



**LAWS**  
**OF THE**  
**STATE OF DELAWARE**  
**PASSED AT THE**  
**One Hundred and Second**  
**Session of the General Assembly**  
**COMMENCED AND HELD AT DOVER**  
**On Tuesday, January 1, A.D. 1929**  
**AND**  
**IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES**  
**THE ONE HUNDREDTH AND FIFTY-THIRD**

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**VOLUME XXXVI**

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**J. LAURANCE BANKS, INCORPORATED**  
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# LAWS of DELAWARE

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## TITLE ONE

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### Construction of Statutes

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#### CHAPTER 1

##### AMENDMENT TO CONSTITUTION

**AN ACT proposing an Amendment to Article Two of the Constitution of the State of Delaware authorizing the General Assembly to empower municipal corporations, other than Counties, to adopt Zoning Ordinances.**

*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 Article Two of the Constitution of the State of Delaware be amended by adding at the end thereof a new section to be known as Section 25, as follows:

Section 25. The General Assembly may enact laws under which municipalities, other than counties, may adopt zoning ordinances limiting and restricting to specified districts, and regulating therein buildings and structures, according to their construction, and the nature and extent of their use, and the exercise of such authority shall be deemed to be within the police power of the State.

Approved March 19, 1929.

# TITLE TWO

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## Jurisdiction and Property of the State

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### CHAPTER 2

#### PUBLIC LANDS

**AN ACT relating to the Public Lands of the State of Delaware and the supervision and control thereof.**

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

Section 1. On and after July 1, 1929, the Public Lands of the State of Delaware, as ascertained in regard to location, surveyed and plotted under the supervision and direction of the Public Lands Commission, created in accordance with the provisions of Chapter 5, Volume 27, Laws of Delaware, shall be under the supervision and control of the State Highway Department, which Department is hereby authorized and empowered to care for the said Public Lands and all powers given to said Public Lands Commission shall thereafter be exercised by the said Department.

Section 2. The State Highway Department is further authorized to survey such of the said Public Lands that may not have been surveyed, plotted and recorded in the office of the Recorder of Deeds in the County in which any such Lands may lie; to survey and lay off such Public Highways through any such Lands as they may deem advisable and for the public good; to supervise the sale of any material, product or thing which may grow or may be grown upon any such lands; to divide said Public Lands into tracts of fifty (50) acres, or less; and to sell such tracts, or any part of any such tracts, as shall be deemed advisable to sell.

## PUBLIC LANDS

Section 3. The State Highway Department is also authorized and empowered to construct any road or roads leading to or through any such Public Lands which are under the supervision and control of the said Department; to make plans and specifications for the construction of such road or roads and to secure bids for the construction of the same; to enter into contract or contracts for the construction of such road or roads as may be deemed wise; and to pay the costs of the plans, specifications and construction work incident to the building of such road or roads out of any monies to the credit of said Department in the State Treasury.

Section 4. The State Highway Department, together with the Governor of this State, is hereby authorized and empowered to execute and deliver a good and sufficient deed to any part of said Public Lands of the State of Delaware, and to place upon the sale of such lands a restriction requiring the expenditure by any person or persons purchasing the same of a certain amount of money upon any tract sold to them, or to require any other conditions which the said Department may deem advisable for the public good. Whoever shall purchase any of the said Public Lands under any restrictions or conditions of the said Department, and shall fail for a period of five (5) years to comply with the restrictions or conditions mentioned in the Deed of Grant from said Department, shall forfeit said Lands to the State of Delaware, and the title to same shall thereafter rest in the State.

Section 5. That the State Highway Department may be enabled to carry out the provisions of this Act, all monies kept in the hands of the Public Lands Commission shall be placed in the State Treasury to the credit of the State Highway Department, and any monies, other than appropriated by the General Assembly, realized from the care and supervision of Public Lands of this State shall be deposited with the State Treasurer for the use of the said State Highway Department in carrying out the provisions of this Act; provided, however, no public money shall be expended under the provisions of this Act on any road or roads leading to or through any Public Lands of this State with pri-

## PUBLIC LANDS

vately owned lands abutting thereon unless and until the owners of said abutting lands shall have reached or entered into an agreement with the said Highway Department as to whether or not a contribution toward the cost of such road or roads shall be made by said owner of such lands.

Section 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed, in so far as the inconsistencies exist.

Approved April 18, 1929.

## CHAPTER 3

## STATE HOUSE AND STATE OFFICES

**AN ACT to amend Chapter 4 of the Revised Code of the State of Delaware in relation to the State House.**

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

Section 1. That Section 1 of Chapter 4 of the Revised Code of the State of Delaware, being Section 16 of the Revised Code of 1915, be amended by striking out all of said Section 1 and by inserting in lieu thereof the following:

16. Section 1. On the Second Tuesday of February, 1929, or at such time thereafter as the approval of this Act will permit, and every four years thereafter on the second Tuesday of February, the Governor shall appoint a Custodian of the State House, who shall hold office for the term of four years or until a successor is duly appointed and qualified. Before entering upon the duties of this office, the said Custodian shall take the oath of office prescribed by the Constitution and give a bond to the State in the sum of Two Thousand Dollars, with sureties approved by the Governor, conditioned for the faithful performance of the official duties and the safe keeping of all State property under his care; such oath and bond shall be filed in the office of the Secretary of State.

Section 2. That Section 2 of Chapter 4 of the Revised Code of the State of Delaware, being Section 17 of the Revised Code of 1915, be amended by striking out all of said Section 2 and by inserting in lieu thereof the following:

17. Section 2. The Custodian of the State House shall have general charge of the State House and Administration Buildings and shall see that the same are properly cared for. He shall assign all rooms in the State House and Administration Buildings by and with the consent of the Governor for such uses and purposes as they may designate. At any time, when the said Cus-

## STATE HOUSE AND STATE OFFICES

todian shall fail to perform the duties of the office, the Governor may remove such official and appoint some competent person to fill the unexpired term.

Section 3. That Section 3 of Chapter 4 of the Revised Code of the State of Delaware, being Section 18 of the Revised Code of 1915, be amended by striking out all of said Section 3 and by inserting in lieu thereof the following:

18. Section 3. The Custodian of the State House shall appoint two or more persons, one of whom shall be known as the Chief Janitor for the State Buildings, who shall hold office at the pleasure of the said Custodian. He shall direct the work of the said Janitor, whose duty it shall be to care for the property belonging to the State, to keep clean and in good order all the rooms, offices, apartments, library and furniture, halls, stairways and cellars in said buildings, to attend to the heating of same, and to look after the pavements and grounds attached thereto, and to perform the duties and to do any and all things directed to be done by the Custodian, which may be incident to the office of Janitor. The Custodian and Janitors, for the purpose of enforcing this Section, shall be clothed with all the powers of a police officer of the Town of Dover, Delaware.

Section 4. That Section 4 of Chapter 4 of the Revised Code of the State of Delaware, being Section 19 of the Revised Code of 1915, be amended by striking out all of said Section 4 and by inserting in lieu thereof the following:

19. Section 4. The Custodian of the State House shall receive an annual salary of Fifteen Hundred Dollars (\$1,500.00), and is authorized and empowered to draw upon the State Treasurer at the end of each month for the same. The Chief Janitor shall be paid for his services a monthly salary of Ninety Dollars (\$90.00) and the others shall receive Eighty Dollars (\$80.00) per month for their services, such monies to be paid by the State Treasurer on warrants signed by the said Custodian. There shall also be allowed to defray the expenses incident to the care of

## STATE HOUSE AND STATE OFFICES

State property such amounts as may from time to time be appropriated in the Budget Appropriation Bill.

Section 5. That Section 5 of Chapter 4 of the Revised Code of the State of Delaware, being Section 20 of the Revised Code of 1915, be amended by striking out all of said Section 5 and by inserting in lieu thereof the following:

20. Section 5. The Custodian of the State House shall make a written report to the State Treasurer every six months as to the condition of the State property in his care and of the manner in which the janitors are performing the duties incumbent upon them. Should any report show the need of repairs to the buildings or improvement to the grounds, or that the janitors are not performing the duties of their respective offices faithfully, the State Treasurer shall bring such matter to the attention of the Board of State Repairs or to the Governor, as the condition may warrant.

Section 6. That Section 6 of Chapter 4 of the Revised Code of the State of Delaware, being Section 21 of the Revised Code of 1915, be amended by striking out all of said Section 6 and by inserting in lieu thereof the following:

21. Section 6. The Custodian of the State House shall keep the State House and Administration Buildings open each day, except Sundays and legal holidays, from eight o'clock A. M. to five o'clock P. M., with the exception of Saturdays, when the said buildings shall be closed at one o'clock P. M., provided, however, that during the period of the sessions of the General Assembly, the State House shall be open from eight o'clock A. M. to ten o'clock P. M. on the days that sessions are being held.

Section 7. That Section 7 of Chapter 4 of the Revised Code of the State of Delaware, being Section 22 of the Revised Code of 1915, be amended by striking out all of said Section 7 and by inserting in lieu thereof the following:

## STATE HOUSE AND STATE OFFICES

22. Section 22.\* The Custodian of the State House is hereby authorized to appoint during any biennial or special session of the General Assembly a night watchman for the State House, who shall hold office for or during the said session, unless sooner removed by the Custodian. It shall be the duty of such night watchman to go on duty at seven o'clock P. M. and remain on duty until seven o'clock A. M., and to permit no one to enter the State House between the hours of ten o'clock P. M. and seven o'clock A. M., except State officials, their representatives and persons accompanying them. The compensation of said night watchman shall not exceed the sum of Five Dollars per diem of actual service during the session of the General Assembly.

Approved April 17, 1929.

\* So enrolled.

CHAPTER 4

STATE LIBRARY

**AN ACT to amend Chapter 5 of the Revised Code of the State of Delaware in relation to the State Library.**

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

Section 1. That Section 1 of Chapter 5 of the Revised Code of the State of Delaware, being Section 23 of the Revised Code of 1915, be amended by striking out all of said Section 1 and by inserting in lieu thereof the following:

23. Section 1. On the second Tuesday of February in the year A. D. 1899, and every two years thereafter, the Governor shall appoint a State Librarian, who shall hold office for a term of two years or until a successor is duly appointed and qualified. Before enlisting upon the duties of the office, the said Librarian shall take the constitutional oath of office and give a bond to the State in the sum of Two Thousand Dollars, with surety approved by the Governor, conditioned for the faithful performance of official duties and the safe keeping and delivery to a successor of all property belonging to the State Library; such oath and bond shall be filed in the office of the Secretary of State.

Section 2. That Section 2 of Chapter 5 of the Revised Code of the State of Delaware, being Section 24 of the Revised Code of 1915, be amended by striking out all of said Section 2 and by inserting in lieu thereof the following:

24. Section 2. The State Librarian shall receive for services rendered the State of Delaware a salary of Twelve Hundred Dollars (\$1,200.00) per year, and to be paid monthly by the State Treasurer from monies appropriated for such purposes. There shall also be allowed to defray the current expenses of the State Library a sum not in excess of Two Hundred and Seventy Five Dollars to be drawn from the State Treasury from funds appropriated for such purpose.

## STATE LIBRARY

Section 3. That Section 3 of Chapter 5 of the Revised Code of the State of Delaware, being Section 25 of the Revised Code of 1915, be amended by striking out all of the said Section 3 and by inserting in lieu thereof the following:

25. Section 3. The State Library shall consist of the books, pamphlets, maps, charts, and documents of every kind, including all books, pamphlets and papers received from the Medical Societies of Delaware, together with such others as may hereafter be acquired by gift, purchase, exchange or otherwise; provided that there shall always be kept in said library not less than twenty-five copies of the Duke of York's Records for the same uses and purposes for which other books are or may hereafter be kept.

Section 4. That Section 4 of Chapter 5 of the Revised Code of the State of Delaware, being Section 26 of the Revised Code of 1915, be amended by striking out all of said Section 4 and by inserting in lieu thereof the following:

26. Section 4. The State Librarian shall keep a complete record of all books, pamphlets, documents and papers received for the State Library and properly label the same. The said Librarian shall also keep a complete record of all books taken from said library and require the return of same within the time set by the rules and regulations governing the library as formulated by the Librarian by and with the consent of the Judges of the Supreme Court. In case of any person taking books from the Library shall fail to return the same within the time set by the rules and regulations aforesaid, such person shall be fined by the Librarian the sum of Ten Cents per book for each and every week such book or books are so unlawfully retained.

Section 5. That Section 5 of Chapter 5 of the Revised Code of the State of Delaware, being Section 27 of the Revised Code of 1915, be amended by striking out all of the said Section 5 by inserting in lieu thereof the following:

## STATE LIBRARY

27. Section 5. The State Librarian shall annually, under the direction of the Judges of the Supreme Court, expend a sum not exceeding Five Hundred Dollars for the purpose of purchasing law books. Said sum shall be paid to said Librarian by the State Treasurer, out of moneys appropriated for that purpose, upon the presentation of the approval, in writing, of the Judges of the said Supreme Court or a majority of them.

Section 6. That Section 6 of Chapter 5 of the Revised Code of the State of Delaware, being Section 28 of the Revised Code of 1915, be amended by striking out all of the said Section 5 and by inserting in lieu thereof the following:

28. Section 6. The State Librarian is authorized to dispose of by way of sale or exchange such books in the State Library as are not needed and of which there are a number of copies, upon approval of any two Judges of the Supreme Court. Any money derived from the sale of such books shall be deposited with the State Treasurer, who is authorized to keep a separate account of such receipt, said receipt to be expended for other books needed in the said Library. The State Treasurer is authorized and directed to pay bills chargeable against the fund, upon presentation of same by the State Librarian having the approval of any two Judges of the Supreme Court, and in accordance with the law governing the approval and payment of bills by the State Treasurer.

Section 7. That Section 7 of Chapter 5 of the Revised Code of the State of Delaware, being Section 29 of the Revised Code of 1915, be amended by striking out all of said Section 7 and inserting in lieu thereof the following:

29. Section 7. The State Librarian, upon the receipt of Judicial Reports and Chancery Reports to be deposited in the Library by law, shall transmit one copy of each of said reports to the Library of each State and Territory, one copy to the Congressional Library, one copy to the New Castle County Law Library, one copy to the University of Delaware, one copy to the Historical Society of the State of Delaware, and one copy to the Library of the Municipal Court of the City of Wilmington.

## STATE LIBRARY

Section 8. That Section 8 of Chapter 5 of the Revised Code of the State of Delaware, being Section 30 of the Revised Code of 1915, be amended by striking out all of said Section 8 and by inserting in lieu thereof the following:

30. Section 8. The State Librarian shall have the custody of stationery, postage and supplies purchased for the use of the General Assembly and shall distribute the same in accordance with the law provided for such distribution.

Section 9. That Section 9 of Chapter 5 of the Revised Code of the State of Delaware, being Section 31 of the Revised Code of 1915, be amended by striking out all of said Section 9 and by inserting in lieu thereof the following:

31. Section 9. On or before the first Tuesday in January, of each year in which the General Assembly convenes in regular session, the State Librarian shall make a report to the Governor, in which shall be set forth the condition of the State Library, the number of books received, the number of books lost, the fines levied and collected in the intervening period, and all other things concerning the library that may be deemed proper.

Section 10. That Section 10 of Chapter 5 of the Revised Code of the State of Delaware, being Section 32 of the Revised Code of 1915, be amended by striking out all of said Section 10 and by inserting in lieu thereof the following:

32. Section 10. The State Library shall be open from nine o'clock A. M. to twelve o'clock noon, and from one o'clock P. M. to four o'clock P. M. on each day, excepting Sundays and legal holidays and the further exception of Saturdays, when the library shall be closed at noon; provided that during the period of the sessions of the General Assembly, the library shall be open from nine o'clock A. M. to ten o'clock P. M. on the days the General Assembly is in session.

Section 11. That Section 11 of Chapter 5 of the Revised Code of the State of Delaware, being Section 33 of the Revised Code of 1915, be amended by striking out all of said Section 11 and by inserting in lieu thereof the following:

STATE LIBRARY

33. Section 11. At any time when the State Librarian shall fail to perform the duties as hereinbefore prescribed, then and in that event, the Governor may remove said Official and appoint some competent person to fill the unexpired term.

Section 12. That Section 12, Section 13, Section 14, and Section 15 of Chapter 5 of the Revised Code of Delaware, being Sections 34, 35, 36 and 37 of the Revised Code of 1915, be and the same are hereby repealed.

Approved April 17, 1929.

## CHAPTER 5

## STATE LIBRARIAN

**AN ACT authorizing the State Librarian to deliver certain State Publications to the Library of the University 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 State Librarian is hereby authorized to deliver to the Library of the University of Delaware a full set of the Volumes of the Laws of Delaware, complete to date; also copies of the Legislative proceedings of the two Houses of the General Assembly now on hand and not in current use; and also copies of the Laws of Delaware, and of the Legislative proceedings, that are published from time to time in the future; and provided further, that any publications delivered under the provisions of this Act shall, at the written request of a majority of the Judges of the Supreme Court of this State, be returned to the State Librarian.

Approved March 19, 1929.

# TITLE THREE

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## State Revenue and Supplies

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### CHAPTER 6

#### STATE REVENUE

#### FRANCHISE TAX

**AN ACT to amend Article 8 of Chapter 6 of the Revised Code of the State of Delaware relative to the State Revenue from Domestic Corporations.**

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

Section 1. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 65, being Section 102 of the Revised Code of 1915, and by inserting in lieu thereof the following:

102. Section 65. Franchise Taxes; Payable Annually; What Corporations Subject to Tax; What Corporations Exempted from Tax:—Every telegraph, telephone or cable company, every electric company organized for the production and/or distribution of light, heat, or power, every company organized for the purpose of producing and/or distributing steam, heat, or power, every company organized for the purpose of the production and/or distribution and/or sale of gas, every parlor, palace, or sleeping car company, every express company not owned by a railroad company, every pipe line company, every life insurance company, every other insurance company of whatever kind, and every corporation now existing or hereafter to be incorporated under the provisions of the Laws of the State of Delaware, shall pay an annual tax, for the use of the State, by way of license for the

## FRANCHISE TAX

corporate franchise as hereinafter mentioned; provided, however, no such tax shall be paid by any railroad, railway or canal corporation or any express company owned by a railroad company, or any banking corporation, savings bank or building and loan association, or any corporation for drainage and reclamation of low lands, or religious corporation, or purely charitable or educational association, or any company, association, or society, which, by its certificate of incorporation, shall have for its object the assistance of sick, needy, or disabled members, or the defraying of funeral expenses of deceased members, or to provide for the wants of the widows and families after death of its members.

Section 2. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 66, being Section 103 of the Revised Code of 1915, and by inserting in lieu thereof the following:

103. Section 66. Annual Reports to Secretary of State; Form and Purpose of; Penalties for not Filing; How Director May Free Himself from Disability Incurred; In default of Report or Without Resident Agent, Service of Process may be made on Secretary of State; Effect of; Process Book, how kept by Secretary of State:—Annually, on or before the first Tuesday in January, it shall be the duty of the President, Secretary, Treasurer or other proper officer, or any two directors, of any corporation now existing or hereafter to be incorporated under the provisions of the General Corporation Law of the State of Delaware, to make an annual report to the Secretary of State, stating specifically with the degree of particularity required by Paragraph 2, Section 5 of Chapter 15, being Section 1919 of the Revised Code of the State of Delaware, the location of its principal office in this State; the name of the agent upon whom service of process against said corporation may be served; the location or locations (city or cities, town or towns, street or streets and number of same, if number there be) of the place or places of business of said corporation without this State; the names and addresses of all the directors and officers of the corporation and when the terms of each expire; the date appointed for the next annual meeting of the stock-

## FRANCHISE TAX

holders for the election of directors; the number of shares of each class of the capital stock which is to be issued, if any, and the amount of the par value stock, and the number of shares actually issued of each class of the capital stock which is to be issued, if any, and the amount of the par value actually issued; the amount of capital invested in real estate and manufacturing in the State of Delaware, and the taxes paid thereon; and, if exempt from taxation for any cause, the specific facts entitling such corporation to exemption from such taxation.

If such annual report is not so made and so filed by the corporation through its proper officers, or if any corporation shall neglect or refuse to make such report, the Secretary of State shall ascertain and fix the amount of the annual franchise tax as determined upon a basis by him deemed to be most practicable and the amount so fixed by him shall stand as such basis of taxation under the provisions of this Article. In the event of neglect, refusal or failure on the part of any corporation to make such annual report to the Secretary of State within three months after the first Tuesday in January, as heretofore provided, the corporation shall pay the sum of Twenty-five Dollars to be recovered through an addition of this amount to the franchise tax as above determined and fixed, and such additional sum shall become a part of the franchise tax as so determined and fixed, and be collected in the same manner and subject to the same penalties. If such report shall not be so made and filed, all the directors of any such corporation, who shall wilfully refuse to comply with the provisions herein set forth and who shall be in office during the default, shall at the time appointed for the next election, and for a period of one year thereafter, be thereby rendered ineligible for election or appointment to any office in the corporation as director or otherwise; no director shall be thus disqualified for the failure to make and file such report, if he shall file with the Secretary of State, before the time appointed for holding the next election of directors after such default, a certificate stating that he has endeavored to have such report made and filed, but that the officers have neglected to make and file the same, and shall report the items required to be stated in such annual report so far as

## FRANCHISE TAX

they are within his knowledge, or are obtainable from sources of such information open to him, verified by him to be true to the best of his knowledge, information and belief. If any officer or director of a corporation required to make an annual report to the Secretary of State shall, in such return, make any false statement, he shall be deemed guilty of perjury.

All corporations, accepting the provisions of the Constitution of the State of Delaware, and coming under the provisions of the General Corporation Law of this State, and all corporations now existing or hereafter to be incorporated under the provisions of said law, shall make and file an annual report with the Secretary of State as hereinbefore provided in this Section; upon failure, neglect, or refusal to file such annual report the Secretary of State shall investigate the reasons therefor with the view of having the charter of such corporation forfeited in accordance with the provisions of Section 67 of Chapter 65 of the Revised Code of 1915; provided, however, that in the discretion of the Secretary of State the filing fee may be remitted in the case of a charitable or beneficial organization, carried on without profit, or a corporation that is required to file a report with the Insurance Commissioner or the State Bank Commissioner for which a fee is collected.

The Secretary of State shall, upon application, forward blank annual reports in proper form, and shall safely keep all reports returned in such manner as they may be open to the inspection of all persons at proper hours.

In case any such corporation shall fail to file such report within the time required by this Section, and in case the agent in charge of the principal office of any such corporation, upon whom process against such corporation may be served, shall die, or shall resign, or shall refuse to act as such, or shall remove from the State of Delaware, or such agent cannot with due diligence be found, it shall be lawful while such default continues, to serve process against such corporation upon the Secretary of State, and such service shall be as effective to all intents and purposes as if made upon the President or head officers of such

## FRANCHISE TAX

corporation, and within two days after such service upon the Secretary of State as aforesaid, it shall be the duty of said Secretary of State to notify such corporations thereof by letter directed to such corporation at its registered office, in which letter shall be enclosed a copy of the process or other paper served; and it shall be the duty of the plaintiff in any action in which said process shall be issued to pay to the Secretary of State, for the use of the State, the sum of Three Dollars, which said sum shall be taxed as a part of the costs in said suit, if the plaintiff shall prevail therein; the Secretary of State shall keep a book to be called the "process book," in which shall be entered alphabetically, by the name of the plaintiff and defendant therein, the title of all causes in which processes have been served upon him, the text of the process so served, the return day thereof, and the day and hour when the service was made.

Section 3. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 67, being Section 104 of the Revised Code of 1915, and inserting in lieu thereof the following:

104. Section 67. Rates of Franchise Taxes:—All corporations, accepting the provisions of the Constitution of the State of Delaware and coming under the provisions of the General Corporation Law of this State, and all corporations, which have heretofore filed or may hereafter file a certificate of incorporation under the provisions of said corporation law, shall pay an annual franchise tax to the State School Tax Department as follows:

Where the authorized capital stock does not exceed two hundred and fifty shares, Five Dollars; where the authorized capital stock exceeds two hundred and fifty shares but is not more than one thousand shares, Ten Dollars; where the authorized capital stock exceeds one thousand shares but is not more than three thousand shares, Twenty Dollars; where the authorized capital stock exceeds three thousand shares but is not more than five thousand shares, Twenty-five Dollars; where the authorized capital stock exceeds five thousand shares, but is not more than ten thousand shares, Fifty Dollars; and the

## FRANCHISE TAX

further sum of Twenty-five Dollars per year on each ten thousand shares or part thereof; provided, however, that any such corporation shall be required to pay only one-half of the amount of taxes scheduled above, if the corporation shall show to the satisfaction of the Secretary of State that it has not been engaged in any of the business activities for which it was granted a certificate of incorporation. For the purpose of computing the tax on par value stock each One Hundred Dollar unit of authorized capital stock shall be counted as one taxable share. In no case shall the annual tax be less than Five Dollars nor more than Twenty-five Thousand Dollars.

For the purpose of computing the taxes imposed by this section, the authorized capital stock of a corporation shall be considered to be the total number of shares which the corporation is authorized to issue, whether or not the number of shares that may be outstanding at any one time be limited to a less number.

Section 4. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 68 and Section 68 A, being Sections 105 and 105 A, respectively, of the Revised Code of 1915, and by inserting in lieu thereof the following:

105. Section 68. Franchise Tax Accounts; Certified by Secretary of State to State Tax Department; Notice to Taxable; To Bear Interest When; Secretary of State may Investigate Reports Filed:—The Secretary of State shall certify to and file with the State Tax Department, on or before the first day of April in each year, a statement of the basis of the franchise tax as determined from the annual report filed by each corporation as hereinbefore required, and the amount of tax due thereon respectively at the rate fixed by Section 67, Article 8, Chapter 6, Revised Code of Delaware; such tax shall thereafter become due and payable, and it shall be the duty of the State Tax Department to immediately notify all of said corporations of the amount of such franchise tax due and payable by them to the said State Tax Department, and it shall be the further duty of the said State Tax Department to receive such franchise tax and pay over all such taxes collected to the State Treasurer to be used by the State Board of Education

## FRANCHISE TAX

for the support and maintenance of the free public schools of this State as provided by Section 58, Article XIII, Chapter 160, Volume 32, Laws of Delaware. If the tax of any corporation remains unpaid on the first day of July after the same becomes due, the tax shall bear interest at the rate of one per centum for each month until paid. The Secretary of State shall have power to inquire into the truth or falsity of every report required to be filed to carry out the provisions of this Article; and may require the production of the books of any corporation herein referred to and may swear or affirm and examine witnesses in relation thereto.

Section 5. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 69, being Section 106 of the Revised Code of 1915, and by inserting in lieu thereof the following:

106. Section 69. Tax as a Debt:—The franchise tax, as assessed and levied in accordance with the provisions of this Article, shall be a debt due from any corporation, so assessed and such tax determined for, to the State for which an action at law may be maintained after the same shall have been in arrears for a period of one month, and such tax shall also be a preferred debt in case of insolvency.

Section 6. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 70, being Section 107 of the Revised Code of 1915, and by inserting in lieu thereof the following:

107. Section 70. Collection of Tax; Remedy by Injunction; Effect of:—It shall be lawful for the Attorney General, either of his own motion, or upon request of the State Tax Department, whenever any franchise tax due under the provisions of this Article from any corporation shall have remained in arrears for a period of three months after the said tax shall have become payable to apply to the Court of Chancery, by petition in the name of the State, on five days notice to such corporation, which notice may be served in such manner as the Chancellor may

## FRANCHISE TAX

direct, for an injunction to restrain such corporation from the exercise of any franchise, or the transaction of any business within this State, until the payment of such tax and interest due thereon and the cost of such application, which shall be fixed by the Chancellor; the said Court is authorized to grant such injunction, if a proper case appears, and upon granting and service of such injunction, it shall not be lawful for any such corporation thereafter to exercise any franchise or transact any business within this State until such injunction shall be dissolved.

Section 7. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 71, being Section 108 of the Revised Code of 1915, and by inserting in lieu thereof the following:

108. Section 71. Collection of Tax; Further Remedy in Court of Chancery; Receiver When Appointed; Property of Delinquent Corporation How Applied to Payment of Tax:—After any corporation, now existing or hereafter incorporated under the provisions of the General Corporation Law of this State, has failed or neglected for the period of two consecutive years to pay the franchise taxes imposed by law, and the State Tax Department shall have reported such corporation to the Governor of this State, as provided in Chapter 75 of this Article, then it shall be lawful for the Attorney General of this State to proceed against said corporation in the Court of Chancery of this State for the appointment of a receiver, or otherwise, and the said court in such proceeding shall ascertain the amount of the taxes remaining due and unpaid by such corporation to the State of Delaware, and shall enter a final decree for the amount so ascertained, and thereupon a fieri facias or other process shall issue for the collection of the same as other debts are collected, and if no property which may be seized and sold on fieri facias shall be found within the said State of Delaware, sufficient to pay such decree, the said court shall further order and decree that the said corporation, within ten days from and after the service of notice of such decree upon any officer of said corporation upon whom service of process may be lawfully made, or such notice as the court shall direct, shall assign and transfer to the trustees or receiver appointed by the court, any chose in action, or any

## FRANCHISE TAX

patent or patents, or any assignments of or license under any patented invention or inventions owned by, leased or licensed to or controlled in whole or in part by said corporation, to be sold by said receiver or trustee for the satisfaction of such decree, and no injunction theretofore issued nor any forfeiture of the charter of any such corporation shall be held to exempt such corporation from compliance with such order of the court; and if the said corporation shall neglect or refuse within ten days from and after the service of such notice of such decree to assign and transfer the same to such receiver or trustee for sale as aforesaid, it shall be the duty of said court to appoint a trustee to make the assignment of the same, in the name and on behalf of such corporation, to the receiver or trustee appointed to make such sale, and the said receiver or trustee shall thereupon, after such notice and in such manner as required for the sale under fieri facias of personal property, sell the same to the highest bidder, and the said receiver or trustee, upon the payment of the purchase money, shall execute and deliver to such purchaser an assignment and transfer of all the patents and interests of the corporation so sold, which assignment or transfer shall vest in the purchaser a valid title to all the right, title and interest whatsoever of the said corporation therein, and the proceeds of such sale shall be applied to the payment of such unpaid taxes, together with the costs of said proceedings.

