, in and for Kent County, shall be the Clerk of the Supreme Court. The Prothonotary shall be commissioned as Clerk of the Supreme Court by the Governor on said date for a term of four years. The said Clerk shall have the custody of all records, books and papers belonging to the Supreme Court, and shall keep the same in the Office of the Prothonotary aforesaid. He shall be paid a salary of Three Hundred Dollars per annum, payable by the State Treasurer in quarterly instalments of Seventy-five Dollars each, and the annual sum of Three Hundred Dollars is hereby appropriated out of any money in the Treasury for that purpose. The said salary shall be in lieu of all fees, compensation and perquisites which the said Clerk now receives, but the fees and perquisites now paid to him as compensation, shall be collected as heretofore and by him paid into the Treasury of the State. The salary above mentioned shall be paid to the present Clerk beginning with the approval of this Act, and the term for which he is now commissioned shall in no wise be affected by anything herein contained.

Approved April 3, A. D. 1919.

CLERK OF THE SUPREME COURT.

CHAPTER 218.

CLERK OF THE SUPREME COURT.

AN ACT to Amend Chapter 111 of the Revised Code relative to the Clerk of the Supreme Court.

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

Section 1. That 3720, Section 1, and 3721, Section 2, Chapter 111 be and the same are hereby repealed.

Approved April 3, A. D. 1919.

COURT OF COMMON PLEAS FOR NEW CASTLE COUNTY.

CHAPTER 219.

COURT OF COMMON PLEAS FOR NEW CASTLE COUNTY.

AN ACT to Amend Chapter 112-A of the Revised Code of Delaware Relating to a Court of Common Pleas for 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 house of the General Assembly concurring therein):

Section 1. That Chapter 112A of the Revised Code of Delaware be and the same is hereby amended by the repeal of 3763-E, Section 5 thereof, and inserting in lieu thereof the following:

3763-E. Section 5. The said Court shall have concurrent jurisdiction in New Castle County with the Superior Court in all civil actions at law, arising ex-contractu or ex delicto, where the value of the matter or thing in controversy, exclusive of interest, shall not exceed the sum of one thousand dollars.

The amount claimed by the plaintiff, where the said claim is for a sum certain and not in excess of one thousand dollars, exclusive of interest, shall be conclusive as to jurisdiction of the said Court. In all actions at law whether ex contractu or ex delicto, not involving any sum certain, the plaintiff shall file with his statement of the case, a certificate as to the amount of damages claimed or the value of the thing or matter in controversy, which statement shall be conclusive as to the jurisdiction of the said Court. The said Court shall also have concurrent jurisdiction in actions of forcible entry, detainer and holding over of tenants, and in cases where children or grandchildren neglect or refuse to support their parents or grandparents and vice versa.

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The said Court shall also have the same authority at all times to receive pleas of guilty from persons charged with crimes and misdemeanors, as is now exercised by the Court of General Sessions, and thereupon to impose sentence or parole, according to law, as fully as is now done by the Court of General Sessions.

And finally said Court shall have jurisdiction, power and authority to receive, hear, try and dispose of all such arguments, cases, matters and business as, by certificates of the Judges of the Superior Court or Court of General Sessions, may be assigned or transferred to it by the Superior Court or the Court of General Sessions of New Castle County, pursuant to the rules of said Courts made for that purpose, provided the same come within the jurisdiction of the said Court of Common Pleas, and also in cases where the parties in interest are entitled to a jury trial, provided they, in writing, filed with said Superior Court, waive said jury trial.

Section 2. That Chapter 112-A of the Revised Code of Delaware be and the same is hereby amended by the repeal of 3763-I, Section 9, and inserting in lieu thereof the following:

3763-I. Section 9. All civil actions in said Court shall be begun by filing a statement of the plaintiff's claim without the issuance of any formal writ. The said statements shall consist of a concise recital of the facts which the plaintiff claims gives rise to his cause of action, divided into paragraphs, consecutively numbered, as is now the practice in Bills filed in the Court of Chancery. Only one averment of fact as far as possible, shall be included in one paragraph. Where the Plaintiff's claim is based upon a written contract or other writing, a copy thereof shall be annexed to the statement of claim or reason given for the failure so to do. This statement may be filed by the plaintiff or his counsel. All statements shall be verified by the affidavit of the plaintiff or some responsible person for him, excepting counsel, and shall be signed by the plaintiff or his counsel, and shall be filed in duplicate.

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The Clerk of said Court shall thereupon issue a summons under the seal of the Court, requiring defendant to appear and file an answer to the plaintiff's claim within ten days after service of the statement upon him. In default of the filing of an answer within ten days the plaintiff may take judgment against the defendant as of course, provided however, that upon proper showing the Court may in its discretion, prior to the entry of judgment, extend said time for filing the Answer. In order to prevent judgment as aforesaid, the defendant must file within ten days of the service of the summons and statement upon him as aforesaid, or within the time fixed by the Court as aforesaid, an answer which shall consist of a series of numbered paragraphs corresponding to the paragraphs in the plaintiff's statement of his claim and shall contain an admission or denial of each fact averred, provided that if the defendant alleges himself to be ignorant as to the facts averred in any paragraph, he may so state and place the plaintiff upon proof of the same as if they had been denied. All facts which the defendant does not deny or aver himself to be ignorant of and demand proof as aforesaid, shall be deemed to be admitted.

The answer may be filed by the defendant or his counsel. All answers shall be verified by the affidavit of the defendant or some responsible person for him, excepting counsel, and shall be signed by the defendant or his counsel. If the defendant has filed an answer the case shall be at issue without any formal pleas unless he sets up new matter in separate numbered paragraphs in addition to those answering plaintiff's averments; in which cases plaintiff may, within five days, reply to the same in the same manner and all new matter so averred and not denied by plaintiff, or of which he does not declare himself to be ignorant and demands proof, shall be deemed to be admitted. The case shall then be at issue. Plaintiff may move for judgment for want of a sufficient answer for all or a portion of the claim.

When a case is at issue it shall be the duty of the Judge of the said Court to arrange the trial thereof as promptly as possible and notify counsel with as little delay as possible.

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Section 3. That Chapter 112-A of the Revised Code of Delaware be and the same is hereby amended by adding thereto a new Section to be known as 3763-Q, Section 17:

3763-Q. Section 17. A writ of Foreign Attachment may be issued out of said Court of Common Pleas in any action ex contractu or ex delicto against any person, firm or corporation, upon affidavit by the plaintiff or any other credible person and filed with the Clerk of said Court of Common Pleas, that the defendant resides out of the State, or is a corporation not created by or existing under the laws of this State and is justly indebted to the said plaintiff in a sum not exceeding one thousand dollars (\$1,000), to be specified in said affidavit, and where there are two or more defendants, one a resident of this State but without available means to pay the plaintiff's claim, that may be so stated in such affidavit and the attachment thereon may issue against the non-resident defendant or defendants with the same effect as if said non-resident defendant or defendants was or were the only defendant or defendants in the cause.

In an attachment to be issued under this Section, judgment may be given for the plaintiff at the expiration of sixty days after service of the writ, unless the defendant shall have appeared and filed an answer, in which case like proceedings shall be had as in other suits commenced in said Court of Common Pleas; and provided further, that if the defendant in the attachment or any sufficient person for him, shall at any time after attachment give security for the payment of any judgment that may be recovered in said proceedings, with costs, then the garnishees and all of the property attached shall be discharged and the attachment dissolved and like proceedings be had as in cases of foreign attachment in the Superior Court, in which the attachment has been dissolved by special bail. Such security shall be approved and the form and amount thereof determined by any judge entitled to sit in the Court of Common Pleas. Every such writ issued under the provisions of this Section shall have endorsed thereon by the plaintiff or his attorney, the amount of bail to be taken in such ac-

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tion and the Clerk of the Court, or other person taking bail in any proceedings under this Section shall require the person going bail to justify in the amount so endorsed on said writ, unless said amount shall be reduced as in cases of foreign attachment in the Superior Court.

Except as herein otherwise provided, the said writ shall be framed, directed, executed and returned and like proceedings had as in cases of domestic attachment, as provided in Chapter 126 of the Revised Code of Delaware, except as to the appointment of auditors and distribution among creditors; for every plaintiff in a foreign attachment shall have the benefit of his own discovery, and after judgment may proceed by order of sale, fieri facias, capias ad satisfaciendum or otherwise as on other judgments.

Approved March 31, A. D. 1919.

COURT OF COMMON PLEAS FOR NEW CASTLE COUNTY.

CHAPTER 220.

COURT OF COMMON PLEAS FOR NEW CASTLE COUNTY.

AN ACT to Amend Chapter 112-A of the Revised Code of the State of Delaware, Relating to the Court of Common Pleas for New Castle County.

Be it enacted by the Senate and the 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 112-A of the Revised Code of the State of Delaware be, and the same is hereby amended, by repealing Paragraph 3763 M, Sec. 13 and substituting in lieu thereof the following paragraph to be known as Paragraph 3763 M, Sec. 13.

3763 M. Sec. 13. The Superior Court shall appoint a Clerk for said Court of Common Pleas, who shall hold office during the pleasure of said Superior Court. The Clerk shall perform duties similar to those performed by the Prothonotary of the Superior Court, and such other duties as may be incident to said office, and as the Judge of said Court may direct him to perform. The said Clerk shall receive a yearly salary of eighteen hundred dollars, to be paid by the Levy Court of New Castle County, as other County officials are paid.

The Clerk of the Peace for New Castle County shall act as Clerk of said Court of Common Pleas in the discharge of its criminal duties.

Approved April 3, A. D. 1919.

PROTHONOTARY.

CHAPTER 221.

PROTHONOTARY.

AN ACT to Repeal Chapter 251, Volume 29, of the Laws of Delaware, entitled "An Act to Amend Chapter 113, of the Revised Code of the State of Delaware, by Providing for the Filing of Notes, Bonds and Other Papers Upon Which Judgment Is Entered by Confession."

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

Section 1. That Chapter 251, of Volume 29, of the Laws of Delaware, entitled "An Act to amend Chapter 113, of the Revised Code of the State of Delaware, by providing for the filing of notes, bonds and other papers upon which judgment is entered by confession," be, and the same is hereby repealed and made null and void.

Section 2. That all notes, bonds and other paper writings upon which judgment by confession shall have been entered in the Superior Court now on file in the office of the Prothonotary of either of the Counties of this State, shall be delivered to the Attorney of record upon application to the Prothonotary.

Approved March 11, A. D. 1919.

JUVENILE DELINQUENTS AND PROBATION.

CHAPTER 222.

JUVENILE DELINQUENTS AND PROBATION.

AN ACT to Amend Chapter 116 of the Revised Code Relating to Juvenile Delinquents and Probation.

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 be amended by the repeal of 3816 Sec. 1, 3817 Sec. 2, and 3818 Sec. 3, of said Chapter, and by the substitution in lieu thereof of the following sections, to be known as 3816, Sec. 1, 3817, Sec. 2 and 3818, Sec. 3.

3816, Sec. 1. PROBATION OFFICER; APPOINTMENT; TERM OF OFFICE:—The Chief Justice and Associate Judges of this State are hereby authorized and empowered if, in their judgment the interests of justice will be promoted thereby, to appoint a suitable person in each of the Counties of the State, to perform the duties of probation officer for the Court of General Sessions in each of said Counties. The persons so appointed shall be residents of the several Counties for which they shall be appointed, and shall hold office at the pleasure of the Chief Justice and the Associate Judges.

3817, Sec. 2. PROBATION OFFICER; DUTIES; POWERS:—The said probation officer shall attend upon all the sessions of the Court of General Sessions of their respective Counties, and shall investigate, at the direction of the said Courts, the previous character, antecedents and general reputation of any person under indictment before said Courts, and shall furnish to said Courts such information as they may require to determine whether such person under indictment as aforesaid, shall be

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probated. They shall investigate and report to the Courts the conduct, mode of living and habits of any and all persons that may have been probated by the said Courts, and shall report the result of such investigation to the said Courts, and where, during vacation, any probation officer shall find that the best interests of the public will be served by having a probation determined and ended, he shall so report to any one of the Judges of the said Court, residing in the County of his appointment, or, in the absence or disability of said Judge, to any of the Judges of said Court, and upon the order of said Judge, he shall have power to arrest and deliver such person under probation to the Sheriff of the County in which such arrest is made, to be by him held in safe custody until the next session of the Court, in and for said County, when such person shall be brought into Court for sentence.

Each probation officer shall, in the execution of his official duties, have all the powers of a constable under the laws of this State. He shall keep a complete and accurate record of each case committed to his care, or directed to be investigated by him, in suitable books to be provided by the Levy Court of the respective Counties for that purpose, which record shall be, at all times, open to the inspection of the Court, or of any person appointed by the Court for that purpose, as well as of the Attorney General and the Deputies Attorney General of the State, and the Police officers of any city or town within the respective Counties, unless otherwise ordered in any particular case or matter by the Court. The said probation officer shall have prepared, under the direction of the Court, proper blanks upon which the result of inquiries and investigations shall be made, and all reports shall be filed in their respective offices for the use of the Court, and for reference.

The said probation officers appointed as aforesaid, may arrest on view, and without warrant, in any of the Counties of this State, any person released on probation under his care, who, in the judgment of said officer, shall have violated the condition of his probation, or the rules and regulations thereof, or who shall have re-engaged in criminal practice, or shall have become abandoned to improper associates or vicious life, and a

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certificate by the said officer that the person probated has, in his judgment, forfeited the condition of his probation in any of the above respects, shall be a sufficient warrant for the detention of such person in the County jail until his case shall have been inquired of and determined by the Court; and each probation officer shall forthwith report to the Court in which such probated person was paroled that the said probated person has, in his judgment, forfeited the condition of his probation in some one or more of the respects above mentioned, and has been taken in custody.

Each probation officer shall be provided by the Levy Court of the respective Counties with a badge of office, upon which shall be inscribed the words "Probation Officer, Court of General Sessions, Delaware," and the name of the County for which he shall be appointed.

3818, Sec. 3. PROBATION OFFICER; COMPENSATION; HOW PAID:—The said probation officer shall be an officer of the Court of General Sessions, and shall receive as compensation an annual salary to be fixed by the Court, which shall not exceed Eighteen Hundred Dollars in New Castle County, and Twelve Hundred Dollars in Kent County and Sussex County respectively, and shall be paid monthly by warrants of the Levy Court of the respective Counties, upon vouchers to be approved by any of the Judges of said Court, and by the County Comptroller of the respective Counties.

The actual expenses incident to the proper performance of the duties of probation officers shall be presented to the Court of the County in the form of an itemized bill, and, upon approval thereof by any of the Judges of said Court, and by the County Comptroller, shall be paid by warrants of the Levy Court in the usual form.

In case of absence or disqualification of any probation officer for any sufficient cause, any of the Judges of the said Court may appoint a probation officer pro tempore, in and for the respective Counties, who shall receive as compensation for each

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day's service, a sum equal to the compensation per diem of the salary of the probation officer as pro rated; provided, that the compensation so paid for any excess over thirty days' absence of any probation officer in any one year shall be deducted from the salary of such probation officer.

Whenever any person shall be released on probation under the care of the probation officer by the Court of Common Pleas for New Castle County, such probation officer shall have in relation to such person all the powers, and shall be subject to the same duties as are conferred upon and imposed upon him by this Act with reference to offenders released on probation by the Court of General Sessions, and the person so released on probation shall be subject to the rules and regulations established by the Court of General Sessions relating to persons released on probation.

Approved April 2, A. D. 1919.

JUVENILE COURT.

CHAPTER 223.

JUVENILE COURT.

AN ACT to Amend Chapter 116 of the Revised Code of the State of Delaware as amended by Chapter 252, of Volume 29, Laws of Delaware in relation to the Juvenile Court, for the purpose of increasing the salary of the Chief Probation Officer, and the Salaries of the Three Paid Assistants to the Chief Probation Officer of Said Court, creating the office of Assistant to the Chief Probation Officer, and the office of a Matron of the Detention House for the said Court, and fixing the salaries thereof.

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, as published in 1915, as amended by Chapter 252, Volume 29, of the Laws of Delaware, as published in 1917, be, and the same is hereby amended, by repealing 3833, Sec. 18, of Chapter 116 of the Revised Code of the State of Delaware as published in 1915, and substituting in lieu thereof the following Section to be known and styled as 3833, Sec. 18.

3833, Sec. 18. PROBATION OFFICERS; COMPENSATION; APPOINTMENT; CHIEF PROBATION OFFICER; APPOINTMENT; COMPENSATION; MATRON; APPOINTMENT; COMPENSATION; HOW PAID; POWERS; DUTIES:—The Judge of the Juvenile Court shall have authority to appoint or designate one or more discreet persons, man or woman, of good moral character, to serve as Probation Officers during the pleasure of the Court. Said Probation Officers shall receive no compensation for their services.

The Judge of the Juvenile Court shall have authority to appoint or designate three Probation Officers, who shall be women of good moral character. One of said probation officers shall

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be known as Assistant to the Chief Probation officer, and shall receive a salary of One Thousand Dollars per annum. The other two women Probation Officers, shall each receive a salary of Nine Hundred Dollars per annum. The aforesaid salaries shall be paid semi-monthly, one half by the Levy Court of New Castle County, and one-half by the Treasurer of "The Mayor and Council of Wilmington," upon the order of the Judge of the Juvenile Court.

The Judges of the Superior Court shall appoint upon the recommendation of the said Judge of the Juvenile Court, provided they consider the recommendation a proper one, one Probation Officer who shall be designated as Chief Probation Officer, and who shall receive a salary of Two Thousand Dollars per annum, payable semi-monthly, and necessary expenses may be allowed such officer to an amount not exceeding two hundred dollars per annum, in the discretion of the Juvenile Judge. Said salary expenses shall be paid, one-half by the Levy Court of New Castle County and one-half by the Treasurer of "The Mayor and Council of Wilmington," upon the order of the Judge of the Juvenile Court. All Probation Officers shall be directed under the control of the Chief Probation Officer, and all paid Probation Officers shall possess all power and authority of a Sheriff to make arrests and shall have authority to go into the home of any delinquent or dependent child.

When any child is brought before the court, it shall be the duty of a Probation Officer to make investigation of such case and to be present in Court to represent the interests of the child when the case is heard, to furnish to the Court such information and assistance as the Court or Judge may require, and to take charge of any child before and after the trial, as may be directed by the Court.

3833A, Sec. 18A. MATRON FOR DETENTION HOUSE:—The Judge of the Juvenile Court shall have the authority to appoint or designate a woman of good moral character, who shall be known as the Matron of the Detention House of the Juvenile Court, who shall be under the control of the Chief Probation

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Officer. The aforesaid matron shall receive a salary of five hundred dollars per annum, payable semi-monthly, one-half by the Levy Court of New Castle County, and one-half by the Treasurer of "The Mayor and Council of Wilmington," upon the order of the Judge of the Juvenile Court.

Section 2. This Act shall become operative on the first day of July, A. D. 1919.

Approved April 14, A. D. 1919.

COURT OF CHANCERY.

CHAPTER 224.

COURT OF CHANCERY.

AN ACT to Amend Chapter 117 of the Revised Code of Delaware Relating to the Salary of the Stenographer for the Court of Chancery.

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

That Chapter 117 of the Revised Code of Delaware be, and the same is, hereby amended by repealing 3888, Section 45, and inserting in lieu thereof the following:

3888. Section 45. STENOGRAPHER; COURT OFFICER; APPOINTMENT; REMOVAL; COMPENSATION; BOND; DUTIES:—There shall be attached to the Court of Chancery an additional officer, who shall be a skilled and competent stenographer, whose duty it shall be to attend the sessions of said Court in the several counties, and also whenever the Chancellor sits in Chambers for the hearing of causes or petitions, and under the order and direction of the Chancellor to report all evidence, opinions and other matters, as the Chancellor may order.

He shall be appointed by the Chancellor and be subject to be removed at pleasure, and another appointed in his place.

Before entering upon his duties, he shall be duly sworn as other Court officers, and shall give bond to the State of Delaware in the penal sum of two thousand dollars, to be approved by the Chancellor, for the faithful discharge of his duties.

He shall receive as compensation for his services such sum as may be approved by the Chancellor, not exceeding two thousand dollars for each and every year.

Approved March 31, A. D. 1919.

TITLE TWENTY

Justices of the Peace

CHAPTER 225.

JUSTICES OF THE PEACE.

AN ACT to Amend Chapter 119 of the Revised Code by Providing for an Additional Justice of the Peace and Notary Public for Sussex County, to Reside in the Town of Blades.

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

Section 1. That Chapter 119 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 and numbered as, 3949A. Sec. 1A.

3949A. Sec. 1A. That the Governor be, and is, hereby authorized to appoint an additional Justice of the Peace and, Notary Public, in and for Sussex County, to reside in the Town of Blades.

Approved February 28, A. D. 1919.

TITLE TWENTY-ONE

Civic Actions, Pleadings and Practice

CHAPTER 226.

ATTACHMENTS.

AN ACT to Amend Chapter 126 of the Revised Code of the State of Delaware, Relating to Attachments.

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

That 4120, Section 2, Chapter 126 of the Revised Code of Delaware be and the same is hereby repealed and the following substituted in lieu thereof:

4120. Section 3. All corporations doing business in this State, except banks, saving institutions and loan associations, are subject to the operations of the attachment laws of the State of Delaware, as provided in case of individuals; but insurance companies shall not be liable to attachment, except only as to moneys due in consequence of the happening of the risk provided for in policy of insurance; and said corporation shall be liable to be summoned as garnishee, for which purpose service of the summons upon the President, Treasurer, Cashier, Paying Clerk, any Director or the registered agent, as provided in other attachment cases, shall be sufficient to render the corporation subject to all the liabilities provided by the aforesaid laws; and the answer of the officers or agents so served with attachment process shall be enforced in the same manner as is now provided by law in cases where an individual is summoned as garnishee.

Approved March 20, A. D. 1919.

ATTACHMENTS.

CHAPTER 227.

ATTACHMENTS.

AN ACT to Amend Chapter 126 of the Revised Code of the State of Delaware, Relating to Attachments.

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

Section 1. That Section 4121, being Section 4 of Chapter 126 of the Revised Code of the State of Delaware, be and the same is hereby repealed and the following substituted in lieu thereof:

4121. Section 4. UNINCORPORATED ASSOCIATIONS; SUBJECT TO ATTACHMENT LAWS, WHEN; AFFIDAVIT FOR WRIT; PURPOSE OF; WRIT HOW FRAMED, DIRECTED, ISSUED, EXECUTED AND RETURNED; WHAT MAY BE ATTACHED; PROPERTY OF INDIVIDUAL MEMBERS MAY BE ATTACHED; AMOUNT OF BAIL; JUSTIFICATION OF BAIL:—A writ of attachment may be issued in any action brought against any unincorporated association of persons using a common name (ordinary partnership excepted) transacting business in this State by such common name, and service of such attachment may be made on any officer, director, manager, agent or employe of such unincorporated association, upon affidavit made by the plaintiff or some credible person or any officer of any plaintiff corporation, and filed with any Prothonotary or Justice of the Peace of this State, that the defendant is an unincorporated association of persons using a common name, and not being an ordinary partnership transacting business in this State, and that the plaintiff has a good cause of action against the defendant; and the said plaintiff shall also make affidavit of the amounts of the debt or damages which he claims to be due to him from the said defendant; provided, however, that nothing in this section shall confer jurisdiction upon

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any Justice of the Peace, where the debt, not including the interest claimed to be due on said debt, or the damages, exceeds the sum of two hundred dollars.

The said writ, if issued by a Prothonotary, shall be framed, directed, issued, executed and returned and like proceedings had as in cases of foreign attachment now authorized by law; and the said writ, if issued by a Justice of the Peace, shall be framed, directed, issued, executed and returned and like proceedings had as in cases of attachment now authorized by law before Justices of the Peace, except as is herein otherwise provided.

Any sheriff, constable or other officer, executing any writ of attachment under the provisions of this section, may attach the lands and tenements, goods and chattels, rights and credits, monies and effects of the defendant association.

Any sheriff, constable or other officer executing any writ of attachment under the provisions of this section may also attach the lands and tenements, goods and chattels, rights and credits, monies and effects of any or all of the individuals, composing such association, in the same manner as if they had been made parties defendant by their individual names.

Every writ issued under the provisions of this section shall have endorsed thereon by the plaintiff, or his attorney, the amount of bail to be taken in such case. Any prothonotary, justice of the peace or other person taking bail in any proceeding under this section, shall require the person going bail to justify in the amount so endorsed upon the said writ.

Approved April 21, A. D. 1919.

PLEADING AND PRACTICE IN CIVIL ACTIONS.

CHAPTER 228.

PLEADING AND PRACTICE IN CIVIL ACTIONS.

AN ACT to Amend Chapter 128 of the Revised Code of Delaware, Relating to Pleading and Practice in Civil Actions.

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

Section 1. That Chapter 128 of the Revised Code of Delaware be and the same is hereby amended by adding thereto a new Section, to be known as 4210-A, Section 48.

4210A. Section 48. A person to whom a contract, express or implied, has been transferred or assigned, either in accordance with a Statute or with the common law, may sue thereon in his own name.

Approved April 10, A. D. 1919.

LIGHTS ON VEHICLES.

CHAPTER 229.

LIGHTS ON VEHICLES.

AN ACT to Amend Chapter 128 of the Revised Code of the State of Delaware, by Adding a New Section, and Providing for the Lighting of Vehicles.

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

That Chapter 128 of the Revised Code of the State of Delaware be and the same is hereby amended by adding the following new section, to be styled "4210A Sec. 48."

4210A Sec. 48. Every vehicle drawn by horses, mules or oxen upon any of the public streets or highways of this State shall, from one-half hour after sunset until one-half hour before sunrise, show at least one white light visible not less than two hundred feet in both the direction in which such vehicle is proceeding and also in the opposite direction. If any person shall drive or operate such a vehicle upon any public street or highway in this State, without so showing at least one white light, then in any such case, such person shall, in case of an accident and suit brought by any such person, for damages against another, be deemed and taken to have been guilty of contributory negligence per se, and shall not recover in such action.

Approved March 10, A. D. 1919.

WITNESSES.

CHAPTER 230.

WITNESSES.

AN ACT to Amend Chapter 129 of the Revised Code of Delaware, Relating to Witnesses and Evidence by Authorizing the Issuance of Subpoenas for the Attendance of Witnesses Before Commissioners, Examiners and Masters Appointed by Courts in Other Jurisdictions.

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

That Chapter 129 of the Revised Code of Delaware be and the same is hereby amended by inserting at the end of said Chapter a new Section to be known as 4238-A, Section 29:

4238-A, Section 29. When a commission is issued by any Court of the United States, or of any State, District or Territory in the United States or of any foreign country for the taking of testimony of witnesses at any place within the State of Delaware before any commissioner, examiner or master, the Prothonotary of the Superior Court for any County, shall on application of either party to the suit, or of his agent, issue a subpoena or subpoenas duces tecum for such witness, commanding him to appear and testify, or to produce books or documents before the commissioner, examiner or master named in the commission, at a time and place stated in the subpoena; and if any witness after being duly served with such subpoena and after being tendered the legal witness fees, including mileage, as provided for attendance before the Superior Court, refuses or neglects to appear or to produce the books and documents required by said subpoena, or after appearing refuses to testify, and such refusal or neglect is proven to the satisfaction of the Superior Court or any Judge thereof in vacation, such Court or Judge may proceed to enforce obedience to the process or punish the disobedience in the same manner as the said Superior

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Court may proceed, in case of disobedience to process of subpoena issued by said Court, and in addition thereto the party in whose behalf such witness is summoned shall have all rights and actions against such witness as the aggrieved party now has, as provided in Section 4211 of the Revised Code of Delaware.

Approved April 21, A. D. 1919.

TITLE TWENTY-FOUR

Crimes and Punishments

CHAPTER 231.

OFFENSES AGAINST THE SOVEREIGNTY OF THE STATE.

AN ACT Prohibiting Any Person from Displaying Any Flag or Ensign Bearing an Inscription Opposed to Organized Government.

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

"Any person who shall in public or private display a red flag, a black flag, or any ensign or sign bearing an inscription opposed to organized government, or the flag, emblem or insignia of any organization, society or order opposed to organized government for the purpose of inciting, promoting or encouraging hostility or opposition to, or the subversion or destruction of any and all government, shall be guilty of a high misdemeanor and punished by a fine not exceeding \$2000. or imprisonment at hard labor not exceeding fifteen years, or both."

Approved March 20, A. D. 1919.

OFFENSES AGAINST THE LIVES AND PERSONS OF INDIVIDUALS.

CHAPTER 232.

OFFENSES AGAINST THE LIVES AND PERSONS OF INDIVIDUALS.

AN ACT to amend Chapter 149, of the Revised Code of the State of Delaware Relating to Offenses Against the Lives and Persons of Individuals.

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

That Chapter 149 of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing 4701, Section 5 thereof, and by inserting in lieu thereof, the following which shall be styled 4701, Section 5.

4701. Sec. 5. MANSLAUGHTER; PENALTY; EXCEPTION; PENALTY. WOUNDING WITHIN AND DEATH WITHOUT THE STATE, CONSTITUTING MANSLAUGHTER; TRIAL; WHERE; HOW:—Whoever shall commit the crime of manslaughter (unless it be manslaughter committed by a husband on a person found in the act of adultery with his wife) shall be deemed guilty of felony, and upon conviction thereof, shall be fined not more than ten thousand dollars, or shall be imprisoned for a term of not more than thirty years, or both, at the discretion of the Court. But if the manslaughter of which the party is convicted, shall have been committed by a husband on a person found in the act of adultery with his wife, and it be so found by the verdict, he shall be deemed guilty of a misdemeanor, and shall be fined not less than one hundred nor more than one thousand dollars, and shall be imprisoned for a term not exceeding one year.

If a person be stricken, or wounded, in this State, and die of the said stroke, or wounding, out of this State, and the circumstances be such as to constitute the crime manslaughter,

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the offender, or offenders, may be indicted, tried and punished in the same manner and as fully as if such death had happened in the County in which the mortal stroke, or wound, was given.

Approved March 28, A. D. 1919.

OFFENSES AGAINST RELIGION, MORALITY AND DECENCY.

CHAPTER 233.

OFFENSES AGAINST RELIGION, MORALITY AND DECENCY.

AN ACT with regard to Social Vice and for its Repression.

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:

(a) To keep, set up, maintain or operate any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation;

(b) To occupy any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation or for any person to permit any place, structure, building or conveyance owned by him, or under his control, to be used for the purpose of prostitution, lewdness or assignation, with knowledge or reasonable cause to know that the same is, or is to be, used for such purpose;

(c) To receive or to offer or agree to receive any person into any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation, or to permit any person to remain there for such purpose;

(d) To direct, take or transport, or to offer or agree to take or transport, any person to any place, structure or building, or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation;

(e) To procure or to solicit, or to offer to procure or solicit, for the purpose of prostitution, lewdness or assignation;

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(f) To reside in, enter or remain in any place, structure or building, or to enter or remain in any conveyance, for the purpose of prostitution, lewdness or assignation;

(g) To engage in prostitution, lewdness or assignation, or to aid or abet prostitution, lewdness or assignation, by any means whatsoever.

Section 2. That the term "prostitution" shall be construed to include the offering or receiving of the body for sexual intercourse for hire; and, shall also be construed to include the offering or receiving of the body for indiscriminate sexual intercourse without hire. That the term "lewdness" shall be construed to include any indecent or obscene act. That the term "assignation" shall be construed to include the making of any appointment or engagement for prostitution or lewdness, or any act in furtherance of such appointment or engagement.

Section 3. That in the trial of any person charged with a violation of any of the provisions of Section 1 of this Act, testimony of a prior conviction, or testimony concerning the reputation of any place, structure or building and of the person or persons who reside in or frequent the same and of the defendant shall be admissible in evidence in support of the charge.

Section 4. That any person who shall be found to have committed two or more violations of any of the provisions of Section 1 of this Act within a period of one year next preceding the date named in an indictment, information or charge of violating any of the provisions of Section 1 of this Act shall be deemed guilty in the first degree. That any person who shall be found to have committed a single violation of any of the provisions of this Act shall be deemed guilty in the second degree.

Section 5. (a) That any person who shall be deemed guilty in the first degree, as set forth in Section 4, shall be subject

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to imprisonment in, or commitment to, any penal or reformatory institution in this State for not less than one nor more than three years; Provided, That in case of a commitment to a reformatory institution the commitment shall be made for an indeterminate period of time of not less than one nor more than three years in duration, and the Board of Managers or Directors of the reformatory institution shall have authority to discharge, or to place on parole, any person so committed after the service of the minimum term, or any part thereof, and to require the return to the said institution for the balance of the maximum term of any person who shall violate the terms or conditions of the parole.

(b) That any person who shall be deemed guilty in the second degree, as set forth in Section 4, shall be subject to imprisonment for not more than one year; Provided, That the sentence imposed, or any part thereof, may be suspended, and Provided further, that the defendant may be placed on probation in the care of a probation officer designated by law, or theretofore appointed by the Court, upon the recommendation of five responsible citizens.

(c) That probation or parole shall be granted or ordered in the case of a person infected with venereal disease only on such terms and conditions as shall insure medical treatment therefor and prevent the spread thereof, and the Court may order any convicted defendant to be examined for venereal disease.

(d) That no girl or woman who shall be convicted under this Act shall be placed on probation or on parole in the care or charge of any person except a woman probation officer.

Section 6. That prosecutions for the violation of any of the provisions of Section 1 of this Act shall be tried in the courts of this State wherein misdemeanors (offenses) are triable, except as to such courts the jurisdiction of which is so limited by the Constitution of this State as that the said jurisdiction cannot by statute be extended to include criminal actions of the character herein described.

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Section 7. That the declaration by the Courts of any of the provisions of this Act as being in violation of the Constitution of this State shall not invalidate the remaining provisions.

Section 8. That all laws or parts of laws in conflict with the provisions of this Act, be and the same are hereby repealed.

Approved April 2, A. D. 1919.

OFFENSES AGAINST RELIGION, MORALITY AND DECENCY.

CHAPTER 234.

OFFENSES AGAINST RELIGION, MORALITY AND DECENCY.

AN ACT Defining Certain Nuisances, with Regard to Social Vice.

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

Section 1. TERMS DEFINED.—For the purpose of this Act the terms place, person, nuisance are defined as follows: place shall include any building, erection, or place, or any separate part or portion thereof, or the ground itself; person shall include any individual, corporation, association, partnership, trustee, lessee, agent, or assignee; nuisance shall mean any place as above defined in or upon which lewdness, assignation, or prostitution is conducted, permitted, continued, or exists, and the personal property and contents used in conducting or maintaining any such place for any such purpose.

Section 2. WHO ARE GUILTY.—Any person who shall use, occupy, establish, or conduct a nuisance as defined in Section 1, or aid or abet therein, and the owner, agent, or lessee of any interest in any such nuisance, together with the persons employed in or in control of any such nuisance by any such owner, agent, or lessee, shall be guilty of maintaining a nuisance and shall be enjoined as hereinafter provided.

Section 3. ACTION TO ENJOIN AND ABATE AND WHO MAY MAINTAIN SAME.—Whenever a nuisance exists the Attorney General of the State, or any person who is a citizen of the County, or has an office therein, may bring an action in equity in the name of the State of Delaware, upon the relation of such Attorney General, or person, to abate such nuisance, and to per-

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petually enjoin the person or persons maintaining the same from further maintenance thereof.

Section 4. JURISDICTION AND PROCEDURE—TEMPORARY INJUNCTION.—Such action shall be brought in the Court of Chancery of the County in which the property is located. At or before the commencement of the action a verified complaint alleging the facts constituting the nuisance shall be filed in the office of the Register in Chancery, together with a notice of the pendency of the action, containing the names of the parties, the object of the action, and a brief description of the property affected thereby. Such notice shall be immediately recorded by the Register in Chancery. After the filing of the complaint, application for a temporary injunction may be made to the Chancellor, who shall grant a hearing thereon within ten days thereafter. Where such application for a temporary injunction has been made, the Court, on application of the complainant, may issue an ex parte restraining order restraining the defendants and all other persons from removing, or in any manner interfering with, the personal property and contents of the place where such nuisance is alleged to exist until the decision of the Chancellor granting or refusing such temporary injunction, and until the further order of the Chancellor thereon. The restraining order may be served by handing to and leaving a copy of said order with any person in charge of said place, or residing therein, or by posting a copy thereof in a conspicuous place at or upon one or more of the principal doors or entrances to such place, or by both such delivery and posting. The officer serving such restraining order shall forthwith make and return into Court an inventory of the personal property and contents situated in and used in conducting or maintaining such nuisance. Any violation of such restraining order shall be a contempt of court, and where such order is so posted mutilation or removal thereof, while the same remains in force, shall be a contempt of court, provided such posted order contains thereon or therein a notice to that effect. A copy of the complaint together with a notice of the time and place of the hearing of the application for a temporary injunction shall be served upon the defendants at least five days be-

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fore such hearing. If the hearing be then continued at the instance of any defendant, the temporary writ as prayed shall be granted as a matter of course. Each defendant so notified shall serve upon the complainant, or his attorney, a verified answer on or before the date fixed in said notice for said hearing, and such answer shall be filed with the Register in Chancery wherein such cause is triable, but the Chancellor may allow additional time for so answering, providing such extension of the time shall not prevent the issuing of said temporary writ as prayed for. The allegations of the answer shall be deemed to be traversed without further pleading. If upon the hearing the allegations be sustained to the satisfaction of the Chancellor, the Chancellor shall issue a temporary injunction without bond restraining the defendants and any other person or persons from continuing the nuisance. When the temporary injunction has been granted, it shall be binding on the defendants throughout the State. Any violation thereof shall be contempt of court, to be punished as hereinafter provided. If at the time of granting a temporary injunction, it shall further appear that the person owning, in control, or in charge of the nuisance so enjoined has received five days' notice of the hearing, and unless such person shall show to the satisfaction of the Chancellor that the nuisance complained of has been abated, or that such person proceeded forthwith to enforce his rights under the provisions of Section 12 of this Act, the Chancellor shall forthwith issue an order closing the place against its use for any purpose until the final decision shall be rendered on the application for a permanent injunction. Such order shall also continue in effect for such further period the restraining order above provided if already issued, or, if not so issued, shall include such an order restraining for such period the removal or interference with the personal property and contents located thereat or therein as hereinbefore provided, and such restraining order shall be served and the inventory of such property shall be made and filed as hereinbefore provided; provided, however, that the owner or owners of any real or personal property so closed or restrained, or to be closed or restrained, may appear at any time between the filing of the complaint and the hearing on the application for

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a permanent injunction, and, upon payment of all costs incurred and upon the filing of a bond by the owner of the real property with sureties to be approved by the Chancellor in the full value of the property to be ascertained by the Chancellor, conditioned that such owner or owners will immediately abate the nuisance and prevent the same from being established or kept until the decision of the Chancellor shall have been rendered on the application for a permanent injunction, then and in that case, the Chancellor, if satisfied of the good faith of the owner of the real property and of innocence on the part of any owner of the personal property of any knowledge of the use of such personal property as a nuisance, and that, with reasonable care and diligence, such owner could not have known thereof, shall deliver such real or personal property, or both, to the respective owners thereof, and cancel or refrain from issuing at the time of the hearing on the application for the temporary injunction, as the case may be, any order or orders closing such real property or restraining the removal or interference with such personal property. The release of any real or personal property under the provisions of this section shall not release it from any judgment, lien, penalty, or liability to which it may be subjected by law.

Section 5. TRIAL PROCEEDINGS, PERMANENT INJUNCTION.—The *saction when brought shall be noticed for trial at a time to be fixed by the Chancellor. In such action evidence of the general reputation of the place, or an admission, or finding of guilt of any person under the criminal laws against prostitution, lewdness, or assignation at any such place, shall be admissible for the purpose of proving the existence of said nuisance, and shall be prima facie evidence of such nuisance and of knowledge of and of acquiescence and participation therein on the part of the person or persons charged with maintaining said nuisance as herein defined. If the complaint is filed by a person who is a citizen of the County, or has an office therein, it shall not be dismissed except upon a sworn statement by the complainant and his or its attorney, setting forth the reasons

*action.

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why the action should be dismissed and the dismissal approved by the Attorney General in writing, or before the Chancellor. If the Chancellor is of the opinion that the action ought not to be dismissed, he may direct the Attorney General to prosecute said action to judgment at the expense of the County, and if the action is continued more than one term of Court, any person who is a citizen of the County, or has an office therein, or the Attorney General, may be substituted for the complainant and prosecute said action to judgment. If the action is brought by a person who is a citizen of the County, or has an office therein, and the Court finds that there were no reasonable grounds or cause for said action, the costs may be taxed to such person. If the existence of the nuisance shall be established upon the trial, a decree shall be entered which shall perpetually enjoin the defendants and any other person or persons from further maintaining the nuisance at the place complained of, and the defendants from maintaining such nuisance elsewhere within the State.

Section 6. ORDER OF ABATEMENT.—If the existence of the nuisance be admitted or established in an action as provided in this Act or in a criminal proceeding in any Court of competent jurisdiction in this State, an order of abatement shall be entered as a part of the decree in the case, which order shall direct the removal from the place of all personal property and contents used in conducting the nuisance, and not already released under authority of the Court as provided in Section 4, and shall direct the sale of such thereof as belong to the defendants notified or appearing, in the manner provided for the sale of chattels under execution. Such order shall also require the renewal for one year of any bond furnished by the owner of the real property as provided in Section 4, or, if not so furnished, shall continue for one year any closing order issued at the time of granting the temporary injunction, or, if no such closing order was then issued, shall include an order directing the effectual closing of the place against its use for any purpose, and so keeping it closed for a period of one year unless sooner released; provided, however, that the owner of any place so closed and not released under bond as hereinbefore provided may now appear and obtain such release in the manner and upon fulfilling

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the requirements as hereinbefore provided. The release of the property under the provisions of this section shall not release it from any judgment, lien, penalty, or liability to which it may be subject by law. Owners of unsold personal property and contents so seized must appear and claim same within ten days after such order of abatement is made and prove innocence, to the satisfaction of the Chancellor, of any knowledge of said use thereof, and that with reasonable care and diligence they could not have known thereof. Every defendant in the action shall be presumed to have had knowledge of the general reputation of the place. If such innocence be so established, such unsold personal property and contents shall be delivered to the owner, otherwise it shall be sold as hereinbefore provided. If any person shall break and enter, or use a place so directed to be closed, he shall be punished as for contempt as provided hereinafter. For removing and selling the personal property and contents, the officer shall be entitled to charge and receive the same fees as he would for levying upon and selling like property on execution; and for closing the place and keeping it closed, a reasonable sum shall be allowed by the Chancellor.

Section 7. DUTY OF ATTORNEY GENERAL—PROCEEDS.—In case the existence of such nuisance is established in a criminal proceeding, it shall be the duty of the Attorney General to proceed promptly under this Act to enforce the provisions and penalties thereof, and the finding of the defendant guilty in such criminal proceedings, unless reversed or set aside, shall be conclusive as against such defendant as to the existence of the nuisance. All moneys collected under this act shall be paid to the County Treasurer. The proceeds of the sale of the personal property, as provided in the preceding section, shall be applied in payment of the costs of the action and abatement, including the complainant's costs, or so much of such proceeds as may be necessary, except as hereinafter provided.

Section 8. PUNISHMENT FOR CONTEMPT.—In case of the violation of any injunction or closing order granted under the provisions of this Act, or of a restraining order, or the commission of any contempt of court in proceedings under this Act, the Chancellor may summarily try and punish the offender. The

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proceedings shall be commenced by filing with the Register in Chancery a complaint under oath, setting out and alleging facts constituting such violation, upon which the Chancellor shall cause a warrant to issue, under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may demand the production and oral examination of the witnesses. A party found guilty of contempt under the provisions of this Act shall be punished by a fine of not less than two hundred, nor more than one thousand dollars, or by imprisonment in the County jail not less than three nor more than six months, or by both such fine and imprisonment.

Section 9. OTHER PROVISIONS TO STAND WHEN ONE OR MORE ARE DECLARED UNCONSTITUTIONAL.—Should any provisions or item of this Act be held unconstitutional, such fact shall not be held to invalidate the other provisions and items thereof.

Approved April 2, A. D. 1919.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

CHAPTER 235.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

AN ACT to Amend Chapter 155 of the Revised Code of the State of Delaware in relation to the method of drawing juries in the Court of General Sessions 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 inserting in said Chapter after 4822 Section 17 a new section to be known as "4822A. Section 17A.," as follows:

"4822A. Section 17A." On the trial of any indictment in the Court of General Sessions, where the Defendant is represented by Counsel, it shall be lawful to draw the jury for said trial as follows:

The Clerk of the Peace shall first draw twenty-four names of jurors from the box and announce said names as drawn. The Defendant and the State shall then exercise the right of challenge for cause and the Clerk of the Peace shall draw additional names from the box sufficient to fill the places of any jurors so challenged for cause.

The Defendant and the State shall next each alternately challenge peremptorily six of the jurors so drawn by writing their names on slips of paper which slips shall be delivered as written to the Clerk of the Peace with the privilege to the Defendant and the State to inspect said slips when and as so delivered as aforesaid. The remaining twelve jurors who have not been peremptorily challenged as aforesaid shall constitute the jury for

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the trial of said indictment and their names shall be called by the Clerk of the Peace and they shall take their places in the jury box in the order in which they are called.

The Court of General Sessions shall have full power and authority in its discretion to alter or amend from time to time the method of procedure for drawing juries as above set forth or to adopt any other method which may appear to said Court to be more suitable for said purpose. On the trial of any indictment in said Court of General Sessions where the Defendant shall not be represented by Counsel, the jury for said trial may be drawn in the same manner in which such juries have been drawn prior to the passage of this Act.

Approved April 3, A. D. 1919.

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CHAPTER 236.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

AN ACT to amend Chapter 155 of the Revised Code of the State of Delaware and providing Funds for the Requisition of Fugitives from Justice.

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 immediately following 4840 Section 35 the following, to be known as 4840-A Section 35-A.

4840-A. Section 35-A. The sum of One Thousand Dollars is annually appropriated out of any moneys in the Treasury not otherwise appropriated to pay the actual expenses of agents appointed by the Governor to serve requisition papers. Warrants shall be drawn on the State Treasurer, but no such warrants shall be paid by the State Treasurer unless such shall have been approved by the Attorney General, or one of his Deputies. Upon the conviction of one returned to this State by requisition proceedings, the costs of requisition shall be assessed and paid the same as other costs of the case. Any requisition costs so paid shall forthwith be delivered to the State Treasurer, who shall credit such payment to the requisition fund and send notice of the fact and amount to the Attorney General.

Approved April 9, A. D. 1919.

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CHAPTER 237.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

AN ACT to amend Chapter 155 of the Revised Code of the State of Delaware in relation to Arraignment in Criminal Causes.

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 repealing 4820, Section 15, and inserting in lieu thereof the following, to be known as 4820, Section 15.

4820, Section 15. It shall be a sufficient arraignment of all persons arraigned in any of the criminal courts of this State to state to such person or persons the substances of the indictment or information, and whether said indictment or information is for a felony or a misdemeanor.

This section shall apply to all indictments and presentments in said criminal courts, whether the same be for a misdemeanor or a felony.

Approved March 10, A. D. 1919.

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CHAPTER 238.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

AN ACT to amend Chapter 155 of the Revised Code of the State of Delaware, relating to the General Provisions Concerning Crimes and Punishments.