Section 8. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 72, being Section 109 of the Revised Code of 1915, and by inserting in lieu thereof the following:

109. Section 72. Review of Assessment; Proceedings for; Limitation of:—The officers of any corporation who shall consider the assessment made or the tax levied under the provisions of this Article excessive or otherwise unjust, may make application to the State Tax Board for a review of the assessment and commutation of the tax; provided, there be filed with the said Tax Board, within three months from the date of the assessment, a petition of appeal, duly verified according to law, stating specifically the grounds upon which the appeal is taken and the

## FRANCHISE TAX

reason why the assessment is considered excessive or the tax unjust; the State Tax Board shall thereupon proceed to investigate the contentions raised by the said petition of appeal, and for the purpose of such investigations, the officers of said corporation may be summoned to appear before the said Board, either in person or by attorney, and questioned as to the statements set forth in the said petition; if, in the opinion of the State Tax Board, it shall appear that the assessment made is excessive or the tax so levied is unjust, the said Board shall request the officers of the corporation to file with the Board a corrected return, and the assessment shall be adjusted upon said corrected return and the tax commuted as in the opinion of the said Board shall be deemed proper.

Section 9. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 73, being Section 110 of the Revised Code of 1915, and by inserting in lieu thereof the following:

110. Section 73. Retaliating Taxation and Regulation; When Imposed:—When, by the laws of any other State or Nation, any other or greater taxes, fines, penalties, licenses, fees, or other obligations or requirements are imposed upon corporations chartered under the provisions of this Article, doing business in such State or Nation, or upon their agents therein, than the law of this State imposes upon their corporations or agents doing business in this State, so long as such laws continue in force in such other State or Nation, the same taxes, fines, penalties, licenses, fees, obligations and requirements of whatever kind shall be imposed upon all corporations of such other State or Nation doing business within this State or upon their agents here; provided, nothing herein shall be held to repeal any duty, condition or requirement now imposed by law upon such corporations of other States or Nations transacting business in this State.

Section 10. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 74, being Section 111 of the Revised Code of 1915, and by inserting in lieu thereof the following:

## FRANCHISE TAX

111. Section 74. Failure to Pay Franchise Tax for Two Years; Charter Void:—If any corporation, accepting the provisions of the Constitution of the State of Delaware and coming under the provisions of the General Corporation Law of this State, or any corporation which has heretofore filed or may hereafter file a certificate of incorporation under the provisions of the said law, shall for two consecutive years neglect or refuse to pay the State any franchise tax or taxes, which has or have been, or shall be assessed against it, or which it is required to pay under the provisions of this Article, the charter of such corporation shall be void, and all powers conferred by law upon such corporation are declared inoperative, unless the State Tax Board shall for good cause shown to it, give further time for the payment of such tax or taxes, in which case a certificate thereof shall be filed by the said Board in the office of the State Tax Department stating the reason therefor.

Section 11. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 75, being Section 112 of the Revised Code of 1915, and by inserting in lieu thereof the following:

112. Section 75. Report of Delinquent Corporations by State Tax Department to Governor; Proclamation by Governor:—On or before the first Tuesday of January in each year, the State Tax Department shall report to the Governor a list of all the corporations, which for two years next preceding such report, have failed, neglected or refused to pay the franchise taxes assessed against them or due by them, under the laws of this State, and the Governor shall forthwith issue his proclamation declaring that the charters of these corporations are repealed.

Section 12. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 76, being Section 113 of the Revised Code of 1915, and by inserting in lieu thereof the following:

113. Section 76. Proclamation Filed and Published; Note on Record of Certificate of Incorporation of Repeal of Charter:—

## FRANCHISE TAX

The Proclamation of the Governor shall be filed in the office of the Secretary of State and advertised in at least one, and not more than three, newspapers published within this State. Upon the filing of such proclamation, the Secretary of State shall transmit forthwith to the Recorder of each County of this State a certified copy of said proclamation, and each Recorder shall, upon receipt of such certified copy, forthwith mark in brief upon the margin of the record of the Certificate of Incorporation named in said proclamation, which is of record in his office, the fact that the charter of said corporation is repealed, and the date of said repeal.

Section 13. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 77, being Section 114 of the Revised Code of 1915, and by inserting in lieu thereof the following:

114. Section 77. Acting under Proclaimed Charter a Misdemeanor; Penalty:—Any corporation, firm, company, association, persons, or person, who shall exercise or attempt to exercise any powers under the Certificate of Incorporation of any corporation, which shall have been proclaimed by the Governor, after the issuance of such proclamation, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.) or by imprisonment not exceeding one (1) year, or both, in the discretion of the Court.

Section 14. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 78, being Section 115 of the Revised Code of 1915, and by inserting in lieu thereof the following:

115. Section 78. Duties of Deputy Attorney General:—The Deputy Attorney General, appointed in accordance with the provisions of Section 32, Chapter 9, Volume 32, Laws of Delaware, as amended, shall have all the powers and authorities in conjunction with the State Tax Department to collect all franchise taxes and penalties due from proclaimed corporations and corporations whose charter has become void by operation of law for non-pay-

## FRANCHISE TAX

ment of taxes thereunder.

Section 15. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 79, being Section 116 of the Revised Code of 1915, and by inserting in lieu thereof the following:

116. Section 79. Mistakes in Proclamation; How Corrected:—Whenever it is established to the satisfaction of the Governor that any corporation named in said Proclamation has not neglected or refused to pay the franchise tax within two consecutive years, or has been inadvertently reported to the Governor by the State Tax Department as refusing or neglecting to pay such taxes as aforesaid, the Governor is authorized to correct such mistake and to make the same known by filing his proclamation to that effect in the office of the Secretary of State, who shall restore to said corporation its charter, together with all the rights, 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.

Section 16. That Article 8 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing Section 80, Section 81, Section 82 and Section 83, being Sections 117, 118, 119 and 120, respectively, of the Revised Code of 1915.

Section 17. That no franchise tax assessed or assessable during the calendar year 1929, or any prior year, under the provisions of 102. Section 65, 103. Section 66, 104. Section 67, 105. Section 68 and 106. Section 69, as heretofore existing, and no assessment, suit, proceeding, or matter of any kind with respect thereto, shall be in anywise affected by this Act, and the provisions of said 102. Section 65, 103. Section 66, 104. Section 67, 105. Section 68 and 106. Section 69, as heretofore existing, shall be continued in full force and effect as to all such taxes, assessments, suits, proceedings and matters. All said franchise taxes so assessed or assessable during the calendar year 1929, or any prior year, shall be paid over to the State Treasurer by the State Tax Department to be used by the State Board of Education for

## FRANCHISE TAX

the support and maintenance of the free public schools of this State.

Section 18. That all Acts or parts of Acts inconsistent with this Act be and they are hereby repealed to the extent of such inconsistencies only.

Approved April 1, 1929.

CHAPTER 7

STATE REVENUE

INHERITANCE TAX

**AN ACT to amend Chapter 98 of the Revised Code of Delaware (1915) relating to Inheritance Tax as the same has been amended.**

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

Section 1. That Chapter 6 of the Revised Code of Delaware (1915) be and the same is hereby amended by striking out all of 146, Section 109 after the first paragraph thereof, and inserting in lieu thereof the following:

Class A. Where the property or any interest or estate therein passes to or for the use of a husband or wife, the tax on such property, interest or estate shall be at the following rates:

On that part of its value exceeding Twenty Thousand Dollars (\$20,000) and not exceeding Fifty Thousand Dollars (\$50,000) one per cent;

On that part of its value exceeding Fifty Thousand Dollars (\$50,000) and not exceeding One Hundred Thousand Dollars (\$100,000) two per cent;

On that part of its value exceeding One Hundred Thousand Dollars (\$100,000) and not exceeding Two Hundred Thousand Dollars (\$200,000), three per cent;

On that part of its value exceeding Two Hundred Thousand Dollars (\$200,000), four per cent;

Class B. Where the property or any interest or estate therein passes to or for the use of a parent, grandparent, child, by birth, wife or widow of a son or the husband of a daughter, a

## INHERITANCE TAX

child by legal adoption, or lineal descendant of the testator, intestate grantor, donor or setlor (hereinafter called the decedent, the tax on such property, interest or estate than shall be at the following rates:

On that part of its value exceeding Three Thousand Dollars and not exceeding Thirty Thousand Dollars, one per cent;

On that part of its value exceeding Thirty Thousand Dollars and not exceeding One Hundred Thousand Dollars, two per cent;

On that part of its value exceeding One Hundred Thousand Dollars and not exceeding Two Hundred Thousand Dollars, three per cent;

On that part if its value exceeding Two Hundred Thousand Dollars, four per cent;

Class C. Where the property or any interest or estate therein passes to or for the use of (1) a brother, or sister, either of the whole or half blood, of the decedent or of the decedent's parent or grandparent, or (2) a lineal descendant of any such brother or sister, the tax shall be at the following rates:

On that part of its value exceeding One Thousand Dollars and not exceeding Twenty-five Thousand Dollars, two per cent;

On that part of its value exceeding Twenty-five Thousand Dollars and not exceeding One Hundred Thousand Dollars, three per cent;

On that part of its value exceeding One Hundred Thousand Dollars and not exceeding Two Hundred Thousand Dollars, four per cent;

On that part of its value exceeding Two Hundred Thousand Dollars, five per cent.

## INHERITANCE TAX

Class D. In case of property or any interest or estate therein passing to or for the use of any person, not described in Class A or Class B of this Section, the tax shall be at the following rates:

On that part of its value not exceeding Twenty-five Thousand Dollars, five per cent;

On that part of its value exceeding Twenty-five Thousand Dollars and not exceeding One Hundred Thousand Dollars, six per cent;

On that part of its value exceeding One Hundred Thousand Dollars and not exceeding Two Hundred Thousand Dollars, seven per cent;

On that part of its value exceeding Two Hundred Thousand Dollars, eight per cent;

Nothing in this section shall be construed to impose any tax upon any property, or estate or interest therein passing to or for the use of, or in trust for, charitable, educational, historical or religious societies or institutions, or cities or towns for public improvement, or to school districts or library commission.

Any transfer of a material part of the property of a decedent in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without full consideration in money or money's worth, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this chapter.

Approved May 6, 1929.

## CHAPTER 8

## STATE REVENUE

## INCOME TAX

**AN ACT to provide Revenue for School Purposes.**

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

## ARTICLE I

## PERSONS TAXABLE

Section 1. As used in this Article, the following words and phrases are defined as follows:

(a) The phrase "Income Tax" means the tax imposed by Section 2 hereof.

(b) The word "Taxable" means:

(1) A natural person twenty-one years of age or over who is a citizen or resident of the State of Delaware, or who has been a citizen or resident of the State of Delaware at any time during the income year.

(2) A minor with a net income of one thousand dollars or more who is a citizen or resident of the State of Delaware, or who has been a citizen or resident of the State of Delaware at any time during the income year.

(3) A minor citizen or resident of Delaware who has attained the age of 21 years during the income year.

(4) A fiduciary, including a guardian, trustee, agent or representative of a taxable or the executor or the administrator of the estate of the decedent.

## INCOME TAX

## DEFINITIONS

(c) The words "Income Year" mean the calendar year or the fiscal year on the basis of which the income is computed under this Act.

(d) The phrase "Net Income" means gains or profits and income derived and actually received into possession of, or credited subject to withdrawal by, a taxable from any source whatever, and shall include the aggregate of all gains, capital gains, profits, salaries, wages and compensation for personal service of whatever kind and in whatever form paid, including bonus, honorariums and fees; income derived from professions, vocations, business, trade commerce, sales, exchange or other disposition of or dealings in real or personal property growing out of the ownership or use of or interest in such property or otherwise; income derived from interest, dividends, securities or the transaction of any business carried on for gain or profit; the share of the profits of any taxable in an unincorporated association of persons, syndicate, joint venture or copartnership whether such profits have been divided or otherwise; and all amounts recovered during the income year from bad debts or capital losses that have been deducted from income in any return of income to this State; less the aggregate of the exemptions provided for in Section 3 (a) paragraphs 1 to 10 inclusive and of the deductions provided for in Section 4.

(e) The word "Dividends" means any distribution made by a corporation, joint stock company or association out of its earnings or profits paid to or subject to withdrawal by its shareholders during the income year, whether in cash or property, but does not mean a distribution of earnings or profits accrued prior to January 1, 1920, or a distribution of capital stock of the corporation, joint stock company or association making the distribution. Every distribution shall be deemed to be made out of earnings or profits to the extent thereof, and from the most recently accumulated earnings or profits.

(f) Net income shall be accounted "actually received into possession" when cash, check, script certificate or other evidence

## INCOME TAX

of ownership has been received by the owner or by his agent, or representative or by a fiduciary.

Net income shall be accounted "credited subject to withdrawal," when the taxable credited, or his agent, representative or a fiduciary has the right or option to make withdrawal.

(g) "Capital gains or losses" mean gains or losses resulting from the sale, exchange or disposition, other than by gift, donation, devise or inheritance, of real or personal property, stocks, bonds, notes or securities, but do not mean gains or losses arising from the operation of any business. Capital losses shall include all debts ascertained to be worthless during the income year, excepting accounts or bills receivable arising from professional fees, salaries or wages or from sales of merchandise or stock in trade appertaining to the business of the taxable, as provided for in Section 4, paragraph 8.

(h) The "Basis for determining the capital gain or loss" resulting from the sale, exchange or disposition other than by gift, donation, devise or inheritance, of real or personal property, stocks, bonds, notes, or securities acquired before January 1, 1920 shall be as provided in Section 7.

## THE INCOME TAX

Section 2. (a) Beginning with the year 1930 there shall be levied, assessed, collected and paid annually by every taxable a tax on the net income of the preceding calendar year, subject to the exemptions hereinafter named, to be computed as follows: One percentum of the amount of net income not in excess of three thousand dollars; two percentum of the amount of net income in excess of three thousand dollars but not in excess of ten thousand dollars; three percentum of the amount of net income in excess of ten thousand dollars. Such tax shall be levied, assessed, collected and paid upon and in respect to the net income for the calendar year or for any income year ending during the said calendar year.

## INCOME TAX

(b) The taxes, interest, penalties and other collections made under the provisions of this Act shall be used for the building, maintenance, operation and repairs of the public schools and maintenance and operation of the public school system of Delaware and for other purposes specifically authorized by this Act.

(c) A taxable during part of an income year, shall be taxed on the net income received during such part of the income year only or, if that amount cannot be determined, shall be taxed for a part of the whole net income proportionate to the part of the year in which such person or fiduciary, association or minor citizen has been a taxable.

## EXEMPTED INCOME

Section 3. The following income shall be exempt from income tax:

(a) (1) The proceeds of life insurance policies paid upon the death of the insured to any taxable.

(2) 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.

(3) The value of property acquired by gift, bequest, devise or inheritance but the income received from such property after its acquisition shall be included in taxable income. The profit or loss on the sale, exchange or other disposition of such property shall be determined as provided in Section 7 of this Article.

(4) Interest upon the obligations of the State of Delaware or any political subdivision thereof or upon the obligations of the District of Columbia, of the United States or of its possessions.

(5) Dividends paid out of earnings or profits accrued prior to January 1, 1920.

## INCOME TAX

(6) Dividends paid in the capital stock of the corporation, joint stock company, or association which has declared and authorized the distribution.

(7) Capital gains accrued prior to January 1, 1920.

(8) Salaries, fees, wages, or pensions received from the United States.

(9) The amount received as alimony or support from a person who has paid tax thereon under these Articles.

(10) Any amounts paid to injured employees or to the dependents of deceased employees under the terms of "The Delaware Workmen's Compensation Law of 1917."

(b) In the case of a single person, a personal exemption of one thousand dollars, or in the case of the head of a family, or a married person living with husband or wife, a personal exemption of two thousand dollars, provided, however, that husband and wife living together shall receive but one personal exemption of two thousand dollars. Said two thousand dollars may be divided in the separate returns of the husband and wife in any manner they may choose.

There shall be a credit of Two Hundred Dollars (\$200.00) for each person (other than husband or wife) dependent upon and receiving his or her chief support from the taxpayer if such dependent person is under twenty years of age or is incapable of self-support because mentally or physically defective.

"Head of family" means one who maintains a dwelling, house or apartment for the use of himself or herself and another or others who pay no rent or compensation for their accommodation and who are chiefly dependent upon said head of family for support. Such other person or persons need not be related to the head of family.

In the case of a husband and wife living together, the income

## INCOME TAX

of both may be included in a single joint return, in which case the tax shall be computed on the aggregate income.

In the case of death or separation of husband or wife, the exemption authorized shall be apportioned to the time of death or separation. A separated wife, or husband who is a head of a family shall be allowed an exemption of \$2,000.00; while a separated wife or husband who is not the head of a family shall be allowed an exemption of \$1,000.00. In no case shall the total exemption for any year exceed \$2,000.00 for any individual.

If through death, change of residence or otherwise, a taxable is required to report income for a portion of the year only, exemption and deductions sustained during the said portion of a year shall be allowed, providing that if they cannot be accurately ascertained for the taxable period, a proportionate part of the exemptions and deductions for the whole year shall be allowed.

## DEDUCTIONS

Section 4. In computing net income, the following deductions shall be allowed:

(1) The necessary expenses actually paid by the taxable in carrying on any business or trade, not including personal, living or family expenses and not including transportation costs between residence and usual place of business.

(2) All interest paid by the taxable within the year on his indebtedness.

(3) Taxes paid within the income year, except taxes imposed by this Act and taxes assessed for local benefits of a kind tending to increase the value of the property assessed.

(4) A reasonable allowance for the exhaustion, wear and tear, obsolescence and depletion of property, arising out of its use or employment in the trade or business of the taxable, but not including such allowance on the residence of the taxable.

## INCOME TAX

(5) Contributions or donations to the State of Delaware or any political subdivision thereof or to any institution supported in whole or in part by the State or any contribution or donation for religious, charitable, scientific or educational purposes for use in the State of Delaware only, provided that such contributions or donations shall not exceed fifteen per centum of the taxpayer's net income, as computed without the benefit of this paragraph.

(6) Losses sustained during the income year in the operation of farms or in other agricultural, horticultural, dairy or poultry pursuits or in the raising or preparation of animals, birds, poultry, vegetables, fruit, fish or sea food for the market. Depreciation of buildings or other property used in such operations may be included in losses incurred but no personal or household expenses of the owner or manager of the operation or of his family shall be included in such loss.

(7) Losses sustained during the income year through destruction of property by fire, flood, lightning, storm or collision, and losses caused by other casualty or by theft, provided that such losses are not compensated for by insurance or otherwise.

(8) Debts ascertained during the income year to be worthless and represented by accounts or bills receivable arising from professional fees, salaries, wages or from sales of merchandise or stock in trade appertaining to the business of the taxable, provided that such accounts or bills receivable have previously and while uncollected been included as income in an income tax return to this State.

(9) Debts ascertained to be worthless within the income year represented by accounts or bills receivable that have not previously and while uncollected been included in gross income, in an income tax return to this State, but such debts shall be deductible as capital losses only and to the extent that capital losses are deductible as provided in paragraph (11) hereof. (This provision shall not apply if the income from a business, trade or profession is reported on the basis of cash receipts and disburse-

## INCOME TAX

ments, in which case such debts shall not be deductible).

(10) Losses sustained during the income year through endorsement or guaranty of notes or obligations of any kind or through liability on subscription to stocks, bonds and notes or through contingent liability but such losses shall be deductible as capital losses only and to the extent that capital losses are deductible as provided in paragraph (11) hereof.

(11) Capital losses as defined in Section 1, paragraph (g) accrued after January 1, 1920 and that have been realized during the income year, but such losses shall be deductible from capital gains and to the extent thereof only.

## TRUSTS AND ESTATES

Section 5. (a) The tax imposed by this Article shall apply to the income of estates or of any kind of property held in trust, including:

(1) Income received by estates of deceased persons during the period of administration or settlement of estate.

(2) Income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interests.

(3) Income held for future distribution under the terms of the will or trusts.

(4) Income which is to be distributed to beneficiaries periodically, whether or not at regular intervals.

(5) Income collected by a guardian of an infant or infants to be held or distributed as the court may direct.

(b) The fiduciary shall be responsible for making the return of income for an estate or trust for which he or it acts. The net income of the estate or trust shall be computed in the same manner and on the same basis as hereinbefore provided in this Article,

## INCOME TAX

except that there shall also be allowed as a deduction, any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid to or permanently set aside for the United States, any state or territory or any political subdivision thereof, or the District of Columbia or for any corporation or association organized or operated exclusively for religious, charitable, scientific, or educational purposes or for the prevention of cruelty to children or animals, provided that no part of the net earnings of such corporation or association inures to the benefit of any individual stockholder or individual. In cases under paragraphs (3) (4) and (5) of subdivision (a) of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of net income, whether or not distributed before the close of the taxable year for which the return is made.

(c) In cases under paragraphs 1, 2, 3, 4 or 5 of subdivision (a) the tax shall be imposed upon the net income of the estate or trust and shall be paid by the fiduciary. In determining net income under this paragraph, there shall be deducted the amount of any income properly paid to or credited subject to withdrawal by any legatee, heir or other beneficiary, and a further deduction for net income paid to or accruing to the benefit of a non-taxable. The same exemptions and deductions allowable to a single person under Sections 3 and 4 of this Article shall be allowed to estates or trusts.

(d) Income properly paid or credited subject to withdrawal, deducted under subdivision (c), shall be returned by the legatee, heir or beneficiary to whom it has been paid or credited subject to withdrawal, as part of his or its income for the income year in which received or credited.

(e) Unincorporated associations of persons, syndicates, joint ventures and copartnership shall make a return of income for information of the Tax Department. Said return shall show the names and addresses of taxables to whom the net income received has accrued or has been distributed and the proportionate interest of each taxable in the net income.

## INCOME TAX

## RETURNS TO TAX DEPARTMENT

Section 6. (a) Every taxable shall make a return upon the printed form provided by the Tax Department, stating specifically the items of gross income, if any, the deductions and such other facts as said Tax Department may require.

(b) Such taxable shall certify to the truth and correctness of the return.

The return required by this Section may be made for a taxable, when the taxable is unable to make return, by some other person who shall state the cause of the taxable's inability to file return and, if required, shall make oath that he has sufficient knowledge of the affairs of the taxable, for whom he makes the return, to make such return and that the return is true and correct. Such person so making a return for another may be held liable for the penalties provided in Section 20 (e) for makers of false or fraudulent statements or returns, if error is due to his willful neglect or false statement.

(c) Unincorporated associations of persons and partnerships shall make a return of information as provided in Section 5 (e).

(d) Officers or employees of the United States who are citizens or residents of another State but by reason of their assignment of duty are stationed in Delaware need not make a return and are exempt from payment of tax under this Act.

(e) Women receiving mother's pensions, persons receiving outside support from trustees of the poor and persons who, because of age, infirmity or mental disability, are wholly or partly dependent for support shall make return or, if incapable of so doing, return shall be made for them by the person upon whom dependent.

(f) The officer in charge of any charitable or public institution in the State in which reside any persons incapable of making

## INCOME TAX

returns shall annually on or before March 15th, furnish to the Tax Department a complete list of such persons in their charge.

## FAILURE TO FILE RETURNS

(g) If the Tax Department shall be of the opinion that any taxable has failed to file a return, or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxable a return or a supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxable received during the year for which the return is made, whether or not taxable under the provisions of this Act. If from a supplementary return, or otherwise, the Tax Department finds that any items of income, taxable under this Act, have been omitted to be disclosed to it, under oath of the taxable, and to be added to the original return, such supplementary return and the correction of the original return shall not relieve the taxable from any of the penalties to which he or it may be liable under the provisions of this Act. The Tax Department may proceed under the provisions of Section 20 of this Article whether or not it requires a return or a supplementary return under this Section.

## DETERMINATION OF AMOUNT OF GAIN OR LOSS

Section 7. (a) Except as hereinafter provided in this Section, the gain derived from the sale, exchange or other disposition of property, real or personal, shall be the excess of the amount realized therefrom over the basis determined in accordance with the provisions of this Section, and the loss sustained shall be the excess of such basis over the amount realized. As used in this Section: the term "amount realized" means the sum of any money plus the fair market value of the property (other than money) received from the sale, exchange or other disposition of property.

(b) The basis for ascertaining the gain derived or the loss sustained from the sale, exchange or other disposition of property, real or personal, acquired after December 31, 1919, shall be the cost of such property, except that:

## INCOME TAX

(1) In the case of such property acquired by gift: The basis shall be the same as that which it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift. If the necessary facts are unknown to the donee, the Commissioner shall obtain such facts from the donor, or from any other person cognizant thereof. If the Commissioner finds it impossible to obtain such facts, the basis shall be the fair market value of the property as found by the Commissioner as of the date or approximate date at which, according to the best information the Commissioner is able to obtain, the property was acquired by the donor or last preceding owner.

(2) In the case of personal property acquired by bequest, devise or inheritance: The basis shall be the value of such property as determined by the officer appointed by the Register of Wills.

(3) In the case of real property acquired by bequest, devise or inheritance: The basis shall be the fair market value at the date of acquisition by the taxable.

(4) In the case of such property held in trust: The basis shall be the same as that which it would be if it had remained in the hands of the creator of the trust.

(5) In the case of such property acquired upon an exchange described in sub-divisions (h) and (i) of this Section: The basis shall be the same as in the case of the property exchanged, decreased by the amount of any money received in the exchange, and increased by the amount of gain, or decreased by the amount of loss to the taxpayer recognized upon such exchange under the law applicable to the year in which such exchange was made. If the property so acquired consisted in part of the type of property permitted by sub-division (h) to be received without the recognition of gain or loss, and in part of other property, the basis provided in this paragraph shall be allocated between the properties (other than money) received, and for the purpose of the allocation there shall be assigned to such other property an amount equivalent to its fair market value, at the date of the exchange.

## INCOME TAX

(6) In the case of stock upon which stock dividend has been paid the cost basis for original and dividend holdings shall be determined in accordance with the following rules:

(I) Where the stock issued as a dividend is of the same character or preference as the stock upon which the dividend is paid:—The basis of each share shall be the quotient found by dividing the total cost of the original shares by the total shares both original and dividend.

(II) Where the stock issued as a dividend is of a character or preference different from the stock upon which the dividend is paid:—The cost of the original shares of stock shall be divided between such stock and the dividend stock in proportion, as nearly as may be, to the respective values of each class of stock at the time the dividend is paid. If no value at time of payment of dividend can be established preferred shares having par value shall be valued at par and the remainder of the total value shall be allotted to the common shares.

(7) In the case of stock received in a distribution described in paragraph (4) of sub-division (h), the basis for the original stock and the stock received in such distribution shall be determined in accordance with the rules contained in the preceding paragraph, in the same manner as if the stock received in such distribution were received as the result of a stock dividend.

(c) The basis for ascertaining the gain derived or the loss sustained from the sale, exchange or other disposition of property, real or personal, acquired prior to January 1, 1920, shall be (1) the same as it would be if determined in accordance with the provisions of sub-division (b), or (2) the fair market value of such property as of January 1, 1920, whichever is higher.

(d) In computing the amount of gain or loss under sub-division (a):

(I) Proper adjustment shall be made for any expenditure or item of loss properly chargeable to capital account.

## INCOME TAX

(II) The basis shall be diminished by the deductions for exhaustion, wear and tear, obsolescence and depletion which have since the acquisition of the property been allowed to such property under this Act or under Chapter 9, Volume 32, Laws of Delaware, as amended.

(e) Where, in the case of property received as a bonus in the purchase of other property, there is a sale, exchange or other disposition of such bonus or the property purchased, or both, the cost of the purchased property shall be fairly apportioned to such bonus and purchased property in ascertaining the basis for determining the gain derived or loss sustained. But if such apportionment should be impracticable, sales of any part of the property purchased or of the bonus shall be charged to cost until the latter shall have been completely recovered from such sales. The proceeds of further sales shall then be accounted as gain in the year such sales are made.

(f) Where, in the case of the sale, exchange or other disposition of property, the amount realized is substantially less than the fair market value of such property at the time of such sales, exchange or other disposition, the Commissioner may treat the difference between the fair market value and the amount realized as a gift and not a capital loss as defined in Section 1, provided, that in such event, the basis of the property shall remain the same as it was before such sale, exchange or disposition.

(g) (1) In the case of shares of stock in a corporation which are sold or exchanged from lots purchased at different dates or at different prices and when the identity of the lots can not be determined:—The stock sold shall be charged against the earliest acquired stock.

(2) If the stock upon which a stock dividend is paid was purchased at different times and at different prices and the identity of the lots can not be established, sale of the original stock shall be charged to the earliest purchases of such stock and a sale of dividend stock shall be accounted as made from the dividend paid on the earliest purchased original stock to the extent of the dividend chargeable to such stock.

## INCOME TAX

(h) No gain or loss shall be recognized in the following cases:

(1) If property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale, nor stocks, bonds, notes, choses in action, certificates of trust or beneficial interest, or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment.

(2) If common stock in a corporation is exchanged solely for common stock in the same corporation, or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation.

(3) If stock or securities in a corporation a party to a reorganization are, in pursuance of the plan of reorganization, exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization.

(4) If there is distributed, in pursuance of a plan of reorganization, to a shareholder in a corporation a party to the reorganization, stock or securities in such corporation or in another corporation a party to the reorganization, without the surrender by such shareholder of stock or securities in such a corporation, such a distribution shall not be considered a distribution of earnings or profit within the meaning of sub-division (e) of Section 1.

(5) If property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation, and immediately after the exchange such person or persons are in control of the corporation; but in the case of an exchange by two or more persons this paragraph shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange.

## INCOME TAX

As used in this Section:—The term “reorganization” means (a) a merger or consolidation (including the acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation, or substantially all the properties of another corporation), or (b) a transfer by a corporation of all or part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred, or (c) a recapitalization, or (d) a mere change in identity, form, or place or organization, however effected.

As used in this Section:—The term “control” means the ownership of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of the corporation.

(i) If an exchange would be within the provisions of sub-division (h) of this Section, if it were not for the fact that the property received in exchange consists not only of property permitted by such sub-division to be received without the recognition of gain, but also of other property or money, then no loss shall be recognized, but the gain, if any, to the recipient shall be recognized, but in an amount not in excess of the sum of such money and the fair market value of such other property.

(j) Where property is sold or otherwise disposed of on the installment plan, gain or loss may, under regulation prescribed by the Commissioner, be determined in accordance with the following provisions:

(1) In the case of a business which regularly sells or otherwise disposes of property on the installment plan, the gain or loss from such sales or other disposition to be included in the income of such business for any income year shall be that proportion of the installment payments actually received in that year which the gross, profit realized or to be realized when payment is completed, bears to the total contract price.

## INCOME TAX

(2) In the case (A) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1,000, or (B) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the selling price, the income may be returned on the basis and in the manner above prescribed in this sub-division. As used in this sub-division the term "Initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the income year in which the sale or other disposition is made.

(3) If a taxpayer entitled to the benefits of paragraph (1) elects for any income year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded.

(4) If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (A) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (B) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

INCOME TAX

ADMINISTRATION OF INCOME TAX

ARTICLE II

TAX DEPARTMENT AND COLLECTION OF TAXES

Section 8.

DEFINITIONS

(a) The words "Tax Department" mean the State Tax Department.

(b) The words "Tax Board" mean the State Tax Board.

(c) The words "Tax Commissioner" mean the State Tax Commissioner.

(d) The word "Taxable" means any person, fiduciary, association of persons, syndicate, joint venture or co-partnership subject to making return or to payment of tax imposed by Article I of this Act.

(e) The words "Notice," "Notification" or "Receipt" required to be given or provided for by these Articles mean a written notice, notification or receipt, contained in a sealed envelope, addressed to the taxable at his last known address and deposited in the United States mails unless delivered to the taxable in person or to his representative or agent.

STATE TAX DEPARTMENT

(a) The administration and enforcement of the provisions of Articles I and II of this Act, and the collection of the taxes imposed thereby are hereby vested in the State Tax Department, which Department is hereby created to consist of a State Tax Board, the State Tax Commissioner and such officers and employees as may be authorized to be appointed or employed by this Act.

## INCOME TAX

## STATE TAX BOARD

Section 9. (a) The State Tax Board shall be composed of three citizens of Delaware appointed by the Governor to serve until November 1, 1929. Appointments thereafter shall be made for terms of four years. At least one of the members of the Board shall be an attorney at law.

## STATE TAX COMMISSIONER

(b) The office of State Tax Commissioner is hereby created. The State Tax Commissioner shall be appointed by the Governor, subject to confirmation by the Senate, for a term ending November 1, 1929, and thereafter for terms of four years; provided, however, no person shall be appointed State Tax Commissioner unless such person be generally known to possess knowledge of the subject of taxation and shall have recognized ability and wide experience in administrative positions, and who shall have had the right to vote for a member of the General Assembly of this State at the last general election preceding such appointment. The Tax Commissioner shall continue in office until his successor shall have been duly appointed and qualified. The Tax Commissioner shall be paid a salary of \$6,000.00 per annum in equal monthly installments. Any incumbent of such office may be reappointed to succeed himself. Vacancies in the office of Tax Commissioner shall be filled by the Governor for the unexpired term. The Tax Commissioner shall give bond with sufficient surety in the sum of One Hundred Thousand Dollars, to be approved by the Governor. The cost of this bond shall be defrayed out of the appropriation for maintenance of the Tax Department. Any Tax Commissioner may, after notice and after opportunity of being heard, be removed from the office by the Governor for inefficiency, neglect of duty, or misconduct in office, and a Tax Commissioner may be removed for these or other causes by the Senate.

INCOME TAX

POWERS AND DUTIES OF THE STATE TAX DEPARTMENT

Section 10. The Tax Department shall:

Administer, supervise, collect and enforce the Income Tax imposed by Article I of this Act.

Collect and enforce the Franchise Taxes provided for in Article 8, of Chapter 6, of the Revised Code, as amended.

Prepare all necessary forms and blanks required in the administration of the Income Tax.

Pay daily to the State Treasurer all sums collected by the Tax Department except such sums as are retained in accordance with the provisions of this Act as a repayment fund and as a contingent fund.

POWERS AND DUTIES OF THE STATE TAX BOARD

Section 11. The Tax Board shall:

(a) Elect from among the members of the Board a chairman and a vice chairman to preside in the absence of the chairman and appoint a secretary who need not be a member of the Board. The quorum for the transaction of business of the Tax Board shall be any two members.

(b) Decide all questions of policy submitted by the Tax Commissioner.

(c) Hear all complaints and appeals from the decisions or rulings of the Tax Commissioner, and affirm, modify or reverse such decisions or rulings. Hearings may be informal but record shall be made of decisions reached. If an informal hearing shall prove unsatisfactory to the Complainant, such Complainant, or the Tax Commissioner, may within thirty days, ask for a formal hearing for completion of the record, and may, within thirty days after notice of a decision upon such formal hearing, appeal

## INCOME TAX

to the Superior Court for revision of tax under the provisions of Section 17 of this Act, or for other relief.

(d) Fix the salaries of all appointees of the Tax Commissioner, provided, however, that the salary of no appointee shall exceed three thousand six hundred (\$3,600.00) dollars for annum.

(e) Take testimony and proofs under oath with reference to any matter which in its judgment falls within the line of its official duty. Any member of the Tax Department may be designated for such purposes.

(f) Keep a minute book in which shall be entered all transactions of the Board and a statement of all cases of appeal to the Superior Court together with the determination thereof. The minute book shall be open to the inspection of members of the Board and of the Tax Department at any time.

(g) Discharge such other duties and functions as may be required of the Tax Board in other sections of Articles 1 and 2 of this Act.

POWERS AND DUTIES OF THE STATE TAX  
COMMISSIONER

Section 12. The Tax Commissioner shall:

(a) Be the executive head of the Tax Department and have sole charge of the administration of the Department. Upon him shall devolve all executive powers and all duties of the Tax Department not specifically vested in the Tax Board by Section 11.

(b) Appoint and may remove: An Assistant Tax Commissioner and all other assistants, agents, field agents, field auditors, clerks and employees who may be necessary for the exercise of the powers and the performance of the duties of the Tax Department and shall prescribe the duties of all such appointees.

INCOME TAX

(c) Maintain a permanent public record of all decisions, rules and rulings of the Tax Department.

(d) Organize such branch offices as may be necessary.

(e) Make rules, regulations and decisions not inconsistent with this Act and require such facts and information to be reported as he may deem necessary to enforce the Income Tax imposed by this Act.

(f) Prepare and submit for approval of the Tax Board the blanks necessary for the making of all returns required by this Act.

(g) On or before February fifteenth of each year, mail to the last recorded address of each person, fiduciary, association of persons, syndicate, joint venture or copartnership that has made a return or report under this Act or under Chapter 9, Volume 32, Laws of Delaware, as amended, and that has not ceased to be a taxable, a blank for the purpose of making return.

(h) Record in a book at the main office of the Tax Department and open to the inspection of the public all decisions, rules and rulings of the Tax Board. These records shall be deemed published as required by this Act. The record may be modified to conceal the identity of the taxable.

(i) Report monthly to the Tax Board the amount of all refunds made with the name of the person paid and the date when such refund was authorized. Such reports shall be spread in the minutes of the Board.

(j) Submit to the Governor and to the Legislature an annual report including such recommendations concerning State Taxes as may be deemed necessary.

(k) Submit biennially to the Governor, on or before the first day of September; (a) an estimate of revenues to be received during each of the two succeeding years from the Income Tax,

## INCOME TAX

and (b) an itemized estimate of the sums required for the maintenance of the Tax Department.

(l) Require such of the officers, agents, or employees of the Tax Department as he may designate to give bond for the faithful performance of their duties, in such sum and with such security as he may determine. All premiums on such bonds shall be paid by the Tax Department out of monies appropriated for that purpose.

(m) Prepare and publish annual statistics, reasonably available with respect to the operation of this Act, including amounts collected, classification of the incomes and exemptions of taxables, and such other facts as are deemed pertinent and desirable.

(n) Prepare and record in a form convenient for inspection a list of taxables for the current year and of those exempt from tax under this Act giving full name and address of each taxable. This list shall be open for public inspection at all times.

(o) Take all necessary steps to enforce the penalties provided by this Act.

(p) May appoint an unpaid advisory board of not more than ten lawyers and tax experts to make recommendations concerning the rules, regulations and decisions of the Department and concerning changes in the Income Tax Law.

(q) May delegate any powers that devolve upon him.

(r) For the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxable, the Tax Commissioner may examine or cause to be examined, by any agent or designated representative, any books, papers, records or memoranda bearing upon the matters required to be included in a return, and may by summons require the attendance of the taxable or of any other person having knowledge in the premises, and may take testimony and

## INCOME TAX

require proof material for the investigation, with power to administer oaths to such person or persons. All Banks, Trust Companies and Brokers when required by the Tax Commissioner shall allow a representative of the Tax Department to verify all accounts and records pertaining to the income of any taxable.

(s) The Tax Commissioner may constitute his agents, field agents, or other appointees 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.

(t) The Tax Commissioner shall have all rights of appeal to the Superior Court as are granted to any taxable under the provisions of this Act.

## SIGNING AND FILING RETURNS

Section 13. (a) Returns shall be in such form as the Tax Department shall prescribe, from time to time, and shall be filed by every taxable described in Sections 1, 5, 6 and 8 hereof, with the Tax Department at its main office or at any branch office which it may establish, on or before the fifteenth day of March in each year, for the preceding year. In case of continued sickness, absence or other disability, or whenever in its judgment good cause exists, the Tax Department may allow further time for filing returns. Failure to receive, as provided in Section 12 (g) hereof, or to secure the blank forms for said return shall not relieve any taxable from the obligation of making the return.

(b) Return of the income of minors, idiots, insane persons, other persons incapable or unable to act for themselves, or for taxables absent from the State, shall be made as provided in Section 14.

(c) A return shall be signed by the person making the return or by the representative or fiduciary acting for such taxable. The signature shall be the full name, both given name or names, and surname. If a married woman, her own name as well as the name of her husband shall appear.

## INCOME TAX

(d) The Tax Commissioner may require a return to be certified under oath.

## INFORMATION REQUIRED OF EMPLOYERS AND OTHERS

(e) All persons, fiduciaries, associations of persons, syndicates, joint ventures, copartnerships or corporations in whatever capacity acting, including lessees or mortgagors of real or personal property, and employers, making payment to other persons of interest, dividends, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable gains, profits, and income, aggregating \$1,000.00 or more in any taxable year, shall render a true and accurate return to the Tax Department, under such regulations and in such form and manner and to such extent as may be prescribed by the Tax Department, setting forth the amount of any and all such payments made to citizens or residents of the State of Delaware and the names and addresses of the recipients of such payments. The provisions of this paragraph shall apply to officers or employees of the State of Delaware or of any political subdivision or any municipal corporation therein.

(f) Every person or partnership doing business in the State of Delaware as a stock broker shall, when specially required by the Tax Commissioner render a correct return duly verified under oath, showing the names of customers who are citizens or residents of the State of Delaware for whom such person or partnership has transacted any business, with such details as to the profits, losses, or other information which the Tax Commissioner may require for each of such customers, as will enable the Tax Commissioner to determine whether all income tax due on profits or gain of such customers has been paid.

RETURNS FOR MINORS, INCOMPETENTS  
AND ABSENTEES

Section 14. All returns and payments of income tax for minors, idiots, insane persons, other persons incapable or unable to act for themselves, or for taxables absent from the State,

## INCOME TAX

shall be made by their guardians, trustees or other persons having charge of their estate and the collection of the income thereof. All such fiduciaries shall have credit for the amount of such payments made on behalf of the beneficiary in any account which they make as such fiduciaries, and receipts for such payments from the Tax Department shall be sufficient vouchers to entitle these fiduciaries to such credit.

## TIME AND PLACE OF PAYMENT OF TAX

Section 15. (a) (1) The full amount of the tax payable, as the same shall appear from the face of the return, shall be paid to the Tax Department at the office where the return is filed at the time fixed by law for filing the return, or the amount of said tax may be paid in four equal installments, as follows:

(2) One-fourth of the amount at the time fixed for filing the return; one-fourth of the amount on the fifteenth day of the third month after the time fixed for filing return; one-fourth of the amount on the fifteenth day of the sixth month after the time fixed for filing return; and one-fourth of the amount on the fifteenth day of the ninth month after the time fixed for filing the return.

(b) If it shall appear that prompt collection of the entire amount of taxes, interest or penalties due will impose severe hardship on the taxable, the Commissioner may, in his discretion, permit payments by installments and may require a bond from the taxable for the carrying out of the agreement to pay.

(c) If any installment provided in (a) and (b) is not paid when due, the whole amount of the tax unpaid shall become due and shall be paid upon notice and demand by the Tax Commissioner.

(d) The Tax Board at a meeting or by written assent, may reasonably extend the time for making any payment of tax due under this Act but such extension of time shall be recorded in the minutes of the Tax Board.

## INCOME TAX

(e) If the time for filing the return shall be extended, interest at the rate of six per centum per annum, from the time when the return was originally required to be filed, to the date of payment, shall be added and paid.

(f) The tax may be paid with uncertified check, certified check or money order during such time and under such regulations as the Tax Commissioner shall prescribe, but if a check or money order so received is not paid on demand by the bank or post office on which it is drawn, the taxable by whom such check or money order is tendered shall remain liable for the payment of the tax and for all legal penalties, the same as if such check or money order had not been tendered.

(g) Every tax imposed by this Act, and all increases, interest and penalties thereon shall become, from the time it is due and payable, a personal debt, from the person or persons or corporation liable to pay the same, to the State of Delaware.

(h) If, after the assessment of any tax, increase, interest, and/or penalty shall have become final, the same or any part thereof shall remain unpaid for ten days, the Tax Department shall file with the Prothonotary of the Superior Court of the County in which the taxable resides, a certificate of such assessment, stating the amount thereof, the date assessed, and the dates of the notice or notices, if any, given to the taxable in connection therewith, together with a brief summary of the proceedings had thereon. It shall thereupon be the duty of the Prothonotary to enter the total amount of such assessment as a judgment in favor of the State of Delaware, and the said amount so entered shall thereupon be and constitute a judgment of record in said Court with like force and effect as any other judgment in said Court. Upon the entry of such judgment it shall be the duty of the Tax Department forthwith to utilize the most expeditious means provided by law for the collection of the amount thereof; and it is hereby expressly provided that no property, wages, salaries, or other income of any taxable shall be exempt from execution or attachment process issued upon or for the collection of any such judgment.

## INCOME TAX

## EXAMINATION OF RETURNS

Section 16. (a) As soon as practicable after the return is filed, the Tax Department shall examine it and compute the tax and the amount so computed shall be the tax.

## ADDITIONAL TAXES

(b) If the Tax Department discovers from the examination of the return or otherwise that the income of any taxable, or any portion thereof, has not been assessed, it may, at any time within two years after the time when the return was due or filed, assess the same and give notice to the taxable of such assessment, and at the termination of thirty days the additional tax determined by the Tax Department shall be due and payable, unless the taxable or his agent or attorney shall have within said thirty days, filed complaint or appeal in writing over his signature from the assessment of the Tax Commissioner and requested a hearing before the State Tax Board, as provided in Section 11 (c) of this Article. The limitation of two years to the assessment of such tax shall not apply to the assessment of additional taxes upon returns which are false or fraudulent or the income thereon grossly understated, or in cases where no returns have been filed.

## REFUNDS OF OVERPAYMENTS

(c) If the amount of tax found due shall be less than the amount theretofore paid, either as a result of examination of the return by the Tax Department or by the allowance of a claim for overassessment filed by the taxable, the excess shall be refunded by the Tax Department out of the repayment fund retained by it as provided in this Act. Interest shall be allowed the taxable, at the rate of one-half per cent per month or fraction of a month, from the time the payment was made to the date of refund.

No refund of excess payment shall be made until the same has been approved by the Tax Board or a majority thereof at a recorded meeting or in writing.

## INCOME TAX

## APPEALS

Section 17. After determination of the State Tax Board upon a complaint or appeal of a taxable at a formal hearing as provided in Section 11 (c), appeal may be made within thirty days from notification of said Board's decision, to the Superior Court.

The Superior Court for the several counties of the State is hereby vested with jurisdiction to hear and determine all such appeals and may by proper rules, prescribe the procedure to be followed in such appeals. Every such appeal shall be determined by the Court without the aid of a jury. Costs may be awarded by the said Court in its discretion and when so awarded the same shall be collected as other costs are collected.

## DELINQUENT TAXES

Section 18. (a) Any person, fiduciary, association of persons, syndicate, joint venture or copartnership required to make a return under this Act, whether taxable or not, and failing so to do within 30 days after the time when such return is required to be filed shall be subject to a specific penalty of \$5.00 in addition to all other penalties prescribed by this Act.

(b) If any taxable liable to file a return and pay taxes imposed by these Articles neglects or refuses to pay the same within thirty days after notification of the said liability for the return and taxes, the Commissioner or Assistant Commissioner, shall make the return from his own knowledge or from such information as he may obtain through testimony or otherwise, and the tax shown to be due on such return shall be assessed and collected in the same manner as prescribed for additional taxes, in Section 15 (b) (c) (d) and (e) and Section 16 (b) of this Article, except that no right of appeal shall be possessed by a taxable so assessed except through a claim for refund.

(c) If a taxable shall fail or refuse to make a return or to pay a tax as provided in this Act, such taxable shall be deemed guilty of fraud and shall be liable to the penalties provided for fraudulent returns.

## INCOME TAX

## REFUNDS OF TAXES

Section 19. (a) A taxable may apply to the State Tax Commissioner, State Tax Board, and the Superior Court, in order named, as hereinbefore provided, for refund of the taxes imposed by this Act alleged to have been erroneously or illegally assessed or collected or of any interest or penalty alleged to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected from said taxable, at any time within two years from the date such tax was paid on the original return or thirty days from the date of payment of any additional tax. The Tax Board shall grant a hearing thereon and if it shall determine that the tax, interest or penalties are excessive or incorrect, it shall resettle the same according to the law and the facts and adjust the computation of tax, interest or penalties accordingly. The Tax Department shall notify the taxable of such determination and shall refund to the taxable the amount paid in excess of the tax, interest and penalties found by it to be due.

## CLAIMS FOR ABATEMENT OR REFUND

(b) If the Tax Commissioner shall fail to act upon or shall reject any claim for abatement or refund of taxes alleged to have been illegally or erroneously assessed or paid, within sixty days from the filing of such claim, the taxable shall have and possess rights of appeal to the State Tax Board and as provided in Sections 16 (b) and 17 of this Article.

## PENALTIES

Section 20. In any case where additional tax is found to be due, if it shall appear that the return was made in good faith and understatement of the tax is not due to any fault of the taxable there shall be no penalty added because of such understatement but interest shall be added to the amount of the deficiency at the rate of one-half of one per centum for each month or fraction of a month.

## INCOME TAX

(b) If it shall appear that the understatement of tax is due to negligence on the part of the taxable, there shall be added to the amount of the deficiency a penalty of five per centum thereof and, in addition, interest at the rate of one-half of one per centum per month or fraction of a month, which interest shall be on the amount of tax plus the penalty.

(c) If it shall appear that the return of income is grossly understated or is false or fraudulent, there shall be added to the tax on the additional income discovered to be taxable a penalty of one hundred per centum, and in addition, interest added at the rate of one-half of one per centum per month or fraction of a month which interest shall be on the amount of tax plus the penalty.

(d) If any taxable, without intent to evade any tax imposed by this Act shall fail to file a return of income, or pay a tax if one is due, at the time required by or under the provisions of this Act, but shall voluntarily file a return of income and pay the tax due within thirty days thereafter, there shall be added to the tax a penalty equal to five per centum thereof and in addition interest at the rate of one-half per centum per month or fraction of a month, which interest shall be on the amount of tax plus penalty.

If any taxable wilfully fails or refuses to file a return of income or to pay a tax if one is due within thirty days of the time required by or under the provisions of this Act, there shall be added to the tax, a penalty of one hundred per centum thereof, and in addition, interest added at the rate of one-half per centum per month or fraction of a month, which interest shall be on the amount of tax plus penalty.

(e) Any person, or corporation or any officer or employee of any corporation, or any member or employee of any association of persons, syndicate, joint venture or copartnership, who with intent to evade any requirement of this Act or any lawful requirement of the State Tax Department thereunder, shall fail to pay any tax or to make, sign or verify any return or to supply

## INCOME TAX

any information required by or under the provisions of this Act, or who, with like intent, shall make, render, sign or verify any false or fraudulent return or statement or shall supply any false or fraudulent information, shall be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed five hundred dollars or be imprisoned not to exceed six months, or both, at the discretion of the Court. The penalties provided by this paragraph shall be additional to all other penalties in this Act provided.

(f) Any taxable who shall refuse or neglect to make the return required to be made under Articles I and II of this Act within thirty days after the last day for making such return, or who shall refuse or neglect to pay the tax assessed against such taxable within thirty days after it becomes due, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars or by imprisonment not exceeding six months or both in the discretion of the court.

(g) The Tax Board shall have power to compromise any penalty for which it is authorized to bring action under the foregoing provisions and all penalties collected by the Tax Department either by compromise or suit shall be paid to the State Treasurer and the same shall go into and become part of the School Fund.

(h) The failure to do any act required by or under the provisions of this Act shall be deemed an act committed in part at the office of the Tax Department in Dover. The certificate of the Tax Commissioner to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this Act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

(i) If any taxable, who has failed to file a return or who has filed an incorrect or insufficient return and has been notified by the Tax Department of this delinquency, refuses or neglects

## INCOME TAX

within thirty days after such notice to file a proper return or files a fraudulent return, the income of said taxable shall thereupon be determined by the Tax Department according to its best information and belief and the tax shall be levied, assessed, collected and paid, together with penalty equal to one hundred per centum of the amount of the tax, together with interest at the rate of one-half per centum per month or fraction of a month on the amount of tax plus the penalty. The Tax Board may in its discretion allow further time for filing of a return in such cases.

(j) If a taxable has failed, without good cause to file a return within the time prescribed by law, or has filed a fraudulent return or having filed an incorrect return has failed, after notice to file a proper return, the Tax Commissioner shall give full effect to the penalty provided in Section 20, paragraph I and shall not reduce the tax, interest and penalty below double the amount for which the taxable is found to be properly assessed but the Tax Board shall have power to reduce this penalty provided by Section 20, paragraph I to not less than twenty-five per centum of the amount of the tax with interest added at one-half of one per centum per month, or fraction of a month, which interest shall be on the amount of the tax plus the penalty.

(k) The interest provided for in this section shall in all cases be computed from the date the tax was originally due to the date of payment.

## RECEIPTS FOR TAXES

Section 21. (a) It shall be the duty of the Tax Department to give or send to the taxable or to his authorized agent, making payment in accordance with the provisions of this Act, a full written or printed receipt expressing the amount paid and the particular account for which such payment was made.

## EXPENSES OF TAX DEPARTMENT

(b) The Tax Board and the officers and employees of the Tax Department shall be entitled to receive from the State their

## INCOME TAX

actual and necessary expenses while engaged in the performance of their duties. All expense accounts shall be made in detail and shall be approved by the Tax Commissioner. The total shall in no case exceed the sums appropriated therefor.

## LEGAL ADVICE BY ATTORNEY GENERAL

Section 22. (a) It shall be the duty of the Attorney General to give counsel, advice and legal assistance to the Tax Department and to assist in the prosecution of violations of this Act when such counsel, advice or assistance is requested by the Tax Department.

## DEPUTY ATTORNEY GENERAL

(b) The Attorney General is hereby authorized to appoint an additional Deputy Attorney General who shall render advice and assistance to the Tax Department when called on by such Department and shall perform such other duties as may from time to time be assigned to him by the Attorney General. Such Deputy Attorney General shall hold office at the pleasure of the Attorney General and shall receive a salary of two thousand Dollars (\$2,000.00) per annum payable from the appropriation of the Tax Department.

## REPAYMENT FUND

Section 23. (a) The Tax Department shall retain out of the revenue collected from the taxes imposed by Article I a sum sufficient to provide at all times a fund of twenty thousand dollars out of which it shall pay any refunds provided for in Section 19, to which taxables shall be entitled under the provisions of these Articles. Said funds shall be deposited in the financial institution which is the legal depository of the State monies to the credit of the State Tax Department and shall be disbursable on order of the Tax Commissioner.

## INCOME TAX

## CONTINGENT FUND

(b) The Tax Department shall retain in its hands of the revenue collected from the taxes imposed by Article I, exclusive of interest and penalties, a sum equal to one per centum of the amount due and collected for and during the previous income year; Provided, however, that such amount shall not exceed Fifteen Thousand Dollars (\$15,000.00) in any one year. This sum shall be used as a contingent fund for the employment of help and the purchase of materials and equipment to improve the operation of the Tax Department. All payments from this contingent fund shall be fully set forth in detail in the annual report to the Governor and to the General Assembly. The contingent fund herein provided shall not be deducted from the estimate of sums required for the maintenance of the Tax Department to be submitted to the Governor but it shall appear as a deduction from the estimate of revenue to be received during each of the two succeeding years as provided in Section 12 (k). This fund shall be disbursable on order of the Tax Commissioner.

## CONTRACT TO ASSUME TAXES ILLEGAL

Section 24. It shall be unlawful for any person to agree or contract directly or indirectly to pay, or assume, or bear the burden of any tax payable by any taxable under the provisions of these Articles. Any such contract or agreement shall be null and void and shall not be enforced or given effect by any court.

## REPEALS

Section 25. Chapter 9, of Volume 32, of the Laws of Delaware, entitled "An Act to provide Revenue for School Purposes," as amended by Chapter 16, Volume 33, of the Laws of Delaware, entitled "An Act to Amend An Act Entitled 'An Act to Provide Revenue for School Purposes'" as amended by Chapter 23, Volume 34, of the Laws of Delaware, entitled "An Act to Amend Chapter 9, of Volume 32, Laws of Delaware in Relation to the Income Tax" and as further Amended by Chapter 11, Volume 35, entitled "An Act to Amend Chapter 9, Volume 32, Laws of Dela-

## INCOME TAX

ware in Relation to Income Taxes," shall be continued in full force and effect as to all taxes, assessments, proceedings, suits and matters arising out of or in connection with returns required to be made for the year 1928 and all prior years, and shall so continue until such time as all of said taxes, assessments, proceedings, suits and matters shall have been finally collected, determined or disposed of, at which said time said Chapter 9, Volume 32 of the Laws of Delaware as amended shall be repealed: Provided, however, that the Tax Commissioner appointed under Section 9 (b) of this Act, and Tax Board provided in Section 11 of this Act and the Superior Court shall have jurisdiction over all taxes, assessments, proceedings, suits and matters arising out of or in connection with returns required to be made for the year 1928 and all prior years.

All taxes, interest, penalties and other collections made under the provisions of this Act, and Chapter 9, Volume 32, Laws of Delaware, as amended, and in Article 8, of Chapter 6, of the Revised Code, as amended, shall be used for the building, maintenance, operation and repairs of the public schools and maintenance and operation of the public school system of Delaware, and for other purposes specifically authorized in this Act.

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

INVESTIGATIONS, EXAMINATIONS AND  
PROCEEDINGS UNDER PRIOR ACTS

Section 26. Any investigation, examination or proceeding undertaken, commenced or instituted by the Tax Department or by the Attorney General, in so far as it relates to Chapter 9, Volume 32, Laws of Delaware, as amended, may be conducted and continued to a final determination by the Tax Department herein created in accordance with the powers hereinbefore conferred.

## INCOME TAX

## PENALTIES FOR DISCLOSURE OF RETURNS

Section 27. It shall be unlawful for any officer or employee of the State of Delaware to make known intentionally information imparted by any income tax return made under this Act or to willfully permit any income tax return of a taxable or copy thereof to be seen or examined by any person other than the taxable or his authorized agent and employees of the Tax Department, except as provided by law and any offense against the foregoing provisions shall be a misdemeanor and shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding one year, or both, at the discretion of the Court.

## UNCONSTITUTIONALITY OR INVALIDITY

Section 28. 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. No caption of any Article, Section or set of Sections shall in any way affect the interpretation of this Act or any part thereof.

Approved April 2, 1929.

## CHAPTER 9

## STATE REVENUE

## INSURANCE COMPANY TAX

**AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware defining the Taxable Gross Premiums collected by Insurance Companies.**

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

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

78. Section 41. Each and every insurance company, firm or corporation doing an insurance business of any kind within the State of Delaware, excepting that of workmen's compensation insurance, shall, on the twenty-eighth day of February of each year, pay to the Insurance Commissioner, for the use of the State, one and one-half per centum upon the gross amount of premiums received and assessments collected upon persons or on the lives of persons resident in, or upon real and personal property located within this State, by any such insurance company, firm or corporation, or the authorized agent thereof, for the calendar year immediately preceding the date herein provided for such payments; provided, however, in computing the gross amount of premiums received and assessments collected deductions for dividends paid to policy-holders shall be permitted.

Each and every insurance company, firm or corporation as hereinbefore mentioned in this Section shall at the time of making such payments, deliver to the Insurance Commissioner a full and detailed statement showing the gross amount of premiums received and assessments collected and dividends paid to policy-holders by such insurance company, firm or corporation, or the authorized agent thereof, for the calendar year immediately preceding the date herein provided for such payments, and such

## INSURANCE TAX

statement shall be verified by the oath or affirmation of the President or Secretary of said company, duly administered by some person authorized to administer oaths.

Section 2. That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 105A. Section 68-A. as the same is found in Chapter 8, Volume 28, Laws of Delaware.

Section 3. All acts or parts of Acts inconsistent with this Act are hereby repealed insofar as any inconsistencies shall exist.

Approved May 6, 1929.

CHAPTER 10  
STATE REVENUE  
MOTOR VEHICLES

**AN ACT concerning Motor Vehicles and making Uniform the Law relating Thereto.**

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

ARTICLE 1—DEFINITION OF TERMS

TITLE I

Section 1. (Definition).

The following words and phrases when used in this Act shall, for the purpose of this Act, have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning.

(a) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(b) "Motor Vehicle." Every vehicle, as herein defined, which is self-propelled.

(c) "Motorcycle." Every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as herein defined.

(d) "Truck Tractor." Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(e) "Farm Tractor." Every motor vehicle designed and

## MOTOR VEHICLES

used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

(f) "Road Tractor." Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon independently or any part of the weight of a vehicle or load so drawn.

(g) "Trailer." Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

(h) "Semi-trailer." Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(i) "Specially Constructed Vehicle." Any vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles.

(j) "Essential Parts." All integral parts and body parts, the removal, alteration or substitution of which tend to conceal the identity or substantially alter the appearance of the vehicle.