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

That Chapter 155 of the Revised Code of the State of Delaware, be and the same is hereby amended by the repeal of 4822, Section 17 thereof, and by inserting in lieu thereof, the following which shall be styled 4822, Sec. 17.

4822. Sec. 17. CHALLENGES; DEFENSE IN CAPITAL CASES; IN OTHER CASES; SEVERAL DEFENDANTS, THE RIGHT OF CHALLENGE JOINT; INSISTENCE OF DEFENSE UPON CHALLENGES IN EXCESS OF STATUTORY NUMBER; PROCEDURE ON; PROSECUTIONS; RIGHT OF IN COURT OF GENERAL SESSIONS; IN OYER AND TERMINER WHERE CASE IS CAPITAL; WHEN NOT CAPITAL; FIRST CHALLENGE BY DEFENSE:—A person indicted for a crime punishable with death, shall, at the trial, have right to challenge twenty jurors peremptorily, but no more, except for lawful cause; and a person indicted for any other crime, or misdemeanor, shall have right to challenge six jurors peremptorily, but no more except for lawful cause.

If several, charged in one indictment, be tried together, each shall not be allowed the whole number of challenges but the above right of challenge shall belong to them all together.

If a defendant insist on challenging peremptorily more jurors than can be lawfully challenged, the court shall proceed with the

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trial, and the jurors shall be sworn or affirmed, without respect to such irregular challenging; on the trial of any indictment in the Court of General Sessions, the Attorney General may, on behalf of the State, challenge peremptorily any jurors drawn not exceeding six.

On the trial of any indictment in the Court of Oyer and Terminer for a crime punishable with death, the Attorney General may, on behalf of the State, challenge peremptorily any jurors drawn not exceeding twelve, and on the trial of any other indictment in said court, the Attorney General may on behalf of the State challenge peremptorily any jurors drawn not exceeding six. The right of challenge to any juror as he is called, shall be first exercised by the prisoner.

Approved March 5, A. D. 1919.

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CHAPTER 239.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

AN ACT to Prohibit the Liquor Traffic in the State of Delaware and to Provide for the Enforcement of such Prohibition.

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

Section 1. This entire Act shall be deemed to be an exercise of the power granted by Article 18 of the Constitution of the United States and the police power of the State for the protection of the public welfare, health, peace, safety and morals of the people of the State, and all of its provisions shall be liberally construed for the accomplishment of these purposes.

Section 2. The word, "liquor" or the phrase, "intoxicating liquors," wherever used in this Act, shall be construed to include any distilled, malt, spirituous, vinous, fermented or alcoholic liquor and all alcoholic liquids containing so much as one-half of one per centum of alcohol by volume, and compounds whether proprietary, patented or not, which are potable or capable of being used as a beverage.

Section 3. It shall be unlawful for any person, directly or indirectly, himself, or by his clerk, agent or employee, to manufacture, sell, barter, or furnish any intoxicating liquors within the limits of the State of Delaware on or after the time that the eighteenth amendment to the Constitution of the United States of America shall become valid and effective as a part of the said Constitution, and shall continue in force and effect so long as the said eighteenth amendment shall be valid and effective as a part of the Constitution of the United States of America and no longer, except as herein provided.

Section 4. Whoever has in his possession alcohol for medicinal purposes, shall have, pasted or permanently attached

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to the container, a true copy of the prescription upon which such alcohol was purchased. Any person having in his possession alcohol for mechanical, scientific, industrial or other permitted purposes, shall have pasted or permanently attached to the container, a copy of the affidavit upon which authority it was purchased and received.

Section 5. In case of a sale where a shipment or delivery of such intoxicating liquor is made by a common or other carrier, the sale thereof shall be deemed to be made in the county or city wherein the delivery is made by such carrier to the consignee, his agent or employee. A prosecution for such sale may likewise be held in the county or city wherein the seller resides or from which the shipment is made or in any county or district through which the shipment is made.

Section 6. Nothing in this Act shall prevent a retail druggist, or pharmacist licensed by the State Board of Pharmacy from possessing or selling pure grain or ethyl alcohol for medicinal, scientific, mechanical or industrial purposes, or wine for sacramental purposes as provided herein; nor to prevent a wholesale druggist from selling pure grain or ethyl alcohol to a retail druggist or pharmacist, or in wholesale quantities to manufacturers, superintendents of hospitals, state institutions, colleges and laboratories as provided herein for purposes not herein prohibited.

Section 7. A retail or wholesale druggist shall not sell any intoxicating liquor, except pure grain or ethyl alcohol and wine for sacramental purposes solely and then only after he shall first have secured a permit from the officer as herein provided; nor shall such retail druggist sell alcohol for medicinal purposes, except on a doctor's prescription; nor shall such druggist sell ethyl alcohol for scientific, mechanical, or industrial purposes, except on affidavit of the purchaser as herein provided.

Section 8. Every registered pharmacist or druggist who has a permit, as hereinafter provided, may by himself, or his clerk,

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if he is a registered pharmacist and has a permit as hereinafter provided, sell pure grain or ethyl alcohol as herein provided, or wine for sacramental purposes, in the following cases:

(a) Alcohol upon the written prescription of a reputable physician who is lawfully and regularly engaged in the practice of his profession where the sale is made and as herein provided.

(b) Alcohol for chemical, mechanical and scientific purposes on the affidavit of the Superintendent of any hospital, medical laboratory, manufactory, or educational institution where such alcohol is needed and used only for medicinal, mechanical, industrial, chemical, or scientific purposes.

(c) Alcohol to any dentist who is lawfully and regularly engaged in the practice of his profession upon the affidavit of such dentist personally presented.

(d) Wine for sacramental purposes to any clergyman having charge of a church or upon the written, signed and dated statement of such clergyman or recognized officer of such church presented personally.

(e) Alcohol for industrial, art, scientific, mechanical or pharmaceutical purposes, upon the affidavit of the purchaser as herein provided.

Section 9. Any druggist before selling such alcohol, shall file his application for a permit with the Attorney General of this State. Such application shall be signed by applicant under oath, and shall be substantially as follows:

That the applicant is a regular registered pharmacist, qualified under the laws of this State. That he has been in the business of a druggist for..... last past.

If such applicant has not been in the business heretofore he shall set forth his qualifications as he deems best.

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That he has not been convicted of violating any of the laws of the State relating to the sale of intoxicating liquors.

That he is of good moral character and in good standing as a pharmacist and will conduct his place of business in conformity with the law.

That he will not keep pure grain or ethyl alcohol in such place of business in any amount that represents more than (3) per cent of the value of the stock of goods on hand in the drug store.

That he is of temperate habits, and not addicted to the use of intoxicating liquors or drugs.

That he will not sell any alcohol to a person who is in the habit of using intoxicating liquors as a beverage.

That he will keep a true record of all receipts, sales and purchases of alcohol or liquor used and sold, and report the same as required by law.

Section 10. The Attorney General may issue a permit to a wholesale druggist to sell ethyl alcohol or wine, to retail druggists for purposes not prohibited herein (who have a permit to sell such liquors) and to manufacturers of preparations, hospital laboratories, and state institutions. Such wholesale druggists must qualify in all respects the same as a retail druggist, except that he may not be a registered pharmacist, or employ such pharmacist for selling such liquors at retail.

Section 11. Every druggist shall, on or before the first day of January in each year, or before he shall sell any of the liquors mentioned in this Act under any circumstances, execute and file with the Attorney General a bond, the sufficiency of which shall be determined by the Attorney General, to the State of

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Delaware in the sum of five hundred dollars (\$500) with sufficient sureties, which bond shall be substantially as follows:

Know all men by these presents: That we.....
as principal, and.....and.....
as sureties are held and firmly bound unto the people of the State of Delaware in the sum of five hundred dollars (\$500) and to the payment whereof well and truly to be made we bind ourselves, our heirs, assigns, executors and administrators firmly by these presents.

Whereas, the said principal has covenanted and agreed, and does hereby covenant and agree as follows: that he will not directly or indirectly, by himself, his clerk, agent or servant, at any time, sell, furnish, give or deliver any intoxicating liquor or any mixed liquor a part of which is intoxicating, to any person whomsoever except alcohol for chemical, scientific, medicinal, mechanical, and wine for sacramental purposes only, and then only upon the conditions and under the restrictions provided in this Act, and the laws of this State regulating the sale of such liquors by druggists, nor to any minor except upon written prescription of a physician, nor to any person who is intoxicated, nor to any person who is in the habit of getting intoxicated, nor to any person forbidden in writing by the husband, wife, parent, child, or guardian of such person, and that he will pay all damages, actual and exemplary or punitive, that may be adjudged to any person for injuries inflicted upon him or them, either in person or property or means of support or otherwise, by means of his selling, furnishing, giving, or delivering any such liquor. Now the conditions of this obligation are such that if such principal shall well and truly keep and perform all and singular the foregoing covenants and agreements, and shall pay any judgment for actual and exemplary or punitive damages, which may be recovered against him in any court of competent jurisdiction, and all fines and costs that may be imposed upon him for violation of the laws of this State

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or the United States, then this obligation shall be void and of no effect, otherwise the same shall remain in full force and effect.

..... (L. S.)

..... (L. S.)

..... (L. S.)

Signed, sealed in the presence of

.....

.....

Section 12. Each pharmacist shall keep a public record of all sales of liquors mentioned herein as follows:

PHARMACIST'S RECORD.

Name of doctor issuing prescription. Kind of liquor. Sales on previous prescription on affidavit of such person for liquor within six months. Purchaser. Signature of purchaser. Prescription.

.....

Affidavit of person receiving pure grain or ethyl alcohol:

State of Delaware.....} ss.
County of.....}

Be it remembered that on this day of
A. D. 19, came

who being by me duly sworn according to law doth depose and say that he is more than 21 years of age and not of intemperate habits, and has not been convicted of violating any law relating to the sale or possession of intoxicating liquor within..... years.

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That he needs.....amount of alcohol for
purposes and will not use any part of
 said alcohol for any other purpose or allow others to so use it.
 That he has not received or possessed any alcohol within the
 last thirty days except..... and he has no
 alcohol in his possession or control except.....
 Sworn to and subscribed before me the day and year aforesaid.

.....

[SEAL]

.....

Any druggist may administer the oath provided herein and the affidavit must be permanently attached, or pasted in at the end of the record of each sale. Every druggist shall affix to the container of such liquors a label bearing his name, place of business, the name of the person issuing prescription and the number of such prescription.

Section 13. The provisions of this Act shall not be construed to prevent the manufacture of cider for the purpose of making vinegar or non-intoxicating cider for sale containing not more than one-half of one per cent of alcohol by volume, or to prevent the sale, keeping and storing for sale by druggists, as herein provided, of pure grain or ethyl alcohol for mechanical, industrial, medicinal, and scientific purposes and wine for sacramental purposes. Nothing in this Act shall prevent the possession or sale of denatured alcohol or denatured rum intended for use only in the industrial or mechanical arts, or to prevent the sale and keeping and storing for sale by druggists and general merchants or others duly licensed by existing laws of any medicinal preparations manufactured in accordance with formulas prescribed by the United State Pharmacopœia and National Formulary, or to prevent the manufacture and sale of toilet, medicinal or antiseptic preparations and solutions and upon the outside of each bottle, or box, or package of which is printed in English conspicuously and legibly and clearly the quantity by volume of alcohol in such preparations; or to pre-

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vent the manufacturing or keeping for sale of food products known as flavoring extracts.

Section 14. A physician who issues prescriptions for intoxicating liquors, as defined in this Act, must be in active practice, in good standing in his profession and not addicted to the use of intoxicating liquors or drugs. Such physician, before issuing any prescription must personally make a careful examination of the person for whom the alcohol is prescribed, and in no case issue such prescription to any person whom he has reason to believe will use such alcohol for beverage purposes. Any shift or device by which intoxicating liquors may be improperly prescribed, or for any violation of this Section, such physician shall be guilty of a misdemeanor.

Section 15. Any shift, or device whatever, to evade the provisions of this Act, shall be deemed unlawful within the provisions of this Act.

Section 16. It shall be unlawful to advertise, sell, deliver or possess any preparations, compounds or tablets, from which beer or intoxicating liquor is made for beverage use.

Section 17. It shall be unlawful for any person, firm, corporation to cause, or induce any railroad company, express company, or any other carrier, or any servant, agent or employee thereof, or any person or persons, to carry, transport, or ship any package, trunk or valise containing any liquors mentioned in this Act, or any other liquors, liquids or beverages prohibited by law, without notifying the carrier, his servant or agent, or any person who carries the same, of the true nature and character of the shipment, but failure to notify such carrier shall not be a defense for illegal transportation of such liquor.

Section 18. It shall be unlawful for any person to solicit, take or receive from any person for the purpose of forwarding for the person from whom received, any orders for intoxicating liquors from any person in this State or to give any informa-

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tion how such prohibited liquors may be received, or where such liquors are, or to send for such liquors, and any persons violating the provisions of this Section shall be deemed guilty of a misdemeanor.

Section 19. It shall be unlawful for any person to drink intoxicating liquors of any kind, in any street, alley or public place, or interurban or street car, or upon any railroad passenger train, coach, automobile, dining car, or vestibule thereof, or platform connected therewith, while the said passenger train or coach is in the service of passenger transportation, for any person who is at the time intoxicated to board any such car, train or automobile, or any other public conveyance; and any conductor of any such train, or person in charge of such conveyance, shall have the authority to detain any such person violating the provisions of this Section, and turn him over to any sheriff, constable, police officer or peace officer to be proceeded against by law. Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor.

Section 20. Any illegal sale or gift of any of the liquors mentioned in this act, or a keeping of a place for the illegal sale or gift of the liquors mentioned in this Act, by the lessee or occupant of any premises, shall at the option of the lesser work a forfeiture of the lease.

Section 21. In any affidavit or indictment for the violation of this Act, separate offenses may be united and the defendant may be tried on all of the separate offenses at one trial and the cumulative penalty for each offense may be imposed by the court.

Section 22. In addition to the penalties imposed by this Act for the violation of any of its provisions, the court may, in its discretion, after conviction is had, for the first offense and shall for every subsequent conviction, require the defendant to execute bond with approved security, in a penalty of not less than one hundred (\$100) dollars nor more than two thousand (\$2,000) dollars, conditioned that the said defendant will not

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violate any of the provisions of this Act, for the term of one year. And if said bond shall not be given, the defendant shall be committed to jail until it is given or until he is discharged by the court, provided that he shall not be confined a longer period than six months.

Section 23. In an indictment for the violation of any provisions of this Act, as a sale or gift of intoxicating liquors, it shall not be necessary to allege a sale or gift of intoxicating liquors to a particular person and it shall be sufficient for the conviction of the accused to prove a sale or gift or other act contrary to law.

Section 24. Whenever complaint shall be made by any person on oath before any justice of the peace, or other officer or magistrate having jurisdiction, that any person is found intoxicated, or has been intoxicated, or that liquor is being kept in any hotel, store, public building, street, alley, highways, or other public place, it shall be the duty of such justice, municipal or police Court to issue a subpoena to compel the attendance of such person found intoxicated or other persons aforesaid, to appear before the justice or court issuing the same, to testify in regard to the person or persons of whom, and the time when, and the place where, and the manner in which the liquor producing his intoxication was procured, or other violations complained of, and if such person when subpoenaed shall neglect or refuse to obey such writ, the said justice or court who issued the same shall have the same power and authority to compel the attendance of the person so subpoenaed and to enforce obedience to such writ. Whenever the person so subpoenaed shall appear before the justice, municipal or police court, to testify as aforesaid, he shall be required to answer on oath, the following questions, to wit: When, where, and for what purpose did you procure, obtain or receive the liquor or beverage, the drinking or using of which has contributed to the cause of the intoxication mentioned in the complaint or any question to reveal the facts about the sale or keeping for sale of such liquor in violation of the law. And if such person shall refuse to answer fully and fairly such ques-

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tions, on oath, he shall be punished and dealt with in the same manner as for contempt of court as in other cases, or fined from seventy-five to one hundred dollars (\$75 to \$100). If it shall appear from the testimony of such person that any of the offenses specified in the act have been committed, such justice or court before whom such testimony is given shall make a true record of the same and cause it to be subscribed by such witnesses; and the said testimony or answers, when subscribed as aforecaid, shall be deemed to be taken to be sufficient complaint to authorize the issuing of a warrant to arrest any person or persons who may appear from said complaint to be guilty of having violated any provision of this Act. Any person arrested on a warrant issued pursuant to the provisions of this Section, shall be brought before the justice or court issuing the same, and all subsequent proceedings in such suit or prosecution shall be governed by the rules of the law applicable thereto as in other criminal cases; provided, that the person so testifying under the provisions of this Section shall not be held or prosecuted for the violation of law concerning which such testimony shall be given; provided, further, that nothing contained herein shall be construed as to prevent prosecution of persons for being drunk or intoxicated where the testimony of said person is not sought under the provisions of this Section.

Section 25. Any one found guilty of the violation of any provision of this Act wherein no specific penalty is provided, shall be deemed guilty of a misdemeanor and shall be fined not less than fifty dollars, nor more than five hundred dollars and imprisoned in jail or the New Castle County Workhouse for a period of not less than thirty days nor more than one year. Judgment for fine and costs imposed by the court for violation of any of the provisions of this Act shall be a lien upon the premises where a breach of the law takes place, if such breach was committed by the owner or by another with the owner's knowledge, assent or acquiescence.

Section 26. That if any provision of this Act shall be held to be invalid it is hereby provided that all other portions of this

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Act, which are not expressly held to be invalid, shall continue in full force and effect.

Section 27. Any and all laws inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency only.

Approved March 21, A. D. 1919.

TITLE TWENTY-FIVE

Fees of Public Officers

CHAPTER 240.

SHERIFFS.

AN ACT to amend Chapter 156 of the Revised Code of the State of Delaware in relation to the Fees of the Sheriffs.

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

Sec. 1. That Chapter 156 of the Revised Code of the State of Delaware be, and the same is hereby amended by striking out the sub-division designated by the title "OTHER SERVICES" of 4852, Sec. 5 thereof, and by inserting in lieu of said sub-division the following:

OTHER SERVICES.

Delivering to surveyors, warrant to lay down pretensions and giving notice to the parties or their attorneys of the time of executing the same.....	\$2.00
Attendance on survey under such warrant each day.....	2.00
Assigning Bail Bond or Bond in Replevin.....	.50
For attendance with jurors on view each day.....	2.00
Summoning special jury and making return.....	5.00
Summoning special jury in term time of court.....	10.00

Executing a writ for levying costs of a contested election for the General Assembly, the same fees as for like services upon

SHERIFFS.

execution process generally. For serving each writ, process, or notice before mentioned, five cents per mile necessarily traveled out and in from place of return to the place of service, for each writ, subpoena or notice so served.

For service of Sheriff for any monies arising from a sale of personal property, or lands and tenements by virtue of an execution in his hands and applicable to other executions or judgments prior to or subsequent.50

For every entry, not exceeding five items in the record of disposition of monies arising from sale of property under execution process, when the same is applicable otherwise than to executions in his hands, as provided by Section 8 of Chapter Forty-eight, fifty cents; when such entry exceeds five items, ten cents for each item.

Approved April 10, A. D. 1919.

REGISTER OF WILLS IN SUSSEX COUNTY.

CHAPTER 241.

REGISTER OF WILLS IN SUSSEX COUNTY.

AN ACT to amend Chapter 156 of the Revised Code relating to Fees of the Register of Wills in and for Sussex County.

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

Section 1. That 4859, Sec. 12 of Chapter 156 of the Revised Code, be repealed in so far as it relates to the County of Sussex.

Section 2. That said Chapter 156 of the Revised Code be amended by adding thereto a new section, to be known and numbered as, 4859A. Sec. 12A :

"4859A. Sec. 12A. REGISTER OF WILLS IN SUSSEX COUNTY :—

For filing petition for granting letters of administration or testamentary.....	\$1.00
For granting letters of administration under seal, taking bond and making registry thereof, if the estate be under \$100.00.....	1.25
Over \$100 and less than \$500.....	2.00
Over \$500 and less than \$1,000.....	3.00
Over \$1,000 and less than \$5,000.....	5.00
Over \$5,000 and less than \$10,000.....	8.00
Over \$10,000 and less than \$20,000.....	12.00
Over \$20,000 and less than \$50,000.....	15.00
Over \$50,000 and less than \$75,000.....	20.00
Over \$75,000 and less than \$100,000.....	25.00
Each additional \$100,000 over the first \$100,000.....	10.00
Taking and Registering probate of will.....	2.00

REGISTER OF WILLS IN SUSSEX COUNTY.

For granting letters testamentary under seal, same as for letters of administration.	
Copy of will annexed to letters testamentary, two cents per line of eight words.	
Entering renunciation.....	.25
Making and registering order for advertising letters of administration or testamentary.....	1.00
Hand bills.....	1.00
Filing inventory, and making registry of such filing and of appraised value of goods and chattels therein.....	.25
Filing list of debts.....	.25
For Recording and Indexing Accounts.....	2.00
For adjusting, settling and certifying accounts, one per centum of the net personal estate, disregarding all disbursements made, or to be made, for legacies, bequests or distributive shares due to legatees, heirs at law, or persons otherwise entitled.	
Entering caveat.....	.50
Issuing citation.....	.50
Issuing subpoena to give evidence, all witnesses named before the issuing of the subpoena to be named therein	.50
Issuing an attachment.....	1.00
Taking depositions at large upon the litigation of a cause, two cents per line, and twenty-five cents additional for each deposition.	
Entering interlocutory order upon the litigation of a cause50
Entering sentence or decree upon the actual litigation of a cause	1.00
Filing petition or application for revoking letters of administration or testamentary.....	1.00
Fee for sitting in trial of cause, per day.....	5.00
For recording release, acquaintance or receipt.....	1.00
Fee for acknowledging an acquaintance, or any paper necessary to have acknowledgment thereto.....	.50
For recording will and probate, or any other writing proper to be recorded, and not herein provided for, two cents per line of eight words.	
Certifying an extract, two cents per line of eight words.	

REGISTER OF WILLS IN SUSSEX COUNTY.

Affixing seal of office to any writing not hereinbefore mentioned, and for which no other fee is allowed.....	.50
Making search25
Copy of exemplification of a record under seal not before provided for, two cents per line of eight words.	

Approved February 19, A. D. 1919.

BAILIFFS.

CHAPTR 242.

BAILIFFS.

AN ACT relating to the Fees of certain Public Officers, viz: Bailiffs.

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

Section 1. That 4866, Sec. 19 of Chapter 156 of the Revised Code of Delaware, 1915, be repealed and stricken out and the following be inserted in lieu thereof:

“4866, Sec. 19, Bailiffs:

For attendance upon a Court by a bailiff, not being a Constable, three dollars and a half per day in Kent County, and two dollars per day in Sussex County, and three cents per mile going and returning, to be paid by the County Treasurer upon certificate of attendance under the hand of the Clerk of the Court. In New Castle County each bailiff shall receive a salary of nine hundred dollars per annum, payable semi-monthly, in the same manner as the salaries of other County Officers are paid.

Section 2. That the first paragraph of 3692, Sec. 10 of Chapter 108, of the Revised Code of Delaware 1915, be amended by repealing and striking out said first paragraph and inserting in lieu thereof a new paragraph as follows:

“3692, Sec. 10, Bailiffs' Compensation, Uniformed in New Castle County, Regulation of Uniform.”

The Superior Court, Court of General Sessions and Court of Oyer and Terminer may require the attendance of two bailiffs,

BAILIFFS.

during the term, to be paid by the county, three dollars and a half each per day in Kent County, and two dollars each per day in Sussex County, and three cents per mile going and returning. In New Castle County, there shall be not less than five bailiffs, each of which shall receive a salary of nine hundred dollars per annum, payable semi-annually, in the same manner as the salaries of other county officers are paid.

Approved April 3, A. D. 1919.

BAILIFFS.

CHAPTER 243.

BAILIFFS.

AN ACT to amend Chapter 156 of the Revised Code of the State of Delaware, in reference to the Fees of Public Officers.