(k) "Reconstructed Vehicle." Any vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or makes of vehicles of various names, models and types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

(l) "Foreign Vehicle." Every motor vehicle, trailer or semi-trailer which shall be brought into this state otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this State.

MOTOR VEHICLES

(m) "Pneumatic Tires." All tires inflated with compressed air.

(n) "Solid Rubber Tire." Every tire made of rubber other than a pneumatic tire.

(o) "Metal Tires." All tires the surface of which on contact with the highway is wholly or partly of metal or other hard, non-resilient material.

(p) "Person." Every natural person, firm, copartnership, association or corporation.

(q) "Owner." A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Act.

(r) "Non-resident." Every person who is not a resident of this State.

(s) "Manufacturer." Every person engaged in the business of manufacturing motor vehicles, trailers, or semi-trailers.

(t) "Dealer." Every person engaged in the business of buying, selling, or exchanging motor vehicles, trailers or semi-trailers in this state and having an established place of business in this state.

(u) "Highway." Every way or place of whatever nature open to the use of the public as a matter or right for purposes of vehicular travel. The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons, colleges, universities or other institutions.

## MOTOR VEHICLES

(v) "Department." The vehicle department of this state acting directly or through its duly authorized officers and agents.

(w) "Commissioner." The vehicle commissioner of this state.

(x) "Used Vehicle." Every motor vehicle, which has been sold, bargained, exchanged, given away or title transferred from the person who first acquired it from the manufacturer or importer, dealer or agent of the manufacturer or importer, and so used as to have become what is commonly known as "second hand" within the ordinary meaning thereof.

(y) "State." A state, territory, organized or unorganized, or district of the United States of America.

(z) "Operator." Every person, other than a chauffeur, who is in actual physical control of a motor vehicle upon a highway.

(aa) "Chauffeur." Every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

(bb) "Private Road or Driveway." Every road or driveway not open to the use of the public for purposes of vehicular travel.

(cc) "Intersection." The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways which join one another at an angle, whether or not one such highway crosses the other.

(dd) "Safety Zone." The area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

MOTOR VEHICLES

(ee) "Right of Way." The privilege of the immediate use of the highway.

(ff) "Local Authorities." Every county, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of this State.

ARTICLE 2—REGISTRATION

TITLE I

VEHICLE COMMISSIONER

Section 2. (Secretary of State to Perform Duties of Vehicle Commissioner.)

The Secretary of State is hereby designated as the vehicle commissioner of this state; and he shall have all powers and perform such duties as are herein imposed upon the vehicle commissioner.

Section 3. (Duties of Department and Vehicle Commissioner.)

(a) It shall be the duty of the Department and all officers thereof to enforce the provisions of this act, unless otherwise designated in this act or by other laws of this State.

(b) The vehicle commissioner is hereby authorized to adopt and enforce such administrative rules and regulations and to designate such agencies as may be necessary to carry out the provisions of this act except as otherwise provided in this act, or by other laws of this State. He shall also provide suitable forms for applications, registration cards, license number plates and all other forms requisite for the purposes of this Act, and shall prepay all transportation charges thereon.

### MOTOR VEHICLES

#### Section 4. (Offices of Department.)

The vehicle commissioner shall maintain an office in Dover and such other places in the State as he shall deem necessary, properly to carry out the provisions of this act.

#### Section 5. (Records of Department.)

All registration and license records in the offices of the Department shall be public records and open to inspection by the public during business hours.

#### Section 6. (Publication or Posting of Records.)

The Department, as often as practicable but at least once each month, shall either publish or post upon public bulletin boards in each of its offices a record of stolen and recovered motor vehicles and of suspensions and revocations of operators' and chauffeurs' licenses and shall furnish copies of such records to the State Highway Police, Wilmington Department of Public Safety and sheriffs' offices throughout the State, and shall forward copies of stolen and recovered motor vehicle records to the vehicle commissioner of each state.

## TITLE II

### REGISTRATION OF MOTOR VEHICLES, TRAILERS AND SEMI-TRAILERS

#### Section 7. (Owner to Secure Registration.)

(a) Every owner of a motor vehicle, trailer or semi-trailer intended to be operated upon any highway in this State shall, before the same is so operated, apply to the Department for and obtain the registration thereof, except when an owner is permitted to operate a vehicle under the special provisions relating to lien holders, manufacturers, dealers and non-residents contained in Sections 15 (d), 16 and 18 of this Act.

(b) The Department may make and enforce regulations providing that upon proper application for the registration of a

## MOTOR VEHICLES

vehicle, either new or after a transfer, such vehicle may be operated upon the highways under a temporary permit issued by the Department or a duplicate application carried in the vehicle or when purchased from a dealer then under dealers' plates issued under Section 16 of this Act for a period of 5 days pending the granting or refusal of complete registration and receipt of registration number plates. Dealer shall furnish purchaser with form of receipt, showing date of sale, which receipt must be carried with car during 5 day period.

## Section 8. (Application for Registration.)

(a) Application for the registration of a vehicle required to be registered hereunder shall be made by the owner thereof upon the appropriate form approved or furnished by the Department and every application shall be signed by the owner and contain his residence address and a brief description of the vehicle to be registered, including the name of the maker, type of car, horse power of engine, the engine and serial number whether new or used and the last license number, if known, and the state in which issued and, upon the registration of a new vehicle, the date of sale by the manufacturer or dealer to the person first operating such vehicle. The application shall contain such other information as may be required by the Department, and be certified to by the applicant by oath or affirmation.

(b) In the event that the vehicle, for which registration is applied, is a specially constructed, reconstructed or foreign vehicle, such fact shall be stated in the application, and with reference to every foreign vehicle which has been registered theretofor outside of this State, the owner shall exhibit to the Department the certificate of title and registration card or other evidence of such former registration as may be in the applicant's possession or control or such other evidence as will satisfy the Department that the applicant is the lawful owner or possessor of the vehicle.

(c) In the event that the owner of a motor vehicle for which registration is applied rents or intends to rent such motor vehicle without a driver, such fact shall be stated in the application and

### MOTOR VEHICLES

the Department shall not register such vehicle until and unless the owner shall agree to carry insurance or cause insurance to be carried as provided in Section 21 of this Act or if the owner shall fail to make such agreement until and unless the owner shall demonstrate to the Department his financial ability to respond in damages as follows:

(1) If he apply for registration of one motor vehicle, in the sum of at least five thousand dollars for any one person injured or killed and in the sum of ten thousand dollars for any number more than one injured or killed in any one accident;

(2) If he apply for the registration of more than one motor vehicle, then in the foregoing sums for one motor vehicle and five thousand dollars additional for each motor vehicle in excess of one; but it shall be sufficient for the owner to demonstrate his ability to respond in damages in the sum of one hundred thousand dollars for any number of motor vehicles.

The Department shall cancel the registration of any motor vehicle rented without a driver whenever the Department ascertains that the owner has failed or is unable to comply with the requirements of this subdivision (c).

Section 9. (Register of Applicants to be Kept by Department.)

The Department shall file each application received, and when satisfied as to the genuineness and regularity thereof, and that the applicant is entitled thereto, shall register the vehicle therein described and the owner thereof in suitable books or on index cards as follows:

1. Under a distinctive registration number assigned to the vehicle and to the owner thereof hereinafter referred to as the registration number;

2. Alphabetically under the name of the owner;

MOTOR VEHICLES

3. Numerically and alphabetically under the engine number and name of the vehicle.

Section 10. (Registration cards.)

(a) The Department, upon registering a vehicle, shall issue to the owner a registration card which shall contain upon the face thereof the date issued, the registration number assigned to the owner and to the vehicle, the name and address of the owner, also a description of the registered vehicle, including the engine number thereof, and with reference to every new vehicle hereafter sold in this State, the date of sale by the manufacturer or dealer to the person first operating such vehicle and such other statement of facts as may be determined by the Department.

(b) The registration card shall contain upon the reverse side a form for endorsement of notice to the Department upon transfer of the vehicle.

(c) The owner, upon receiving the registration card, shall sign the usual signature or name of such owner with pen and ink in the space provided upon the face of such card.

Section 11. (Registration Card to be Carried.)

The registration card issued for a vehicle required to be registered hereunder shall at all times while the vehicle is being operated upon a highway within this State be in the possession of the operator or chauffeur thereof or carried in the vehicle and subject to inspection by any peace officer. Provided, however, an operator or chauffeur shall be allowed 24 hours to produce the registration card before a conviction can be obtained under this provision, said registration to have been legally issued at a time prior to his or her arrest.

Section 12. (Number Plates to be Furnished by Department.)

(a) The Department shall also furnish to every owner

## MOTOR VEHICLES

whose vehicle shall be registered one number plate for a motorcycle, trailer or semi-trailer and two number plates for every other motor vehicle and trailer. The commissioner shall have authority to require the return to the Department of all number plates upon termination of the lawful use thereof by the owner, under this Act.

(b) Every number plate shall have displayed upon it the registration number assigned to the vehicle and to the owner thereof, also the name of this State which may be abbreviated and the year number for which it is issued. Such plate and the required letters and numerals thereon, except the year number for which issued, shall be of sufficient size to be plainly readable from a distance of one hundred feet during daylight.

(c) The Department shall issue for every passenger motor vehicle, rented without a driver, the same type of number plates as the type of plates issued for private passenger vehicles.

## Section 13. (Display of Plates.)

(a) Number plates assigned to a motor vehicle other than a motorcycle shall be attached thereto, one in front and the other in the rear. The number plate assigned to a motorcycle, trailer or semi-trailer shall be attached to the rear thereof. Number plates shall be so displayed during the current registration year, except as otherwise provided in Section 15.

(b) Every number plate shall at all times be securely fastened to the vehicle to which it is assigned so as to prevent the plate from swinging and at a height not less than twelve inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible, and shall be maintained free from foreign materials and in a condition to be clearly legible.

## Section 14. (Renewal of Registration.)

(a) Every vehicle registration under this Act shall expire

## MOTOR VEHICLES

December thirty-first each year and shall be renewed annually upon application by the owner and by payment of the fees required by law, such renewal to take effect on the first day of January each year.

(b) An owner who has made proper application for renewal of registration of a vehicle previous to January first but who has not received the number plates, plate or registration card for the ensuing year shall be entitled to operate or permit the operation of such vehicle upon the highways upon displaying thereon the number plates or plate issued for the preceding year for such time to be prescribed by the Department as it may find necessary for issuance of such new plates. An owner who has made proper application for renewal of registration of a vehicle previous to January first for the ensuing year, shall be entitled to operate or permit the operation of such vehicle upon the highways upon displaying thereon the number plate or plates issued for the ensuing year during the last 15 days of December of the current year.

## Section 15. (Registration Expires on Transfer.)

(a) Whenever the owner of a vehicle registered under the foregoing provisions of this Act transfers or assigns his title or interest thereto the registration of such vehicle shall expire and such owner shall remove the number plates therefrom and forward the same to the Department or may have such plates and the registration number thereon assigned to another vehicle upon payment of the fees required by law and subject to the rules and regulations of the Department. Should the original owner make application for the registration of another motor vehicle within the period for which original registration was issued, accompanied by the fee of one dollar, he shall be assigned the number previously issued to him.

(b) An owner upon transferring a registered vehicle shall endorse the name and address to the transferee and the date of transfer upon the reverse side of the registration card issued for

## MOTOR VEHICLES

such vehicle and shall immediately forward such card to the Department.

(c) The transferee, before operating or permitting the operation of such vehicle upon a highway, shall apply and obtain the registration thereof as upon an original registration, except as provided in Section 16. In the event the Department does not receive the former registration card properly endorsed, as provided in sub-section (b), the Department may re-register the vehicle provided it is satisfied as to the genuineness and the regularity of the transfer.

(d) In the event of the transfer by operation of law of the title or interest of an owner in and to a vehicle as upon inheritance, devise or bequest, order in bankruptcy or insolvency, or execution sale the registration thereof shall expire and the vehicle shall not be operated upon the highways until and unless the person entitled thereto shall apply for and obtain the registration thereof, except that an administrator, executor, trustee or other representative of the owner, or a sheriff or other officer, or the assignee or legal representative of any such person may operate or cause to be operated any vehicle upon the highways for a distance not exceeding 125 miles from the place where formerly kept by the owner to a garage, warehouse or other place of keeping or storage, upon displaying upon such vehicle the number plates issued to the former owner. The license plates shall then be removed from the vehicle and delivered to the motor vehicle department.

Section 16. (Registration by Manufacturers and Dealers.)

(a) A manufacturer of or dealer in motor vehicles, trailers or semi-trailers, owning or operating any such vehicle upon any highway in lieu of registering each such vehicle may obtain from the Department upon application therefor upon the proper official form and payment of the fees required by law and attach to each such vehicle one or duplicate number plates, as required for different classes of vehicles by Section 12 (a), which plate or set of plates shall each bear thereon a distinctive number, also the

## MOTOR VEHICLES

name of this State, which may be abbreviated, and the year for which issued, together with the word "dealer" or a distinguishing symbol indicating that such plate or plates are issued to a manufacturer or dealer, and any such plates so issued may, during the calendar year for which issued, be transferred from one such vehicle to another owned or operated by such manufacturer or dealer who shall keep a written record of the vehicles upon which such dealers' number plates are used and the time during which each set of plates is used on a particular vehicle, which record shall be open to inspection by any police officer or any officer or employee of the Department.

(b) No manufacturer or dealer in motor vehicles, trailers or semi-trailers shall cause or permit any such vehicle owned by such person to be operated or moved upon a public highway without there being displayed upon such vehicle a number plate or plates issued to such person either under Section 12 or under this Section, except as otherwise authorized in subdivision (c) or (d) of this Section.

(c) Any manufacturer of motor vehicles, trailers or semi-trailers may operate or move or cause to be operated or moved upon the highways for a distance of seventy-five miles or for such further distance as may be authorized by the commissioner any such vehicle, from the factory where manufactured, to a railway depot, vessel or place of shipment or delivery without registering the same and without number plates attached thereto under a written permit first obtained from the local police authorities having jurisdiction over such highways, and upon displaying in plain sight upon front and rear of each such vehicle a placard bearing the name and address of the manufacturer authorizing or directing such movement, and plainly readable from a distance of one hundred feet during daylight.

(d) Any dealer in motor vehicles, trailers or semi-trailers may operate or move, or cause to be operated or moved, any such vehicle upon the highways for a distance of twenty-five miles, or for such further distance as may be authorized by the commissioner from a vessel, railway depot, warehouse or any place

## MOTOR VEHICLES

of shipment to a sales room, warehouse or place of shipment, or trans-shipment without registering such vehicle and without number plates attached thereto, under a written permit first obtained from the local police authorities having jurisdiction over such highways and displaying in plain sight upon each such vehicle a placard bearing the name and address of the dealer authorizing and directing such movement, and plainly readable from a distance of one hundred feet during daylight.

Section 17. (Manufacturer to Give Notice of Sale or Transfer.)

Every manufacturer or dealer, upon transferring a motor vehicle, trailer or semi-trailer, whether by sale, lease or otherwise, to any person other than a manufacturer or dealer, shall immediately give written notice of such transfer to the Department upon the official form provided by the Department. Every such notice shall contain the date of such transfer, the names and addresses of the transferer and transferee and such description of the vehicle as may be called for in such official form.

Section 18. (Registration by Non-Residents.)

(a) Non-resident owner, except as otherwise provided in this section, owning any foreign vehicle which has been duly registered for the current calendar year in the State, country or other place of which the owner is a resident and which at all times when operated in this State has displayed upon it the number plate or plates issued for such vehicle in the place of residence of such owner, may operate or permit the operation of such vehicle within this State without registering such vehicle or paying any fees to this State.

(b) A non-resident owner of a foreign vehicle operated within this State for the transportation of persons or property for compensation or for the transportation of merchandise, either regularly according to a schedule or for a consecutive period exceeding thirty days, shall register such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State.

## MOTOR VEHICLES

(c) Every non-resident, including any foreign corporation carrying on business within this State and owning and regularly operating in such business any motor vehicle, trailer or semi-trailer within this State, shall be required to register each such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State. Provided, however, that non-residents of this State shall be entitled to the same exemptions from the provisions of this section as is granted to the citizen of this State by the Laws of the State in which said non-residents reside.

Section 19. (Lost Certificates or Number Plates—Duplicates to be Obtained.)

In the event that any number plate or registration card issued hereunder shall be lost, mutilated or shall have become illegible, the person who is entitled thereto shall make immediate application for and obtain a duplicate or substitute therefor upon furnishing information of such fact satisfactory to the Department and upon payment of the required fees.

Section 20. (Department to Suspend Registration Upon Notice of Theft or Embezzlement.)

Whenever the owner of any motor vehicle, trailer or semi-trailer which is stolen or embezzled files an affidavit alleging either said fact with the Department, it shall immediately suspend the registration of such vehicle and shall not transfer the registration of or re-register such vehicle until such time as it shall be notified that the owner has recovered such vehicle, but notices given as heretofore provided shall be effective only during the current registration year in which given, but if during such year such vehicle is not recovered a new affidavit may be filed with like effect during the ensuing year. Every owner who has filed an affidavit of theft or embezzlement must immediately notify the Department of the recovery of such vehicle.

Section 21. (Owners of For Rent Cars Liable for Negligence of Drivers.)

## MOTOR VEHICLES

(a) The owner of a motor vehicle engaged in the business of renting motor vehicles without drivers, who rents any such vehicle without a driver to another, otherwise than as a part of a bona fide transaction involving the sale of such motor vehicle, permitting the renter to operate the vehicle upon the highways and who does not carry or cause to be carried public liability insurance in an insurance company or companies approved by the insurance commissioner of this State insuring the renter against liability arising out of his negligence in the operation of such rented vehicle in limits of not less than \$5,000 for any one killed or injured and \$10,000 for any number more than one injured or killed in any one accident and against liability of the renter for property damage in the limit of not less than \$1,000 for one accident, shall be jointly and severally liable with the renter for any damages caused by the negligence of the latter in operating the vehicle and for any damages caused by the negligence of renting the vehicle from the owner, except that the forgoing provisions shall not confer any right of action upon any passenger in any such rented vehicle as against the owner, but nothing herein contained shall be construed to prevent the introduction as a defense of (comparative or) contributory negligence to the extent to which such defense is allowed in other cases. Such policy of insurance shall inure to the benefit of any person operating the vehicle by or with the permission of the person so renting the vehicle in the same manner and under the same conditions and to the same extent as to the renter. The insurance policy or policies above referred to need not cover any liability incurred by the renter of any vehicle to any passenger in such vehicle provided the owner upon renting any such vehicle without driver to another shall give to the renter a written notice of the fact that such policy or policies do not cover the liability which the renter may incur on account of his negligence in the operation of such vehicle to any passenger in such vehicle.

When any suit or action is brought against the owner under this section, it shall be the duty of the judge or court before whom the case is pending to cause a preliminary hearing to be had in the absence of the jury for the purpose of determining whether the owner has provided or caused to be provided insurance cover-

## MOTOR VEHICLES

ing the renter in the limits above mentioned. Whenever it appears that the owner has provided, or caused to be provided, insurance covering the renter in the sums above mentioned, it shall be the duty of the judge or court to dismiss as to the owner the action brought under this section.

(b) It shall be unlawful for the owner of any motor vehicle engaged in the business of renting motor vehicles without drivers, to rent a motor vehicle without a driver, otherwise than as a part of a bona fide transaction involving the sale of such motor vehicle, unless he shall have previously notified the Department of the intention to so rent such vehicle and shall have complied with the requirements as to the showing of his financial responsibility as provided in Section 8 (c) of this Act.

Section 22. (Owner of For Rent Cars to Maintain Records.)

Every person engaged in the business of renting motor vehicles without drivers who shall rent any such vehicle without a driver, otherwise than as a part of a bona fide transaction involving the sale of such motor vehicle, shall maintain a record of the identity of the person to whom the vehicle is rented and the exact time the vehicle is the subject of such rental or in possession of the person and it shall be a misdemeanor for any such owner to fail to make or have in possession or to refuse an inspection of the record required in this Section. If the commissioner prescribes a form for the keeping of the record provided for in this Section the owner shall use said form.

TITLE III  
REFUSAL OR CANCELLATION OF REGISTRATIONS AND  
VIOLATIONS OF PROVISIONS RELATING THERETO

Section 23. (When Registration Shall be Refused.)

The Department shall not grant an application for the registration of a vehicle in any of the following events:

(a) When the applicant therefor is not entitled thereto under the provisions of this Act.

(b) When the applicant has neglected or refused to furnish the Department with the information required in the appropriate official form or reasonable additional information required by the Department.

(c) When the fees required therefor by law have not been paid.

Section 24. (When Registration Shall be Rescinded.)

(a) The Department shall rescind and cancel the registration of any vehicle which the Department shall determine is unsafe or unfit to be operated or is not equipped as required by law.

(b) The Department shall rescind and cancel the registration of a vehicle whenever the person to whom the registration card or registration number plates therefor have been issued shall make or permit to be made any unlawful use of the same or permit the use thereof by a person not entitled thereto.

Section 25. (Violations of Registration Provision.)

It shall be unlawful for any person to commit any of the following acts:

First: To operate or for the owner thereof knowingly to permit the operation upon a highway of any motor vehicle, trailer

## MOTOR VEHICLES

or semi-trailer which is not registered or which does not have attached thereto and displayed thereon the number plate or plates assigned thereto by the Department for the current registration year, subject to the exemptions allowed in Sections 15 (d), 16 and 18 of this Act.

Second: To display or cause or permit to be displayed or to have in possession any registration card, or registration number plate knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered.

Third: To lend to or knowingly permit the use by one not entitled thereto any registration card or registration number plate issued to the person so lending or permitting the use thereof.

Fourth: To fail or refuse to surrender to the Department, upon demand, any registration card or registration number plate which has been suspended, cancelled or revoked as in this Act provided.

Fifth: To use a false or fictitious name or address in any application for the registration of any vehicle or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application.

## TITLE IV

## REGISTRATION FEES

## Section 26. (Registration Fees.)

There shall be paid to the Department for the registration of motor vehicles, trailers and semi-trailers, fees according to the following schedule:

For the registration of any motorcycle the fee shall be Five Dollars (\$5.00).

## MOTOR VEHICLES

For other motor vehicles the fee shall be Two Dollars (\$2.00) for every 500 pounds or fraction thereof of the gross load weight of the vehicle. The gross load weight shall be the weight of chassis, body, equipment and maximum allowable load as specified by the manufacturer.

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 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.

The fees for registering motor vehicles at any period between August 1st, and December 15th shall be 50% of those as above enumerated.

The fee for licensed manufacturers or dealers shall be Twenty-five Dollars (\$25.00) for first registration (to cover 2 sets of plates) and Ten Dollars (\$10.00) for each additional set of plates.

Section 27. (Exempt from Registration Fees.)

Motor vehicles owned by incorporated municipalities, and ambulance and fire fighting apparatus must be registered, but shall be exempt from paying any fee for same, the commissioner to provide suitable plates for such vehicles.

## MOTOR VEHICLES

## TITLE V

UNLAWFUL TAKING, TRANSFER OF OR INJURY TO  
VEHICLE

## Section 28. (Driving Vehicle Without Owner's Consent.)

Any person who shall drive a vehicle, not his own, without the consent of the owner thereof, and with intent temporarily to deprive said owner of his possession of such vehicle, without intent to steal the same, shall be guilty of a misdemeanor, and upon conviction shall be punished as provided in Section 33, of this Act. The consent of the owner of a vehicle to its taking or driving shall not in any case be presumed or implied because of such owner's consent on a previous occasion to the taking or driving of such vehicle by the same or a different person. Any person who assists in, or is a party or accessory to or an accomplice in any such unauthorized taking or driving, shall also be guilty of a misdemeanor, and upon conviction shall be punished as provided in Section 33 of this Act.

## Section 29. (Receiving or Transferring Stolen Vehicle.)

Any person who with intent to procure or pass title to a motor vehicle which he knows or has reason to believe has been stolen, shall receive or transfer possession of the same from or to another, or who shall have in his possession any motor vehicle which he knows or has reason to believe has been stolen, and who is not an officer of the law engaged at the time in the performance of his duty as such officer, shall be guilty of a felony and upon conviction shall be punished as provided in Section 33 of this Act.

## Section 30. (Injuring Vehicle.)

Any person who shall individually, or in association with one or more others, wilfully break, injure, tamper with or remove any part or parts of any vehicle for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanent-

## MOTOR VEHICLES

ly preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle or who shall in any other manner wilfully or maliciously interfere with or prevent the running or operation of such vehicle shall be guilty of a misdemeanor.

## Section 31. (Tampering with Vehicle.)

Any person who shall without the consent of the owner or person in charge of a vehicle climb into or upon such vehicle with the intent to commit any crime, malicious mischief or injury thereto, or who while a vehicle is at rest and unattended shall attempt to manipulate any of the levers, starting crank or other starting device, brakes or other mechanism thereof, or to set said vehicle in motion, shall be guilty of a misdemeanor, except that the foregoing provisions shall not apply when any such act is done in an emergency in furtherance of public safety or convenience or by or under the direction of an officer in the regulation of traffic or performance of any other official duty.

## TITLE VI

## PENALTIES UNDER ARTICLE II (Registration)

## Section 32. (Penalty for Misdemeanor under Article II.)

(a) It shall be unlawful and constitute a misdemeanor for any person to violate any of the provisions of Article II of this act unless such violation is by this Act or other law of this State declared to be a felony.

(b) Every person convicted of a misdemeanor for the violation of any provision of Article 2 of this Act shall be punished for the first offense by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than thirty (30) days, nor more than ninety (90) days, or by both such fine and imprisonment and shall be punished for each subsequent like offense by a fine of

## MOTOR VEHICLES

not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) or by imprisonment for not less than ninety (90) days nor more than six (6) months, or by both such fine and imprisonment.

## Section 33. (Penalty for Felony under Article II.)

Any person who shall be convicted of a violation of any of the provisions of Article II of this Act herein or by the laws of this State declared to constitute a felony shall, unless a different penalty is prescribed by the laws of this State, be punished by imprisonment for a term not less than one year nor more than five years, or by a fine of not less than five hundred dollars (\$500.00) nor more than five thousand dollars (\$5,000.00), or by both such fine and imprisonment.

## ARTICLE III—TITLING AND ANTI-THEFT

## TITLE I

## CERTIFICATES OF TITLE AND REGISTRATION CARDS

Section 34. (Certificates of Title Must be Obtained for Registered Vehicles.)

(a) The Department shall not register or renew the registration of any motor vehicle, unless and until the owner thereof shall make application for and be granted an official certificate of title for such vehicle or present satisfactory evidence that a certificate of title for such vehicle has been previously issued to such owner by the Department.

(b) The owner of a motor vehicle registered in this State shall not operate or permit the operation of any such vehicle upon any highway without first obtaining a certificate of title therefor from the Department, nor shall any person operate any such vehicle upon the highways knowing or having reason to believe that the owner has failed to obtain a certificate of title

## MOTOR VEHICLES

therefor and any person violating this sub-section shall be punished as provided in Section 49 of this Act.

Section 35. (Application for a Certificate of Title.)

(a) The application for a certificate of title shall be made upon the appropriate form furnished or approved by the Department and shall contain a full description of the motor vehicle including the name of the maker, the engine and serial numbers and any distinguishing marks thereon and whether the vehicle is new or used, together with a statement of the applicant's title and of any liens or encumbrances upon said vehicle and the name and address of the person to whom the certificate of title shall be delivered and such other information as the Department may require (and every application shall be accompanied by a fee of one dollar, which shall be in addition to any fee charged for the registration of such vehicle.)

Whenever a new motor vehicle is purchased from a dealer the application for a certificate of title shall include a statement of transfer by the dealer and of any lien retained by such dealer.

(b) The owner shall verify every application for a certificate of title before a person authorized to administer oaths, and officers and employees of the Department designated by the Commissioner are hereby authorized to administer oaths and it is their duty to do so without a fee for the purpose of this Act.

Section 36. (Department to Issue Certificate of Title.)

(a) The Department shall maintain an engine number index of registered motor vehicles and upon receiving an application for a certificate of title shall first check the engine number shown in the application against said index and against the Stolen and Recovered Motor Vehicle Index, required to be maintained by Section 43 of this Act. The Department when satisfied that the applicant is the owner of the vehicle, shall thereupon issue in the name of the owner a certificate of title bearing a serial

## MOTOR VEHICLES

number and the signature of the Commissioner and the seal of his office and setting forth the date of issue and a description of the vehicle as determined by the Department, together with a statement of the owner's title and of all liens or encumbrances upon the vehicle therein described and whether possession is held by the owner under a lease, contract of conditional sale, or other like agreement. The certificate of title shall also contain, upon the reverse side, forms for assignment of title or interest and warranty thereof by the owner with space for notation of liens and encumbrances upon such vehicle at the time of a transfer. The Department shall deliver the certificate of title to the person designated for that purpose in the application.

(b) The said certificate shall be good for the life of the vehicle so long as the same is owned or held by the original holder of such certificate.

Section 37. (Endorsement and Delivery of Certificate of Title upon a Transfer of Title or Interest.)

(a) The owner of a motor vehicle for which a certificate of title is required hereunder shall not sell or transfer his title or interest in or to such vehicle unless he shall have obtained a certificate of title thereto nor unless having procured a certificate of title he shall in every respect comply with the requirements of this Section and any person who violates the provisions of this Section shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section 49.

(b) The owner of a motor vehicle who transfers or sells his title or interest in or to such motor vehicle shall endorse an assignment and warranty of title upon the certificate of title for such vehicle with a statement of all liens or encumbrances thereon (which statement shall be verified under oath by the owner) and the owner shall deliver the certificate of title to the purchaser or transferee at the time of delivering the vehicle.

(c) The transferee except as provided in the next succeeding paragraph shall thereupon present such certificate endorsed

## MOTOR VEHICLES

therefor and any person violating this sub-section shall be punished as provided in Section 49 of this Act.

Section 35. (Application for a Certificate of Title.)

(a) The application for a certificate of title shall be made upon the appropriate form furnished or approved by the Department and shall contain a full description of the motor vehicle including the name of the maker, the engine and serial numbers and any distinguishing marks thereon and whether the vehicle is new or used, together with a statement of the applicant's title and of any liens or encumbrances upon said vehicle and the name and address of the person to whom the certificate of title shall be delivered and such other information as the Department may require (and every application shall be accompanied by a fee of one dollar, which shall be in addition to any fee charged for the registration of such vehicle.)

Whenever a new motor vehicle is purchased from a dealer the application for a certificate of title shall include a statement of transfer by the dealer and of any lien retained by such dealer.

(b) The owner shall verify every application for a certificate of title before a person authorized to administer oaths, and officers and employees of the Department designated by the Commissioner are hereby authorized to administer oaths and it is their duty to do so without a fee for the purpose of this Act.

Section 36. (Department to Issue Certificate of Title.)

(a) The Department shall maintain an engine number index of registered motor vehicles and upon receiving an application for a certificate of title shall first check the engine number shown in the application against said index and against the Stolen and Recovered Motor Vehicle Index, required to be maintained by Section 43 of this Act. The Department when satisfied that the applicant is the owner of the vehicle, shall thereupon issue in the name of the owner a certificate of title bearing a serial

## MOTOR VEHICLES

number and the signature of the Commissioner and the seal of his office and setting forth the date of issue and a description of the vehicle as determined by the Department, together with a statement of the owner's title and of all liens or encumbrances upon the vehicle therein described and whether possession is held by the owner under a lease, contract of conditional sale, or other like agreement. The certificate of title shall also contain, upon the reverse side, forms for assignment of title or interest and warranty thereof by the owner with space for notation of liens and encumbrances upon such vehicle at the time of a transfer. The Department shall deliver the certificate of title to the person designated for that purpose in the application.

(b) The said certificate shall be good for the life of the vehicle so long as the same is owned or held by the original holder of such certificate.

Section 37. (Endorsement and Delivery of Certificate of Title upon a Transfer of Title or Interest.)

(a) The owner of a motor vehicle for which a certificate of title is required hereunder shall not sell or transfer his title or interest in or to such vehicle unless he shall have obtained a certificate of title thereto nor unless having procured a certificate of title he shall in every respect comply with the requirements of this Section and any person who violates the provisions of this Section shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section 49.

(b) The owner of a motor vehicle who transfers or sells his title or interest in or to such motor vehicle shall endorse an assignment and warranty of title upon the certificate of title for such vehicle with a statement of all liens or encumbrances thereon (which statement shall be verified under oath by the owner) and the owner shall deliver the certificate of title to the purchaser or transferee at the time of delivering the vehicle.

(c) The transferee except as provided in the next succeeding paragraph shall thereupon present such certificate endorsed

## MOTOR VEHICLES

and assigned as aforesaid to the Department (accompanied by a transfer fee of one dollar) and make application for and obtain a new certificate of title for such vehicle.

(d) When the transferee of a vehicle is a dealer who holds the same for resale and operates the same only for purposes of demonstration under dealer's number plates, or when the transferee does not drive such vehicle nor permit such vehicle to be driven upon the highways, such transferee shall not be required to forward the certificate of title to the Department, as provided in the preceding paragraph, but such transferee upon transferring his title or interest to another person shall execute (and acknowledge) an assignment and warranty of title upon the certificate of title and deliver the same to the person to whom such transfer is made.

(e) Whenever the ownership of any motor vehicle shall pass otherwise than by voluntary transfer, the new owner may obtain a certificate of title therefor from the Department upon application therefor (and payment of a fee of one dollar) accompanied with such instruments or documents of authority, or certified copies thereof, as may be required by law to evidence or effect a transfer of title or interest in or to chattels in such case. The Department, when satisfied of the genuineness and regularity of such transfer shall issue a new certificate of title to the person entitled thereto.

Section 38. (Department to Maintain Transfer File.)

The Department shall retain and appropriately file every surrendered certificate of title, such file to be so maintained as to permit the tracing of title of the vehicles designated therein.

Section 39. (Refusal to Issue Certificate of Title or Re-cission of Certificate of Title.)

If the Department shall determine that an applicant for a certificate of title to a motor vehicle is not entitled thereto, it

## MOTOR VEHICLES

may refuse to issue such certificate, and in that event unless the Department reverses its decision or its decision be reversed by a Court of competent jurisdiction, the applicant shall have no further right to apply for a certificate of title on the statements in said application. The Department may for a like reason after notice and hearing, revoke any outstanding certificate of title. Said notice shall be served in person or by registered mail. An appeal may be taken from any decision of the Department to the Superior Court.

Section 40. (Duplicate Certificates Where Original is Lost.)

It shall in the event of the loss of a certificate of title, the loss of which is accounted for to the satisfaction of the Department, a duplicate, or substitute may be issued (the charge therefor to be fifty cents).

Section 41. (Making False Statements.)

It shall be unlawful for any person knowingly to make any false statement in any application or other document required by the terms of this Act and any person violating this provision shall upon conviction be punished as provided in Section 49.

Section 42. (Altering or Forging Certificate of Title a Felony.)

Any person who shall alter with fraudulent intent any certificate of title or registration card issued by the Department, or forge or counterfeit any certificate of title or registration card purporting to have been issued by the Department under the provisions of this Act or who shall alter or falsify with fraudulent intent or forge any assignment thereof, or who shall hold or use any such certificate, registration card or assignment knowing the same to have been altered, forged or falsified, shall be guilty of a felony and upon conviction thereof shall be punished as provided in Section 50.

## MOTOR VEHICLES

## TITLE II

## SPECIAL ANTI-THEFT PROVISIONS

Section 43. (Report of Stolen and Recovered Motor Vehicles.)

(a) Every county sheriff and every police commissioner and chief of police or peace officer of every jurisdiction, upon receiving information that a motor vehicle has been stolen or that a motor vehicle having been stolen has been recovered shall immediately report such information upon the appropriate official form to the Department.

(b) The Department shall file all such reports of stolen or recovered motor vehicles and appropriately index the same and shall also file similar reports received from other states. The Department at least once each month shall either publish or post upon public bulletin boards in each of its offices a report of stolen and recovered motor vehicles and shall furnish copies of such records to every county sheriff and the Department of Public Safety in the City of Wilmington and shall forward copies of such records to the motor vehicle department of each other state.

Section 44. (Altered or Changed Engine or Serial Number.)

(a) The owner of a motor vehicle, the engine or serial number of which has been altered, removed or defaced, may, within thirty days from the date this act takes effect, make application in form prescribed by the Department accompanied by a fee of one dollar for a special number. He shall furnish such information as will satisfy the Department that he is the owner, whereupon the Department shall assign a special number for the motor vehicle preceded by a symbol indicating this State. A record of special numbers so assigned shall be maintained by the Department. The title inspector shall stamp said number upon the engine or otherwise as directed by the Department and upon receipt by the Department of a certificate that he has inspected and stamped said number upon the motor vehicle as directed in

## MOTOR VEHICLES

a workmanlike manner, together with application for a certificate of title such special number shall be regarded as the engine or serial number of said motor vehicle.

(b) Any person who with fraudulent intent shall deface, destroy or alter the engine or serial number of a motor vehicle or shall sell or offer for sale any motor vehicle bearing an altered or defaced engine or serial number or a number other than the original or a number assigned as above provided, shall be guilty of a felony and upon conviction shall be punished as provided in Section 50 of this Act.

This Section is not intended to prohibit nor to prevent any manufacturer other than a dealer, from placing or stamping in the ordinary course of business, numbers on motor vehicles, or parts thereof removed or changed and replacing the numbered parts.

## TITLE III

## LICENSES FOR DEALERS IN USED MOTOR VEHICLES

## Section 45. (Dealers in Used Vehicles Must Be Licensed.)

(a) It shall be unlawful for any person to carry on or conduct the business of buying, selling or dealing in used motor vehicles, trailers or semi-trailers, unless licensed so to do by the Department under the provisions of this Act except that any manufacturer, or importer of motor vehicles or his subsidiary or selling agent may buy or take in trade and sell any used motor vehicle of his own without such license.

(b) Application for a dealer's license required hereunder shall be made upon the form prescribed by the Department and shall contain the name and address of the applicant and when the applicant is a partnership the name and address of each partner or when the applicant is a corporation the names of the principal officers of the corporation and the state in which incorpor-

## MOTOR VEHICLES

ated and the place or places where the business is to be conducted and such other information as may be required by the Department. Every such application shall be verified by the oath or affirmation of the applicant if an individual or in the event the applicant is a partnership or corporation then by a partner or officer thereof.

(c) The Department before issuing a license shall collect from the applicant a fee of five dollars except that when application is made after July first of any year the fee for a license shall be three dollars.

## Section 46. (Department to Issue License Certificate.)

(a) The Department upon receiving an application for a license accompanied by the proper fee and when satisfied that the applicant is of good character and so far as can be ascertained has complied with and will comply with the laws of this State with reference to the registration of vehicles and certificates of title therefor, shall issue to the applicant a license certificate which shall entitle the licensee to carry on and conduct the business of a dealer in used vehicles during the calendar year in which the license is issued. Every such license shall expire on December 31st of each year and may be renewed upon application and payment of the fee required herein.

(b) The Department may refuse to issue a license or after notice by registered mail to the licensee and a hearing, may cancel a license when satisfied that the applicant for a license or the licensee has failed to comply with the provisions of this Act.

## Section 47. (Records of Purchases and Sales and Possessions of Certificates of Title.)

(a) Every licensee shall maintain a record in form as prescribed by the Department of every used motor vehicle, trailer, or semi-trailer bought, sold or exchanged, by the licensee or received or accepted by the licensee for sale or exchange, which record shall contain a description of every said vehicle, including

## MOTOR VEHICLES

the names of the maker, type, engine and serial number and other distinguishing marks and whether any numbers thereon have been defaced, destroyed, or changed and shall state with reference to each such vehicle the name and address of the person from whom purchased or received and when sold or otherwise disposed of by the licensee the name and address of the person to whom sold or delivered.

(b) Every licensee shall have in possession a separate certificate of title assigned to such licensee or other documentary evidence of his right to the possession of and for every motor vehicle in his possession.

## TITLE IV

## PENALTIES UNDER ARTICLE III (Title and Anti-Theft)

## Section 48. (Punishment for False Statement.)

Any person convicted of making false statement in any application or document under Section 41 of this Act shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) or imprisonment for not less than sixty (60) days nor more than one (1) year, or by both such fine and imprisonment.

Section 49. (a) It shall be a misdemeanor for any person to violate any of the provisions of Article III of this Act unless such violation is by this Act or other law of this State declared to be a felony.

(b) Every person convicted of a misdemeanor for the violation of any provision of Article III of this Act shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) or by imprisonment for not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment.

## MOTOR VEHICLES

Section 50. Any person who shall be convicted of a violation of any of the provisions of Article III of this Act herein or by the laws of this State declared to constitute a felony shall, unless a different penalty is prescribed by the laws of this State, be punished by imprisonment for a term not less than one (1) year nor more than five (5) years, or by a fine of not less than five hundred dollars (\$500.00) nor more than five thousand dollars (\$5,000.00), or by both such fine and imprisonment.

## ARTICLE IV

MOTOR VEHICLE OPERATORS' AND CHAUFFEURS'  
LICENSES

## TITLE I—OPERATORS' AND CHAUFFEURS' LICENSES

## Section 51. (Operators and Chauffeurs Must Be Licensed.)

No person except those expressly exempted under Sections 52, 54 and 56 of this Act shall drive any motor vehicle upon a highway in this State unless such person upon application has been licensed as an operator or chauffeur by the Department under the provisions of this Act.

## Section 52. (What Persons are Exempt from License.)

(a) No person shall be required to obtain an operator's or chauffeur's license for the purpose of driving or operating a road roller, road machinery, or any farm tractor or implement of husbandry temporarily drawn, moved or propelled on the highways.

(b) Every person in the service of the Army, Navy, or Marine Corps of the United States and when furnished with a driver's permit and when operating an official motor vehicle in such service shall be exempt from license under this Act.

## Section 53. (Non-residents, When Exempt from License.)

(a) A non-resident over the age of sixteen years who has

## MOTOR VEHICLES

been duly licensed either as an operator or chauffeur under a law requiring the licensing of operators or chauffeurs in his home state or country and who has in his immediate possession either a valid operator's or chauffeur's license issued to him in his home state or country shall be permitted without examination or license under this Act to drive a motor vehicle upon the highways of this State.

(b) It shall be unlawful for any non-resident whose home state or country does not require the licensing of operators or chauffeurs, and who has not been licensed either as an operator or chauffeur in his home state or country, to operate any motor vehicle upon any highway in this State without first making application for and obtaining a license as an operator or chauffeur as required under this Act, except that any said unlicensed non-resident who is over the age of sixteen years and who is the owner of a motor vehicle which has been duly registered for the current calendar year in the state or country of which the owner is a resident, may operate such motor vehicle upon the highways of this State for a period of not more than thirty days in any one year without making application for or obtaining an operator's or chauffeur's license under this act upon condition that the motor vehicle shall at all times display the license number plate or plates issued therefor in the home state or country of the owner and that the non-resident owner has in his immediate possession a registration card evidencing such ownership and registration in his home state or country.

## Section 54. (What Persons Shall Not Be Licensed.)

(a) An operator's license shall not be issued to any person under the age of sixteen years, and no chauffeur's license shall be issued to any person under the age of eighteen years.

(b) The Department shall not issue an operator's or chauffeur's license to any person whose license, either as operator or chauffeur, has been suspended during the period for which license was suspended; nor to any person whose license, either as

## MOTOR VEHICLES

operator or chauffeur, has been revoked under the provisions of this Act until the expiration of one year after such license was revoked.

(c) The Department shall not issue an operator's or chauffeur's license to any person who it has determined is an habitual drunkard or is addicted to the use of narcotic drugs.

(d) No operator's or chauffeur's license shall be issued to any applicant who has previously been adjudged insane or an idiot, imbecile, epileptic, or feeble-minded, and who has not at the time of such application been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent, nor then unless the Department is satisfied that such person is competent to operate a motor vehicle with safety to persons and property.

(e) The Department shall not issue an operator's or chauffeur's license to any person when in the opinion of the Department such person is afflicted with or suffering from such physical or mental disability or disease as will serve to prevent such person from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways, nor shall a license be issued to any person who is unable to understand highway warning or direction signs in the English language.

Section 55. (Age Limits for Drivers of School Busses and Public Passenger-Carrying Motor Vehicles.)

It shall be unlawful for any person whether licensed under this Act or not, under the age of 21 years, to drive a motor vehicle while in use as a school bus for transportation to and from school of children, or a Motor Vehicle while in use as a public passenger-carrying vehicle.

## MOTOR VEHICLES

## Section 56. (Instruction Permits.)

The Department upon receiving from any person over the age of sixteen years an application for a temporary instruction permit may in its discretion issue such a permit entitling the applicant, while having such permit in his immediate possession, to drive a motor vehicle upon the highways for a period of thirty days when accompanied by a licensed operator or chauffeur who is actually occupying a seat beside the driver and there is no other person in the vehicle.

## Section 57. (Application for Operator's or Chauffeur's License.)

(a) Every application for an operator's or chauffeur's license shall be made on an application form furnished by the Department. The original application shall be verified by the applicant before a person authorized to administer oaths.

(b) Every application shall state the name, age, sex and residence address of the applicant, and whether or not the applicant has heretofore been licensed as an operator or chauffeur and so when and by what state, and whether or not such license has ever been suspended or revoked and if so the date of and reason for such suspension or revocation.

## Section 58. (Application of Minors.)

The Department shall not grant the application of any minor under the age of 18 years for an operator's license unless such application is signed by the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother or guardian having the custody of such minor, or in the event a minor under the age of 18 years has no father, mother or guardian, then an operator's license shall not be granted to the minor unless his application therefor is signed by his employer.

## MOTOR VEHICLES

## Section 59. (Examination of Applicants.)

(a) The Department shall examine every applicant for an operator's or chauffeur's license before issuing any such license, except as otherwise provided in subdivisions (b) and (c) of this Section. The Department shall examine the applicant as to his physical and mental qualifications to operate a motor vehicle in such manner as not to jeopardize the safety of persons or property and as to whether any facts exist which would bar the issuance of a license under Section 54 of this Act, but such examination shall not include investigation of any facts other than those directly pertaining to the ability of the applicant to operate a motor vehicle with safety, or other than those facts declared to be pre-requisite to the issuance of a license under this Act.

(b) The Department may in its discretion waive the examination of any person applying for the renewal of an operator's or chauffeur's license issued under this Act.

(c) The Department may in its discretion issue an operator's or chauffeur's license under this Act, without examination, to every person applying therefor who is of sufficient age, as required by Section 54 of this Act, to receive the license applied for and who at the time of such application has a valid unrevoked license of like nature issued to such person under any previous law of this State providing for the licensing of operators or chauffeurs or to any person who at the time of such application has a valid unrevoked license of like nature issued to such person in another state under a law requiring the licensing and examination of operators or chauffeurs.

## Section 60. (Appointment of Examiners and Designation of Local Officers.)

(a) The examiners of applicants for motor vehicle or chauffeur's license shall be appointed by and under the supervision of the Commissioner.

## MOTOR VEHICLES

(b) The Department is hereby authorized to designate local officers of the law or to appoint persons within this State to act for the Department for the purpose of examining applicants for operator's and chauffeur's licenses. It shall be the duty of such persons so designated or appointed to conduct the examination of the applicant for operator's and chauffeur's licenses in the manner prescribed by the Department under the provision of this Act and to make a written report of the filing and recommendations upon such examination to the Department.

Section 61. (Register of Operators and Chauffeurs.)

The Department shall file every application for an operator's or chauffeur's license and index the same by name and number and maintain suitable records of all licenses issued and all applications for licenses denied, also a record of all licenses which have been suspended or revoked.

Section 62. (Licenses Issued to Operators and Chauffeurs.)

(a) The Department shall issue to every person licensed as an operator an operator's license and to every person licensed as a chauffeur a chauffeur's license. Any person licensed as a chauffeur under this Act shall not be required to procure an operator's license, but no person shall drive any motor vehicle as a chauffeur unless licensed as a chauffeur.

(b) Every such license shall bear thereon the distinguishing number assigned to the licensee and shall contain the name, age, residence, address and a brief description of the licensee for the purpose of identification, also a space for the signature of the licensee, and every chauffeur's license shall bear thereon a photograph of the licensee.

Section 63. (Duplicate License Certificates.)

In the event that an operator's or chauffeur's license issued under the provisions of this Act shall be lost or destroyed, the

## MOTOR VEHICLES

person to whom the same was issued may obtain a duplicate or substitute thereof upon furnishing proof satisfactory to the Department that such license has been lost or destroyed and upon payment of the fees required by law.

## Section 64. (License to be Signed and Carried.)

(a) Every person licensed as an operator shall write his usual signature with pen and ink in the space provided for that purpose on the license certificate and every chauffeur shall write his usual signature with pen and ink across the face of the photograph on the license certificate issued to him immediately upon receipt of such certificate, and such license shall not be valid until the certificate is so signed.

(b) The licensee shall have such license in his immediate possession at all times when driving a motor vehicle and shall display the same upon demand of a uniformed police officer, Justice of Peace, Peace Officer or Motor Vehicle Inspector. It shall be a defense to any charge under this subsection that the person so charged produce in court an operator's or chauffeur's license theretofore issued to such person and valid at the time of his arrest.

## Section 65. (Expiration of Licenses.)

Every operator's and chauffeur's license issued hereunder shall expire March 1 each year and shall be renewed annually upon application and payment of the fees required by law, provided that the Department in its discretion may waive the examination of any such applicant previously licensed under this Act. Provided, however, that every such license in force at the time of the approval of this Act shall be valid until March 1, 1930.

## Section 66. (Court to Report Convictions and May Recommend Suspension of License.)

Every court and police officer having jurisdiction over offenses committed under this Act, or any other Act of this State

## MOTOR VEHICLES

regulating the operation of motor vehicles on highways, shall forward to the Department a record of the conviction of any person in said court for a violation of any said laws, and may recommend the suspension of the operator's or chauffeur's license of the person so convicted, and the Department shall thereupon consider and act upon such recommendation in such manner as may seem to it best.

Section 67. (Mandatory Suspension or Revocation of License by the Department.)

(a) The Department shall forthwith revoke the license of any person upon receiving a record of the conviction of such person of any of the following crimes:

1. Manslaughter resulting from the operation of a motor vehicle.
2. The crime of assault in which a motor vehicle is used and the death of a human being results.
3. Driving a vehicle while under the influence of intoxicating liquor or narcotic drug.
4. Perjury or the making of a false affidavit to the Department under this Act or any other law of this State requiring the registration of motor vehicles or regulating their operation on highways.
5. Any crime punishable as a felony under the motor vehicle laws of this State or any other felony in the commission of which a motor vehicle is used.
6. Conviction or forfeiture of bail upon three charges of reckless driving all within the preceding twelve months.
7. A conviction of a driver of a motor vehicle, involved in an accident resulting in the death or injury of another person,

## MOTOR VEHICLES

upon a charge of failing to stop and disclose his identity at the scene of the accident.

(b) The Department upon receiving a record of the conviction of any person upon a charge of operating a motor vehicle while the license of such person is suspended or revoked, shall immediately extend the period of such first suspension or revocation for an additional like period.

Section 68. (Department May Suspend or Revoke Licenses.)

(a) The Department may immediately suspend the license of any person without hearing and without receiving a record of conviction of such person of crime whenever the Department has reason to believe:

1. That such person has committed any offense for the conviction of which mandatory revocation of license is provided in Section 67.

2. That such person has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any other person or serious property damage.

3. That such person is incompetent to drive a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to drive a motor vehicle upon the highways.

4. That such person is an habitual reckless or negligent driver of a motor vehicle or has committed a serious violation of the motor vehicle laws of this State.

Whenever the Department suspends the license of any person for any reason set forth in the above four paragraphs, the Department shall immediately notify the licensee and afford him an opportunity of a hearing before said Department in the county

## MOTOR VEHICLES

wherein the licensee resides, and upon such hearing the Department shall either rescind its order of suspension or, good cause appearing therefor, may suspend the license of such person for a further period or revoke said license.

(b) The Department is hereby authorized to suspend or revoke the right of any non-resident to operate a motor vehicle in this State for any cause for which the license of a resident operator or chauffeur may be suspended or revoked, and any non-resident who operates a motor vehicle upon a highway when his right to operate has been suspended or revoked by the Department shall be guilty of a misdemeanor and subject to punishment as provided in Section 79.

(c) The Department is hereby authorized to suspend or revoke the license of any resident of this State upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this State, would be grounds for the suspension or revocation of the license of an operator or chauffeur. The Department is further authorized, upon receiving a record of the conviction in this State of a non-resident driver of a motor vehicle of any offense under the motor vehicle laws of this State, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so convicted is a resident.

(d) The Department shall not suspend a license for a period of more than one year and upon suspending or revoking any license shall require that such license of any chauffeur whose license is so suspended or revoked shall be surrendered to and retained by the Department except that at the end of a period of suspension such license so surrendered shall be returned to the licensee.

Section 69. (Right of Appeal to Court.)

Any person denied a license or whose license has been revoked by the Department except where such revocation is

## MOTOR VEHICLES

mandatory under the provisions of this Act shall have the right to an appeal to the Superior Court in the county wherein such person shall reside and such court is hereby vested with jurisdiction to hear and determine the matter.

## Section 70. (New License After Revocation.)

Any person whose license is revoked under this Act shall not be entitled to apply for or receive any new license until the expiration of one year from the date such former license was revoked.

## Section 71. (When Parent, Guardian or Employer Liable for Negligence of Minor.)

Any negligence of a minor under the age of 18 years licensed upon application signed as provided in Section 58 when driving any motor vehicle upon a highway, shall be imputed to the person who shall have signed the application of such minor for said license, which person shall be jointly and severally liable with such minor, for any damages caused by such negligence.

## Section 72. (Owner Liable for Negligence of Minor.)

Every owner of a motor vehicle causing or knowingly permitting a minor under the age of 18 years to drive such vehicle upon a highway, and any person who gives or furnishes a motor vehicle to such minor, shall be jointly and severally liable with such minor for any damages caused by the negligence of such minor in driving such vehicle.

## TITLE III

## VIOLATION OF LICENSE PROVISIONS

## Section 73. (Violation of License Provisions.)

It shall be unlawful for any person to commit any of the following acts:

First. To display or cause or permit to be displayed or to have in possession any operator's or chauffeur's license knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered;

Second. To lend to, or knowingly permit the use of, by one not entitled thereto any operator's or chauffeur's license issued to the person so lending or permitting the use thereof;

Third. To display or to represent as one's own any operator's or chauffeur's license not issued to the person so displaying the same;

Fourth. To fail or refuse to surrender to the Department upon demand, any operator's or chauffeur's license which has been suspended, cancelled or revoked as provided by law;

Fifty. To use a false or fictitious name or give a false or fictitious address in any application for an operator's or chauffeur's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application.

#### Section 74. (Making False Affidavit Perjury.)

Any person who shall make any false affidavit or shall knowingly swear or affirm falsely, to any matter or thing required by the terms of Article IV of this Act to be sworn to or affirmed, shall be guilty of perjury and upon conviction shall be punishable by fine or imprisonment as other persons committing perjury are punishable.

#### Section 75. (Unlawful to Permit Unlicensed Minor to Drive Motor Vehicle.)

It shall be unlawful for any person to cause or knowingly permit any minor operator, unless such minor shall have first obtained a license to so drive a motor vehicle under the provisions of this Act.

## MOTOR VEHICLES

## Section 76. (Unlawful to Employ Unlicensed Chauffeur.)

No person shall employ any chauffeur to operate a motor vehicle who is not licensed as provided in this Act.

## Section 77. (Unlawful to permit Violations of Act.)

No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven by any person who has no legal right to do so or in violation of any of the provisions of this Act.

## Section 78. (Unlawful to Drive While License Suspended or Revoked.)

Any person whose operator's or chauffeur's license has been suspended or revoked, as provided in this Act, and who shall drive any motor vehicle upon the highways of this State while such license is suspended or revoked, shall be guilty of a misdemeanor, and upon conviction shall be punished as provided in Section 80 of this Act.

## TITLE IV

PENALTIES UNDER ARTICLE IV (Operator's and Chauffeur's  
License)

## Section 79. (Penalty for Misdemeanor Under Article IV.)

(a) It shall be a misdemeanor for any person to violate any of the provisions of Article IV of this Act unless such violation is by this Act or other law of the State declared to be a felony.

(b) Every person convicted of a misdemeanor for the violation of any provision of Article IV of this Act shall be punished for the first such offense by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment for not less

## MOTOR VEHICLES

than 5 days nor more than 30 days, or by both such fine and imprisonment, and shall be punished for each subsequent like offense by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment for not less than 10 days nor more than 60 days, or by both such fine and imprisonment.

Section 80. (Penalty for Driving While License Suspended or Revoked.)

Any person convicted of a violation of Section 78 of this Act shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for not less than 30 days nor more than six months or by both such fine and imprisonment, and shall be punished for each like subsequent offense by a fine of not less than one hundred dollars nor more than two hundred dollars, or by imprisonment for not less than 90 days nor more than six months, or by both such fine and imprisonment.

## ARTICLE V

## THE OPERATION OF VEHICLES ON HIGHWAYS

## TITLE I

## OPERATION OF VEHICLES—RULES OF THE ROAD

Section 81. (Persons Under the Influence of Intoxicating Liquor or Narcotic Drugs.)

No person shall operate a motor vehicle while under the influence of intoxicating liquor or of any drug. Any Justice of the Peace of the State or the Judge of the Municipal Court of the City of Wilmington shall have power and jurisdiction to hear and determine the offense created by this Section. Upon conviction of any one for this offense, the Justice of the Peace or the Judge of the Municipal Court for the City of Wilmington shall certify the facts and record in the case to the Commissioner, who shall forthwith revoke the license of the party so convicted for a period of one year, or in case the offense is committed by a person operating a motorcycle shall be cancelled and none reissued to the said

## MOTOR VEHICLES

guilty party for a period one year after such cancellation. After a license or registration shall have been so revoked, the Commissioner shall have power and authority not to issue another license to such person so convicted until such person shall satisfy the Commissioner that he has been of good behavior from the time that his license was so revoked, up until he makes application for the issuance of another license. Provided, however, that in such case the Commissioner shall refuse to issue a license to such convicted person after a period of one year from the time that his license was so revoked, the said applicant shall have a right of appeal to the Court of General Sessions of the County wherein he resides.

## Section 82. (Interfering with Operator.)

No motor vehicle shall be operated while having any person occupying the front seat or seat adjacent to the driver so as to interfere with the safe operation of the motor vehicle; violation of this Section shall be as provided in Section 141 of this Act.

## Section 83. (Driving at Reckless Speed.)

No person shall operate a motor vehicle upon any public street or highway of the State recklessly or at a rate of speed greater than is reasonable and proper, having regard to the width, traffic and use of the street or highway, the intersection of streets or highways and weather conditions, the weight of the vehicle and the condition of its brakes, so as to have caused a collision with the person or property of another, or so as to endanger the life or limb of another.

If the rate of speed of a motor vehicle operated on any highway within this State exceeds thirty-five miles an hour for a distance of one-quarter of a mile, or if such rate of speed exceeds twenty-five miles an hour through the thickly settled portion of any town or City where the buildings average less than one hundred feet apart, such rate of speed shall be deemed prima facie evidence that the person operating such motor vehicle is operating the same in violation of the provisions of this Section.

## MOTOR VEHICLES

If the rate of speed of any Commercial motor vehicle not equipped with pneumatic tires, exceeds the rate of twenty miles per hour on any street or highway, or eight miles per hour on any movable bridge, it shall be prima facie evidence of a violation of the provisions of this Section.

**Section 84. (Grade Crossing, Drawbridge and Automatic Signals Must be Obeyed.)**

Whenever any person driving a vehicle approaches a highway and railway grade crossing, a drawbridge, or automatic signal system controlling the flow of traffic, and a clearly visible and positive signal gives warning of the approach of a railway train or car, a boat, or vehicle, it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before crossing.

**Section 85. (Speed Limitation for Vehicles Regulated According to Weight and Equipment.)**

It shall be unlawful to operate vehicles in excess of the speeds noted for gross load weights and equipment as shown in the following table:

## PNEUMATIC TIRES

Maximum gross weight including weight of vehicle and load.	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.	Maximum speed thru suburban sections, villages and towns.	Maximum speed in thickly built up parts of cities and towns.
6,000 lbs. ....	35M	15M	15M
8,000 lbs. ....	25M	15M	15M
12,000 lbs. ....	25M	15M	15M
16,000 lbs. ....	25M	15M	15M
20,000 lbs. ....	22M	12M	12M
22,000 lbs. ....	20M	12M	12M
24,000 lbs. ....	20M	12M	12M

Provided, that it shall be lawful to operate passenger carrying motor coaches equipped with pneumatic tires and not weigh-

## MOTOR VEHICLES

ing in excess of 15,000 pounds gross weight of vehicle and load, and equipped with four wheel brakes, at a rate of speed not in excess of that provided in Section 83 of this Act.