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

Section 1. 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 "4866 A. Sec. 19 A.," as follows:

"4866 A. Sec. 19 A. Bailiffs in Kent County. For attendance upon a Court by a bailiff, not being a constable, in Kent County, three and one-half dollars per day, and three cents per mile going and returning, to be paid by the County Treasurer of Kent County upon certificate of attendance under the hand of the Clerk of the Court."

Approved April 10, A. D. 1919.

WITNESS FEES.

CHAPTER 244.

WITNESS FEES.

AN ACT to Amend Chapter 156 of the Revised Code of the State of Delaware, by repealing 4867, Sec. 20, and substituting in lieu thereof a new Section, in reference to Fees of Witnesses.

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

Section 1. That Chapter 156 of the Revised Code of the State of Delaware be and it is hereby amended by repealing 4867, Sec. 20, thereof, and by substituting in lieu thereof the following section to be styled "4867. Sec. 20:"

4867. Sec. 20. Witnesses:—

For attendance in any court, or before referees under a rule of court, or before a justice in case of forcible entry, or landlord vs. tenant, or before the Levy Court, or before a Commissioner, Register in Chancery, or Prothonotary, executing a commission, or rule, for taking depositions, or before either House of the General Assembly, or a committee appointed by either House, each day two dollars, and three cents per mile going and returning.

Attendance before a Justice of the Peace, or before two Justices, in all cases except as before provided for fifty cents, and two cents per mile going and returning.

Attendance at Coroner's inquest in New Castle County fifty cents, and three cents per mile going and returning.

A person who has been committed in default of a recognizance to appear as a witness in a criminal case, shall for the time he is detained, receive such compensation as the Court shall allow.

WITNESS FEES.

The County Treasurer shall, upon the production of a certificate of attendance under the hand of the Clerk of the Peace, or Clerk of the Court of Oyer and Terminer, pay the fees of witnesses on behalf of the State, or on behalf of a person tried and acquitted upon a criminal charge, in the Court of General Sessions, or Court of Oyer and Terminer of his County.

Approved April 14, A. D. 1919.

JURORS.

CHAPTER 245.

JURORS.

AN ACT to Amend Chapter 156 of the Revised Code of the State of Delaware, by repealing 4868, Sec. 21, and substituting in lieu thereof a new Section, in reference to Fees of Jurors.

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

Section 1. That Chapter 156 of the Revised Code of the State of Delaware be and it is hereby amended by repealing 4868. Sec. 21 thereof, and by substituting in lieu thereof the following Section, to be styled "4868. Sec. 21 :"

4868. Sec. 21. Jurors :—

For attendance by grand, petit, or special juror, each day three dollars, and three cents per mile going and returning.

Trial of cause by petit or special jury, each juror twelve cents.

Attendance by petit, or special jury on a view, each juror per day three dollars.

Approved April 10, A. D. 1919.

RESOLUTIONS

CHAPTER 246.

SENATE CONCURRENT RESOLUTION No. 1.

Be it resolved, by the Senate, the House Concurring therein, that the President is hereby authorized and directed to appoint a Committee of two on the part of the Senate, and that a like Committee of three be appointed by the Speaker of the House, which Committee is hereby instructed to notify the Governor that both houses of the General Assembly are duly organized and ready to receive any communication which may be received, and the Secretary of the Senate is instructed to notify the House of Representatives of the adoption of this Resolution, and the names of the Senators so appointed.

Approved January 28, A. D. 1919.

RESOLUTIONS.

CHAPTER 247.

HOUSE JOINT RESOLUTION No. 1.

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

BE IT RESOLVED by the House of Representatives, the Senate concurring therein, that Irvin Stetser be and is hereby appointed and authorized to act and to serve as Bill Clerk of the House of Representatives and Frank C. Miller be and is hereby selected, appointed and authorized to act and to serve as Bill Clerk of the Senate.

Approved January 21, A. D. 1919.

RESOLUTIONS.

CHAPTER 248.

SENATE CONCURRENT RESOLUTION authorizing the State Librarian to employ additional Fireman during the Session of the General Assembly.

Be it resolved by the Senate of the State of Delaware the House of Representatives concurring therein:

That the State Librarian be authorized to employ an additional fireman for the heating plant of the State House during the session of the General Assembly.

The said additional fireman to be appointed by virtue of this Resolution to be under the direct supervision of the State Librarian and to perform such duties about the State House, during the session of the General Assembly, as the said Librarian shall direct.

Approved January 30, A. D. 1919.

RESOLUTIONS.

CHAPTER 249.

HOUSE CONCURRENT RESOLUTION.

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

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 thirteenth, 1919, and the passage of the General Appropriation Bill.

Approved January 27, A. D. 1919.

RESOLUTIONS.

CHAPTER 250.

SENATE CONCURRENT RESOLUTION No. 8.

Requiring the state treasurer to furnish the General Assembly with information relating to the revenues derived from the Income Tax.

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

That the State Treasurer be and he is hereby instructed to furnish to the General Assembly on or before the tenth day of February, 1919, such information concerning the revenues derived from the Income Tax of this State as will show the revenues collected within the City of Wilmington; the revenues collected within that part of New Castle County outside of the City of Wilmington; the revenues collected from Kent County; and the revenues collected from Sussex County; and that the State Treasurer be instructed to employ such assistants as may be necessary to furnish the said information, the expense thereof to be paid out of the State Treasury.

Approved February 3, A. D. 1919.

RESOLUTIONS.

CHAPTER 251.

SENATE JOINT RESOLUTION providing for the furnishing of stamps to the members of the General Assembly.

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

That the State Librarian be instructed to furnish postage stamps for the use of the members of the House of Representatives and the Senate of the State of Delaware, the amounts furnished to be deducted from their twenty-five dollar allowance; and the State Librarian is hereby authorized to draw on the State Treasurer for a sufficient amount to cover the expenditure authorized by this resolution.

Approved January 27, A. D. 1919.

RESOLUTIONS.

CHAPTER 252.

SENATE JOINT RESOLUTION authorizing and requiring the Secretary of State to furnish to each member of the Ninety-Seventh General Assembly a permanently bound copy of the Revised Code of the State of Delaware, and of Volume 28, 29 and 30, Laws 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-Seventh General Assembly a copy of the Revised Code of the State of Delaware, and of Volumes 28, 29 and 30, Laws of Delaware.

Approved January 30, A. D. 1919.

RESOLUTIONS.

CHAPTER 253.

SENATE CONCURRENT RESOLUTION No. 5.

AUTHORIZING THE COMMITTEE ON ACCOUNTS of the Senate and the Committee on Accounts of the House to audit the accounts of the State Treasurer, Secretary of State and other State Officers and Institutions.

Be it resolved by the Senate, the House concurring therein, That the Committee on Accounts of the Senate and the Committee of 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 twenty-eighth day of February, 1919.

Approved January 30, A. D. 1919.

RESOLUTIONS.

CHAPTER 254.

A CONCURRENT RESOLUTION Providing for the appointment of a Committee from the General Assembly to inspect the Delaware State Hospital at Farnhurst.

Be it resolved by the House of Representatives of the State of Delaware, the Senate concurring therein:

That a joint committee of the General Assembly of the State of Delaware be, and the same hereby is, constituted, consisting of five members, three of whom shall be appointed by the Speaker of the House and two by the President Pro tempore of the Senate.

That the said committee thus appointed shall visit and inspect the Delaware State Hospital at Farnhurst at their earliest convenience and make a report to the General Assembly.

Approved January 30, A. D. 1919.

RESOLUTIONS.

CHAPTER 255.

SENATE CONCURRENT RESOLUTION No. 12.

Be it resolved by the Senate of the State of Delaware, the House concurring therein:

That the State Librarian be, and he is hereby authorized and directed to furnish and transmit to the Attorney General of the State of Delaware, at his office in the Kent County Court House, copies of all the State Judiciary Reports and also copies of all the State Chancery Reports, now in the office of said State Librarian or hereafter to be received in said office, said books to be and remain in the said office of the Attorney General and not to be removed therefrom.

Approved March 5, A. D. 1919.

RESOLUTIONS.

CHAPTER 256.

SENATE CONCURRENT RESOLUTION No. 13.

EXTENDING THE TIME when the Committees on Accounts, as Provided for by Senate Concurrent Resolution No. 5, shall report their findings to the General Assembly.

Be it resolved by the Senate, the House concurring therein, that the time for making report to the General Assembly by the Committees on Accounts, as provided by Senate Concurrent Resolution No. 5, be and the same is hereby extended until the tenth day of March, A. D. 1919.

Approved March 5, A. D. 1919.

RESOLUTIONS.

CHAPTER 257.

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:*

That Cornelius B. Hope, William D. Denney and William
Watson Harrington, be and they are hereby appointed Direc-
tors, on the part of the State, of the Farmers' Bank of the State
of Delaware at Dover.

Approved April 2, A. D. 1919.

RESOLUTIONS.

CHAPTER 258.

JOINT RESOLUTION appointing Directors on the part of the State 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 J. 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.

Approved April 2, A. D. 1919.

RESOLUTIONS.

CHAPTER 259.

JOINT RESOLUTION appointing Directors on the part of the State for the Farmers' Bank of the State of Delaware for the Branch at Georgetown.

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

That John G. Townsend, Jr., William J. Thoroughgood and Walter B. Hilyard, be and they are hereby appointed Directors, on the part of the State, of the Farmers' Bank of the State of Delaware for the branch at Georgetown.

Approved April 2, A. D. 1919.

RESOLUTIONS.

CHAPTER 260.

A JOINT RESOLUTION appropriating Four Thousand Dollars as an additional Contingent Fund for the office of the Secretary of State.

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

That the sum of four thousand dollars (\$4,000.00) be and the same is hereby appropriated annually out of any money in the State Treasury, not otherwise appropriated, for an additional contingent fund for the office of the Secretary of State.

Approved April 2, A. D. 1919.

RESOLUTIONS.

CHAPTER 261.

HOUSE JOINT RESOLUTION providing for a Celebration for the Soldiers, Sailors and Members of the Marine Corps, from the State of Delaware, upon their return from the World War, and providing for a suitable Medal to be presented to each of the same.

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

That a Committee of two on the part of the House of Representatives and two on the part of the Senate be appointed by the Presiding Officer of the House and Senate respectively, together with the Governor, the President Pro tempore of the Senate and the Speaker of the House of Representatives, to provide a fitting celebration for the soldiers, sailors and members of the Marine Corps, from the State of Delaware, upon their return from the world war, and to provide a suitable medal to be presented to each of the same.

The said Committee shall determine the nature of said celebration and the time or times for the same; also the said Committee shall determine the kind and form of medal to be presented and the time or times for the presentation of the same.

The expense incurred by the said Committee in connection herewith shall be paid out of the State Treasury on warrants drawn by the Speaker of the House of Representatives and the President Pro tempore of the Senate and countersigned by the Governor.

Approved April 2, A. D. 1919.

RESOLUTIONS.

CHAPTER 262.

HOUSE CONCURRENT RESOLUTION No. 5.

WHEREAS, an Act was passed by the Ninety-sixth General Assembly, State of Delaware, and approved by the Governor on April 9, 1917, entitled "An Act Providing for the Establishment of a Commission for the Erection of a Monument to the Soldiers of the State of Delaware, who served in all the Wars of the Country from the Revolution to the present time," directing said Commission to obtain certain information necessary for the erection of said Monument and report to the Ninety-seventh General Assembly of the State of Delaware, through the Governor of the State; now therefore

Be it resolved by the House of Representatives of the State of Delaware, the Senate concurring therein:

That a Committee of two be appointed, one of whom shall be a member of the House, and the other a member of the Senate, to be selected by the presiding officers of the respective bodies to notify the Governor that the General Assembly is ready to receive the report of the above named Commission, and desires him to appear before it for that purpose on next Wednesday, the fifth day of February, A. D. Nineteen Nineteen, at one-thirty o'clock in the afternoon.

Approved February 5, A. D. 1919.

RESOLUTIONS.

CHAPTER 263.

HOUSE CONCURRENT RESOLUTION.

WHEREAS, an appropriation was made a number of years ago by the United States Congress for the purpose of digging a canal from Chincoteague, Virginia, to Lewes, Delaware; and

WHEREAS, under said appropriation the Assawaman Canal was started but has not yet been completed for the lack of sufficient funds; and

WHEREAS, the completion of said canal would be a great benefit to a large number of residents of Sussex County, Delaware; now, therefore,

Be it resolved, that it be recommended to the Congress of the United States that it make a further appropriation sufficient to complete the work already begun, so that the said Assawaman Canal will be open for traffic.

Approved April 2, A. D. 1919.

RESOLUTIONS.

CHAPTER 264.

HOUSE JOINT RESOLUTION Providing for a Commission to make a survey of State Government and State Offices and County Government and County Offices and make a report to the next General Assembly.

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

That the Governor be and he is hereby authorized and directed to appoint a Commission of five who shall make a survey of the State Government and State Offices and the County Government and County Offices, in the State of Delaware, and make a report of their findings to the next General Assembly.

The expense incurred by the said Commission in connection herewith shall be paid out of the State Treasury on warrants drawn by the Chairman of the said Commission and countersigned by the Governor.

Approved April 2, A. D. 1919.

RESOLUTIONS.

CHAPTER 265.

JOINT RESOLUTION No. 3.

CREATING A COMMISSION to view the situation on Indian River Inlet and report the estimated cost and advisability of opening same.

WHEREAS, Indian River Inlet has become practically closed forming a series of stagnant pools which are breeding places of malaria.

AND WHEREAS, if the said Inlet were open so as to admit a sufficient quantity of salt water it would afford a profitable area for the planting of oysters.

AND WHEREAS, the said Indian River and Rehoboth Bay have become almost depleted of fish which would abound in fish and crabs if salt water were admitted.

Now therefore be it resolved by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Governor shall appoint three Commissioners to view the situation on Indian River Inlet and estimate the cost thereof so as to admit a sufficient quantity of salt water into Indian River and Rehoboth Bay and report to the Ninety-seventh General Assembly their finding as to the advisability of opening the Inlet and the probable cost thereof.

Section 2. Said Commission shall be styled "A Commission To View Indian River Inlet."

Section 3. The said Commission may employ the necessary assistants, and the expenses thereof together with the expenses

RESOLUTIONS.

of said Commission shall not exceed the sum of Three Hundred Dollars to be paid out of the State Treasury on warrants drawn by the said Commissioners, or a majority of them and approved by the Governor.

Approved March 6, A. D. 1919.

RESOLUTIONS.

CHAPTER 266.

HOUSE CONCURRENT RESOLUTION.

WHEREAS, a joint resolution was passed by the Ninety-sixth General Assembly of the State of Delaware, providing for a commission to recommend legislation to consolidate and make uniform the drainage laws of this State, and approved by the Governor on April the second, Nineteen Hundred and Seventeen; and

WHEREAS, said commission has completed its work and is ready to report to the present General Assembly of the State of Delaware; now therefore

Be it resolved by the House of Representatives of the State of Delaware, the Senate concurring therein:

That the two bodies meet in the joint session in the House of Representatives on Thursday, the thirteenth day of February, A. D. Nineteen Hundred and Nineteen, at one-thirty o'clock P. M. for the purpose of receiving the report of said commission.

Approved February 11, A. D. 1919.

RESOLUTIONS.

CHAPTER 267.

JOINT RESOLUTION Authorizing and directing the Secretary of the Senate and the Clerk of the House of Representatives of the Ninety-seventh General Assembly to include in the Senate and House Journals respectively, the Journals of the Senate and House of the Special Session of the Ninety-sixth General Assembly.

WHEREAS, the Journals of the Senate and House of the Special Session of the Ninety-sixth General Assembly have not been printed since the adjournment of said Special Session, the same being considered too small to be bound in Volumes for distribution;

Now, therefore, 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 the Senate and the Clerk of the House of Representatives are hereby authorizd and directed to have printed the Journals of the Senate and House of Representatives of the Special Session of the Ninety-sixth General Assembly held in the year 1918, as part of the Journals of the Ninety-seventh General Assembly and bind the same in one volume.

Approved March 14, A. D. 1919.

RESOLUTIONS.

CHAPTER 268.

SENATE CONCURRENT RESOLUTION RELATING TO THE INTRODUCTION OF NEW BUSINESS.

Be it resolved, by the Senate, the House of Representatives concurring therein, 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 Resolution, or of adjournment, or of joint session, shall be received at the present session of the Ninety-seventh General Assembly after February 17, A. D. 1919.

Approved January 30, A. D. 1919.

RESOLUTIONS.

CHAPTER 269.

SENATE CONCURRENT RESOLUTION No. 14.

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

That no business requiring the approval of the Governor, excepting the Omnibus Appropriation Bills and the General Claims Resolution shall be considered after the Legislative Day of March 21, 1919, and that both Houses of the General Assembly shall adjourn at the close of the Legislative Day of March 21, 1919, to twelve o'clock noon on March 26, 1919.

And further resolved that the hour of three o'clock on the afternoon of March 26, 1919, be and is hereby fixed as the time for the adjournment sine die of both Houses of the Ninety-seventh General Assembly.

Approved March 6, A. D. 1919.

RESOLUTIONS.

CHAPTER 270.

HOUSE CONCURRENT RESOLUTION No. 8.

Be it resolved, by the House of Representatives of the State of Delaware, the Senate concurring therein:

That the time limit for the consideration of business, other than appropriation bills and claims resolutions, and for final adjournment, be and the same is hereby extended; provided that no bills shall be considered which are not now before the respective bodies; and

Be It Further Resolved, that both Houses of the General Assembly shall adjourn at the close of the Legislative Day, of March 25th, A. D. 1919, to twelve o'clock noon, on the twenty-eighth day of March, A. D. 1919, after which time no other business requiring the approval of the Governor shall be considered, excepting the Appropriation Bills and the General Claims Resolutions; and

Be It Further Resolved, that the hour of three o'clock, on the afternoon of the twenty-eighth day of March A. D. 1919, be and the same is hereby fixed as the time for the adjournment sine die of both Houses of the Ninety-seventh General Assembly of the State of Delaware.

Approved March 26, A. D. 1919.

RESOLUTIONS.

CHAPTER 271.

SENATE CONCURRENT RESOLUTION No. 16.

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

That all the people of the State who have been instrumental in carrying out the provisions of the Selective Service Act and the other war activities of the State be and they are hereby commended for their splendid services by which they have maintained the high traditions of this State for loyalty, patriotism and generosity.

Approved March 31, A. D. 1919.

RESOLUTIONS.

CHAPTER 272.

SENATE CONCURRENT RESOLUTION No. 15.

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

That the President pro tempore of the Senate appoint a Committee of two and the Speaker of the House appoint a Committee of three to arrange for a reunion of this General Assembly, at a time and place to be determined by said Committee.

Approved March 31, A. D. 1919.

TITLES OF PRIVATE ACTS

EXCLUDED FROM PUBLICATION.

CHAPTER 273.

AN ACT to Incorporate the "Townsend Trust Company."

Approved February 17, A. D. 1919.

CHAPTER 274.

AN ACT to Incorporate "The Dagsboro Bank."

Approved April 2, A. D. 1919.

CHAPTER 275.

AN ACT to reenact and make valid an act entitled "An Act To Incorporate the Bank of Milford, Delaware" with the exception of Section 11 thereof; said act being Chapter 308 of Volume 29 of the Laws of Delaware.

Approved April 2, A. D. 1919.

CHAPTER 276.

AN ACT to Incorporate "The Frankford Bank."

Approved April 2, A. D. 1919.

TITLES OF PRIVATE ACTS.

CHAPTER 277.

AN ACT to reenact and make valid an Act entitled "An Act to Incorporate 'Seaford Trust Company,'" with the exception of Section 11 thereof; said Act being Chapter 307 of Volume 29 of the Laws of Delaware.

Approved April 2, A. D. 1919.

CHAPTER 278.

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 April 2, A. D. 1919.

CHAPTER 279.

AN ACT to Authorize the Executrix under the Will of Henry Brown, deceased, to sell and convey certain Real Estate in New-Castle County.

Approved April 2, A. D. 1919.

CHAPTER 280.

AN ACT to Incorporate "Hickman Trust Company."

Approved April 10, A. D. 1919.

CHAPTER 281.

AN ACT to Incorporate the "Wilmington Morris Plan Bank."

Approved April 14, A. D. 1919.

TITLES OF PRIVATE ACTS.

CHAPTER 282.

AN ACT to Incorporate the "Industrial Savings and Loan Bank."

Approved April 14, A. D. 1919.

CHAPTER 283.

AN ACT to Incorporate the "Georgetown Land and Trust Company."

Approved April 24, A. D. 1919.

PROCLAMATIONS OF THE GOVERNOR

PRINTED IN ACCORDANCE WITH PROVISIONS OF CHAPTER 10 OF THE
REVISED STATUTES OF 1915.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.,

Governor of Delaware.

To all Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the City of Wilmington, County of New Castle, comprising one of the Local Option Districts under the Constitution of the State of Delaware, on Tuesday, the Sixth day of November, in the year of our Lord one thousand nine hundred and seventeen, that being the first Tuesday after the first Monday in said month, pursuant to the Constitution and laws of the State of Delaware, in that behalf, for the purpose of taking a vote of the qualified electors upon the question whether the manufacture and sale of intoxicating liquors shall be licensed or prohibited within the limits of said District; and,

WHEREAS, upon examination by the Governor of the official certificates of results of said election, held in the City of Wilmington, County of New Castle aforesaid, one of the Local

PROCLAMATIONS.

Option Districts aforesaid, duly made out, signed and executed by the Superior Court in New Castle County, and duly filed in the office of the Secretary of State, it appears that Twelve Thousand and Sixty-three (12,063) votes were cast For License and Nine Thousand Nine Hundred and Eighty-four (9,984) votes were cast Against License in the City of Wilmington, County of New Castle aforesaid, one of the Local Option Districts aforesaid, at such election to determine whether the manufacture and sale of intoxicating liquors shall be licensed or prohibited within the limits of the City of Wilmington, County of New Castle aforesaid, one of the Local Option Districts aforesaid.

Now, therefore, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that upon the question whether the manufacture and sale of intoxicating liquors shall be licensed or prohibited within the limits of the City of Wilmington, County of New Castle aforesaid, one of the Local Option Districts aforesaid, Twelve Thousand and Sixty-three (12,063) votes were cast For License and Nine Thousand Nine Hundred and Eighty-four (9,984) votes were cast Against License; therefore it appears that a greater number of votes have been cast For License than Against License in the City of Wilmington, County of New Castle aforesaid, one of the Local Option Districts aforesaid.

[GREAT SEAL] GIVEN UNDER MY HAND and the Great Seal of the State, at Dover, the Fourteenth day of November, in the year of our Lord one thousand nine hundred and seventeen and of the Independence of said State the one hundred and forty-second.

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.,

Governor of Delaware.

To all Persons to whom these Presents shall come, Greeting:

WHEREAS, an election was held in New Castle County, outside the City of Wilmington, comprising one of the Local Option Districts under the Constitution of the State of Delaware, on Tuesday, the Sixth day of November, in the year of our Lord one thousand nine hundred and seventeen, that being the first Tuesday after the first Monday in said month, pursuant to the Constitution and laws of the State of Delaware, in that behalf, for the purpose of taking a vote of the qualified electors upon the question whether the manufacture and sale of intoxicating liquors shall be licensed or prohibited within the limits of said District; and,

WHEREAS, upon examination by the Governor of the official certificates of results of said election, held in New Castle County, outside the City of Wilmington, aforesaid, one of the Local Option Districts aforesaid, duly made out, signed and executed by the Superior Court in New Castle County, and duly filed in the office of the Secretary of State it appears that Three Thousand Four Hundred and Eighteen (3,418) votes were cast For License and Four Thousand Six Hundred and Twenty-three (4,623) votes were cast Against License in New Castle County, outside the City of Wilmington, aforesaid, one of the Local Option Districts aforesaid, at such election to determine whether the manufacture and sale of intoxicating

PROCLAMATIONS.

liquors shall be licensed or prohibited within the limits of New Castle County, outside the City of Wilmington aforesaid, one of the Local Option Districts aforesaid.