## SOLID TIRES

Maximum gross weight including weight of vehicle and load.	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.	Maximum speed thru suburban sections, villages and towns.	Maximum speed in thickly built up parts of cities and towns.
6,000 lbs. ....	25M	15M	15M
8,000 lbs. ....	20M	15M	12M
12,000 lbs. ....	18M	15M	12M
16,000 lbs. ....	16M	12M	12M
22,000 lbs. ....	15M	12M	12M

## Section 86. (Special Speed Limitation on Bridges.)

It shall be unlawful to drive any vehicle upon any public bridge, causeway or viaduct at a speed which is greater than the maximum speed which can with safety to such structure be maintained thereon, when such structure is signposted as provided in this Section.

The State Highway Department upon request from any local authorities shall, or upon its own initiative may, conduct an investigation of any public bridge, causeway or viaduct, and if it shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this Act, the State Highway Department shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of one hundred feet before each end of such structure. The finding and determination of the State Highway Department shall be conclusive evidence of the maximum speed which can with safety to any such structure be maintained thereon.

## MOTOR VEHICLES

## Section 87. (When Speed Limit Not Applicable.)

The speed limitations set forth in this Act shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to public or private ambulances when traveling in emergencies. This exemption shall not however protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

## Section 88. (Drive on Right Side of Highway.)

Upon all highways of sufficient width, except upon one way streets, the driver of a vehicle shall drive the same upon the right half of the highway and shall drive a slow moving vehicle as closely as possible to the right-hand edge or curb of such highway, unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle subject to the limitations applicable in overtaking and passing set forth in Sections 91 and 92 of this Act.

## Section 89. (Keep to the Right in Crossing Intersections or Railroads.)

In crossing an intersection of highways or the intersection of a highway by a railroad right of way, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right half is obstructed or impassable.

## Section 90. (Meeting of Vehicles.)

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

## MOTOR VEHICLES

## Section 91. (Overtaking a Vehicle.)

(a) The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle.

(b) The driver of an overtaking motor vehicle not within a business or residence district as herein defined shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction.

## Section 92. (Limitations on Privilege of Overtaking and Passing.)

(a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

(b) The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction upon the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of 500 feet.

(c) The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any railway grade crossing nor at any intersection of highways unless permitted so to do by a traffic or police officer.

## Section 93. (Driver to Give Way to Overtaking Vehicle.)

The driver of a vehicle upon a highway about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle on suit-

## MOTOR VEHICLES

able and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

## Section 94. (Following Too Closely.)

(a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and the traffic upon and condition of the highway.

(b) The driver of any motor truck when traveling upon a highway outside of a business or residence district shall not follow another motor truck within one hundred feet, but this shall not be construed to prevent one motor truck overtaking and passing another.

## Section 95. (Turning at Intersection.)

(a) Except as otherwise provided in this section, the driver of a vehicle intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of the highway, and in turning shall keep as closely as practicable to the right-hand curb or edge of the highway, and when intending to turn to the left shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway and in turning shall pass beyond the center of the intersection, passing as closely as practicable to the right thereof before turning such vehicle to the left.

For the purpose of this Section, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another.

(b) Local authorities in their respective jurisdictions may modify the foregoing method of turning at intersections by clearly indicating by buttons, markers or other direction signs within an intersection the course to be followed by vehicles turn-

## MOTOR VEHICLES

ing thereat, and it shall be unlawful for any driver to fail to turn in a manner as so directed when such direction signs are installed by local authorities.

## Section 96. (Signals on Starting, Stopping or Turning.)

(a) The driver of any vehicle upon a highway before starting, stopping or turning from a direct line shall first see that such movement can be made in safety and if any pedestrian may be affected by such movement shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement shall give signal as required in this section plainly visible to the driver of such other vehicle of the intention to make such movement.

(b) The signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by an approved mechanical or electrical signal device, except that when a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible both to the front and rear the signal shall be given by a device of a type which has been approved by the Department.

Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop or turn by extending the hand and arm horizontally from and beyond the left side of the vehicle.

## Section 97. (Right of Way.)

(a) The operator of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection. When two vehicles enter an intersection at the same time, the operator of the vehicle on the left shall yield the right of way to the vehicle on the right.

(b) The operator of a vehicle within an intersection intending to turn to the left across the path of any vehicle approaching

## MOTOR VEHICLES

from the opposite directions may make such left turn only after giving a signal as required by law, and after affording a reasonable opportunity to the operator of such other vehicle to avoid a collision.

(c) The driver of any vehicle upon a highway within a business or residence district shall yield the right of way to a pedestrian crossing such highway within any clearly marked crosswalk or any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block, except at intersections where the movement of traffic is being regulated by traffic officers or traffic direction devices. Every pedestrian crossing a highway within a business or residence district at any point other than a pedestrian crossing, crosswalk or intersection shall yield the right of way to vehicles upon the highway.

Section 98. (Exceptions to the Right of Way Rule.)

(a) The driver of a vehicle entering a public highway from a private road or drive shall yield the right of way to all vehicles approaching on such public highway.

(b) The driver of a vehicle upon a highway shall yield the right of way to police and fire department vehicles and public and private ambulances, when they are operated upon official business and the drivers thereof sound audible signal by bell, siren or exhaust whistle. This provision shall not operate to relieve the driver of a police or fire department vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequences of an arbitrary exercise of such right of way.

Section 99. (What to do on Approach of Police or Fire Department Vehicle.)

(a) Upon the approach of any police or fire department vehicle and public and private ambulances giving audible signal by

## MOTOR VEHICLES

bell, siren or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right hand edge of curb of the highway, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police or traffic officer until the police or fire department vehicle shall have passed.

(b) It shall be unlawful for the driver of any vehicle other than on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or to drive into or park such vehicle within five hundred feet where fire apparatus has stopped in answer to a fire alarm.

(c) It shall be unlawful for any person to drive any motor, or horse vehicle, over any line of hose, which has been laid for the purpose of extinguishing a fire.

Section 100. (Vehicle Must Stop at Certain Through Highways.)

(a) The State Highway Department with reference to State highways and local authorities with reference to highways under their jurisdiction are hereby authorized to designate main traveled or through highways by erecting at the entrances thereto from intersecting highways signs notifying drivers of vehicles to come to a full stop before entering or crossing such designated highway, and whenever any such signs have been so erected it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto. All such signs shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.

(b) The operator of any vehicle who has come to a full stop as required above, upon entering the through street as well as operators of vehicles on such through street, shall be subject to the usual right of way prescribed by law and applicable to vehicles at intersections.

## MOTOR VEHICLES

## Section 101. (Passing Street Cars)

(a) The driver of a vehicle shall not overtake and pass upon the left any interurban or street car proceeding in the same direction, whether actually in motion or temporarily at rest when a travelable portion of the highway exists to the right of such street car.

(b) The driver of a vehicle overtaking any railway, interurban or street car stopped or about to stop for the purpose of receiving or discharging any passenger, shall bring such vehicle to a full stop at least ten feet in the rear of such street car and remain stationary until any such passenger has boarded such car or reached the adjacent sidewalk, except that where a safety zone has been established, a vehicle need not be brought to a full stop before passing any such railway, interurban or street car, but may proceed past such car at a speed not greater than is reasonable or proper and in no event greater than ten miles an hour and with due caution for the safety of pedestrians.

## Section 102. (Driving Through Safety Zone Prohibited.)

The driver of a vehicle shall not at any time drive through or over a safety zone as defined in Article 1 of this Act.

## Section 103. (Stopping on Highway.)

(a) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, outside of a business or residence district, when it is practicable to park or leave such vehicle standing off of the paved or improved or main traveled portion of such highway; provided, in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any highway unless a clear and unobstructed width of not less than fifteen feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of 200 feet in each direction upon such highway.

## MOTOR VEHICLES

(b) Whenever any peace officer shall find a vehicle standing upon a highway in violation of the provisions of this section, he is hereby authorized to move such vehicle or require the driver or person in charge of such vehicle to move such vehicle to a position permitted under this section.

(c) The provisions of this Section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

Section 104. (Parking in Front of Fire Hydrant, Fire Station or Private Driveway.)

No person shall park a vehicle or permit it to stand, whether attended or unattended, upon a highway in front of a private driveway or within fifteen feet in either direction of a fire hydrant or the entrance of a fire station nor within twenty-five feet from the intersection of curb lines or if none then within fifteen feet of the intersection of property lines at an intersection of highways.

Section 105. (Motor Vehicle Left Unattended. Brakes to be set and engine stopped.)

No person having control or charge of a motor vehicle shall allow such vehicle to stand on any highway unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle and when standing upon any grade without turning the front wheels of such vehicle to the curb or side of the highway.

Section 106. (Coasting prohibited.)

The driver of a motor vehicle when traveling upon a down grade upon any highway shall not coast with the gears of such vehicle in neutral.

## MOTOR VEHICLES

## Section 107. (Duty to stop in event of accident.)

(a) The driver of any vehicle involved in an accident resulting in injury or death to any person shall immediately stop such vehicle at the scene of such accident and any person violating this provision shall upon conviction be punished as provided in Section 144 of this Act.

(b) The driver of any vehicle involved in an accident resulting in damage to property shall immediately stop such vehicle at the scene of such accident and any person violating this provision shall upon conviction be punished as provided in Section 144 of this Act.

(c) The driver of any vehicle involved in any accident resulting in injury or death to any person or damage to property shall also give his name, address and the registration number of his vehicle and exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or is requested by the injured person.

## Section 108. (Duty to Report Accidents.)

The driver of any vehicle involved in an accident resulting in injuries or death to any person or property damage to an apparent extent of fifty dollars or more shall within twenty-four hours forward a report of such accident to the nearest State Highway Police Station except that when such accident occurs within the city of Wilmington such report shall be made within 24 hours to the Department of Public Safety in that city.

The State Highway Department may require drivers, involved in accidents, or police departments to file supplemental reports of accidents upon forms furnished by it whenever the

## MOTOR VEHICLES

original report is insufficient in the opinion of the Department. Such reports shall be without prejudice, shall be for the information of the Department and shall not be open to public inspection. The fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this Section but no such report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents.

## Section 109. (Accident Statistics and Reports.)

(a) The State Highway Department shall prepare and may supply to police and sheriffs' offices and other suitable agencies forms for accident reports calling for sufficiently detailed information to disclose with reference to a highway accident the cause, conditions then existing and the persons and vehicles involved.

(b) The Department shall receive accident reports required to be made by law and shall tabulate and analyze such reports and publish annually or at more frequent intervals statistical information based thereon as to the number, cause and location of highway accidents. Such reports shall be without prejudice, shall be for the information of the State Highway Department and shall not be open to public inspection. The fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this Section but no such report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accident.

## Section 110. (Garage Keeper to Report Damaged Vehicles.)

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet shall report to the nearest police station or sheriff's office within twenty-four hours after such motor vehicle is received giving the engine number, registration number, and the name and address

## MOTOR VEHICLES

of the owner of such vehicle. Cars involved in accidents resulting in death to human beings shall not be moved from place of accident unless needed to convey injured person to hospital or doctor until arrival of police.

Section 111. (Drivers of State, County and City Vehicles Subject to Provisions of the Act.)

The provisions of this Act applicable to the drivers of vehicles upon the highways, shall apply to the drivers of all vehicles owned or operated by this State or any county, city, town, district or any other political subdivision of the State subject to such specific exceptions as are set forth in this Act. The provisions of this Act shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway at the place of actual construction or repair but shall apply to such person and vehicles when traveling to or from such work.

Section 112. (Powers of Local Authorities.)

Local authorities except as expressly authorized by Section 100 shall have no power or authority to alter any speed limitations declared in this Act or to enact or enforce any rule or regulation contrary to the provisions of this Act, except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of traffic officers or semaphores or other signaling devices on any portion of the highway where traffic is heavy or continuous and may prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages. Local authorities may also regulate the speed of vehicles in public parks and shall erect at all entrances to such parks adequate signs giving notice of any such special speed regulations.

Section 113. (This Act Not to Interfere with Rights of Owners of Real Property with Reference Thereto.)

## MOTOR VEHICLES

Nothing in this Act shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as matter of right from prohibiting such use nor from requiring other or different or additional conditions than those specified in this Act or otherwise regulating such use as may seem best to such owner.

## TITLE II

THE SIZE, WEIGHT, CONSTRUCTION AND EQUIPMENT  
OF VEHICLES

Section 114. (Scope and Effect of Regulations in This Title.)

It shall be unlawful and constitute a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this title or the rules and regulations of the Commissioner adopted pursuant thereto and the maximum size and weight of vehicles herein specified shall be lawful throughout this State, and local authorities shall have no power or authority to alter said limitations except as express authority may be granted in this Act.

Section 115. (Size of Vehicles and Loads.)

(a) No vehicle shall exceed a total outside width, including any load thereon, of eight feet, except that the width of a farm tractor shall not exceed nine feet, and excepting further, that the limitations as to size of vehicles stated in this Section shall not apply to implements of husbandry temporarily propelled or moved upon the public highway.

(b) No vehicle unladen or with load shall exceed a height of 12 feet and 2 inches.

(c) No vehicle shall exceed a length of thirty-three feet

## MOTOR VEHICLES

and no combination of vehicles coupled together shall exceed a total length of 60 feet.

(d) No train of vehicles or vehicle operated alone shall carry any load extending more than three feet beyond the front thereof.

(e) No passenger vehicle shall carry any load extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fender on the right side thereof.

Section 116. (Flag or Light at End of Load.)

Whenever the load of any vehicle shall extend more than four feet beyond the rear of the bed or body thereof, there shall be displayed at the end of such load in such position as to be clearly visible at all times from the rear of such load a red flag not less than twelve inches both in length and width, except that between one-half hour after sunset and one-half hour before sunrise there shall be displayed at the end of such load a red light plainly visible under normal atmospheric conditions at least two hundred feet from the rear of such vehicle.

Section 117. (Weights of Vehicles and Loads.)

(a) No motor vehicle, equipped with solid rubber tires, shall have a gross weight, including vehicle and load, of more than twenty-two thousand (22,000) pounds, nor shall any motor vehicle equipped with pneumatic tires have a gross weight, including vehicle and load, of more than twenty-four thousand (24,000) pounds for four wheeled vehicle, or a gross weight of more than thirty-six thousand (36,000) pounds for a six wheeled vehicle.

(b) No truck or tractor with semi-trailer shall have a combined gross weight of loads and vehicles of more than thirty-eight thousand (38,000) pounds.

## MOTOR VEHICLES

(c) No vehicle shall have a load in excess of seven hundred (700) pounds per inch in width of tire (measured between the flanges) for solid tires and at greatest width of casing for pneumatic tires.

(d) No vehicle shall have an axle load of more than sixteen thousand (16,000) pounds.

(e) No trailer shall have a carrying capacity of more than ten thousand (10,000) pounds.

(f) Trailers equipped with metal tires bearing a gross load in excess of six thousand (6,000) pounds shall not be allowed on State highways.

Section 118. (Peace Officer May Weigh Vehicles and Require Removal of Excess Load.)

Any uniformed police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to weigh the same either by means of portable scales or stationary, and may require that such vehicle be driven to the nearest scales in the event such scales are within two miles. The officer may then require the driver to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum therefor specified in this Act. All such material shall be unloaded and cared for by the owner or operator of the truck at the risk of such owner or operator.

Section 119. (Permits for Excessive Size and Weight.)

The State Highway Department and local authorities in their respective jurisdiction may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle of a size or weight exceeding the maximum specified in this Act, upon any highway under the jurisdiction of and for the maintenance of which the body granting the

## MOTOR VEHICLES

permit is responsible. Every such permit shall be issued for a single trip and may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by the body granting such permit. Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer and it shall be a misdemeanor for any person to violate any of the terms or conditions of such special permit, and shall be punished as provided in Section 142 of this Act.

Section 120. (When Local Authorities May Restrict Right to Use Highways.)

Local authorities may by ordinance or resolution prohibit the operation of vehicles upon any highway or impose restrictions as to weight of vehicles for a total period not to exceed ninety days in any one calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which such local authorities are responsible whenever any said highway by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. Such local authorities enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway affected thereby and the ordinance or resolution shall not be effective until or unless such signs are erected and maintained. Local authorities may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

Section 121. (Restrictions as to Tire Equipment.)

(a) Every solid rubber tire on a vehicle moved on any highway shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

## MOTOR VEHICLES

(b) No tire on a vehicle moved on a highway shall have on its periphery any block, stude, flange, cleat or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway and except, also, that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.

(c) The State Highway Department and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery.

## Section 122. (Trailers and Towed Vehicles.)

(a) No motor vehicle shall be driven upon any highway drawing or having attached thereto more than one other vehicle, except that a motor vehicle with semi-trailer may draw in addition thereto one other vehicle.

(b) The draw bar or other connection between any two vehicles, one of which is towing or drawing the other on a highway, shall not exceed fifteen feet in length from one vehicle to the other. Whenever such connection consists of a chain, rope or cable, there shall be displayed upon such connection a red flag or other signal or cloth not less than twelve inches both in length and width.

## Section 123. (Brakes.)

(a) Every motor vehicle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and any trailer or semi-

## MOTOR VEHICLES

trailer attached thereto, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels and so constructed that no part which is liable to failure shall be common to the two, except that a motorcycle need be equipped with only one brake. All such brakes shall be maintained in good working order and shall conform to regulations not inconsistent with this Section to be promulgated by the Commissioner.

(b) No trailer or semi-trailer with a gross weight of load and vehicle in excess of four thousand (4000) pounds shall be operated on the highways of this State at a speed in excess of ten (10) miles per hour unless equipped with suitable brakes controlled by the operator of the towing vehicle.

## Section 124. (Horns and Warning Devices.)

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, and it shall be unlawful, except as otherwise provided in this Section, for any vehicle to be equipped with or for any person to use upon a vehicle any siren, exhaust, compression or spark plug whistle or for any person at any time to use a horn otherwise than as a reasonable warning or to make any unnecessary or unreasonable loud or harsh sound by means of a horn or other warning device.

(b) Every police and fire department and fire patrol vehicle and every ambulance used for emergency calls shall be equipped with a bell, siren or exhaust whistle of a type approved by the Commissioner.

## Section 125. (Mirrors.)

All motor vehicles and motorcycles shall be equipped with a mirror so placed that the driver thereof may readily ascertain the presence of any vehicle traveling in the same direction and overtaking him.

## MOTOR VEHICLES

Section 126. (Windshields Must be Unobstructed and Equipped with Wipers.)

(a) It shall be unlawful for any person to drive any vehicle upon a highway with any sign, poster or other non-transparent material upon the front windshield, side wings, side or rear windows of such motor vehicle other than a certificate or other paper required to be so displayed by law.

(b) Every windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

Section 127. (Prevention of Noise, Etc.; Muffler Cut-Outs Regulated.)

(a) No person shall drive a motor vehicle on a highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

(b) It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon a highway.

(c) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

Section 128. (Required Lighting Equipment of Vehicles.)

(a) When Vehicles Must be Equipped.

Every vehicle upon a highway within this State during the period from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernable any person on the highway at a distance of two hundred feet ahead, shall be equipped with lighted front and

## MOTOR VEHICLES

rear lamps as in this Section respectively required for different classes of vehicles and subject to exemption with reference to lights on parked vehicles as declared in Section 133.

(b) Head Lamps on Motor Vehicles.

Every motor vehicle other than a motorcycle, road-roller, road machinery, or farm tractor shall be equipped with two head lamps, no more and no less, at the front and on opposite sides of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in Section 130 or Section 133 and except as to acetylene head lamps shall be of a type which has been approved by the Commissioner.

(c) Head Lamps on Motorcycles.

Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations set forth in Section 130 or Section 133 and except as to acetylene head lamps shall be of a type which has been approved by the Commissioner.

(d) Rear Lamps.

Every motor vehicle and every trailer or semi-trailer which is being drawn at the end of a train of vehicles shall carry at the rear a lamp of a type which has been approved by the Commissioner and which exhibits a red light plainly visible under normal atmospheric conditions from a distance of five hundred feet to the rear of such vehicle and so constructed and placed that the number plate carried on the rear of such vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of fifty feet to the rear of such vehicle.

(e) Clearance Lamps.

Every motor vehicle, other than any road roller, road machinery or farm tractor having a width at any part in excess of

## MOTOR VEHICLES

eighty inches shall carry two clearance lamps on the left side of such vehicle, and two on the right side of such vehicle. One light on each side at front displaying a white light visible under normal atmospheric conditions from a distance of 500 feet to the front of the vehicle and one light on each side located at the rear of the vehicle and displaying a green light visible under like conditions from a distance of 500 feet to the rear of the vehicle provided that any combination of vehicle and semi-trailer having a length of over 33 feet shall display a green light on each side of said semi-trailer at intervals of not over ten feet.

## (f) Lamps on Bicycles.

Every bicycle shall be equipped with a lighted lamp on the front thereof visible under normal atmospheric conditions from a distance of at least three hundred feet in front of such bicycle and shall also be equipped with a reflex mirror or lamp on the rear exhibiting a red light visible under like conditions from a distance of at least two hundred feet to the rear of such bicycle.

## (g) Lights on Other Vehicles.

All vehicles not heretofore in this Section required to be equipped with specified lighted lamps shall carry one or more lighted lamps or lanterns displaying a white light visible under normal atmospheric conditions from a distance of not less than 500 feet in front of such vehicle and displaying a red light visible under like conditions from a distance of not less than 500 feet in the rear of such vehicle.

## Section 129. (Additional Permissible Lights on Vehicles.)

## (a) Spot Lamps.

Any motor vehicle may be equipped with not to exceed two spot lamps, except that a motorcycle shall not be equipped with more than one spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no

## MOTOR VEHICLES

part of the beam will be directed to the left of the center of the highway nor more than 100 feet ahead of the vehicle.

(b) Auxiliary Driving Lamps.

Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 24 inches above the level surface on which the vehicle stands and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in Section 130c.

(c) Signal Lamps.

Whenever a motor vehicle is equipped with a signal lamp to comply with provisions of Section 128, the signal lamp shall be so constructed and located on the vehicle as to give a signal, red in color, which shall be plainly visible in normal sunlight, from a distance of 100 feet to the rear of the vehicle but shall not project a glaring or dazzling light and shall be of a type approved by the Commissioner.

(d) Restrictions on Lamps.

Any device, other than head lamps, spot lamps or auxiliary driving lamps, which projects a beam of light of an intensity greater than twenty-one candlepower, shall be so directed that no part of the beam will strike the level of the surface on which the vehicle stands at a distance of more than 50 feet from the vehicle.

Section 130. (Requirements as to Head Lamps and Auxiliary Driving Lamps.)

(a) The head lamps of motor vehicles shall be so constructed, arranged, and adjusted that, except as provided in subsection (c) of this Section, they will at all times mentioned in Section 128 and under normal atmospheric conditions and on a level road produce a driving light sufficient to render clearly discernible a person two hundred feet ahead, but shall not project a glaring or dazzling light to persons in front of such head lamp.

## MOTOR VEHICLES

(b) Head lamps shall be deemed to comply with the foregoing provisions prohibiting glaring and dazzling lights if none of the main bright portion of the head lamp beams rises above a horizontal plane passing through the lamp centers parallel to the level road upon which the loaded vehicle stands and in no case higher than forty-two inches, seventy-five feet ahead of the vehicle.

(c) Whenever a motor vehicle is being operated upon a highway, or a portion thereof, which is sufficiently lighted to reveal a person on the highway at a distance of 200 feet ahead of the vehicle it shall be permissible to dim the head lamps or to tilt the beams downward or to substitute therefore the light from an auxiliary driving lamp or pair of such lamps, subject to the restrictions as to tilted beams and auxiliary driving lamps set forth in this subsection.

Whenever a motor vehicle meets another vehicle on any highway it shall be permissible to tilt the beams of the head lamps downward or to substitute therefor the light from an auxiliary driving lamp or pair of such lamps subject to the requirement that the tilted head lamps or auxiliary lamp or lamps shall give sufficient illumination under normal atmospheric conditions and on a level road to render clearly discernible a person 75 feet ahead, but shall not project a glaring or dazzling light to persons in front of the vehicle, provided that at all times required in Section 128 at least two lights shall be displayed on the front of and on opposite sides of every motor vehicle other than a motorcycle, road-roller, road machinery, or farm tractor.

## Section 131. (Acetylene Lights.)

Motor vehicles may be equipped with two acetylene head lamps of approximately equal candlepower when equipped with clear plane glass front, bright six-inch spherical mirrors and standard acetylene five-eighths foot burners not more and not less and which do not project a glaring or dazzling light into the eyes of approaching drivers.

## MOTOR VEHICLES

## Section 132. (Test and Approval of Lamps.)

(a) It shall be unlawful for any person to sell or offer for sale, either separately or as a part of the equipment of a motor vehicle, or to use upon a highway, any electric head lamp, or any auxiliary driving lamp, rear lamp or signal lamp, unless of a type which has been submitted to the Commissioner for test and for which a certificate of approval has been obtained from the Commissioner as hereinafter provided. The Commissioner is hereby authorized and required to adopt and enforce standard specifications as to the amount, color, and direction of light to be emitted by head lamps, auxiliary driving lamps, rear lamps and signal lamps for compliance with the requirements and limitations set forth in Section 128, 129, 130; and the Commissioner is authorized and required to determine whether any head lamps, auxiliary driving lamps, signal lamps and rear lamps submitted will comply with the requirements of this Act and the specifications adopted by the Commissioner and to approve such head lamps, and to publish lists of such devices by name and type together with the permissible candlepower rating of the bulbs as he shall determine are lawful hereunder.

(b) Any person, firm or corporation desiring approval of a device shall submit to the Commissioner two sets of each type of device upon which approval is desired, together with a fee of \$25.00 for each type of head lamp and auxiliary driving lamp and a fee of \$10.00 for each type of rear lamp or signal lamp submitted. Within 30 days the Commissioner shall, upon notice to the applicant submit such device to the United States Bureau of Standards or to such other recognized testing laboratory as he may elect for a report as to the compliance of such type of device with the standard specifications and the provisions of this Act as to lighting performance. The Commissioner is authorized and required to accept the certificate of the United States Bureau of Standards or of some other recognized testing laboratory as to compliance with the specifications and requirements; provided, however, that in cases of dispute as to the findings of such other laboratory appeal may be made to the United States Bureau of Standards;

## MOTOR VEHICLES

and provided also that the Commissioner is authorized to refuse approval of any device, certified as complying with the specifications and requirements, which the Commissioner determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this Act.

The Commissioner shall request the testing agency to submit a report of each type of device to the Commissioner. For those which are found to comply with the specifications and requirements the report shall include any special adjustments required and the candlepower rating of the bulbs for such conformance. Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the Commissioner to the applicant for the test.

(d) The Commissioner when having reason to believe that an approved device as being sold commercially does not comply with the requirements of this Act, may after 30 days' notice to the manufacturer thereof, suspend or revoke the approval issue thereof until or unless such device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this Act. The Commissioner may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of such approved devices and if such device upon such retest fails to meet the requirements of this Act, the Commissioner may refuse to renew the certificate of approval of such device.

(e) It shall be unlawful for any person to sell or to offer for sale either separately or as a part of the equipment of a motor vehicle any head lamp, auxiliary driving lamp, rear lamp or signal lamp approved by the Commissioner unless such device bears thereon the trade-mark or name under which it is approved so as to be legible when installed, and is accompanied by printed instructions as to the candlepower of bulbs to be used therewith as approved by the Commissioner and any particular methods of mounting or adjustment as to focus or aim necessary for compliance with the requirements of this Act.

## MOTOR VEHICLES

## Section 133. (Enforcement of Provisions.)

(a) The Commissioner is authorized to designate, furnish instructions to and to supervise official stations for adjusting head lamps and auxiliary driving lamps to conform with the provisions of Section 132 when head lamps and auxiliary driving lamps have been adjusted in conformity with the instructions issued by the Commissioner a certificate of adjustment shall be issued to the driver of a motor vehicle on forms issued in duplicate by the Commissioner and showing date of issue, registration number of the motor vehicle, owner's name, make of vehicle and official designation of the adjustment station.

(b) The driver of any motor vehicle equipped with approved head lamps, auxiliary lamps, rear lamps or signal lamps, who is arrested upon a charge that such lamps are improperly adjusted or are equipped with bulbs of a candlepower not approved for use therewith, shall be allowed 48 hours within which to bring such lamps into conformance with the requirements of this Act. It shall be a defense to any such charge that the person arrested produce in Court or submit to the prosecuting attorney a certificate from an official adjusting station showing that within 48 hours after such arrest such lamps have been made to conform with the requirements of this Act.

## Section 134. (Lights on Parked Vehicles.)

Whenever a vehicle is parked or stopped upon a highway whether attended or unattended during the times mentioned in Section 128 there shall be displayed upon such vehicle one or more lamps projecting a white light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of five hundred feet to the rear, except that local authorities may provide by ordinance that no lights need be displayed upon any such vehicle when parked in accordance with local ordinances upon a highway where there is sufficient light to reveal any person within a distance of two hundred feet upon such highway.

## MOTOR VEHICLES

Section 135. (Red or Green Light Visible from in Front of Vehicle Prohibited.)

It shall be unlawful for any person to drive or move any vehicle upon a highway with any other than a white light thereon visible from directly in front thereof. This Section shall not apply to police or fire department or fire patrol vehicles.

## TITLE III

## HIGHWAY TRAFFIC SIGNS

Section 136. (Uniform Marking of and Erection of Signs on Highways.)

The State Highway Department is hereby authorized to classify, designate and mark both intrastate and interstate highways lying within the boundaries of this state and to provide a uniform system of marking and signing such highways under the jurisdiction of this State and such system of marking and signing shall correlate with and so far as possible conform to the system adopted in other states.

Section 13. (Local Traffic Signs.)

Local authorities in their respective jurisdictions may cause appropriate signs to be erected and maintained, designating residence and business districts, highways and steam or interurban railway grade crossings and such other signs as may be deemed necessary to carry out the provisions of this Act, and such additional signs as may be appropriate to give notice of local parking and other special regulations. Local parking and other special regulations shall not be enforceable against an alleged violation if, at the time and place of the alleged violation, an appropriate sign giving notice thereof, is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

Section 138. (Other than Official Signs Prohibited.)