Now, therefore, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that upon the question whether the manufacture and sale of intoxicating liquors shall be licensed or prohibited within the limits of New Castle County, outside the City of Wilmington aforesaid, one of the Local Option Districts aforesaid, Three Thousand Four Hundred and Eighteen (3,418) votes were cast For License and Four Thousand Six Hundred and Twenty-three (4,623) votes were cast Against License; therefore it appears that a greater number of votes have been cast Against License than For License in the County of New Castle, outside the City of Wilmington aforesaid, one of the Local Option Districts aforesaid.

[GREAT SEAL] GIVEN UNDER MY HAND and the Great Seal of the State, at Dover, the Fourteenth day of November, in the year of our Lord one thousand nine hundred and seventeen and of the Independence of said State the one hundred and forty-second.

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS.

*THANKSGIVING DAY**PROCLAMATION.*

Thanksgiving is distinctively American. It is a part of our National life, and upon the spirit of its recognition rests the stability of our institutions. Observed by our fathers in the hardships of Colonial days, it gained recognition in the Nation's stress under Lincoln. With such history and such recognition, it is peculiarly fitting that today, with Democracy on trial, we should bow in thankful acknowledgement to a guiding Providence. With the idea and ideals of Calvary standing at bay, humanity, with beseeching confidence has appealed to the strength of America, for relief and life, itself. That we are privileged to give of our harvests to starving nations, and of our manhood in defense of honor, is foundation for sincere Thanksgiving. Never in the history of our country, have we been fortunated to give effectively so much for the world's advance. So, to stand, with our all, beside the bleeding Nations to fight for Liberty of Thought and Action, merits prayerful recognition of the God of Courts and Men. Truly, as in the past, man with tried heart, bowed in sadness, renders most devout thanks to the guiding Hand of Destiny.

In this world's sadness and misfortune, our State has played well her part, giving more of her resources than the demands of proportionate share. For all of which, and in keeping with

PROCLAMATIONS.

custom and Official Proclamation, I, John G. Townsend, Jr., Governor of the State of Delaware, do designate

THURSDAY

NOVEMBER THE TWENTY-NINTH

as a Day of

THANKSGIVING

and strongly urge our citizens to lay aside the duties of the hour and give grateful thanks to Almighty God for the harvests and blessings received and the privileges and opportunities afforded, during this year, and to further resolve that our all be given for His Guidance.

IN TESTIMONY WHEREOF, I, John G. Townsend, Jr., Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be affixed at Dover, this Nineteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Seventeen, and in the year of the Independence of the United States the One Hundred and Forty-second.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

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, John G. Townsend, Jr., do hereby issue this proclamation according to the provisions of Sections 75 and 76, Chapter 6, of the Revised Statutes of 1915, as amended, and do hereby declare under this act of the Legislature that the charters of the following corporations, reported as aforesaid, are repealed:

Abner Doble Motor Vehicle Company, A. & M. Asbestos Building Material Company, A. N. Haltom Advertising Syndicate, Absecon Sand and Gravel Company, A. W. R. Electric Manufacturing Company, Adjusto Manufacturing Company, The Advance Manufacturing Corporation, Advance Power Company, Aero-Dynamic Oil Company, Ahlberg Kerosene Carburetor Company, The, Agalteca Mining Company, Alexander Apartments, Incorporated, Albertson Company, Aladdin Electric Lamp Company, Alaska Film Company, Inc., Alaska Fur Company, Alpine Lucas Company, Alabama Mausoleum Company, Almarca Mines Corporation, Alexander's Stores, Inc., Alfred Tompkins Contracting Company, Allentown Amusement Company, Alpha Company, Allegheny County Mausoleum Company, Allied Film Dealers, Incorporated, Allen & Fisher Company, All States Film Corporation, Alpha Supply Company, Allen-Welch Corporation, The, Amalgamated Film Corporation, Amherst Sandstone Quarries Company, American Arti-

PROCLAMATIONS.

ficial Silk Manufacturing Company, American Auto-Tractor Company, American Automatic Vending Machine Company, American Biological Company, American Bond Association, The, American Brass Novelty Company, The, American Cinema Film Company, American Coalette Company, American College of Genealogy, Incorporated, American Contracting Company, American Co-operative Creameries Association, American Development and Exchange Company, The, American Dilator Company, American Drug Corporation, American Farming Company, American Gas Utilities Company, American Industrial Company, American Institute of the Salsomoggiore Treatment, Incorporated, American Land and Development Company, Incorporated, American Magazine Association, American Market Company, American Metal Company, American Motor Utilities Company, American Music Company, Inc., American Press Writers' Association, American Printers Corporation, American Pressweld Radiator Corporation, American Registry Company, American Rubberfelt Company, American Sales and Service Company, American Salt Company, American Service Corporation, American Sight Seeing Car and Coach Company, The, American Stores Products Co., American Veterinary Medicine Company, Angldile Computing Sealé Company, Antioguia Gold Mines Co., Apollo Amusement Company, The, Apollo Publishing Company, Arkansas Grand Prairie Oil and Gas Company, Ardmore Hotel Company, Ardmore, Okla., The Artists' Mart of America, Inc., Army Tire Company, Ashman Decorative Company, Associated Film Sales Corporation, Associated Industries Company, The, Atlantic Auction Corporation, Atlas Feature Film Corporation, The, Atlantic Fruit Company, The, Atlantic Iron and Steel Company, Atlantic Koke Beverage Company, Atlanta Land Investment Company, The, Atlantic Life Finance Co., Atlantic Marine Transportation Company, Atlantic and Pacific Drug Company, Inc., Atlas Pencil Company, Atlantic States Sales Company, Atlas Theatres Company, The, Automatic Checking Corporation, Auto Clutch Lock Company, Automobile Development Company, Automatic Hoist Corporation, The, Automatic Ignition Company, Automatic Journal Lubricator Company, Automatic Policy Vending Co., Auction Sales Corporation, The Automobile Spring Wheel Company, Auto and Tire Sales Company.

PROCLAMATIONS.

B. C. M. W. Company, B. D. Strohecker Company, Inc., B. F. Laundry Machine Company, The, B. F. Fish Manufacturing Company, B. & R. Shock Absorber Company of America, Baltimore Credit Company, The, Balbirnie Pharmacy Company, Balldom Publishing Co., Baltimore Sugar Refining Company, Incorporated, Bankers' Auxiliary Corporation, Bangs Laboratories Incorporated, Bankers Publicity Service Company, The Bankers Publishing Company, Bank Securities Trust Company, Barkman-Carson Corporation, The, Barnes Safe & Lock Co., Beacon Hill Highlands Company, Belmont Amusement Company, The, The Belmer Company of Philadelphia, Beluga Fishery and By-Products Company, Benjamin-Rickard Advertising Company, Berkley Springs Corporation, The, Berry Construction Company, Inc., Best Company, The, Birmingham Amusement Corporation, Binghamton Farms Company, Black Diamond Coal Company, The, Blanche Rose Mining Company, Blair Vivontoscope Company, Blount Mountain Cement, Coal & Lime Co., Bonita Products Company, The, Bosse' Refrigerating Company, The, Bosse' Refrigerating Company of Pittsburgh, Boro-salicine Company, Incorporated, Boulevard Amusement Company, The, Bowers' Adding Machine Typewriter Attachment Company, Box Crane and Hoist Company, Bowen, Weaver & Brown, Incorporated, Bradford Company, The, Brains Corporation, Brady Wireless Corn Planter Company, Breston Company, The, Brewers' Malting Company, Brighton Oil Company, Brinton & Brosius Company, Inc., The, Brodie Hydraulic Concrete Block Company, Broderick Inner Tube Protector Company, Bromo-Tone Co., Brooks Motor Car Company, The, Brown and Brown, Incorporated, Brown Gas and Oil Company, Brubaker Construction Company, Buckroe Beach Toboggan Company, Bullet Brand Distributing Company, Bullet Brand Laboratories, Incorporated, Bungalow Hotel and Development Company, Buffum Pure Seed Company, Buffalo Securities Trading Company.

Calvert Business College, Incorporated, Caloric Food Manufacturing Company, The, C. H. Squier and Son Company, C. L. Sexton & Co., C. X. Corporation, Canadian Mexican Oil Company, Canada, Newfoundland and Labrador Company, Caribbean American Development Company, Carbonnot Company, Casserly Cigar Company, Cascade Lime

PROCLAMATIONS.

Company, Cent-a-phrase Society, Century Engineering Company, Central Finance Corporation, Central Gold Mines Company, Century Grave Vault Company, Caulkin's Machine Company, Central Oregon Land Company, Central Pennsylvania Underwriting Company, Cella Phos Company, Cedar Point Toboggan Company, Cemetery Securities Company, Century Theatre Company, Century Trust Company, Century Underwriting Company, The, Champion Motor Car Company, Cherup Co-operative Syrup Company, Chesterhill Gasoline Company, Cherokee-Marble Company, Chester Rubber Tire and Tube Company, Chas. T. Brown Co., Chief Bender Sporting Goods Co., Chicago Book and Music Company, Chicago Car Company, Chicago Flexstone Products Company, Cholerton Manufacturing Corporation, Chicago Portable Projector Co., Chicago Speedway Association, Chicago, St. Louis and Gulf Transportation Company, Choeps Wood & Iron Finishing Company, Church and Country Publishing Co., City and Country Realty Co., Cincinnati & Pittsburg Electric Railway Company, Clayton Development Company, Clearfield County Gas Company, Clotin Company, The, Coaster Brake Roller Skate Company, Coal Products Company, Cocklin Vending Machine Company, Coin Saving Club, Colbert Canning Machinery Company, Collapsible Metallic Box Company, College Remedy Company, Colonial Cleanser Company, Columbia Coal Company, Columbia Development Company, Columbus Leather and Supply Company, Columbia Mfg. Co., Colonial Merchandise Company, The, Colombian Mining & Trading Company, Colonial Trading Corporation, Commercial Fund Company, Commercial Adjustment Corporation, Composite Brick Company, Combined Ladder & Scaffold Mfg. Co., Inc., Comet Manufacturing Company, Concrete Builders Exchange, Inc., The Concord Canning Company, Concrete Fibre Company, The, Conrad Timber Company, Consolidated Agricultural Chemical Company, Consolidated California Gold Dredging Company, Consolidated Cotton Duck Company, Consolidated Drug Company, The, Consumers Gasoline Supply Company, Consumers' Tire and Sales Company, Contracting Company of America, Continent Realty Company, The, Cooley-Brent Gold Concentrating Company, The, Co-operative Photoplay Syndicate, Co-operative Stock Raisers' Company, Copper-ille Mining & Milling Company, Corona Chemical Company,

PROCLAMATIONS.

Corporation Organization Company, The, Corsair Motor Company, Cortella Talking Picture Machine Company, The, Cox Lime Company, Incorporated, Cresson Electric and Machine Company, Incorporated, Creston Hotel Realty Company, Crooks and Company, Incorporated, Crow Gum Company, Crown Tire and Supply Company, Cumberland Oil & Gas Company, Cuban Press Syndicate, Cupid Chemical Company, Curtis and Company, Cynwyd-Bala Construction Company, Custom-Made Cigarette Company, The, Cutprice Musicroll Service, Incorporated, Cynwyd Quarry Company.

Daly's Amusement Company, D. B. Cornell Company, Dahl Company, Dains Land & Townsite Company, Daily News Company, Day Metal Products Company, Day Tire Protector Co., Dealers Supply Company, "De Witt" Muffler Company, Deepwater Coal & Coke Company, Delmarvia Advancement Company, The, Delmarvia Publicity and Development Company, Delaware Cap Company, Delawarean Company, Delaware Glue Company, Delaware Pigeon Company, Delaware Publishing Company, Delaware Utilities Company, Dering Coal Company, Detroit National General Agency, Incorporated, Dewey Drainage Excavating Company, Diamond Amusement Company, The, Dickey and Leibgriss Company, Direct Merchandisers' Company, Diamond Oil Company, Diamond Produce Co., Diamond Stock Food Company, Doherty Multichrome Camera Company, The, Dorie Company, Inc., The., Doylair Products Company, Drayton Bay Shingle Company, "Dr." Fowler, Incorporated, du Pont Canning Company, du Pont Railway and Land Company, Duntley Pneumatic Tool Company, Durub Company, Inc., The, Durex Paper Container Company, Inc., Dwyer Wireless Telephone and Telegraph Company.

E. B. Thompson Company, Eagle Cycle Car Company, E. J. Hackney Laboratories, Inc., East Jellico Mining Company, East Kentucky Coal Company, E. L. Lukens Chemical Company, The E. L. Russell Co., Engineers, East Mayfield Coal Company, The, Eagle Oil Company, Eastern Oil and Fertilizer Company, Eastern Ore, Coal and Steel Company, Eastern Silicates Company, The Eastern States Construction Company, E-Z Auto

PROCLAMATIONS.

Tire Pump Company, E-Z-Ryde Shock Absorber Co., Eck Manufacturing Company, Egyptian Metal Company, Edwards, Newcomb & Company, Efficiency Utilities Company, Electric Attraction Company, Electrolac Company, Inc., The, Elk Lick Oil & Gas Company, Elvin Publishing Company, Electric Safety Brake Company, Elastic Steel Tie Company, Ellaston Terrace Improvement Company, Empire Electric Vehicle Company, Incorporated, English Fibre Board Company, Equitable Land & Oil Company, Equitable Light & Power Company, Empire Motors Company, Equitable Real Estate Company, The Enyart Realty and Genealogy Co., English Tea Shop, Incorporated, The, Empress Theater Co., Erikson Lubricator Company, Erie Mausoleum Company, Eterna Clock Company, The, European Import and Export Company, Incorporated, The, European Music Corporation, Export Company of America, Exposition Park Scenic Railway Company, Exclusive Supply Corporation.

F. T. Crichton Company, Farmers' Creamery Company of Middletown, Delaware, The, Farmers Fertilizer Company of America, Farm Implement Company, Farmers & Merchants Steamboat Company, Farmers Preserving Company, Federal Clay, Coal and Lumber Company, The Federal Finance and Construction Company, Federal Loan Society, The Federal Mausoleum Corporation, Federal Mica Company, Federated Religious Press, Inc., Fibre Barrell-Products Company, Fidelity Loan and Investment Company, Field Omnibus Company, Fidelity Securities Company of Scranton, Fischer's Melodium Piano Company, Five Nations Oil Company, Flexible Bolt Company, The, Fleming Sarsi Company, Flexible Waterproof Paper Company, Florida Fertilizer & Oil Company, Florida Land and Lumber Company, Florida Pine and Cypress Corporation, Florida Realty Sales Company, Folding Products Company, The, Foster Artificial Limb Company of America, Foreign Film Corporation, Fowden G. & E. Rock Drill Company, Forest Hill Park Toboggan Company, Fowler Manufacturing and Sales Company, Forster Oil & Gas Company of America, Ford and Reis, Incorporated, Four States Oil and Gas Company, The, Frank A. Carey Company, Frank Adams Company, Franco-American Rubber Company, Frazee Feature

PROCLAMATIONS.

Film Corporation, Frank Oil and Gas Company, The, Fresh Egg and Products Company, The, Fumigating and Fire Extinguishing Co. of America, Fuel Gas & Brick Company, Fuel Reduction Corporation, New York.

G. A. Anderson Manufacturing Company, Galice Placer Mines Company, Gas & Electric Development Company, The, The Garland Insurance Agency, Incorporated, Garden Products Company of Wisconsin, Gas Products Company, Gas Reduction Company, The, German-American Drug Company, General Brake Shoe & Supply Co., General Cement Products Company, Geo. F. Howell Company, General Film Producing Co., Inc., General Forecast Bureau Company, Geneva Hotel Company, General Lumber Products Company, General Managing Bureau, Inc., The, General Paint & Varnish Manufacturing Company, The, General Profit Sharing Corporation, General Realty & Sales Company, General Specialty Company, General Utilities Corporation, Georgetown Water Company, Georgia Water Power and Mining Company, Giant King Mining Company, Gift Shop Sales Company, Girard Material Company, Gillette Roller Bearing Company, The, Gilmore Tunnel Terminal and Power Company, Gluck Bros. Sons, Inc., Glasboro Novelty Company, The, Globe Publishing Company, Godfrey Manufacturing Company, Gold & Platinum Corp. (in Colombia), Graham Contracting Company, Grant Amusement Company, Gray Engineering Company, Granville Lumber Company, Graphoscope Manufacturing Company, Great Falls Gold Mining Company, Greenhouse Garden Products Company, Green-Starr Engineering Company, Griffith Triangle Crossing Company, The, Grocers' Baking Company of Chicago, Growers Distributing Company, Guaranty Cash Coupon Company, Gudruba Company, Guarantee Finance and Security Company, Gustav Franklin Company, Gutenberg Press, Incorporated, The, Guernseydale Stock and Fruit Farms, Incorporated, The.

The H. Kirkus Dugdale Company, Incorporated, H. L. Flax-olyn Company, Haeseler Photographic Company, H. and R. Garter Company, Inc., The, Hall Cotton Maturing Company, The Hall Cotton Reclaiming Company, Halsey J. Tibbals Chemical

PROCLAMATIONS.

Manufacturing Co., Halfner Perfect Institutes and Clinic, Incorporated, The, Hall's Piano Store (Inc.), Halene Products Company for California, Hall System, Inc., The, Hamburg American Petroleum Company, Hammond Grain Shocker Co., Harry H. Serena Manufacturing Company, Harvey Corporation, Hawley Engine Company, Haverhill Herald Company, Havana Motor Omnibus Company, Hazel Lock Nut Company, Hazleton Slate Company, Held Company, The, Hemphill Corporation, Henry Webster Pearl Novelty Company, High Grade Oil Company, Inc., Hicro Motion Picture Company, The Hoevel Sandblast Machine Company, Hold American and Foreign Export and Importing Hardwood Company, Incorporated, Holland Instrument Corporation, Holmes Disappearing Bed Company, Home Economics Education Society, Home Investment Company, Home Products Company, The, Honduras Rubber Company, Hoyt Device Company, Howard S. Rue Company, Hughes Universal Arc Lamp Company, Hutchinson and Gillingham Company of Michigan, The, Hydro-Stone Company, Hygienic Syphon Company, The.

Imp Amusement Company, Illinois Callophone Company, Illingworth Company, Imperial Display Fixture Manufacturing Company, The Illmer Gas Engine Company, Imperial Hydro-Electric Corporation, Ideal Manufacturing Co. (Inc.), Imperial Oil Company, Idora Park Toboggan Company, The, Imperial Silver Black Fox Co., Imperial Valley Farms Company, Indianapolis Amusement Company, Ingleside Company, Individual Cup & Vending Co., Individual Garbage-Consumer Company, Interchangeable Heel Co., Inez Manufacturing Company, Indestructible Tyre Company of the United States, Industrial Utilities Co., International Air Pump Company, International American Oil Company, International Automobile Owners Protective Association, Incorporated, International Chemical Company, International Cyclecar Company, International Electro-Metal Company, International Film Winding Company, Incorporated, The, International Gas and Electric Company, International Importing Corporation, Interstate Investment and Holdings Company, International Locking Device Company, The Interstate Manufacturing Company, International Manufacturing Corporation, International Mastentype

PROCLAMATIONS.

Company, International Mercantile and Bond Company of Delaware, International Products Co., Interstate Realty Corporation, International Re-Saw Company of Delaware, The, Interstate Sales Company of Philadelphia, International Shellac & Varnish Company, Inter-State Auto Supplies Co., The, International Terpezone Company, International Trading Company, International Window Manufacturing Company, Interstate Water Works Company, Iris Amusement Company, Iron City Oil & Gas Company, Irish Industrial Development Company, Isle of Wight Oil Company.

J. A. Quinlan & Co., J. C. McNeal and Company, J. H. Way and Sons Company, Jas. J. Flannery Bro. Co., Jas. M. Nugent Company, Incorporated, The Jas. Mills Sacramento Valley Orchard and Citrus Fruit Company, Jacks Oil & Gas Company, Jameson Piano Company, J. Rosinsky & Co., Incorporated, Jackson and Semmelmeier, Incorporated, Jeffy Specialty Company, The, John C. Knight, Incorporated, Johnson, Carey & Helmers Company, John Morrow Construction Company, Johnson Motor Car Company, Joliet Steel Car Manufacturing Company, Joynes-Campbell Company, Jones Post & Co., Jugo De Pina Company, Jungels-Forshey Company, Juragua' Sugar Company.

Kabisch & Co., Inc., K. & M. Company, Keating Company, The, Kehoe International Corporation, Keller Cyclecar Corporation, Keller Manufacturing Co., Kenka Garment Company, Incorporated, Kentucky-Henderson Coal Company, The, Kentucky & West Virginia Gas & Oil Company, Kerr Company, The, Keystone Metal Bed Company, Keystone Rust-Proofing Company, Keystone Trading Stamp Company, Keystone Typewriter Company, Kilton Mfg. Optical Co., The, Kirby and Hawkins Company, King-Singer Company, The, Kingsland-Tess Electric Fly Catcher Company, Knotts Taxicab Company, Knickerbocker Theatre Company, Koch-Blair-Turner Company, Kohler-Hottinger Co., Inc., Kraft Brothers Company, The, Kuehn Automatic Pipe Line Coupler Company, Kutsche Corporation, Kuenzel Process Gas Generator & Smelting Company of Mexico, The.

PROCLAMATIONS.

L. and B. Grease-Cup Company, The, Lady Fairfax Candy Company, Lake Geneva Park Company, The, La Parfait Manufacturing Company, L. Podolnick Company, La Porte Lumber and Mining Company, L. R. Sherril and Company, Lackawanna Road and Coal Company, Lamb and Company, Inc., Lamson Spindle Company, Landmark Manufacturing Company, Incorporated, The, Larder Lake Mining & Exploration Company, Lassco Auto Signal Lamp Company, Latrobe Automobile Turn-Table and Jack Company, Latest News Assn., Laurel Milling and Manufacturing Company, Lawrence Meat Company, Inc., The LeClere Process Company, Leaf Tobacco Stemmer Company, Letherstone Armorite Mfg. Co., The, Lewis & Kitchen Corporation, Lilly's Amusement Company, Life Targets Company of America, Lighthouse Tire Company, Linwood Haines Limited of Camden, Inc., Lincoln Motor Car Company, The, Lincoln Motor Car Company of Philadelphia, The, Linton South American Company, Lloyd Machine Development Company, Luna-Life Company of America, The, Luxor Plantation Company, Lyman-Beeman Company, Lycoming Transit Company.

McBrearty Wonderful Shoe Manufacturing Company, The, McCord Automobile Company, McClees Galleries, Incorporated, The, McKenzie Coal Mining Company, McKeesport Dairy Company, McLean Wharf and Terminal Warehouse Corporation.

Machine Glass Co., Madigan & Company, Madam Nordica's Company, Maignen Chemical Company, The, Malaysian Chicle Company, The, Mallen Farms Company, Malta-Lac Company, Inc., The Manufacturers Coal Company, Manor Company of Cuba, The, Manco Golden Metal Manufacturing Company, The, Manufacturers and Inventors Sales Company, Mannippan Manufacturing & Mining Company, Manos Printing and Manufacturing Company, Manufacturers Security Company, Manufacturers' Selling Company, Manton Typesetting Company, Incorporated, The, Marcus Loew's Western Circuit, Incorporated, Marion Mining Company, Marks Piano Company, Marlborough Realty Company, The, Maryland Electric Vehicle and Manufacturing Company, Masterpen Motion Picture Corporation, Montagua Land Company, Maxicon Products Company, Mecca Automobile Society, Meigs Creek Coal Company, The, Mecca

PROCLAMATIONS.

Tire Company, Mellon and Rhoades, Incorporated, Merchandise Discount Trading Stamp Company, Merchants and Manufacturers Realization Company, Mercury Producing Corporation, Merchants Safety Equipment Corporation, Merchant Tailors Co-operative Society, Merchants Trust Company, Metropolitan Adjustable Bed and Spring Company, Metals Extraction Company, Metropolitan Lighting Company, Metropolitan Loan Society of Philadelphia, Metropolitan Market Company, Metal Mines Development Company, Metropolis Separating and Refining Company, The, Metal Spinning Co., Mexican High Grade Oil Corporation, Mexican Import and Export Company, Mexican Pacific Railroad and Navigation Company, Mexican Realty Corporation, Michel & Company, Midwont Motor Truck Manufacturing Company, Midland Railway Equipment Company, Middle States Sand and Rock Company, Middle States Refrigerating Company, Mid-Valley Coal Company, The, Middle West Construction Company, Milk Powder Machinery Company, Millville Creamery Company, Miller's Specialties, Incorporated, Miller's Standard Manufacturing Company, Minge Mortgage & Realty Company, Mississippi Cotton Mills Company, Mississippi Pecan and Farm Lands Company, Mitchell Water and Light Company, Mobra Chemical Company, Mobile Hog Company, Modern International Cotton Company, Modern Steam Shovel Point Company, Mogul Starter Co., Montrose Company, Monte Cristi Products Company, Montauk Land Corporation, Monarch Lumber Company, Monitor Supply Company, Mont-Vale Country Club, Morgan B. Hall Company, Morris Perlstein, Incorporated, Motor Car Repair Shop, Incorporated, Motor Car Sales Company, The Mothanette Corporation, Motor Materials Company, Mt. Jewett Mercantile Company, Mount Vernon Farms, Incorporated, Movies Corporation, The, Multiple Unit Square Tube Co., The, Municipal Appraisal Company, The, Murray Mining Company, Mus-See Advertising Company, The, Mutual Co-operative Corporation, Mutual Extension Syndicate, Mutual Gasoline Supply Company, The, Mutual Motor Service, Inc., Mutual Protective Association of America, Mutual Sales Company of Chicago.

PROCLAMATIONS.

Nanticoke Brick Mfg. Company, Nagle Shackle Company, Napa Tire and Rubber Company, Nashville Cold Storage and Ice Company, Natural Color Film Company, National Advertising Company, National Aircraft Company, National Architect Company, The, National Asbestos Shingle Corporation, National Barrel and Pulp Wood Company, National Car and Equipment Company, National Cement Products Company of Delaware, National Clay Products Company, National Color Company, National Credit Clearing House Association, National Electric Shoe Shining Machine Company, National Exchange Corporation, National Forecast Bureau, Incorporated, National-Fruit Company, National Gas Process Company, The, National Hall Association, The, National Home Building Company, The, National Improvement Company, National Independent Oil Company, National Land Investment and Improvement Company (Limited), The, National Liberty Herald Publishing Company, National Loktile Company, The, National Mercantile Company, National Metallic Company, The, National Mercantile Loan Company, The, National Merchandise Stamp Company, National Mileage Company, National Mortgage Bond Company, National Motor and Manufacturing Company, The, National Motor Transportation Company, National Pavement Company of New York, National Photogram Company, National Photoplay Company, National Piano Company, National Products Company, National Real Estate Trust Company, National Savings Systems Company, National Skein Dyeing Machinery Company, National Slicing Machine Company, National Steel Tie Company, National System of Savings, Incorporated, The, National Tire & Rubber Company, National Transportation Company, Nedsram Development Company, New Castle Garage, Incorporated, New Castle Light Company, Newark Garage and Electric Company, New Haven Oil and Gas Company, New Hope Vitrified Brick Company, New Idea Tire Company, New Jersey Parfay Company, New Jersey Reduction Company, Newport Lumber Company, New York Automobile Devices Company, Inc., New York & Berlin Radium Institute, Inc., New York Consolidated Machinery Exchange (Inc.), New York Grand Opera Co., Inc., New York and Nicaragua Plantation Company, New York School of Journalism, Incorporated,

PROCLAMATIONS.

Nicholas M. Griffin Company, Niles Door Check Sales Company, Noble Metals Company, Non-Carbon Paper Company, Incorporated, North American Amusement Company, The, North Avenue Development Co., North-East Mining and Milling Company, North Side Theatre Co., Inc., Novelty Laundry Company, Novelty Manufacturing Company, Nuidea Knitting Company, Nuncio Publishing Company, The.

O. C. F. Rhea & Sons, Incorporated, O. Cordrey & Co., O. L. Chase, The Paintman, Inc., Oakes Plantation Oil and Gas Company, Ocean Beach Park Company, Office Appliance Manufacturing Company, Oelwein Electric Company, Oil of Oils Company, The, Ohio Valley Company, Oil and Waste Products Company, Inc., The, Old Commercial Bond and Trust Company, The, Oliver Floral Co., Inc., Omoa Manufacturing Co., Onondaga Industrial Company, The, Oriental Esoteric Library, Incorporated, Orient Importing Company, Ora J. McFaddin Corporation, Oriente Sugar Company, Osteo-Lay Publishing Company, Overland Washington Motor Company.

Pacific Crude Oil Company, Pacolet Gold Mining Company, The, Pacific Smelting and Refining Company, Parok Tire Company, Pan American Match Company, Panama Company, The, Panecast Manufacturing Company, Incorporated, The, Panhandle Mineral & Oil Company, Panama Placer Corporation, Paragon Mfg. Co., Park Meat Company, Incorporated, Patents Manufacturing & Promoting Company, Paul Revere Wine Company, The Peat Company, Peerless Manufacturing Company of Chicago, Pecks Polo Ponies and Amusement Company, Pecos Valley General Products Company, Inc., Penny Automatic Salesman, Incorporated, Peninsula Blaugas Company, Penn Denatured Alcohol Company, Penn Finance Company of Chester, Peninsular Grape Fruit Company, Penobscot Granite Company, Pennsylvania Hosiery Mills, Incorporated, Pennsylvania Indicator Company, The, Pennoyer Ketner Company, Penn National Oil and Gas Company, Pennokla Oil and Gas Company, Pennsylvania Public Service Corporation, Penn Rubber Traffic Company, Penn Smelting and Refining Works, Incorporated, Pennsylvania Street Announcer Company, The, Penn-Tex Oil,

PROCLAMATIONS.

Gas and Development Company, Penn Trading Company, Inc., Perkins Company, Incorporated, The, Perkiomen Electric Transit Company, Perfection Moving Picture Screen Company, Perry-Nalle Publishing Company, The, Pequot Oil Company, Perry Oil and Gas Company, Peoples Plantation Company, Peoples Profit Sharing Corporation, People's Realty Company, Perfection Sales and Specialty Company, Perfect Tire Sales Company, Philadelphia Amusement Company, Philadelphia Building Material Company, Philadelphia Busy Bee Quick Lunch Company, Photo Drama Releasing Company, Phoenix Feature Film Corporation, Philadelphia Gold Dredging Company, Photographic Journal of America, Incorporated, The, Photoplay Library Corporation, The, Phillippi Manufacturing Company, Phillipsburg Milling, Lighting and Heating Company, Phosphate Products Company, Philadelphia Syndicate, Inc., Philadelphia Tinware Manufacturing Company, Photoplay Theatres Company, Philadelphia Wood Paving Block Company, Pier Leasing Company, Pickel Rock Crusher Company, Pittsburgh Automatic Fire Sprinkler & Chemical Company, Pittsburgh Commercial Messenger Company, Pittsburgh Company, The, Pittsburgh Contracting Company, Pittsburgh Construction Company, Pittsburgh-Kenton Oil Company, Pittsburgh Manganese Company, Pittsburgh Motor Car Company, Pittsburgh Sheet and Tin Plate Company, Pittsburgh Store Fixture Company, Pittsburgh Track Specialty Company, Pittsburgh Typewriter Investment Company, Pittsburgh Wholesale Drug Company, Pinkerton Construction Company, Platolite Company, The, Pleiades, Inc., Pneumatic Concrete Placing Company, Polyacousticon Company, Incorporated, The, Porter Phonet-O-scope Company, Porto Rico Gold & Copper Company, Pooley Studios, Incorporated, Posting & Bulletin Advertising Service, Incorporated, Power Garment Hanger Company, The, Post-Higbie Company, Potato Products Company, The, Postal Publicity & Sales Company, Potomac Sand and Gravel Company, Premier Cabinet Company, Pressure Lighting Company, Pressed Steel Novelty Manufacturing Company, Progressive Amusement Company, Protector Bottle Company, Promotion Co. of the Pan-American Exploration and Development Company, The, Protective "Freflo" Stopple Company, Producer

PROCLAMATIONS.

Gas-Electric Corporation, Progressive Homes Realty Company, Producer's Industrial Corporation, Protectair Manufacturing Company, Progressive Motion Picture Corporation, Provident Motor Supply Company, Program Press, Inc., The, Prudential Trust Company, Providence Water and Utilities Company, Pulmonol Chemical Company, Puritan Lace Mfg. Co., Puffed Oats, Macaroni and Rye Company, The, Pure-O-Phone Company, Purity Paper Containers Corporation.

Quaker City Chandelier Company, Quaker City Milling Company, Quaker City Purchasing Association, Queen City Powder Company, The, Quapaw Lead & Zinc Company.

Radium Exploration and Development Company, R. E. Lewis Company, R. I. Optical Company, Racine Motor Car Company, Inc., Rainbow Music Company, R. Seumenicht, Inc., Raybourne Company, Inc., The, Rayfield Manufacturing Company, Realty Co-operative Club, Red Dragon Sales Company, Reading Drug Company, The, Rector Sanitary Gas Heating Company, Regional Finance Company, Removable Letter Sign Corporation, Regal Manufacturing Company, Removo Manufacturing Company, Reliance Motor Company, Reliable Securities Company, Retailers Advertising Company, The, Retainer Chart Company, The, Reuter Company, Incorporated, Reynolds Company, The, Rey Deloro Mining Company, The, Reynolds Friction Lock Nut Company, Rhode Island Seamless Wire Company, Incorporated, The, Richlands Feldspar Company, Rider Cement Brick Machinery Co., Rio Urubu Estates, Inc., River Coal & Clay Company, Rispel and Company, Ritz Sweeper Company, Robbins-White Company, Robinson Springs Company, Rogers Palace Laundry Company, Rohe Traction Block Company, Roller Tray Incubator Company, Roselawn Development Company, Root-Knight Company, Inc., Royal Bottle Seal Company, Royal Feature Film Co. of Philadelphia, Rumo Chemical Company, Rubbertone Instrument Company, Rush Porcelain Company.

S. H. Truitt Company, S. K. Fort, Incorporated, S. K. Screen Company, The, St. Albert Chemical Company, St. Clair Marble

PROCLAMATIONS.

Co., Inc., Sal-A-Par Laboratory Company, Samuel Bacon's Sons and Company, Salina Sales Corporation, Sansom Amusement Company, The, Sanitary Engineers Company San Juan Land Company, The, Santiago River Dredging Company, Sanitary Specialties Company, Savings Bank Check Association, Schanman Manufacturing Co., Schleusselburg's Aeroplane Corporation, Schuylkill Construction Company, Schwartz Company, The, Scientific Spraying Company, Scranton Automobile Company, Scranton News Publishing Company, Securities Holding Corporation, The, Security Realty Corporation, Seaman Waste Food Chemical Company, Semmer Glass Machine Company, Seward Dredging Company, Seven Sutherland Sisters Corporation, The, Shaw Motor Company, Sharp and Rush Brothers Co., Inc., Sherardizing Company of Philadelphia, Shepherd Paper Company, Shirley Bifocal Lens Company, Shohorn-Buttonhook Company, Shippers Vacuum Can Company, The, Silica-Aluminum Paint Company, Silver Belle Mining Company, Silica Brick Company, Silvodide Chemical Company, Silicon Products Manufacturing Company, Simplex Register Company, Skee-Ball Alley Company, Smith Chemical and Advertising Company, Smith Insurance Agency, Incorporated, Smo-ko Company, "Snowite" Rice Products Company of America, The, Snyder Tie Company, Society Publishing Company, South American Trade and Finance Company, South Coast Company, Southern Combustion Company, Southern Construction Company, Southern Cotton Picker Company, Southern Feature Film Association, Southwestern Internal Combustion Engine Manufacturing Company, Southern Mercantile Company, Southern New Jersey Development Company, Southern Onyx Company, Southern Photoplay Theatres Company, Southwestern Securities Corporation, Southland Seminary Endowment (Incorporated), Southern States Pulp and Chemical Products Company, Spangler Chemical Company, Srebla Novelty Company, Springfield Oil & Gas Company, Stahler Machine Company, The, Standard Auto Specialties Company, Standard Blue Print Company, Standard Broom Co., Inc., The, Standard Contracting Company, Standard Devices Company, Standard Film Corporation, Stanley Realty Company, Stand-

PROCLAMATIONS.

ard Sales Company, Standard Sanitary Tray Company, Stanley Service Company, Standard Walnut Lumber Company, The, Star Contracting and Building Company, Staar & Reed Tobacco Corporation, Sterling Cork and Seal Company, Stevens Mountain Conquest Company, Sterling Security Company, Steam Superheater and Fuel Company, The, Stieff Company, The, Stokes Wood Preserver Company, Street Manufacturing and Sales Company, The, Studios Corporation, The, Suffragists Corset Mfg. Co., The, Sugar Dispenser Company, Incorporated, The, Sum-A-Graph Sales Company, The, Sussex Farmers' Union of Delaware, Summer Home Sales Company, The, Superior Motor Specialty Company, Szombathy Manufacturing and Sales Company.

Tatnall-Brown Company, Tatnall-Goodwin Company, Tablux Limited, Incorporated, Talache Mining Company, Talking Picture Film Co. of America, The Teoloyucan Brick Company, Tenvanoca Copper Company, Tevis-Hanford Company, Texas Iowa Fuel Oil and Gas Company, Temple Publishing Company, Tension Tire Company, Thermo Engine Company, The, The 52d St. Theatre Company, Thief Proof Auto Lock Company, Thos. A. Martin Company, Thompson Investment Company, Thomas J. Cunningham & Son, Incorporated, Thompson-MacArthur Inspection Company, Thompson, MacArthur Regulator Company, Thomas R. Mackey Biscuit Co., Thompson, Taylor & Co., Tileline Company of America, Tite-On Cork and Stopper Company, Tom's Ball Tosser Company, The Toinette Land Company, Tollometer Sales Company, Topical Films, Inc., Transloid Company of America, Traction Engine Equipment Co., Inc., Trail Hitter Publishing Company, The, Trio Oil and Gas Company, Transportation Service Company, The, Tu-Bo Company, Tubular Connecting Rod Company, Twentieth Century Mineral Flooring Co., Twin Oil Company, The.

U-Nit Motor Company, U. S. Dairy Equipment Co., U. S. Draught Bottle Company, U. S. Mortgage & Investors Corporation, U-S-Ojibway Realty and Construction Company, U. S. Stamp Distributing and Sales Corporation of Delaware, Uni-

PROCLAMATIONS.

versal Clamp Company, The, Universal Conduit Manufacturing Company, Universal Conduit System Corporation, The, Universal Fibre Barrel Co., (Inc.), Un-Gro-Co. Store Company of Rochester, Pa., The, The Universal Illustrated Directories, Incorporated, Unique Knife Co., Universal Lubricants Company, Underdog Publishing Company, The, Underwriting Sales Company, Universal Safety Appliances Company, Incorporated, Universal Veneer Products Co., United Amusement Syndicate, Inc., The, Union Car Advertising Company, United Distillers Company, United Friendly Equitable Society, United Grocery Stores Company, Union Investment Security Company, United Laundries Company, United Mining and Trust Company, United Painters Factories, Incorporated, United Peach Bottom Slate Company, United Professional Service Company, United Retail Grocery Stores Company, The, United Screen Ventilator and Window Company, United Shoe Stores Company, Union Stoker Company, United States Chemical Company, United States Guarantee Corporation, United States Life Boat Corporation, United Sheet Music and Publishing Company, United States Quarries Company, United States Salvage Corporation, United States Securities Company, United States Square Pipe Corporation, United States Telephone Herald Company, United States Travelers Check and Money Order Company, United Studios Corporation, United Supply Syndicate of America, United Underwriters Corporation, Utilization Company of America, The, Uriel Davis Dancing Studios, Incorporated, The, Uriel Davis Music Bureau, Incorporated, Utility Motor Car Service Company, Utility Motors Corporation, Utica Silica Company.

Vacuum Fluid Cooler Company, Valley Coal & Coke Co., Vapo Company, Vanoscope Company, Van Houten & Broeck, Inc., Vero Form Company of New York, Veta Manufacturing Company, Venzu Products Sales Corporation, Victor Manufacturing Company, Victor Ventilating and Engineering Company, Inc., Vindex Corporation, Vistavella Manjak Corporation, Ltd., Virginia Mica Producing & Manufacturing Corpo-

PROCLAMATIONS.

ration, Virmony Realty Company, The, Vulcan Collieries, Incorporated, The, Voladrome Company, The, Vulcan Iron Works Company.

W. J. Snyder Company, W. L. Osborne Valve Company, W. P. Hurst, Inc., Wald Contracting Company, The, Wall Undertaking and Livery Company, Waste Product Company, Waymor Company, Webster Mfg. Co., Webster Stevens Electric Company, Weiland Film Company, Weirton Plate Structural & Construction Company, Welch Huller Company, Welfare Union Company, Werner Chemical Company, Western Distilleries Company, West India Tea and Coffee Importing Company, Westling, Jenkin, Blish & Co., West Norfolk Knitting Mills, Incorporated, Western Public Service Company, West Virginia-Ohio Oil and Gas Company, What Cheer Reed & Harness Co., Whirlpool Dish Washer Company, The, White Hall Paper Manufacturing Company of Baltimore County, White Oak Lumber Company, Wigo & Ingram, Incorporated, Wilkes-Barre Anthracite Coal Co., Wilkes-Barre Loan & Trust Company, William Diebel and Son (Inc.), William F. Charles Company, The Willbren-Hocking Coal Company, Wilcox Ideal Educational Manufacturing Company, The, William J. Kelley, Incorporated, Williamson-Johnston Company, McKeesport, Pa., Wilmont Manufacturing Company, Wilmington Baseball Club, Incorporated, The, Wilmington Development Company, Wilmington Paper Company, Incorporated, Wilmington Yacht Club, Window Appliance Co. of Penna., Windsor Dyeing and Finishing Company, Inc., The, Wissahickon Farms Company, Wise Lighting Company, The, Wolf Valley Coal Company, The Woodmere Academy, Incorporated, Workingmen's Self Help Association, Wyoming Valley Motors Company, Wyoming Valley Stock Farms, Incorporated.

Yankee Baked Bean Company, Yellow Creek Oil and Gas Company, Yeiser Hook and Eye Company, The, The Yeager Manufacturing Company, Yellow Taxicab Company of Baltimore City, The, York Graphite Company.

Zucker & Levett & Loeb Co.

PROCLAMATIONS.

IN TESTIMONY WHEREOF,—I, John G. Townsend, Jr.,
Governor of the State of Delaware, have here-
unto set my hand and caused the great seal
of this State to be hereunto affixed this
[GREAT SEAL.] twenty-eighth day of January, in the year of
our Lord, one thousand nine hundred and
eighteen, and of the independence of the
United States of America the one hundred
and forty-second.

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.,

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 fifth day of November, in the year of our Lord one thousand nine hundred and eighteen, 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 Senator for the people of the said State, in the

SENATE OF THE UNITED STATES

for the Constitutional term to commence on the fourth day of March, in the year of our Lord one thousand nine hundred and nineteen.

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 Senator were cast as follows, to wit:

NEW CASTLE COUNTY.

Willard Saulsbury.....	12,058
Lewis Heisler Ball.....	12,449
William H. Conner.....	420

PROCLAMATIONS.

KENT COUNTY.

Willard Saulsbury.....	3,754
Lewis Heisler Ball.....	3,500

SUSSEX COUNTY.

Willard Saulsbury.....	4,301
Lewis Heisler Ball.....	5,570

AND WHEREAS, The said returns of the election for the choice of a Senator of and for the said State in the Senate 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 Senator, the result appears as follows, to wit:

Whole number of Votes for Willard Saulsbury.....	20,113
Whole number of votes for Lewis Heisler Ball.....	21,519
Whole number of votes for William H. Conner.....	420

NOW, THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that Lewis Heisler Ball has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected Senator of and for the State of Delaware in the Senate of the United States for the Constitutional term to commence on the fourth day of March in the year of our Lord one thousand nine hundred and nineteen.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the Eighteenth day of November in the year of our Lord one thousand nine hundred and eighteen, and of the Independence of the said State the one hundred and forty-third.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.,

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 Fifth day of November, in the year of our Lord one thousand nine hundred and eighteen, 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-sixth 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.

Albert F. Polk.....	11,615
Caleb R. Layton.....	12,345
William H. Crawford.....	420

KENT COUNTY.

Albert F. Polk.....	3,738
Caleb R. Layton.....	3,432

PROCLAMATIONS.

SUSSEX COUNTY.

Albert F. Polk.....	4,299
Caleb R. Layton.....	5,449

AND WHEREAS, The said returns of the election for the choice of a Representative of and for the State in the Sixty-sixth 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 Albert F. Polk.....	19,652
Whole number of votes for Caleb R. Layton.....	21,226
Whole number of votes for William H. Crawford...	420

NOW, THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that Caleb R. Layton 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-sixth Congress of the United States.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the Eighteenth day of November in the year of our Lord one thousand nine hundred and eighteen, and of the Independence of the said State the one hundred and forty-third.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.,

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 Fifth day of November, in the year of our Lord one thousand nine hundred and eighteen, 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.

Francis M. Soper.....	11,279
George M. Fisher.....	12,636
Charles Dayton.....	421

KENT COUNTY.

Francis M. Soper.....	3,684
George M. Fisher.....	3,484

PROCLAMATIONS.

SUSSEX COUNTY.

Francis M. Soper.....	4,280
George M. Fisher.....	5,487

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 Francis M. Soper.....	19,243
Whole number of votes for George M. Fisher.....	21,607
Whole number of votes for Charles Dayton.....	421

NOW, THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that George M. Fisher 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.

[GREAT SEAL] GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the Eighteenth day of November in the year of our Lord one thousand nine hundred and eighteen, and of the Independence of the said State the one hundred and forty-third.

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

JOHN G. TOWNSEND, JR.,

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 Fifth day of November, in the year of our Lord one thousand nine hundred and eighteen, 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.

Joseph Hermon Anderson.....	11,270
Daniel Thompson.....	12,619
James D. Thomson.....	423

KENT COUNTY.

Joseph Hermon Anderson.....	3,725
Daniel Thompson.....	3,447

PROCLAMATIONS.

SUSSEX COUNTY.

Joseph Hermon Anderson.....	4,244
Daniel Thompson.....	5,525

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 Joseph Hermon Anderson	19,239
Whole number of votes for Daniel Thompson.....	21,591
Whole number of votes for James D. Thomson.....	423

NOW, THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that Daniel Thompson 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 Eighteenth day of November in the year of our Lord one thousand nine hundred and eighteen, and of the Independence of the said State the one hundred and forty-third.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

Secretary of State.

PROCLAMATIONS.

THANKSGIVING DAY.

PROCLAMATION.

Thanksgiving this year is not merely a day, distinctively American in celebration, but an attitude of mind, world-wide in experience.

The opportunities for service and sacrifice accorded us during the year have been accepted in keeping with the past. Our better selves in thought, have been transferred into action. The ideals so gloriously striven for at the sacrifice of thought and blood seem confidently near attainment. Rights of Men and Nations, Freedom of Thought and Action are about to be realized. Our faith in the God of Destinies has been confirmed while boasts of materialism are fast being dispersed. All Nations of the world, for the first time in history, perhaps, rest today on bended knee and give thanks according to the light that is theirs. In the world's greatest struggle for Right, our country during this year has responded gloriously to the call of Honor and Humanity. Our own State has been fortunate to play nobly her proportionate part.