No unauthorized person shall erect or maintain upon any

## MOTOR VEHICLES

highway any warning or direction sign, marker, signal or light in imitation of any official sign, marker, signal or light erected under the provisions of this Act, and no person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial advertising, provided nothing in this Section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the State Highway Department or any local authority as defined in this Act.

## Section 139. (Injuring Signs.)

Any person who shall deface, injure, knock down or remove any sign posted as provided in this Act shall be guilty of a misdemeanor, punishable as provided in Section 142 of this Act.

## Section 140. (Power to Seize Automobiles.)

Any member of the State Highway Police or any automobile inspector shall, after the passage of this Act, be clothed with the authority and have the right and are hereby directed to summarily seize in the name of the State and take from any person having in his or her possession any motorcycle or motor vehicle from which the manufacturer's serial number or any other manufacturer's trade or distinguishing number or identification mark has been removed and effaced, changed, covered or destroyed, and such officer making said seizure shall at once deliver such motorcycle or motor vehicle to the Secretary of State, who is hereby empowered to hold said motor vehicle until he shall have determined the true owner thereof. Whereupon said Secretary of State shall apprise such true owner of the fact that he has in his possession such motorcycle or motor vehicle and said Secretary of State shall deliver the same to the rightful owner thereof. Said owner first paying to the Secretary of State the cost of such delivery.

The Secretary of State shall be required to hold in his possession any motorcycle or motor vehicle seized as aforesaid for

## MOTOR VEHICLES

at least ten days after such seizure, during which time the person from whom the same was taken shall have the right to replevy the same.

Section 141. (Penalty for Misdemeanor under Sections 82, 124, 125, 126, 127, 128, 129, 130, 131, 134 and 135.)

Every person convicted of a misdemeanor for a violation of any of the provisions of Sections 82, 124, 125, 126, 127, 128, 129, 130, 131, 134 and 135, shall be punished for the first offense by a fine of not less than Five Dollars (\$5.00) nor more than Twenty-five Dollars (\$25.00), or imprisonment for not less than two (2) days, nor more than ten (10) days, or both such fine and imprisonment, and for each subsequent like offense shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00), or by imprisonment for not less than two days nor more than fifteen days, or by both such fine and imprisonment.

Section 142. (Penalty for Misdemeanors under Sections 83 to 106, inclusive, and 110, 114, 115, 116, 117, 119, 120, 121, 122, 123, 132, 133, 138 and 139.)

Every person convicted of a misdemeanor for a violation of any of the provisions of Sections 83 to 106, inclusive, and 110, 114, 115, 116, 117, 119, 120, 121, 122, 123, 132, 133, 138 and 139, shall be punished for the first offense by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.), or imprisonment for not less than ten (10) days nor more than thirty (30) days, or both such fine and imprisonment, and for each subsequent like offense shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment for not less than fifteen (15) days nor more than thirty (30) days, or by both such fine and imprisonment.

Section 143. (Penalty for Driving While Under the Influence of Intoxicating Liquor or Narcotic Drugs under Section 81.)

## MOTOR VEHICLES

Every person who is convicted of a violation of Section 81 of this Act relating to habitual users of narcotic drugs and driving while under the influence of intoxicating liquor and narcotic drugs, shall be punished for the first conviction by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment for a term of thirty (30) days, or both such fine and imprisonment, and for each subsequent conviction shall be punished by a fine of not less than Two Hundred Dollars (\$200.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for not less than thirty (30) days nor more than one (1) year, or both such fine and imprisonment. The Commissioner shall revoke the operator's or chauffeur's license of every person so convicted.

Section 144. (Penalty for Failure to Stop in the Event of Accident Involving Injury or Death to a Person.)

Every person convicted of violating Sections 107 or 108 of this Act relative to the duty to stop in event of certain accidents, shall be punished by imprisonment for not less than thirty (30) days nor more than five (5) years, or by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. The Commissioner shall revoke the operator's or chauffeur's license of every person so convicted.

Section 145. (Power to Arrest, etc.)

The Commissioner, his deputies, motor vehicle inspectors, state highway police, state detectives, sheriffs, constables, and other police officers, now authorized by law to make arrests for violation of the motor vehicle and traffic laws of this State, are hereby empowered to arrest upon view and without warrant any person or persons violating any of the provisions of this Act.

(a) In the event of an arrest as aforesaid, the person or persons so arrested shall be taken before a Justice of the Peace in or the judge of the Municipal Court of the City of Wilmington, provided, if the arrest be for a violation outside the City of Wil-

## MOTOR VEHICLES

mington, it shall be the right and privilege of the person so arrested to have his or her case heard and determined by a Justice of the Peace whose regular office shall be nearest to the place where such person was arrested. It shall be a sufficient defense for any person arrested as aforesaid, to show by one competent witness that there is in the State of Delaware, outside of the City of Wilmington, a Justice of the Peace whose regular office is nearer to the place where such person was arrested than the Justice before whom the case is being tried.

(b) In the event of an arrest as aforesaid, if the defendant is unable to give sufficient bail for a hearing or for his presence at Court, the magistrate before whom he is first taken may accept as a forfeit, conditioned upon the defendant's appearance as aforesaid, a sum of money equal in amount to the maximum fines which could be imposed under the provisions of this Act and the costs, or in lieu of said bail or forfeit may accept any article of sufficient value, or hold in custody a motor vehicle found in the possession of the defendant; and such magistrate, after the trial of the defendant, if sufficient bail according to law has not been given in the meantime, shall make such order as to the disposal of such motor vehicle or other articles as to him shall seem just and proper. All fines and costs collected for the violation of any of the provisions of this Act, in the limits of any incorporated city or town in this State, shall be paid to the incorporated city or town within which such offense was committed, for the use of said city or town; provided, however, that all the fines, penalties, and forfeitures imposed and collected in any County of this State for violation of any of the laws of this Act in relation to motor vehicles where the arrests are procured by the authorized representatives of the State Highway Department, shall inure and be paid to the State Treasurer for the use of the State Highway Department. Such fines, penalties and forfeitures shall be collected as other fines, penalties and forfeitures are collected under the laws of this State, and the officers collecting same shall make a monthly report thereof to the State Treasurer on blanks to be furnished for that purpose by the State Highway Department.

## MOTOR VEHICLES

Violation, refusal or neglect to comply with any of the provisions regarding the disposal of fines and forfeitures as provided above, shall constitute misconduct in office and shall be ground for removal therefrom.

Provided, however, that the provisions of the above Section shall not apply to any person who shall have violated any Traffic Regulation concerning the number of kind or range of the lights on his motor vehicle, but that the only penalty which shall be imposed upon a person having a defective head light, tail light, or side light, either as to number, kind, or range of such light or lights shall be as follows: That any officer arresting a person because of defective lights, as aforesaid, if it be the first offense of the person, shall accompany or direct such person to the nearest public garage, equipped to remedy such defective light, and shall there have such lights remedied, so as to conform to the State Motor Traffic Vehicle regulations, to the expense of the person owning or operating such motor vehicle, and provided further, that the officer making the arrest, if it be the first offense of the person, shall designate upon the operator's license and the motor registration license, if it be the owner of the car so violating, some mark or symbol whereby it shall be known that such person has violated the Motor Traffic regulations in regard to defective lights. And provided further, that for any second offense in violation of the Motor Traffic regulations in regard to lights, as aforesaid, the person so violating shall be subject upon conviction before the nearest Justice of the Peace to the point of arrest, or the Municipal Court of the City of Wilmington, to the punishment provided in Section 141 of this Act.

## Section 146. (Appeals.)

Any person convicted under the provisions of this Act shall have the right of an appeal unless otherwise stated in this Act, to the Court of General Sessions of the County, upon giving bond in the sum of Five Hundred Dollars (\$500.00) to the State with surety satisfactory to the Mayor, Justice of the Peace or Judge before whom such person was committed. Such appeal to be

## MOTOR VEHICLES

taken and bond given within five (5) days from the time of conviction.

## Section 147. (Disposition of Revenue.)

All revenue derived from the registration and titling of motor vehicles and from licenses issued to chauffeurs and operators of motor vehicles and from fines, penalties and forfeitures collected for violation of any of the provisions in relation to motor vehicles and all fees charged for services rendered by the Department, if such revenue be obtained under the provisions of this Act, shall be paid to the State Treasurer for the use of the State Highway Department in accordance with the purposes set forth in Chapter 66, Volume 35, Laws of Delaware, subject, however, to the provisions of Section 145 (b) hereof.

## Section 148. (Constitutionality.)

If any part or parts of this Act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act. The legislature hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared unconstitutional.

## Section 149. (Repeal.)

All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

(a) No offense committed and no penalties or forfeitures incurred and no prosecution commenced under any of the laws repealed by this Act and before the time when such repeal shall take effect shall be affected by this Act.

Approved April 8, 1929.

CHAPTER 11  
STATE REVENUE  
MOTOR VEHICLES

**AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware, in relation to Motor Vehicles, by exemption from the payment of all Registration and License Fees by vehicles of the State of Delaware or any Governmental Agency thereof or by Fire Departments, Police Departments, Hospital or other Ambulances.**

*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, be and the same is hereby further amended by inserting after 236 Section 199 thereof a new Section to be styled 236 A Section 199 A:

236 A Section 199 A. All Motor Vehicles of the State of Delaware or any governmental agency thereof, or of any Fire Department, Fire Engine Company, Police Department, or any County or Incorporated City or Town thereof, used exclusively in the performance of the principal's, official's, employee's or agent's respective functions or duties, or all motor ambulances owned and used by any agency in this State for charitable purposes or for the benefit of any Hospital or Hospitals in this State, shall be exempt from the payment of all registration or license fees for said State, County or Municipal purposes and the Secretary of State shall be hereby directed to furnish, free, a license plate, to the above, in such design as will designate it from other license plates.

Approved March 21, 1929.

## CHAPTER 12

## STATE REVENUE

## MARYLAND AND DELAWARE COAST RAILWAY

**AN ACT in regard to taxes levied on the Maryland and Delaware Coast Railway Company.**

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

Section 1. That the Maryland and Delaware Coast Railway Company with steam and gasoline equipment operating in Kent and Sussex Counties of the State of Delaware shall on and after the passage of this Act be relieved of all State Taxes, and in lieu of such taxes as are now imposed by law, the said Maryland and Delaware Coast Railway Company shall pay an annual State Tax of One Hundred Dollars (\$100.00) for each of the years 1929 and 1930.

Approved April 1, 1929.

CHAPTER 13

STATE REVENUE

MARYLAND AND DELAWARE COAST RAILWAY

**AN ACT in regard to taxes levied on the Maryland and Delaware Coast Railway Company.**

*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 passage of this Act, the Board of Assessment for Kent County, and Levy Court of Kent County are hereby authorized and directed to relieve the Maryland and Delaware Coast Railway from all taxes now levied against said Maryland and Delaware Coast Railway Company; and in lieu of such taxes as are now assessed, the said Maryland and Delaware Coast Railway Company shall pay to the Receiver of Taxes of Kent County an annual tax of Twenty-five Dollars (\$25.00) for each of the years 1929 and 1930.

Approved April 1, 1929.

## CHAPTER 14

## STATE REVENUE

## MARYLAND AND DELAWARE COAST RAILWAY

**AN ACT in regard to taxes levied on the Maryland and Delaware Coast Railway Company.**

*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 passage of this Act, the Board of Assessment for Sussex County, and Levy Court of Sussex County are hereby authorized and directed to relieve the Maryland and Delaware Coast Railway Company from all taxes now levied against said Maryland and Delaware Coast Railway Company; and in lieu of such taxes as are now assessed, the said Maryland and Delaware Coast Railway Company shall pay to the Receiver of Taxes of Sussex County an annual tax of Fifty Dollars (\$50.00) for each of the years 1929 and 1930.

Approved April 1, 1929.

## CHAPTER 15

## STATE REVENUE

## APPROPRIATIONS

**AN ACT making Appropriations for the Expenses of the State Government for each of the two fiscal years ending June 30, 1930, and June 30, 1931.**

*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 other specified spending agencies, subject to the provisions of Chapter 26, Section 15, Laws of 1921, and for the periods specified; provided, however, that all parts or portions of the several sums appropriated by this Act which, on the first day of July immediately following each of the respective fiscal years, shall not have been paid out of the treasury, shall revert to the general fund of the treasury. The several sums hereby appropriated are as follows, viz.:

	For the Year Ending June 30, 1930	For the Year Ending June 30, 1931
<b>A-1-10 LEGISLATIVE</b>		
Committee on Uniform Laws .....	\$ 250.00	\$ 250.00
Salaries of State Senators .....		10,320.00
Salaries of State Representatives .....		21,120.00
Salaries Attorneys, Clerks, etc. ....		30,000.00
Salary of President of Senate .....		720.00
Allowance to Members .....		13,000.00
Legislative Supplies .....		5,000.00
Printing .....		12,500.00
Stamps .....		1,000.00

## APPROPRIATIONS

Telephone Service .....	600.00
	<hr/>
	\$ 250.00 \$ 94,510.00

## JUDICIAL

## B-1-5 COURT OF CHANCERY

## (Salaries and Wages)

Chancellor .....	\$ 7,500.00	\$ 7,500.00
Chancellor for Reporting .....	200.00	200.00
Stenographer .....	3,000.00	3,000.00
Salaries and Wages, extra .....	500.00	500.00
	<hr/>	<hr/>
	\$ 11,200.00	\$ 11,200.00
Office Expenses .....	425.00	425.00
Repairs and Replacements .....	75.00	75.00
Chancellors Reports .....	1,600.00	1,600.00
	<hr/>	<hr/>
	\$ 13,300.00	\$ 13,300.00

## B-6-12 DEPARTMENT OF JUSTICE

## (Salaries and Wages)

Chief Justice .....	\$ 7,500.00	\$ 7,500.00
Associated Judges .....	29,000.00	29,000.00
Kent Co. Judge for Reporting .....	200.00	200.00
Court Stenographer .....	3,000.00	3,000.00
Clerk to Supreme Court .....	300.00	300.00
Stenographers and Assistants .....	2,650.00	2,650.00
	<hr/>	<hr/>
	\$ 42,650.00	\$ 42,650.00
Office Expense .....	575.00	575.00
Repairs and Replacements .....	75.00	75.00
Eqpt.—Judge Harrington's Reports .....	2,000.00	2,000.00
	<hr/>	<hr/>
	\$ 45,300.00	\$ 45,300.00

## APPROPRIATIONS

## B-13-15 BOARD OF PAROLE

(Salaries and Wages)

Three Board Members .....	\$ 450.00	\$ 450.00
Parole Officer .....	2,400.00	2,400.00
Salaries and Wages, Additional .....	85.00	85.00
	<hr/>	<hr/>
	\$ 2,935.00	\$ 2,935.00
Office Expense .....	300.00	300.00
Travel .....	500.00	500.00
	<hr/>	<hr/>
	\$ 3,735.00	\$ 3,735.00

## B-16 JUVENILE COURT

Salaries and Wages .....	\$ 2,000.00	\$ 2,000.00
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## EXECUTIVE

## C-1-6½ GOVERNOR

Salary of the Governor .....	\$ 7,500.00	\$ 7,500.00
Contingent Expenses .....	2,500.00	2,500.00
Governor's Conference .....	100.00	100.00
Printing and Compiling Budget .....	115.00	3,385.00
	<hr/>	<hr/>
	\$ 10,215.00	\$ 13,485.00

## C-7-8 BOARD OF PARDONS

Salary of Lieutenant Governor .....	\$ 100.00	\$ 100.00
Witness Fees .....	40.00	40.00
Travel .....	60.00	60.00
	<hr/>	<hr/>
	\$ 200.00	\$ 200.00

## ELECTIONS

## D-1 DEPARTMENT OF ELECTIONS, WILMINGTON

Salaries and Wages .....	\$ 2,500.00	\$ 2,500.00
Office Expense .....	100.00	100.00
	<hr/>	<hr/>
	\$ 2,600.00	\$ 2,600.00

## APPROPRIATIONS

## D-2 LEVY COURTS

(Salaries and Wages)

Registrars and Assistants .....	\$ 25,000.00
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## E-1-8 LEGAL

## ATTORNEY GENERAL'S DEPT., GENERAL ADMINISTRATION

(Salaries and Wages)

Attorney General .....	\$ 3,600.00	\$ 3,600.00
Chief Deputy .....	2,000.00	2,000.00
Deputy New Castle County .....	2,000.00	2,000.00
Deputy Kent County .....	1,500.00	1,500.00
Deputy Sussex County .....	1,500.00	1,500.00
State Detectives .....	5,600.00	5,600.00
Collection Franchise Tax Void Corp. ....	1,000.00	1,000.00
Salaries and Wages Additional .....	4,175.00	4,175.00

\$ 21,375.00	\$ 21,375.00
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Office Expense .....	1,200.00	1,200.00
Travel .....	1,400.00	1,400.00
Operation .....	1,400.00	1,400.00
Repairs and Replacements .....	1,100.00	1,100.00
Equipment .....	100.00	100.00

\$ 26,575.00	\$ 26,575.00
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## E-9 ATTORNEY GENERAL, REQUISITION EXPENSE

Salaries and Wages .....	\$ 100.00	\$ 100.00
Travel .....	900.00	900.00

\$1,000.00	\$ 1,000.00
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## E-8½ ATTORNEY GENERAL

Emergency .....	\$ 10,000.00	\$ 10,000.00
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## FINANCIAL

## F-1-3 SEC. OF STATE AUTOMOBILE DEPT.

Salary of Director .....	\$ 2,400.00	\$ 2,400.00
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## APPROPRIATIONS

Salary of Chief Clerk .....	1,680.00	1,680.00
Salary of Titling Officer .....	1,500.00	1,500.00
Salary of Inspectors .....	5,400.00	5,400.00
Salaries and Expenses—Additional .....	\$ 35,700.00	\$ 35,700.00
	<hr/>	<hr/>
	\$ 46,680.00	\$ 46,680.00

## F-3½-5 SEC. OF STATE GEN. ADM.

Salary of Secretary of State .....	\$ 4,000.00	\$ 4,000.00
Salary of Secretary for Supplies .....	1,800.00	1,800.00
Salary of Telephone Operator .....	900.00	900.00
Salaries and Wages—additional .....	36,000.00	36,000.00
Office Expense .....	8,850.00	8,850.00
Repairs and Replacements .....	500.00	500.00
Equipment .....	500.00	500.00
Travel .....	500.00	500.00
	<hr/>	<hr/>
	\$55,050.00	\$ 55,050.00

## S-2 STATE DEPARTMENTAL SUPPLIES

Departmental Supplies .....	\$ 45,000.00	\$ 45,000.00
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## F-6-8 STATE TREASURER, GEN. ADM.

## (Salaries and Wages)

State Treasurer .....	\$ 3,500.00	\$ 3,500.00
Deputy .....	1,800.00	1,800.00
Clerks .....	1,800.00	1,800.00
	<hr/>	<hr/>
	\$ 7,100.00	7,100.00
Office Expenses .....	\$ 850.00	\$ 850.00
Travel .....	100.00	100.00
Repairs and Replacements .....	100.00	100.00
Equipment .....	150.00	150.00
	<hr/>	<hr/>
	\$ 8,300.00	\$ 8,300.00

## F-9 STATE TREASURER, EMERGENCY

Salaries and Wages .....	\$ 50.00	\$ 50.00
Office Expense .....	1,900.00	1,900.00

## APPROPRIATIONS

Travel .....	50.00	50.00
	<hr/>	<hr/>
	\$ 2,000.00	\$ 2,000.00

## F-10-12 STATE AUDITOR, GEN. ADM.

## (Salaries and Wages)

State Auditor .....	\$ 3,600.00	\$ 3,600.00
Deputy .....	1,800.00	1,800.00
Regular Employees .....	9,000.00	9,000.00
	<hr/>	<hr/>
	\$ 14,400.00	\$ 14,400.00
Office Expenses .....	\$ 485.00	\$ 485.00
Travel .....	200.00	200.00
Repairs and Replacements .....	100.00	100.00
Equipment .....	200.00	200.00
	<hr/>	<hr/>
	\$ 15,385.00	\$ 15,385.00

## F-13 STATE AUDITOR, EMERGENCY

Salaries and Wages .....	\$ 2,000.00	\$ 2,000.00
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## F-14-15 STATE REVENUE COLLECTOR

Salary of Collector .....	\$ 1,800.00	\$ 1,800.00
Office Expense .....	25.00	25.00
Travel .....	575.00	575.00
	<hr/>	<hr/>
	\$ 2,400.00	\$ 2,400.00

## F-16-18 STATE INSURANCE DEPARTMENT

## (Salaries and Wages)

Insurance Commissioner .....	\$ 3,500.00	\$ 3,500.00
Clerk .....	1,200.00	1,200.00
Salaries and Wages Additional ..	150.00	150.00
	<hr/>	<hr/>
	\$ 4,850.00	\$ 4,850.00
Office Expense .....	\$ 670.00	\$ 670.00
Travel .....	180.00	180.00

## APPROPRIATIONS

Repairs and Replacements .....	60.00	60.00
Equipment .....	200.00	200.00
	<hr/>	<hr/>
	\$ 5,960.00	\$ 5,960.00

## F-19-21 OYSTER REVENUE COLLECTOR

(Salaries and Wages)

Oyster Revenue Collector .....	\$ 960.00	\$ 960.00
Watch Boat Crew .....	4,200.00	4,200.00
	<hr/>	<hr/>
	\$ 5,160.00	\$ 5,160.00
Office Expense .....	\$ 10.00	\$ 10.00
Travel .....	90.00	90.00
	<hr/>	<hr/>
	\$ 5,260.00	\$ 5,260.00

## F-22-23 STATE TAX DEPARTMENT

(Salaries and Wages)

Commissioner .....	\$ 4,000.00	\$ 4,000.00
Regular Employees .....	75,220.00	75,220.00
	<hr/>	<hr/>
	\$ 79,220.00	\$ 79,220.00
Office Expense .....	\$ 15,386.92	\$ 15,286.92
Travel .....	1,500.00	1,500.00
Repairs and Replacements .....	100.00	100.00
Equipment .....	1,000.00	1,000.00
	<hr/>	<hr/>
	\$ 97,106.92	\$ 97,106.92

## F-24 ASSESSORS

Salaries of Assessors .....	\$ 850.00	\$ 850.00
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## F-25 REGISTER OF WILLS

(Salaries and Wages)

Register, New Castle County .....	\$ 400.00	\$ 400.00
Register, Kent County .....	200.00	200.00
Register, Sussex County .....	200.00	200.00
	<hr/>	<hr/>
	\$ 800.00	\$ 800.00

## APPROPRIATIONS

## F-26-29 STATE BANKING COMMISSIONER

## (Salaries and Wages)

Commissioner .....	\$ 3,600.00	\$ 3,600.00
Deputy .....	3,000.00	3,000.00
Clerk .....	2,400.00	2,400.00
Salaries and Wages Additional .....	3,000.00	3,000.00
	<hr/>	<hr/>
	\$ 12,000.00	\$ 12,000.00
Office Expense .....	\$ 1,420.00	\$ 1,420.00
Travel .....	3,000.00	3,000.00
Equipment .....	400.00	400.00
	<hr/>	<hr/>
	\$ 16,820.00	\$ 16,820.00

## DEBT SERVICE

## G-1-14 STATE TREASURER

## Interest

Certificate of Indebtedness, U. of D. ....	\$ 4,980.00	\$ 4,980.00
Certificate of Indebtedness Sch. Fnd. ....	10,727.10	10,727.10
Farmers' Bank, Dover, 1907 Issue .....	9,200.00	9,200.00
Sinking Fund, 1907 Issue .....	800.00	800.00
Farmers' Bank, Wilm. Farnhurst Bonds	1,200.00	1,100.00
1917 Farmers' Bank, Wilm. W. Col. Bonds	2,600.00	2,400.00
1925 Farmers' Bank, Wilm. W. Col. Bonds	9,350.00	9,137.50
	<hr/>	<hr/>
	\$ 38,857.10	\$ 38,344.60

## Redemption

Women's College Bonds, 1917 Issue .....	\$ 5,000.00	\$ 5,000.00
Women's College Bonds, 1925 Issue .....	5,000.00	5,000.00
Hospital Improvement Bonds, 1915 Issue		5,000.00
	<hr/>	<hr/>
	\$ 48,857.10	\$ 53,344.60

## HEALTH

## H-1 STATE BOARD OF HEALTH, GEN. ADM.

Salaries and Wages .....	\$ 53,000.00	\$ 53,000.00
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## APPROPRIATIONS

Office Expense .....	6,000.00	6,000.00
Travel .....	1,400.00	1,400.00
Operation .....	8,400.00	8,400.00
Repairs and Replacements .....	5,200.00	5,200.00
Equipment .....	1,000.00	1,000.00
	<hr/>	<hr/>
	\$ 75,000.00	\$ 75,000.00

## H-2 STATE BOARD OF HEALTH

## PATHOLOGICAL AND BACTERIOLOGICAL LABORATORY

Salaries and Wages .....	\$ 7,300.00	\$ 7,300.00
Office Expense .....	300.00	300.00
Travel .....	60.00	60.00
Operation .....	1,200.00	1,200.00
Repairs and Replacements .....	50.00	50.00
Equipment .....	90.00	90.00
	<hr/>	<hr/>
	\$ 9,000.00	\$ 9,000.00

## H-3 STATE BOARD OF HEALTH

## EDGEWOOD SANATORIUM

Salaries and Wages .....	\$ 5,800.00	\$ 5,800.00
Office Expense .....	175.00	175.00
Travel .....	25.00	25.00
Operation .....	7,200.00	7,200.00
Repairs and Replacements .....	750.00	750.00
Equipment .....	50.00	50.00
	<hr/>	<hr/>
	\$ 14,000.00	\$ 14,000.00

## H-4 STATE BOARD OF HEALTH

## BRANDYWINE SANATORIUM

Salaries and Wages .....	\$ 14,500.00	\$ 14,500.00
Office Expense .....	400.00	400.00
Travel .....	100.00	100.00
Operation .....	20,000.00	20,000.00

## APPROPRIATIONS

Repairs and Replacements .....	3,000.00	3,000.00
Equipment .....	2,000.00	2,000.00
Permanent Improvements .....	35,000.00	
	<hr/>	<hr/>
	\$ 75,000.00	\$ 40,000.00

## H-5 MEDICAL COUNCIL OF DELAWARE

Salaries and Wages .....	\$ 300.00	\$ 300.00
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## H-6 STATE BOARD OF PHARMACY

Salaries and Wages .....	\$ 150.00	\$ 150.00
Office Expense .....	40.00	40.00
Travel .....	60.00	60.00
	<hr/>	<hr/>
	\$ 250.00	\$ 250.00

## H-7 DENTISTRY AND DENTAL BOARD

Salaries and Wages .....	\$ 240.00	\$ 240.00
Office Expenses .....	20.00	20.00
Travel .....	40.00	40.00
	<hr/>	<hr/>
	\$ 300.00	\$ 300.00

## PUBLIC WELFARE

## I-1 GOVERNOR

Board and Tuition, Deaf, Dumb, Blind and Idiotic Children .....	\$ 20,000.00	\$ 20,000.00
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## I-2-3 STATE BOARD OF CHARITIES

(Salaries and Wages)

Secretary .....	\$ 1,800.00	\$ 1,800.00
Clerk .....	900.00	900.00
	<hr/>	<hr/>
	\$ 2,700.00	\$ 2,700.00
Office Expense .....	\$ 130.00	\$ 130.00
Travel .....	170.00	170.00
	<hr/>	<hr/>
	\$ 3,000.00	\$ 3,000.00

## APPROPRIATIONS

## I-4 BOARD OF BOILER RULES

Salaries and Wages .....	\$ 750.00	\$ 750.00
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## I-5 DELAWARE CHILDREN'S HOME SOCIETY

Operation .....	\$ 2,500.00	\$ 2,500.00
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## I-6-7. DELAWARE STATE HOSPITAL

Salaries and Wages .....	\$100,000.00	\$113,465.00
Office Expense .....	2,875.00	3,400.00
Travel .....	1,750.00	1,850.00
Operation .....	113,440.00	145,700.00
Repairs and Replacements .....	16,650.00	17,750.00
Equipment .....	20,000.00	14,000.00
Permanent Improvements .....	48,500.00	

	\$303,215.00	\$296,165.00
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## I-8 STATE BOARD OF EDUCATION

## Maintenance and Instruction to

Blind Children .....	\$ 3,000.00	\$ 3,000.00
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## I-9-12 MOTHERS PENSION COMMISSION

Salaries and Wages .....	\$ 5,400.00	\$ 5,400.00
Office Expense .....	375.00	375.00
Travel .....	2,650.00	2,650.00
Repairs and Replacements .....	25.00	25.00
Equipment .....	200.00	200.00
Donation, New Castle County .....	26,500.00	26,500.00
Donation, Kent County .....	5,000.00	5,000.00
Donation, Sussex County .....	9,000.00	9,000.00

	\$ 49,150.00	\$ 49,150.00
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## I-13 ST. MICHAEL'S DAY NURSERY

Operation .....	\$ 4,500.00	\$ 4,500.00
Repairs and Replacements .....	500.00	500.00

	\$ 5,000.00	\$ 5,000.00
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## APPROPRIATIONS

## I-14 INDUSTRIAL SCHOOL FOR GIRLS

Salaries and Wages .....	\$ 9,700.00	\$ 9,700.00
Operation .....	23,184.00	23,184.00
	<hr/>	<hr/>
	\$ 32,884.00	\$ 32,884.00

## I-15 INDUSTRIAL SCHOOL FOR COLORED GIRLS

Salaries and Wages .....	\$ 4,670.00	\$ 4,670.00
Office Expense .....	730.00	730.00
Travel .....	1,000.00	700.00
Operation .....	17,630.00	17,630.00
Repairs and Replacements .....	1,130.00	1,130.00
Equipment .....	600.00	600.00
Permanent Improvements .....	500.00	500.00
	<hr/>	<hr/>
	\$ 26,260.00	\$ 25,960.00

## I-16 LAYTON HOME FOR AGED COLORED

Operation .....	\$ 1,000.00	\$ 1,000.00
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## I-17 OLD FOLKS' HOME, DOVER, DEL.

Operation .....	\$ 3,000.00	\$ 3,000.00
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## I-18-19 DELAWARE COMMANDER, G. A. R.