Giving of our time, our wealth and the blood of our sons has indeed become a part of our Nature and has in return thus ennobled our lives. Delaware has given not only of her force to the cause, but, we ourselves, are better citizens and better men.

For all of which, in accordance with proclamation by the President, in acceptance of the blessings and victories attend-

PROCLAMATIONS.

SUSSEX COUNTY.

Joseph Hermon Anderson.....	4,244
Daniel Thompson.....	5,525

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 Joseph Hermon Anderson	19,239
Whole number of votes for Daniel Thompson.....	21,591
Whole number of votes for James D. Thomson.....	423

NOW, THEREFORE, I, John G. Townsend, Jr., Governor of the State of Delaware, do hereby declare that Daniel Thompson 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 Eighteenth day of November in the year of our Lord one thousand nine hundred and eighteen, and of the Independence of the said State the one hundred and forty-third.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,
Secretary of State.

PROCLAMATIONS.

*THANKSGIVING DAY.**PROCLAMATION.*

Thanksgiving this year is not merely a day, distinctively American in celebration, but an attitude of mind, world-wide in experience.

The opportunities for service and sacrifice accorded us during the year have been accepted in keeping with the past. Our better selves in thought, have been transferred into action. The ideals so gloriously striven for at the sacrifice of thought and blood seem confidently near attainment. Rights of Men and Nations, Freedom of Thought and Action are about to be realized. Our faith in the God of Destinies has been confirmed while boasts of materialism are fast being dispersed. All Nations of the world, for the first time in history, perhaps, rest today on bended knee and give thanks according to the light that is theirs. In the world's greatest struggle for Right, our country during this year has responded gloriously to the call of Honor and Humanity. Our own State has been fortunate to play nobly her proportionate part.

Giving of our time, our wealth and the blood of our sons has indeed become a part of our Nature and has in return thus ennobled our lives. Delaware has given not only of her force to the cause, but, we ourselves, are better citizens and better men.

For all of which, in accordance with proclamation by the President, in acceptance of the blessings and victories attend-

PROCLAMATIONS.

ing, and in recognition of Divine Guidance received, I, John G. Townsend, Jr., Governor of the State of Delaware, do designate

THURSDAY

NOVEMBER THE TWENTY-EIGHTH

THANKSGIVING DAY

and strongly urge that our citizens lay aside the complexities of material things and give grateful thanks to Almighty God for the opportunities bestowed and the victories attained during this year. And may we further resolve that with equal and unselfish energy, we dedicate ourselves to those coming problems of Peace. Then the World will be made safe for the "Right to Life, Liberty and the pursuit of Happiness" and we can truly say "these dead shall not have died in vain."

IN TESTIMONY WHEREOF,—I, John G. Townsend, Jr., Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be affixed at Dover, this Twentieth day of November, in the year of our Lord, One Thousand Nine Hundred and Eighteen, and in the year of the Independence of the United States the One Hundred and Forty-third.

[GREAT SEAL]

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON,

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, John G. Townsend, Jr., do hereby issue this Proclamation according to the provisions of Sections 75 and 76, Chapter 6, of the Revised Statutes of 1915, as amended, and do hereby declare under this act of the Legislature that the charters of the following corporations, reported as aforesaid, are repealed:

A. E. Wright Company, A. G. Fitzgerald, Incorporated, A. Largman Company, A. Wright Company, Acme Powder and Chemical Company of America, Acme Seal Company, Acme Service Company, Adpostal Corporation, The, Alco Film Exchange, Inc., Alice In Wonderland Company, Albion Oil and Gas Company, Allen Cosmetic Corporation, Allen Drug Company, Allied Electric Company, Allied Equipment Corporation, The, Alliance Investment Company, Alliance Navigation Company, Ambler Theatrical Company, American Aero-Gas Company, American Agricultural Association, American Agricultural Publishing Company, American Ammonia Company, American Aniline Products Corporation, American Arms Corporation, American Atlantic Construction Development and Improvement Company, American Automobile Signal Company, American Barbers Syndicate, American Beverage Company, American Camphor Corporation, American Candy Manufac-

PROCLAMATIONS.

turing Company, Americas Cartridge Company, American Coal and Oil Company, American Coke Oven and Utilities Company, American Co-operative Dyes and Chemical Company, American Corporation, The, American Corporation Company, American Cultivating Company, American Electric Talking Sign Company, American Electro-Cide Company, The, American 5 and 10 Cent Stores, Inc., American Gas Engine Company, The, American Hog Raisers' Association of Iowa, American Lock Nut Washer Co., The, American Land Credit Company, American Manufacturing Company, The, American Metal Culvert Co., American Mortgage Company, American Motor League, Inc., American Oil and Refining Corporation, American Perfectile Company, The, American Photo Play Exhibitors Corporation, American Picture Screen Company, American Pipe Bending Company, American Reduction Works of Wilmington, Inc., American Rural Credit Association, American Safety Cap Company, American Scrip Corporation, American Securities Corporation, American Skating Rink Company, The, American Spoke and Nipple Company, American Steel and Electric Company, Inc., American Studio Company, American Suspension Railways Company, American Syndicate Corporation, American Thrift Society, American Toy Horse and Wagon Manufacturing Company, The, American Utilities Manufacturing Company, American West Indies Company, Anglo-American Mining and Exploration Company, Limited (Non-Personal Liability), Anglo-American Sugar Company, Andalusia Land Company, Anthracite Motor Sales Company, Andrews Run Coal Company, Aqua Gas Company, Arcade Company, The, Art Coal and Coke Company, The, Ardsley Construction Company, The, Arnold-Creager Company, The, Arctic Educational Films, Incorporated, Arizona English Walnut Industry Corporation, Arvan Manufacturing Co., Inc., Armond Motor Car Company, Inc., Architectural Service Corporation, Edward Stern & Co., Inc., Arvon Slate Manufacturing Company, Associated Live Stock Company of Texas, Ashley Rim and Wheel Corporation, Atlantic Arms Company, Atlas Arms Company, Atlas Art School, Incorporated, The, Atlantic Company, Atkins and Company, Inc., Atlas Managing Corporation, Atwel Mfg. Co., At-Traction Advertising Company, Atlas Trading Company, Atlas Welding and Supply Company, Australasian-Amer-

PROCLAMATIONS.

ican Casing Company, Avenue Amusement Corporation, The, Automatic Chemical Fire Extinguisher and Alarm Company, Auxiliary Company, The, Automatic Computing and Invoicing Machine Company, Aurora Mining and Milling Company, Automatic Oil-Gas Burner Sales Company, Automobile Owners Supply Company, Automatic Picture Advertising Co., Austin Securities Company, Avonmore Steel Company, Automobile Towing and Service Company, Auto Trade Directory Co., Inc., Auto Transit Company.

'Baby Grand Talking Machine Company, B. Hartman Company, B. & R. Shock Absorber Company, Bailey Engineering Company, The, Baltimore Coal and Oil Briquetting Company, Baltimore Electrotype Company, Bankers Farm Mortgage Company, Bankers Industrial Corporation, Banks Mining Company, Bank of the United States, Incorporated, The, Barr Kaolin Company, Barringer Shoe Company, The, Bay Shore Improvement Company, Beech Creek Coal and Timber Company, Bell Air Spring Company, Bell Boiler and Iron Company, Incorporated, Bella Vista Hotel Company, Ben Franklin Novelty Company, Benjamin J. Glaser Realty and Engineering Co., Bennett Mercantile Corporation of America, Berlin Lumber Company, The, Best Electric Company, Best Store Co., The, Bijou Amusement Company of District of Columbia, Big Five Operating Company, Birch Motor College, Inc., Blue Book Mercantile Agency, Incorporated, The, Bliss Manufacturing Company, Blodgett Rubber Co., The, Bontempi Company, Bolivian Development and Exploitation Company, Boston Fastener Company, Boyd-Morris Manufacturing Company, Bradley Patent Corporation, Brewster County Mining Company, Briles Agricultural Implement Company, Bridgeville Creamery Association, Brill Motion Picture Company, Brittain Drug Company, Bristol Manufacturing Company, Bromo-Lithia Company, Brookside Heights Company, Brown Company, The, Brown Spin-Wright Cotton Company, Brushwell Manufacturing Company, Brumbaugh & Parker, Inc., Bryan, Young Manufacturing Co., The, Buckner, Incorporated, Bullion Canyon Mines Co., Burns-Doddridge White Co., The, Bustard Brothers Company, Bushkill Farms Camp, Inc., Butler-Ivins Company, The.

PROCLAMATIONS.

C. A. Belascio, Incorporated, Caldwell Auger Bit Company, The, Cactus Consolidated Mining Company, Call's Eye Glass Cleanser Company, C. E. Loose Shoe Machinery Corporation, C. J. Roberts & Company, Inc., C. O. Holding & Development Co., The, Cambrian Chemical Company, Cambria Guarantee & Securities Company, Cambria Sanitary Corporation, Canadian Bond Company, Cannelite Company, The, Capital Construction Company, Cape Lookout Construction Company, Capillary Pen Reservoir Company, Canterbury Weavers, Incorporated, The, Carlin Adding Machine Co., The, Carib Copper Company, Carribean Company, Carnegie Development Company, Cassada Manufacturing Company, Central Coal and Coke Company, Centrossa Company, Century Company, The, Cerma Engineering Company, Catalina Gold Company, Central Productive Company, Catholic Publication Society of America, The, Centaur Rubber & Tire Co., Inc., The, Chainolene Manufacturing Company, Cham-pay Products Company, Charleston Intermittent Vacuum Pre-Cooling Corporation, Chanda Supply Company, Charter Trust Company of New York, The, Charles T. Eastburn Company, Charles Taylor Company, Chewlaxagum Co., The, Chateau De Luxe Film Company, Chester Engineering and Ordnance Co., Chesapeake Haven Packing Company, Chemic-Industrial Company, The, Chase Manufacturing Company, Cherokee Oil & Gas Co., Chloride Arizona Copper Company, Chicago-Barstow Oil Company, China National Press, Incorporated, The, Chicago Timber Land Company, Christmas Aeroplane Company, Cidic Company, The, City Laundries Company of Baltimore, Clarke Elevator Company, Clarmouth Investment Company, Clifford Company, Clover Film Company, Clotworthy Chemical Company of Baltimore City, China Industrial Development Company, The, Clotin, Incorporated, Coca-Cola Bottling Company of Delaware, Incorporated, Coastline Company, Inc., Cockrell Manufacturing Company, Coastal Oil Fields Company, Coinometer Company, Columbia Company, Columbia Electric Vehicle Company, Columbia Ice Cream Company, The, Columbia Land and Industrial Company, Columbia Lock Nut Company, Colored World Publishing Company, Commerce Clearing House, Incorporated, Commonwealth Finance Corporation, Commercial Motors Company, Commercial Products Company, Inc., Commercial Real Estate Company, Com-

PROCLAMATIONS.

monwealth Real Estate Company, Commercial Savings and Loan Association, Commercial Savings System, Incorporated, Congress Film Company, Washington, D. C., Consolidated Amusement Company of Jamestown, N. Y., The, Consolidated California-Nevada Company, Consumers Cash Discount Savings Company, The, Consolidated Electric Company, Consolidated Investment Company, Consolidated Iron Ore Company, Consumers' Linter Company, Consolidated Liquid Gas Company of Illinois, Consolidated Ordnance Company, Continental Commerce Company, Continental Distributing Company, Continuous Frog and Crossing Company, Continental Photo-Play Corporation, Co-Operative Automobile Association, Co-operative Bank and Office Supply Company, Cooper Aircraft Company of Delaware, Copper Basin Mines Company, Coquina Company, The, Copland Medicine Company of the United States, Inc., Co-operative Publishing Company, The, Corporation Company of Maryland, The, Corning Egg Farm, Inc., Corporation Fiduciary Company, Corl Motor Car Co., Corporation Securities Company, Coudersport Electric and Public Service Company, Cotton Furnace Corporation, Cotton Gathering Corporation, Cremo Chemical Company, Crestmont Home Supply Company, The, Cross Arrow Orchard Company, Culture Film Corporation, Cuban Improvement and Steamship Company, Cuba Real Estate Association, Customers' Co-operative Company.

D'Essaur, Inc., D. Ross & Son, Incorporated, D. S. Plummer Brick Company, David Music Publishing Company, The, Day-enport Theatrical Producing Company, The, Davis & Oliver, Incorporated, Dawson, Nelson & Co. (Inc.), Deal Boiler Compound Company, Defiance Packless Valve Co., Deichler Stationery Company, Delchester Manufacturing Company, The, Delcol Quartz Hill Mining Company, Delaware Amusement Company, Delaware Buggy Hardware Company, Delaware Fertilizer Company, The, Delaware Gas and Electric Fixture Co., Delaware Jitney Bus Co., Delaware Land Co., Delaware Marine Supply Manufacturing Company, The, Delaware Mining Company, Delaware Refining Company, Depositors Underwriting Co., Development Company of America, The, District Bus Company, Dile Motor Company, The, Dixon Veneer Polish Co., Do-

PROCLAMATIONS.

minican Copper Company, Douglas Co-operative Investment Company, The, Doyle Restaurant Company, The, Dr. H. R. Spruance Pharmacy, Incorporated, The, Drake Railway Automotrice Company, Dreadnaught Tire and Rubber Company, Dr. Watt Dental Company, Ducker Company of America, DuPont Motor Car Company, Duff Car-Wheel Company, Duntley Pneumatic Sweeper Company, Durant Mines, Incorporated.

Eastern Fish-Cold Storage Co., E. Haydon Bozel Attractions, Inc., East India Products Co., East Liberty Sales Co., Eastern Ore and Reduction Company, The, Eastern Refractories Company, East Tennessee Development Company, Edwards Derailing Guard and Car Truck Company, Egg Harbor Wine Company, Efficiency Oil Products Company of Pennsylvania, New Jersey, Maryland, Delaware and District of Columbia, Electro-Chemico Corporation, Electric Gun Corporation, Electro-Hydro-Carbon Oil and Sulphur Company, Electro-Hydro-Carbon Sales Company, El Sandoval Association, Electri-Sterilizing Company, Elastic Wheel Company, The, Equitable Burial Association, Engineering and Developing Corporation, Enterprise Film Corporation, Empire Oil Company, Engineering Products Co., Equitable Savings System, Inc., Equitable Service Bureau, Inc., The, Ephrata Shale Brick Company, Inc., Enameled Steel Cooperage Company, Equitable Trust Company of Wilmington, Delaware, Ericksen Brothers (Inc.), Exhibitors' Booking Offices, Inc., Exhibitors Mutual Film Corporation of Delaware, Excello Novelty Company, Evans Oil Company, Excel Photoplay Company.

Fanning Aircraft Destroying Gun Co., F. Border's Son Company, Fairmount Company, The, F. C. Farnsworth Company, F. & F. Company, The, F. J. Storbel & Co., Family Painless Dentists, Incorporated, Fair Publishing Company, The, Fanny Rawlings Operating Company, Farmers Exchange, Inc., Farmers and Chippers Manufacturing Company, Farmers Transportation Company, Federal Adjustment Corporation, The, Federal Advertising Corporation, The, Febiger Automatic Arms Manufacturing Company, Federal Clothing Company, Federal Construction Company, Incorporated, Federal Drug Company, The, Feature Film Manufacturing Company, Inc., Federal

PROCLAMATIONS.

Graphite Company, The, Fellsmere Improvement Company, Federal Loan and Investment Association, The, Federal Motor and Manufacturing Company, Federal Stores, Inc., The, Federal Theatre Company, Fidelity Discount Company, Film Picture Company, The, Fidelity Real Estate and Mortgage Co., Fibre Tan Company, Fidelity Underwriting and Sales Company, Financial Accommodation Society, Inc., First Investment Guarantee Co., First Trust Underwriters, Incorporated, The, Flexible Traction Motor Truck Company, Florida Company, The, Florida Colonization Company, Florida Farms Company, Florida Fruit and Vegetable Company, Florida Gulf Coast Company, Fodor Laboratories (Incorporated), Foster Chemical Company, Fordwick Company, Foreign and Domestic Timber Land Corporation, The, Forest Hills Cemetery Company of Delaware, Fort Pitt Envelope Co., Inc., Fort Pitt Taxicab Company, Fowler Standard Lamp Company, Frank Brown Oil Company, Franklin Embossing and Engraving Company, Frazier-Evans Construction Company, Inc., The, Franklin Film Manufacturing Corporation, Franklin Finance Company, Franklin Grocery Company, Franklin Mica and Realty Company, Frank Minor Film Company, Frey, Sheridan & Co., Inc., Frick Manufacturing Company, Fuelite Corporation, The, Fur Farming, Incorporated.

General Ammunition Company, General Automatic Meter Company of New York, General Container Corporation, General Erecting and Improvement Co., Geo. F. Howell Broom Corn Co., General Farm Produce Company, Genro Film Company, Georgetown Light, Heat and Power Company, George M. Davis Company, Georgia Parfay Company, General Products Company, General Railways Company, Georgetown Riller Mills Company, George R. Heisey, Inc., General Sales Company, General Vanadium Company of America, George W. Dorn Company, Giles Company, The, Girard Point Chemical Company, Gill Publishing Company, The, Globe Golf-Ball Company, Glocker Sanitary Jar Company, Globe Sheet Metal and Roofing Company, Golden Rule Silk Mills Company, Goldsboro Street Railway Company, Goodway Lotion Company, Gotham Film Company, Inc., Gould-Wilhelm Engraving Company, Granville C. Bradford Company, Graves Film Corporation,

PROCLAMATIONS.

The, Granville Manufacturing Company, Grand View Publishing Company, Great Eastern Tailoring Company, Green Lane Trap Rock Company, The, Great Northern Theatre Company, Great Western Mercantile Company, Great Western Mortgage and Loan Company, Grocers' Baking Company, Guaranteed Building, Real Estate and Manufacturing Company, Guaranty Oil and Gas Company, Guaranty Sales Corporation, Gulf-State Farms Company.

H. A. Heinel Company, H. P. B. Electric Company, The, Ham-Ex Film Company (Hamilton's Excellent Pictures), Harold Amusement Company, Harding Metal Products Company, Hardman Tire and Rubber Co. of Pennsylvania, Harlan Water and Ice Company, Incorporated, Harry Hughes & Company, Harrison Manufacturing Company, Haskell Electric Lamp Company of Pennsylvania, Haymarket Company, The, Hazle Mercantile Company, Heake Company, The, Hearn Lunch and Baking Company, Healy Oil and Gas Company, Heating and Ventilating Corporation, Heitman Company, The, Heidelberg Restaurants Company, Inc., Henry Bodenheimer Real Estate, Light and Power Company, Henry Clay Coal Mining Company, Henry Lee Lumber Company, Herman Manufacturing Company, Hershey-Sexton Manufacturing Company, Hibernian Film Company, Highland Film Corporation, The, Highland House Company, Hidden Treasure Mining Company, Hill, Chapman & Company, Hill Clothes Shop, Incorporated, Hillville Coal Mining Company, Holly Sand Company, Holmes-Fibre Graphite Manufacturing Company, Home Coin Club Company, Hood Corporation Securities Company, The, Home Discount Company, The, Honduras New York Development Company, The, Hoosier Remedy Company, The, Homer Turk Company, Hourcade Crews y Ca (S. A.), Incorporated, Huntsville Consolidated Gas Company, Hunter Ice and Lawn Horse Boot Manufacturing Co., Huntsville Oil and Gas Co., The, Hyalite Brick Company, Hydrocraft Co., Hy-Coso Food Products Company.

Ideal Business Men's Company, Imperial Cudia Firearm Co., I. Figli Del Sole Company, Illinois Finance Company, I. L. Scheiman Company of Pittsburgh, Imperial Refining Corpora-

PROCLAMATIONS.

tion, Imperial Theatre Co., Idaho Traction Company, I. X. L. Mfg. Co., Insurance Agency of Pennsylvania, Inc., The, Invincible Bag Cleaner Manufacturing Company, Insurance Board of Trade of Pennsylvania, Incorporated, Individual Cup and Water Co., of Elmira, New York, Indestructo Electric Mine Lamp Co., Independence Gold Mines Company, Inferno Manufacturing Company, The, Independent Merchants Association, Ingraham-Poston Corporation, Investors Protective Association, Investment Security Company, Insulating Specialty Company, The, Insular Transfer Company, Intermittent Vacuum Pre-Cooling Company, International Air Brake Company, Interstate Animated Adv. Co., International Coal and Transport Corporation, International Child Life Exhibit Company, International Clay Company, Interstate Construction Co., International Contracting Company, Interstate Development Company, The, International Finance Corporation, International Garment Cutting College of Paris-New York, Inc., International Hydrolithic Company, International Investment and Development Company, International Investment Company, The, International Land and Improvement Company of America, Interstate Land Company, International Metals Company, Inter-Mountain Land and Trust Company, International Oil and Gas Company, International Ordnance Company, International Publishing Company, International Publicity Film Corporation, Inter-State School of Correspondence, Inc., International Supply Company, Iowa Foundry and Furnace Works, Incorporated.

Japan-Flora Consolidated Mining Co., J. H. Anderson & Co., J. M. Funk Company, The, J. R. Richardson Company, The, James T. Heard Company, Jarrell Typewriter Exchange, Incorporated, J. W. Oliver & Co., Ltd., James Young, Incorporated, Jewel Amusement Company, Jitney Bus Company, Jerome Copper and Gold Company, John Cort, Incorporated, Johnson Corset Company, Johnson & Edwards, Inc., John Turkleson Granite Company, John W. Lea & Company, Jordan and Company, Incorporated, Jordy and Company.

Kalium Spring Company, Kathodin Cartridge and Stem Co., Inc., Kansas City Plantation Company, Kanti, Incorporated,

PROCLAMATIONS.

Kay-See Drug Company, Incorporated, Keenest Company of Detroit, Mich., The, Kehoe Stenograph Company, Kenwood Commercial Company, Kentucky Portland Cement and Coal Company, The, Kerosene Carburetor Corporation, Kern Chemical Company, The, Keystone Coal Company of Wyoming, Keros-Gas-Burner Company, Keystone Leather Company, Keystone Mining Company, Keystone Multiple Parts Company, The, Keystone Ordnance Company, Keystone Paper and Bag Company, Keystone Sales Co., The, Keystone Sanitary Paper Can Company, Keystone Supply Company, Killian Roller Bearing Company, Killian Roller Bearing Corporation, Kilgarlic Stock Food Corporation, Kings Farms Dairy, Inc., Kingston Farming and Dairy Company, Kir-Mer Kleansing Kompany, Kingsbury Process Co., Inc., The, Kissimee Valley Construction Company, Kleanall Chemical Co., Kline Hydraulic Ram Company, Klinger & Miller Company, Knoxdale Coal and Fire Brick Company, Knight of Columbus Hall Company, The, Krag File and Ledger Company.

LaColle Grading Machine Company, Lachman Development Company, L. P. S. Extraction Company, Lakeworth Sales and Developing Company, Lake Tracey Development Company, Lamb Engine Company, Lamon Gold Mining Company of Colorado, Land Fertilizer Corporation, Lansdale Music Roll Company, Larson-Pfeil Manufacturing Company, Laurel Creamery Association, The, Laurel Mining Company, Lawrence Manufacturing Company, The, Leon W. Pullen Company, Leroy Candy Company of Kankakee, Ill., Lewis Bear Drug Company, The, Liberty Bell Company, Light Car Sales Company, The, Liberty Motion Picture Company, Liberty Powder Company, Lion Film Manufacturing Company, The, Lincoln Highway Garage Association, Liquid Fuel Combustion Company, The, Livingston Manufacturing Company, Lloyd & Moore Canning Company, Lorraine Cigar Company, Inc., Long Island Farm Products Company, Inc., Lowinite Explosives Mfg. Co., Lubin Casino Company, Luthy Electric Manufacturing Company, Lucas Indicator and Novelty Manufacturing Company, Luna-Lite Co., The, Lycoming Chemical Company, Lyon Company, The.

PROCLAMATIONS.

M. G. H. Corporation, M. R. Zahniser Furnace Company, The, Magda Manufacturing Company, The, Magnetic Mineral Water Company, Magdalena Valley Agricultural Association, Major Tailors, Incorporated, The, Manufacturers Commercial Paper Company, Manatee County Development Company, Manchester Garage, Inc., Manufacturers, Incorporated, Manufacturers' Mail Order Association, Manufacturers and Wholesalers Association, Marine Oil Company, Marion Oil Company, Margaret Tile Brick and Coal Company, Marley Mill Corporation, Martin Manufacturing Company, Maryland Powder Company, Marvel Remedies Company, Martin Ruth Company, Maryland Trap Rock Co., Martha Washington Gold Mining Company, Master Talking Machine Company, The, Mattison Automatic Machine Company, Mauseleum Corporation of America, The, Maureo Tobacco Company, The, Medical and Surgical Educational Film Company, The, Melchoir Railway and Mail Device Company, Merchants Discount Coin Company, Mercantile Import Co., Merchants Marine, Inc., Mercantile and Realty Company, Merchants' Securities Company, Metropolitan Cash Stamp Company, Metal Drawing and Heading Corporation, Metal Specialties Manufacturing Company, Meyer Baking Company, Mexican Land Development Company, Meyers Manufacturing Company, The, Mexico-Ohio Company, The, Mexican Petroleum Solid Fuel Company, Ltd., Mexican Rincon Mining Company, Michinova Chemical Company, Mid-Continent Royalty Company, Mico Filter Company, The, Milford Fruit Farms, Incorporated, Miles Pittsburgh Theatre Company, Miller-Baxter Rubber Company, Millerton Limestone Co., Mills-Schubel Amusement Company, Minerals Chemical Company, Mindease Company, The, Mines Exploration Company, Mining and Exploration Company of Pittsburgh, Pennsylvania, The, Mineral Hill Mining Company, Minnesota Motor Speedway Association, Mineral Refining Company, Mississippi Land and Live Stock Co., Missouri Parfay Company, Mohawk Motor Corporation, Mogul Tyre Company of America, The, Monarch Corporation, The, Montgomery County Industrial Alcohol Company, Monroe Farms Company, Monarch Handle Company, Montevideo Internal Combustion General Purpose Engine Com-

PROCLAMATIONS.

pany, Montana Onyx-Marble Co., Monarch Sales Co., Inc., Morales Medicine Co., The, Morris Engineering Company, Morgan Hat Feeding and Weighing Machine Company, Morgan & Marshall Co-operative Rubber and Tire Company, The, Mother's Bread, Incorporated, Motor Car Automatic Lock Company, Motor Device Company, Inc., Motor Fuel Company, The, Motor Kart Manufacturing Co., Inc., Motor Necessity Company, Motor Owners Supply Company, Motion Picture Finance Corporation, Motor Transit Company, Motor Truck and Auto Co., Mount Avalon Company, Mt. Pleasant Coal Company, Mountain Valley Spring Water Co., Mount Vernon Distilling Company, Multiple Roller Gin Company, Musolaphone Corporation, Murray-Young Music Corporation, The, Mutual Manifold Company, Mutual Sales Corporation of Pittsburgh, Mutual Tobacco Company.

McClain-Ferguson Co., McKelvey Dental Company, McKees Rocks Light, Heat and Power Company, McLaughlin Development Company, The, McLaughlin Brothers, Incorporated.

Nature's Cleansing Products Company, Natural Products Corporation, National Advertising and Demonstrating Company, National Art Association, The, National Amusement Company of America, The, National Association of Cash Buyers, National Automatic Scale Company, National Battery Fan Company, National Capital Life Agency, Incorporated, National Capital Manufacturing Company, National Cash Company, The, National Chemical Laboratories Corporation, National Coal and Trading Co., National Coralite Corporation, National Cranberry Company, National Credit Exchange Company, National Credit Register Company, National Daily Publishing Company, National Educational Service Corporation, National Film Advertising Company, National Hydro Electric and Conservation Company, National Machine and Cartridge Co., National Manufacturing Company, National Medical Institutes Company, National Mercantile Association, Inc., National Parcel Post News Publishing Company, Incorporated, The, National Pencil Advertising Company, National Plaster Company, The, National Purchasing Corporation, Na-

PROCLAMATIONS.

tional Sales Company, National Savings Company, National Sign Posting System, Inc., National Tobacco Products Company, National Underwriters Co., National Vending Company, National Wood Preserving and Lumber Company, Ned Wayburn, Incorporated, Nuera Remedies Company, Nuera Supply Company, Nevada Triumph Mining Company, Nevada Truck and Tractor Co., New Castle Athletic Association, The, New England and Pacific Steamship Company, News Engraving Company, New Era Steel Company, New Equipment Company, New Haven Equipment Co., The, New Jersey and Virginia Land and Timber Company, New Orleans Motor Speedway Association, News Printing and Publishing Company, New Process Leather Corporation, New York Finance and Securities Company, New York and Tampico Corporation, Nobema Film Corporation, Nordy Paper Mills (Inc.), North American Publishing Corporation of Baltimore, Md., Northern Exploration and Development Company, Northeastern Pipe Line Company, North and South American Trading Company, North Star Amusement Company, Incorporated, Novelty Toy Specialty Company, Nutritive Food Company, Nynco Line, Inc.

Oaxaca Mining, Milling and Investment Co., Oakbrook Motor Manufacturing Company, Obesity Reducing Company of Pennsylvania, Ocmulgee River Lumber and Manufacturing Company, Oil Gas Burner Company, The, Ogren Motor Works, Incorporated, Olney Ice Manufacturing and Cold Storage Company, Olthoff Trading Company, The, Ordnance Efficiency Company, Orchard Hills Company, The, Orchard Knob Lumber and Coal Company, Oreland Manufacturing Company, Our Supply Stores, Inc., Overman Tire Company.

P. H. Pattison and Company, Pacific States Development Company, Pageant Music Producing Company, Pan Alert Laboratories, Incorporated, Pan-American Chicle Company, Pan-American Commercial Co., Pan-American Dredge Company, Pan-American Estate and Planting Company, The, Pan-Am Timber and Lumber Co., Panama Coffee and Investment Company, Pancoast Medical Corporation, Panama Mining and Min-

PROCLAMATIONS.

eral Land Company, The, Palmer-Paine Motors Company, Panama Telephone Service Corporation, Parker Alaska Gold Company, Park Amusements Mfg. Co., Inc., Parisian Regalia Co., Parsons Engineering Company, Patents Security Company, Peerless Burner and Machine Company, Pearsite Company, Incorporated, The, Peerless Sand and Gravel Company, Pennsylvania Collateral Corporation, Pennsylvania Envelope Company, Pennsylvania-Florida Development Company, Penn-Montana Oil and Gas Co., Penn-Tex Tool and Supply Company, Pennsylvania Theatres Company, Penn Typewriter Company, Penn Western Company, Peoples Amusement Ticket Company, Perfection Baking Company, Peoples Cash-Discount Association, The, Perfection Check Protector Company, Peoples Cooperative Co., Perrott & Company, Perfection Fuel Saver Company, Peoples Jitney Taxi Company, Perfection Tire Sales Company, Pep-To-Lac Company of America, Peoples Trust Company, The, Peters Mountain Coal Company, Petroleum Production Company, Phelps Sales Company, Phoenix Carbon Company, Phoenix Chemical Company, Philadelphia Coal Mining Company, Philadelphia Company, Physicians and Dentists Corporation of America, Phoenix Films Corporation, The, Philadelphia Grand Opera Company, Philadelphia Ice Skating Company, Philadelphia Lamp Manufacturing Company, Photoplay Releasing Company, Philadelphia Restaurant Company, Photoplay Securities Corporation, Phoenix Stone and Quarry Company, Physicians' and Surgeons' Sanitariums Co., Inc., Pinapa Company, Pittsburgh Auto-Radiator Corporation, Pittsburgh Boiler and Tank Company, Pittsburgh Enameled Products Company, Pittsburgh Iron Mining Company, Pittsburgh Orchards Development Company, Pittsburgh Regal Car Company, Pittsburgh Rex Agency Company, Pittsburgh and Seaboard Engineering Works, Incorporated, Pittsburgh Steel Tie Company, Pittsburgh Timber and Coal Company, Pittsburgh Tungsten Mines Company, Pittsburgh Visible Typewriter Company, Pittsburgh Zinc Mining Company, Pinelhurst Amusement Company, Plantations Company, The, Platolite Gas Burners Company, Planters Potash Company, Pneumatic-Hub-Tire-Wheel Co., Plumbing Specialty Company, The, Polhamus Concentra-

PROCLAMATIONS.

ting Machine Company, Pomona Seed Company, Pomeroy Shoe Company, Porter and Campbell, Incorporated, Port Limon Fruit Corporation, Port Stillwell Townsite Company, Potash Products Company, Premier Film Corporation, Protective Armor Plate Corporation, The, Protective Cap Company, Provident Health Association; Providence Oil and Gas Company, Prospect Rock Mineral Spring Water Co., Productive Sales Company of Washington, Profit Sharing Groceries Corporation, Profit Sharing Tea Co., Inc., Pribyl Stove and Furnace Company, Publishers' Association, The, Publishers' Association of Oklahoma, The, Putty-less Window Sales Company, Purified Petroleum Products Company of Kentucky, The, Pyrolin Products Company, Inc., Pullman Ventilator Corporation.

Quaker City Manufacturing and Supply Company, Quaker City Oil Company, Quila Film Corporation, Quaker Springs Company.

Railroad and Auto Locknut Company, R. C. Watson & Co., Incorporated, Railway Cinder Guard Company, Radium Company, The, Radium Company of America, Railways Construction Company, The, Radio Herbo Remedy Co., Railway Labor Adjusters and Inspection Co., Railway Motor Car Corporation, Railway Safety Appliance Co., Radium Uranium and Vanadium Refining Company, R. W. Day Contractor, Incorporated, Raver Film Corporation, Rapid Seal Distributing Company, Red Bank Oil Company, Reading Iron Ore Company, Reddick Lamb's Wool Polisher and Products Company, Red Lion Cigar Box Co., Record-News Company, The, Rector Pittsburg Lighting and Heating Company, Reall Portable Compressor Company, Record Publishing Company, Republic Construction Company, Retailers and Manufacturers United Coupon Association, Rex Sales Corporation, The, Rice Gasoline Rock Drill Co., Richardson Realty Company, Ridgways (Canada) Incorporated, Rights Construction Corporation, The, Ridgways (Mexico) Incorporated, Riverside Chemical Company, Riverside Fruit Company, Rivers and Harbors Improvement Company, Ritter Manufacturing Company, Roberts Chemical Company, Rock Graph-

PROCLAMATIONS.

ite Mining and Manufacturing Co., Romberger Knitting Company, The, Rockbridge Manganese and Iron Company, The, Rhode Market, Incorporated, The, Rogue River Pear Orchard and Canning Co., Rothschild Company, The, Roth Elevator-Safety Device Company, Royal Market Incorporated, The, Royal Talking Machine Corporation, Ruby Amusement Company, Rubberless Tire Company, The, Rural Realty Company.

S. D. Peacock & Son, Incorporated, S. G. Safety Fender Company, S. G. Yerkes Company, S. J. R. Motor Company, Sacramento Valley Irrigation Company, St. Andrews Bay Development Company, Salisbury Ball Bearing Company, Salisbury Ball Bearing Manufacturing Company, Sales Engineering Company, Saled Laboratories, Incorporated, Salesmen's and Manufacturers' Registry and Bureau of Information, Incorporated, Sam Weichelbaum & Mack, Incorporated, Sanitation Company, The, Santo Domingo Plantation Corporation, Sanitorium Food Corporation, Sanitary Fountain and Vending Machine Co., The, Sanitary Kleano Corporation, San-Knit-ary Individual Towel Cabinet Company, Sapulpa Refining Company, Sanitary Sales Company, Inc., Sanitary Wagon Company, The, Sanlisbury-Robinson Cigar Company, Savage Clay Products Company, Savings Investment Company, Scotmints Company, Incorporated, Scotch Hall, Inc., Scranton Labor Building Association, Security Bend and Share Company, Security Can and Container Manufacturing Company, Security Grain Company, Security Investment Company of America, Seaford Realty Company, Seeberg Steamship Line, Incorporated, The, Securities Underwriting Corporation, Selectro Appliance Company, Sell Bros. Company of America, Self-Cutting Buttonhole Attachment Company, Seminole Ranch, Incorporated, Service Sole and Heel Company, Seneca Trust Company, Shampay Distributing Co., Shado-Lite Manufacturing Co., Shampay Manufacturing Co., Shakespearian Photo-Play Company, Shenandoah-Blueridge Agricultural Corporation, Sherrard Securities Company, Shields Company, The, Shreveport, Delaware Oil Company, Shore Realty Company, Shirk-Waters Co., Show World Publishing Co., The, Signal Recorder Corporation, Silent Sales Company, Silent Valve Motor Company, The, Simon

PROCLAMATIONS.

Amusement Company, The, Sims Automatic Conveyor Company, Incorporated, Simpson-Cook Company, Simplified Railway Appliances Corporation, Single Tax Herald Publishing Company, The, Smoke Consuming and Fuel Saving Construction Company, The, Smyrna Creamery Company, Snake Creek Mining and Tunnel Company, South American Exporting and Importing Corporation, Southern Briquetting Company, Southwestern Cities Electric Company, Southern Finance and Construction Company, South Florida Grape Fruit Company, Southern Gas and Electric Company, Southwestern Hog Company, South Mexican Commercial Company, Southwestern Oil Company, Southern Pharmaceutical Company, Southern Real Estate Company, The, Southern Steel Products Company, Souder Superior Willow Ware Company, Spanish-American Trading Syndicate, Specialties Developing Corporation, Sphinx Motion Picture Co., Inc., Squires Shoe Company, Standard Accessories Company, Standard Concrete Unit Equipment Company, Standard Fender Company, The, Standard Home Company, The, Standard Magic Mirror Sales Company, Standard Metallic Mirror Screen Company, Standard Motor Sales Company, The, Standard Steel and Equipment Corporation, The, Standard Tire and Rubber Company, State Paving Company, Stenoprint Corporation, Steiner Fire Hydrant Coil Company, Steam Fuel Sales Company, Stetson and Vogels, Incorporated, Stucky's Red Cross Pharmacy, Incorporated, Supplee Construction and Contracting Company, Superior Glass Company, Sun Oil Co. of Provo, South Dakota, The, Surinam Rubber and Wood Plantation Company, Sutton and Test, Inc., Superior Theatres Corporation, Synthetic Chemical Products Company, Swan Manufacturing Company.

T. C. Munn Company, Tape Lock Box Company, Tapis Rug Manufacturing Company, Ten Cent Gas Plant Company, Textile Dyeing and Finishing Company, Terminal Market Delivery Company, Tennessee Parfay Company, Theatres Company, Therapos Products Corporation, Therma-Tite Package Company, Thompson Milling Company, Thompson Oil and Gas Company, The, Three "P's" Plantation Company, Tidionte

PROCLAMATIONS.

Silica Sand Company, Tiffany-Vogel Company, Tide Water Oil and Gas Company, The, Tinkham Suspension Company, Tri-Col Remedies Company, Inc., Travel Coupon Co., Transit Equipment Company, Trans-Oceanic Line, Incorporated, Treasurer Research Company, Triangle Sales Company, The, Triton Sales Company, The, Triggs Smoke Prevention and Fuel Saving Company, Tri-State Star Feature Company, Tulpehocken Motion Picture Company, Turner Oil and Gas Company, Twentieth Century Publishing Company, The, Typewriter Development Company, The, Tybo Farm and Stock Company, Two in One Stores Company, The.

U. S. Farm Machinery Corporation, Unit Construction Company, Universal Coupler Company, Universal Industries Company, Universal Optical Company, Universal Picture Cut Service Corporation, Universal Road Repairing and Street Cleaning Company, Universal Screw Cutting Company, Upton-Smoet Construction Company, The, Universal Specialty Manufacturing Company, Up-to-Date Outfitting Company, Incorporated, United Agents Farm Agency, Incorporated, Union Arms and Ordnance Corporation, United Candy Stores Company, Union Chemical Company, United Finance Company, Universal Garbage Consumer Company, United Grocers Corporation, United Ice Company of Lancaster, United Land and Townsite Company, Union Machine Company, Union Machine and Stamping Company, The, United Men's Stores Corporation, United Produce Company, United Sales Promotion Company, United Stamp Company of America, Union Stamping Company, The, United States Automatic Railway Safety Appliance Company, United States Automatic Shoe Polishing Machine Company, United States Carbo-Welding Company, United States Chemical Company of America, United States Concrete Products Corporation, United States Deposit Checks Company, United States and Equador Steamship Company, United States Foreign Service Publishing Company, United States Hard Fibre Company, United States Labeling Machine Company, The, United States Metal Screen Company, The, United States Mileage Company, United States Sandstone

PROCLAMATIONS.

and Cement Products Company, United States Stores Company, United States Trading and Transportation Company, United States Tramp Steamship Company, Union Stock Yards Pig and Poultry Farm, Incorporated, United Trading Co., United Truck Scale Company, Utilities Construction Company, The, Utility Engineering Company, Ursa Mfg. and Advertising Co., Utility Securities Company.

Valcourt Humus Company, Valentia Ranch Company, Van Horn Barrel Washing Machine Company, Varnish Protecting Company, The, Victor Car Company, Victor Improvement Co., Inc., Victor Motor Supply Company, Vigneri-Skaugen Engine Company, Vitascope Film Corporation, Virginia Lumber Company, Volco Corporation, The, Vocal Picture Company, Vulcan-tex Products Company, The.

W. E. A. Wheeler, Inc., W. J. Gawne Company, The, Wage Workers Co-operative Syndicate, Walls Ice Manufacturing Company, Walter B. Perkins Company, Walsh Tire and Rubber Co., Warren Silica Company, Washington Land Company, The, Washington Silicate Brick Co., Water Jacket Heater Company, Weatherall & Co., Inc., Webb Manufacturing Company, Webb Talking Pictures Company, The, West Baden Springs Water Company, Western Bankers Trust Company, Weston Corporation, The, Western Film Company, Western Hog Company, West Indies Mining Company, Weloc Reinforced Cork Boat Company, Wholesale Supply Company, White Diamond Company, White Sulphur Springs Hotel and Sanitarium Company, Wm. A. Jepson Coal Company, William H. Jones & Company, Wilkes Manufacturing Company, Wm. Penn Corporation, Wilkinsburg Review Publishing Company, Wiley Rotary Pump Company, Wilmington Jitney Bus Company, The, Windsor Hills Home Building Company, Winner Manufacturing Company, The, Win-Ola Company, Wind Turbine Company, Wisconsin Farms Company, Wonder Shoe Lace Company, Woodlawn Realty Co., World's Cheapest Power Company, World Products Company, Wright Motor Car Company, Wynfield Central, Inc.

PROCLAMATIONS.

Yeiser Manufacturing Co.; Inc., The, Youngwood Coal and Coke Company.

IN TESTIMONY WHEREOF, I, John G. Townsend, Jr., Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of this State to be hereunto affixed this [GREAT SEAL] Twenty-seventh day of January, in the year of our Lord, one thousand nine hundred and nineteen, and of the Independence of the United States of America, the one hundred and forty-third.

By the Governor:

JOHN G. TOWNSEND, JR.

EVERETT C. JOHNSON, :

Secretary of State.

SECRETARY OF STATE'S OFFICE,

DOVER, DELAWARE, MAY 12TH, 1919.

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, and further amended by Chapter 42, Volume 30, 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 a Special Session commenced Monday the eleventh day of March, A. D. 1918, and ended on the twenty-ninth day of March, A. D. 1918, and the regular Biennial Session commenced on Tuesday, the seventh day of January, A. D. 1919, and ended on the twenty-eighth day of March, A. D. 1919, and approved by the Governor.

Words and sentences marked with asterisks are printed as they appear on the original bills.

EVERETT C. JOHNSON,

Secretary of State.

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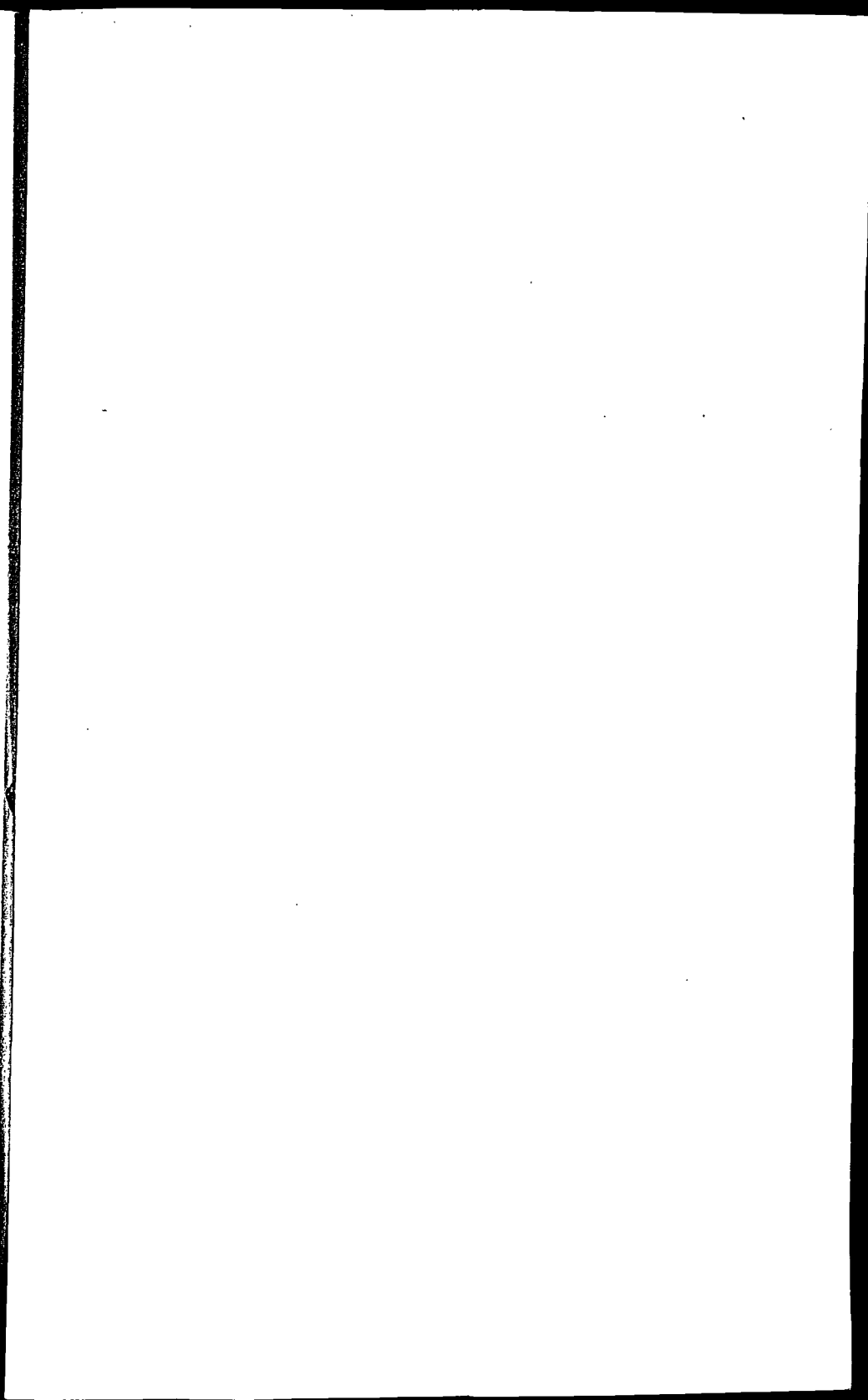
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