Burial of Indigent, Soldiers, Sailors and Marines .....	\$ 1,000.00	\$ 1,000.00
Observance of Memorial Day .....	1,000.00	1,000.00
	<hr/>	<hr/>
	\$ 2,000.00	\$ 2,000.00

## I-20 DELAWARE COMMISSION FOR THE BLIND

Salaries and Wages .....	\$ 1,400.00	\$ 1,400.00
Office Expense .....	250.00	250.00
Operation .....	3,000.00	3,000.00
Working Capital, Materials .....	4,500.00	4,500.00
Repairs and Replacements .....	850.00	850.00
	<hr/>	<hr/>
	\$ 10,000.00	\$ 10,000.00

## APPROPRIATIONS

## I-21 DELAWARE COM. FOR FEEBLE MINDED

## GENERAL ADMINISTRATION

Salaries and Wages .....	\$ 22,500.00	\$ 24,000.00
Office Expense .....	630.00	630.00
Travel .....	325.00	325.00
Operation .....	31,050.00	34,550.00
Repairs and Replacements .....	2,000.00	2,000.00
Equipment .....	1,495.00	1,495.00
Permanent Improvements .....	3,000.00	3,000.00
	<hr/>	<hr/>
	\$ 61,000.00	\$ 66,000.00

## I-22 AMERICAN LEGION

Operation .....	\$ 1,000.00	\$ 1,000.00
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## I-23 UNITED SPANISH WAR VETERANS

Operation .....	\$ 500.00	\$ 500.00
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## I-24 DEL. SOCIETY FOR PREV. CRUELTY TO ANIMALS

Operation .....	\$ 500.00	\$ 500.00
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## I-26 FERRIS INDUSTRIAL SCHOOL, GEN. ADM.

Salaries and Wages .....	\$ 15,544.00	\$ 15,544.00
Office Expense .....	310.00	310.00
Travel .....	80.00	80.00
Operation .....	25,967.00	25,967.00
Repairs and Replacements .....	5,905.00	5,905.00
Equipment .....	2,459.00	2,459.00
Permanent Improvements .....	1,000.00	
	<hr/>	<hr/>
	\$ 51,265.00	\$ 50,265.00

## EDUCATION

## J-1 UNIVERSITY OF DELAWARE, GEN. ADM.

Salaries and Wages .....	\$130,500.00	\$133,000.00
Office Expense .....	1,750.00	1,750.00
Operation .....	28,000.00	28,000.00

## APPROPRIATIONS

Repairs and Replacements .....	12,500.00	7,500.00
Equipment .....	4,150.00	1,150.00
	<hr/>	<hr/>
	\$176,900.00	\$171,400.00

## J-2 UNIVERSITY OF DELAWARE

## CHAIR OF HISTORY

Salaries and Wages .....	\$ 2,500.00	\$ 2,500.00
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## J-3 UNIVERSITY OF DELAWARE

## SUMMER SCHOOL FOR TEACHERS

Salaries and Wages .....	\$ 7,500.00	\$ 7,500.00
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## J-4 UNIVERSITY OF DELAWARE

## SMITH-LEVER AGRICULTURE EXTENSION

Salaries and Wages .....	\$ 5,288.65	\$ 5,288.65
Travel .....	6,000.00	6,000.00
	<hr/>	<hr/>
	\$ 11,288.65	\$ 11,288.65

## J-6 UNIVERSITY OF DELAWARE

## U. S. GOVERNMENT APPROPRIATION

Salaries and Wages .....	\$ 40,000.00	\$ 40,000.00
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## J-7 UNIVERSITY OF DELAWARE

## AGRICULTURE AND FARM EXPERIMENT STATION

Salaries and Wages .....	\$ 13,000.00	\$ 13,000.00
Office Expense .....	500.00	500.00
Travel .....	300.00	300.00
Operation .....	3,300.00	3,300.00
Repairs and Replacements .....	1,000.00	1,200.00
Equipment .....	400.00	200.00
	<hr/>	<hr/>
	\$ 18,500.00	\$ 18,500.00

## J-8 UNIVERSITY OF DELAWARE

## POULTRY AND ENTOMOLOGY

Salaries and Wages .....	\$ 4,000.00	\$ 4,000.00
Office Expense .....	200.00	200.00

## APPROPRIATIONS

Travel .....	1,200.00	1,200.00
Operation .....	600.00	600.00
	<hr/>	<hr/>
	\$ 6,000.00	\$ 6,000.00

## J-9 STATE COLLEGE FOR COLORED STUDENTS

## GENERAL ADMINISTRATION

Salaries and Wages .....	\$ 17,000.00	\$ 17,000.00
Office Expense .....	800.00	800.00
Travel .....	200.00	200.00
Operation .....	10,000.00	10,000.00
Repairs and Replacements .....	9,600.00	3,000.00
	<hr/>	<hr/>
	\$ 37,600.00	\$ 31,000.00

## J-10 STATE COLLEGE FOR COLORED STUDENTS

## U. S. GOVERNMENT APPROPRIATION

Salaries and Wages .....	\$ 9,000.00	\$ 9,000.00
Operation .....	1,000.00	1,000.00
	<hr/>	<hr/>
	\$ 10,000.00	\$ 10,000.00

## AGRICULTURE

## K-1 STATE BOARD OF AGRICULTURE

## GENERAL ADMINISTRATION

Salaries and Wages .....	\$ 7,200.00	\$ 7,200.00
Office Expense .....	650.00	650.00
Travel .....	900.00	900.00
Operation .....	600.00	600.00
Repairs and Replacements .....	550.00	550.00
Equipment .....	100.00	100.00
	<hr/>	<hr/>
	\$ 10,000.00	\$ 10,000.00

## K-1½ STATE BOARD OF AGRICULTURE

## APPLE GRADING AND INSPECTION

Salaries and Wages .....	\$ 2,200.00	\$ 2,200.00
Office Expense .....	100.00	100.00

## APPROPRIATIONS

Travel .....	500.00	500.00
Operation .....	200.00	200.00
	<hr/>	<hr/>
	\$ 3,000.00	\$ 3,000.00

## K-2 STATE BOARD OF AGRICULTURE

## PENINSULA HORTICULTURAL SOCIETY

Office Expense .....	\$ 500.00	\$ 500.00
Operation .....	500.00	500.00
	<hr/>	<hr/>
	\$ 1,000.00	\$ 1,000.00

## K-3 STATE BOARD OF AGRICULTURE

## ANALYZING FERTILIZER AND FEEDS

Salaries and Wages .....	\$ 10,350.00	\$ 10,350.00
Office Expense .....	600.00	600.00
Travel .....	200.00	200.00
Operation .....	725.00	725.00
Repairs and Replacements .....	100.00	100.00
Equipment .....	25.00	25.00
	<hr/>	<hr/>
	\$ 12,000.00	\$ 12,000.00

## K-4 STATE BOARD OF AGRICULTURE

## CONTROLLING DISEASES OF LIVE STOCK

Salaries and Wages .....	\$ 3,000.00	\$ 3,000.00
Travel .....	200.00	200.00
Operation .....	1,800.00	1,800.00
	<hr/>	<hr/>
	\$ 5,000.00	\$ 5,000.00

## K-5 STATE BOARD OF AGRICULTURE

## FARM PRODUCTS INSPECTION

Salaries and Wages .....	\$ 5,900.00	\$ 5,900.00
Office Expense .....	200.00	200.00
Travel .....	900.00	900.00
Operation .....	500.00	500.00
	<hr/>	<hr/>
	\$ 7,500.00	\$ 7,500.00

## APPROPRIATIONS

## K-6 STATE BOARD OF AGRICULTURE

## BUREAU OF MARKETS

Salaries and Wages .....	\$ 5,000.00	\$ 5,000.00
Office Expense .....	850.00	850.00
Travel .....	500.00	500.00
Operation .....	450.00	450.00
Repairs and Replacements .....	600.00	600.00
Equipment .....	100.00	100.00
	<hr/>	<hr/>
	\$ 7,500.00	\$ 7,500.00

## K-7 STATE BOARD OF AGRICULTURE

## POULTRY DISEASES

Salaries and Wages .....	\$ 8,500.00	\$ 8,500.00
Office Expense .....	700.00	700.00
Travel .....	2,700.00	2,700.00
Operation .....	2,400.00	2,400.00
Repairs and Replacements .....	500.00	500.00
Equipment .....	1,200.00	1,200.00
	<hr/>	<hr/>
	\$ 16,000.00	\$ 16,000.00

## K-8 STATE BOARD OF AGRICULTURE

## CATTLE TUBERCULOSIS ERADICATION

Salaries and Wages .....	\$ 6,000.00	\$ 6,000.00
Travel .....	1,200.00	1,200.00
Operation .....	66,700.00	67,300.00
Repairs and Replacements .....	1,000.00	400.00
Office Expense .....	100.00	100.00
	<hr/>	<hr/>
	\$ 75,000.00	\$ 75,000.00

## K-9 STATE BOARD OF AGRICULTURE

## CORN GROWERS ASSOCIATION

Office Expense .....	\$ 20.00	\$ 20.00
Operation .....	430.00	430.00
Salaries and Wages .....	50.00	50.00
	<hr/>	<hr/>
	\$ 500.00	\$ 500.00

## APPROPRIATIONS

## K-11 STATE BOARD OF AGRICULTURE

## PLANT PATHOLOGIST

Salaries and Wages .....	\$ 2,400.00	\$ 2,400.00
Office Expense .....	500.00	500.00
Travel .....	1,500.00	1,500.00
Operation .....	250.00	250.00
Repairs and Replacements .....	100.00	100.00
Equipment .....	250.00	250.00
	<hr/>	<hr/>
	\$ 5,000.00	\$ 5,000.00

## K-12 STATE BOARD OF AGRICULTURE

## EMERGENCY APPROPRIATION

Prevention and Control of Plant and Live Stock Diseases .....	\$ 15,000.00	\$ 15,000.00
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## K-13 GOVERNOR

## JAPANESE BEETLE ERADICATION

Salaries and Wages .....	\$ 10,000.00	\$ 10,000.00
Office Expense .....	100.00	100.00
Travel .....	100.00	100.00
Operation .....	1,000.00	1,000.00
Repairs and Replacements .....	400.00	400.00
Equipment .....	400.00	400.00
	<hr/>	<hr/>
	\$ 12,000.00	\$ 12,000.00

## K-14 KENT AND SUSSEX FAIR

Operation .....	\$ 7,000.00	\$ 7,000.00
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## K-15 AGRICULTURAL FAIR ASSOCIATION

Operation .....	\$ 7,000.00	\$ 7,000.00
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## INDUSTRY

## L-1-4 LABOR COMMISSION OF DELAWARE

## (Salaries and Wages)

Child Labor Inspector .....	\$ 2,100.00	\$ 2,100.00
Ten Hour Law Inspector .....	1,500.00	1,500.00

## APPROPRIATIONS

Secretary .....	100.00	100.00
Salaries and Wages .....	1,870.00	1,870.00
	<hr/>	<hr/>
	\$ 5,570.00	\$ 5,570.00
Office Expense .....	1,370.00	1,370.00
Travel .....	260.00	260.00
Operation Equipment .....	250.00	250.00
Repairs and Replacements .....	500.00	500.00
Equipment .....	50.00	50.00
	<hr/>	<hr/>
	\$ 8,000.00	\$ 8,000.00

## PUBLIC DEFENSE

## M-1-3 NATIONAL GUARD, ADJUTANT GENERAL

## GENERAL ADMINISTRATION

## (Salaries and Wages)

Adjutant General .....	\$ 2,500.00	\$ 2,500.00
Two Clerks .....	3,600.00	3,600.00
Salaries and Wages—additional .....	3,900.00	3,900.00
	<hr/>	<hr/>
	\$ 10,000.00	\$ 10,000.00
Office Expense .....	1,250.00	1,250.00
Travel .....	900.00	900.00
Operation .....	3,225.00	3,225.00
Repairs and Replacements .....	325.00	325.00
Equipment .....		500.00
Permanent Improvements .....		300.00
	<hr/>	<hr/>
	\$ 15,700.00	\$ 16,500.00

## M-4 NATIONAL GUARD, ADJUTANT GENERAL

## STATE RIFLE RANGE

Salaries and Wages .....	\$ 1,700.00	\$ 1,700.00
Operation .....	600.00	600.00
Repairs and Replacements .....	100.00	100.00
Equipment .....	100.00	100.00
	<hr/>	<hr/>
	\$ 2,500.00	\$ 2,500.00

## APPROPRIATIONS

## M-5 NATIONAL GUARD, ADJUTANT GENERAL

## BATTERIES, HEADQUARTERS AND BANDS

General Maintenance .....	\$ 7,650.00	\$ 7,650.00
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## M-5½

Allowance for Regimental Band .....	\$ 2,500.00	\$ 2,500.00
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## M-6 NATIONAL GUARD, ADJUTANT GENERAL

## CLOTHING ALLOWANCE TO OFFICERS

Operation .....	\$ 1,350.00	\$ 1,350.00
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## M-7 NATIONAL GUARD, ADJUTANT GENERAL

## EMERGENCY APPROPRIATION

General Emergencies .....	\$ 2,000.00	\$ 2,000.00
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## M-8 W. C. T. U. SOLDIERS REST ROOM

Operation .....	\$ 200.00	\$ 200.00
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## N-4 STATE HIGHWAY DEPARTMENT

Maintenance of Bridge at Little Creek ..	\$ 100.00	\$ 100.00
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## LIBRARIES

## O-1-3 STATE LIBRARIAN

## (Salaries and Wages)

Librarian .....	\$ 1,500.00	\$ 1,500.00
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Assistant Librarian .....	1,200.00	1,200.00
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	\$ 2,700.00	\$ 2,700.00
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Office Expense .....	275.00	275.00
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Equipment—Books .....	500.00	500.00
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Travel .....	25.00	25.00
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	\$ 3,500.00	\$ 3,500.00
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## O-4 STATE LIBRARY COMMISSION

Salaries and Wages .....	\$ 3,300.00	\$ 3,300.00
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Office Expense .....	400.00	400.00
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## APPROPRIATIONS

Travel .....	1,050.00	1,050.00
Operation .....	250.00	250.00
Repairs and Replacements .....	250.00	250.00
Equipment .....	1,250.00	1,250.00
	<hr/>	<hr/>
	\$ 6,500.00	\$ 6,500.00

## O-5 REHOBOTH FREE LIBRARY

Operation .....	\$ 37.50	\$ 37.50
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## O-5 DOVER FREE LIBRARY

Operation .....	\$ 250.00	\$ 250.00
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## O-5 CORBIT FREE LIBRARY

Operation .....	\$ 50.00	\$ 50.00
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## O-5 MILFORD FREE LIBRARY

Operation .....	\$ 250.00	\$ 250.00
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## O-6 STATE FEDERATION OF CLUBS

Equipment .....	\$ 100.00	\$ 100.00
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## HISTORICAL RECORDS

## P-1 PUBLIC ARCHIVES COMMISSION

Salaries and Wages .....	\$ 5,200.00	\$ 5,200.00
Office Expense .....	115.00	115.00
Travel .....	50.00	50.00
Repairs and Replacements .....	60.00	60.00
Equipment .....	575.00	575.00
	<hr/>	<hr/>
	\$ 6,000.00	\$ 6,000.00

## P-2 HISTORICAL SOCIETY OF DELAWARE

Office Expense .....	\$ 300.00	\$ 300.00
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## P-3 PORTRAIT COM. OF DELAWARE

Repairs and Replacements .....	\$ 250.00	\$ 250.00
Equipment .....	250.00	250.00
	<hr/>	<hr/>
	\$ 500.00	\$ 500.00

## APPROPRIATIONS

## CARE OF STATE PROPERTY

## Q-1 STATE LIBRARIAN

## (Salaries and Wages)

Five Janitors .....	\$ 4,260.00	\$ 4,260.00
Salaries and Wages—additional .....	600.00	600.00
	<hr/>	<hr/>
	\$ 4,860.00	\$ 4,860.00
Operation .....	7,700.00	7,700.00
Repairs and Replacements .....	1,330.00	1,330.00
Equipment .....	1,110.00	1,110.00
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	\$ 15,000.00	\$ 15,000.00

## Q-2 STATE INSURANCE COMMISSIONER

Fire Insurance on State Property .....	\$ 30,000.00	\$ 30,000.00
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## Q-3 STATE BOARD OF REPAIRS

Repairs and Replacements .....	\$ 5,000.00	\$ 5,000.00
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## Q-4 PUBLIC LANDS COMMISSION

Salaries and Wages .....	\$ 1,300.00	
Office Expense .....	100.00	
Travel .....	100.00	
	<hr/>	
	\$ 1,500.00	

## Q-5 ROBBINS HOSE CO.

Operation .....	\$ 250.00	\$ 250.00
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## Q-6 AETNA HOSE, HOOK AND LADDER CO.

Operation .....	\$ 250.00	\$ 250.00
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## Q-7 GOODWILL FIRE CO.

Operation .....	\$ 250.00	\$ 250.00
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## CONSERVATION OF NATURAL RESOURCES

## R-1 STATE FORESTRY DEPARTMENT

Salaries and Wages .....	\$ 6,000.00	\$ 6,000.00
Office Expense .....	760.00	760.00
Travel .....	500.00	500.00

## APPROPRIATIONS

Operation .....	3,040.00	3,040.00
Equipment .....	700.00	700.00
Permanent Improvements .....	1,000.00	1,000.00
	<hr/>	<hr/>
	\$ 12,000.00	\$ 12,000.00

## GENERAL

## S-1 BOND PREMIUMS, STATE OFFICERS

Bond Premiums, State Officers .....	\$ 600.00	\$ 2,500.00
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## S-8 DELAWARE WATERFRONT COMMISSION

Expenses of Commission .....	\$ 1,500.00	\$ 1,500.00
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GRAND TOTAL .....	<hr/>	<hr/>
	\$1,835,144.17	\$1,912,911.67

Approved April 17, 1929.

## CHAPTER 16

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Fourteen Dollars and Twenty Cents (\$214.20) is hereby appropriated out of the treasury of this State to pay the claim of LeRoy Kramer, a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

CHAPTER 17

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

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

Section 1. That the sum of Six Hundred Twenty-five Dollars and Seventy-seven Cents (\$625.77) is hereby appropriated out of the treasury of this State to pay the claim of Benjamin R. Veasey, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 27, 1929.

## CHAPTER 18

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Thirty-two Dollars and Ninety-six Cents (\$232.96) is hereby appropriated out of the Treasury of this State to pay the claim of William Lord, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

CHAPTER 19

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of Agnes V. Reeves, administratrix of the estate of Joseph N. Reeves, deceased, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session.**

*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 Four Hundred and Twenty-two Dollars and Sixty Cents (\$422.60) is hereby appropriated out of the Treasury of this State to pay the claim of Agnes V. Reeves, Administratrix of Joseph N. Reeves, Deceased, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 3, 1929.

## CHAPTER 20.

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Ten Dollars (\$310.00) is hereby appropriated out of the Treasury of this State to pay the claim of Frank R. Pool, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 3, 1929.

CHAPTER 21

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Forty-five Dollars and Sixty Cents (\$345.60) is hereby appropriated out of the Treasury of this State to pay the claim of Elmer David, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

## CHAPTER 22

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Forty-three Dollars and Twenty Cents \$(243.20) is hereby appropriated out of the Treasury of this State to pay John W. Attix, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 1, 1929.

CHAPTER 23

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Seventy-two Dollars and Eighty Cents \$(172.80) is hereby appropriated out of the Treasury of this State to pay the claim of James Latchum, Jr., a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 5, 1929.

## CHAPTER 24

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Three Dollars and Ten Cents (\$203.10) is hereby appropriated out of the Treasury of this State to pay the claim of Willard S. Jester, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

CHAPTER 25

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Sixty-eight Dollars and Fifty-one Cents (\$368.51) is hereby appropriated out of the Treasury of this State to pay the claim of Willard F. Deputy, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 2, 1929.

## CHAPTER 26

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay a claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Twelve Dollars (\$512.00) is hereby appropriated out of the Treasury of this State to pay the claim of William F. Allen, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 1, 1929.

CHAPTER 27

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

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

Section 1. That the sum of One Hundred Ninety-two Dollars and Sixty-four Cents (\$192.64) is hereby appropriated out of the Treasury of this State to pay the claim of Gove S. Lynch, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28 ,1929.

## CHAPTER 28

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Four Hundred Seventy-five Dollars and Twenty Cents (\$475.20) is hereby appropriated out of the Treasury of this State to pay the claim of Elisha A. Steele, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

CHAPTER 29

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Forty-one Dollars (\$341.00) is hereby appropriated out of the Treasury of this State to pay Jacob Scheifele, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

## CHAPTER 30

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Twenty-eight Dollars and Forty-eight Cents (\$228.48) is hereby appropriated out of the Treasury of this State to pay the claim of William Winthrop, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

CHAPTER 31

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Twenty-one Dollars and Thirty-four Cents (\$221.34) is hereby appropriated out of the Treasury of this State to pay the claim of James S. Evans, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

## CHAPTER 32

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Twenty-eight Dollars and Forty-eight Cents (\$228.48) is hereby appropriated out of the Treasury of this State to pay the claim of William E. Virden, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

CHAPTER 33

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Twenty-eight Dollars and Forty-eight Cents (\$228.48) is hereby appropriated out of the Treasury of this State to pay the claim of Michael J. Maloney, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 2, 1929.

## CHAPTER 34

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Ninety-one Dollars and Sixty-eight Cents (\$291.68) is hereby appropriated out of the Treasury of this State to pay the claim of John T. Talley, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 1, 1929.

CHAPTER 35

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Seventy-seven Dollars and Sixteen Cents (\$577.16) is hereby appropriated out of the Treasury of this State to pay the claim of William Tinsman, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 1, 1929.

## CHAPTER 36

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Sixty-nine Dollars (\$369.00) is hereby appropriated out of the Treasury of this State to pay the claim of Dolsworth M. Buckingham, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

CHAPTER 37

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Two Dollars and Seventy-two Cents (\$502.72) is hereby appropriated out of the Treasury of this State to pay the claim of Clarence E. McVey, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized to pay the same forthwith.

Approved April 1, 1929.

## CHAPTER 38

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

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

Section 1. That the sum of One Hundred Ninety-seven Dollars and Twelve Cents (\$197.12) is hereby appropriated out of the Treasury of this State to pay the claim of S. B. Irwin Duncan, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved May 8, 1929.

CHAPTER 39

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Sixty-four Dollars and Sixty Cents (\$264.60) is hereby appropriated out of the Treasury of this State to pay the claim of J. Leslie Ford, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

## CHAPTER 40

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Forty-three Dollars and Thirty-six Cents is hereby appropriated out of the Treasury of this State to pay the claim of Harry Lester, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

CHAPTER 41

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Twenty-three Dollars and Twenty Cents (\$323.20) is hereby appropriated out of the Treasury of this State to pay the claim of John W. Carrow, Jr., a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

## CHAPTER 42

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

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

Section 1. That the sum of One Hundred Ninety Dollars and Eight Cents (\$190.08) is hereby appropriated out of the treasury of this State to pay the claim of Edward Hart, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

CHAPTER 43

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Ten Dollars and Eighty Cents (\$210.80) is hereby appropriated out of the Treasury of this State to pay the claim of Walter L. Marker, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the Session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 5, 1929.

## CHAPTER 44

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Fifty-three Dollars and Sixty Cents (\$153.60) is hereby appropriated out of the Treasury of this State to pay the claim of Davis H. Bell, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 27, 1929.

CHAPTER 45

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Ninety-six Dollars (\$96.00) is hereby appropriated out of the Treasury of this State to pay the claim of William C. Paradee, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

## CHAPTER 46

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Fifty-one Dollars and Five Cents (\$151.05) is hereby appropriated out of the Treasury of this State to pay the claim of J. Wesley Smith, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

CHAPTER 47

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Seventy-Nine Dollars and Twenty Cents (\$179.20) is hereby appropriated out of the Treasury of this State to pay the claim of John Ashton, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 27, 1929.

## CHAPTER 48

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Fifty-one Dollars and Eighty-four Cents (\$51.84) is hereby appropriated out of the Treasury of this State to pay the claim of Charles S. Conwell, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

CHAPTER 49

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

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

Section 1. That the sum of One Hundred Ninety-eight Dollars and Forty Cents (\$198.40) is hereby appropriated out of the Treasury of this State to pay the claim of William O. Cubbage, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

## CHAPTER 50

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Sixty-four Dollars and Sixteen Cents (\$164.16) is hereby appropriated out of the Treasury of this State to pay the claim of John W. Sheldrake, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

CHAPTER 51

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Seventy Two Dollars and Eighty Cents (\$172.80) is hereby appropriated out of the treasury of this State to pay the claim of Ora W. Davis, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 5, 1929.

## CHAPTER 52

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Eighty Five Dollars and Forty Cents (\$85.40) is hereby appropriated out of the treasury of this State to pay the claim of William H. Richardson, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 26, 1929.

CHAPTER 53

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Nine Dollars and Ninety Two Cents (\$209.92) is hereby appropriated out of the treasury of this State to pay the claim of Thomas C. Curry, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 1, 1929.

## CHAPTER 54

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Seventy Nine Dollars and Twenty Cents (\$179.20) is hereby appropriated out of the treasury of this State to pay the claim of Daniel W. Ellis, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

CHAPTER 55

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Ten Dollars and Forty Nine Cents (\$210.49) is hereby appropriated out of the treasury of this State to pay the claim of E. B. Shiles, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 28, 1929.

## CHAPTER 56

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Thirty Seven Dollars and Five Cents (\$337.05) is hereby appropriated out of the treasury of this State to pay Elijah E. Wootten, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

CHAPTER 57

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Four Hundred Twenty Five Dollars and Twenty Five Cents (\$425.25) is hereby appropriated out of the treasury of this State to pay the claim of Ananias Hastings, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

## CHAPTER 58

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Eighteen Dollars and Forty Cents (\$518.40) is hereby appropriated out of the treasury of this State to pay the claim of James B. Dickerson, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

CHAPTER 59

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Seven Hundred Five Dollars and Sixty Centy (\$705.60) is hereby appropriated out of the treasury of this State to pay the claim of Clifford E. Burton, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 1, 1929.

## CHAPTER 60

## STATE REVENUE

## APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Eighty Two Dollars and Forty Cents (\$382.40) is hereby appropriated out of the treasury of this State to pay the claim of Frank E. Smith, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved March 29, 1929.

CHAPTER 61

STATE REVENUE

APPROPRIATIONS

**AN ACT appropriating money to pay the claim of a member of the One Hundred and First General Assembly for his reasonable traveling expenses connected with the session.**

*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 Seventy Six Dollars (\$576.00) is hereby appropriated out of the treasury of this State to pay the claim of Lynford O. Russell, a member of the One Hundred and First General Assembly, for his reasonable traveling expenses connected with the session and actually incurred, and the State Treasurer is hereby authorized and directed to pay the same forthwith.

Approved April 2, 1929.

## CHAPTER 62

## STATE REVENUE

## 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:

Julian B. Robinson .....	\$ 17.50
M. C. Dager .....	100.00
Daniel G. Schlotthauer .....	7.50
J. A. Downes .....	30.00
Diamond State Telephone Co. ....	62.55

Approved April 26, 1929.

## CHAPTER 63

## STATE REVENUE

## 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 and chargeable against the State School Current Fund for the purpose of paying the claims hereinafter mentioned and the State Treasurer is hereby authorized and directed to pay the same as above designated:

Butler, Inc. ....	\$ 5.75
H. J. Conoway & Son .....	2.95
State Board of Education .....	212.68
State Board of Education .....	164.83

Approved May 9, 1929.

## CHAPTER 64

## STATE REVENUE

## SCHOOL BUDGET

**AN ACT making appropriations for the School Budget for the school years beginning respectively July 1, 1929, and July 1, 1930, and ending respectively June 30, 1930, and June 30, 1931.**

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

Section 1. There is hereby appropriated the sum of Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000.00) for the School Budget hereinafter described for the school year beginning July 1, 1929, and ending June 30, 1930, and there is hereby further appropriated the sum of Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000.00) for the said School Budget for the school year beginning July 1, 1930, and ending June 30, 1931, and the amount hereby appropriated for each of the said years shall be paid by the State Treasurer out of any moneys which shall accrue to the State Treasury for school purposes from any sources so designated by law, provided that if the revenue derived from the said sources shall at any time be insufficient to supply the fund appropriated by this Section, the deficiency or deficiencies shall be made up from time to time out of the general fund by way of advances and the amount so advanced out of the general fund shall be repaid to the general fund from time to time as moneys, if any, shall be available for this purpose from the several items of the said school revenues.

Section 2. The State Treasurer is hereby directed to pay the amounts appropriated in this Act on warrants of the State Board of Education as provided in Chapter 160, Volume 32, Laws of Delaware, as amended, with the following further restrictions upon the expenditure of the same:

“GENERAL CONTROL” not more than five per centum, provided that the State Board of Education in making its distribution of this item may reserve not more than one and

## SCHOOL BUDGET

nine-tenths per centum of the total budget for the functions of the State Board, its offices, officers and employees;

"INSTRUCTIONAL SERVICE" not less than seventy per centum;

"OPERATION" not more than twelve per centum;

"MAINTENANCE" not more than six per centum;

"AUXILIARY AND CO-ORDINATE ACTIVITIES" not more than eleven per centum; provided, that the State Board, in making its distribution of this item, may reserve not more than six and three-tenths per centum of the total budget for transportation of pupils; and shall reserve not more than nine-tenths of one per centum of the total budget for the following activities: Scholarships in Elementary Teacher Training, expenses of teachers at Summer School, Oratorical and Declamation Association, and shall reserve not less than one per centum of the total budget for Adult Education.

"FIXED CHARGES" not more than three per centum;

"CAPITAL OUTLAY" not more than three per centum;

"DEBT SERVICE" no part of the total;

"For matching the Appropriation of the Federal Government for Smith-Hughes Vocational Education" not less than \$20,000.00.

Section 3. The term "General Control" as used in Section 2 shall include the following expenditures:

(a) Salaries and expenses of the members of the State Board of Education and the expenses of the business office.

(b) Salaries of Superintendents and their traveling expenses and the administrative part of the salaries of Superintendents of Special Districts.

(c) Compulsory attendance and school census.

(d) School election expenses.

The term "Instructional Service" as used in Section 2 shall include the following expenditures:

(a) The Supervisional part of salaries of Superintendents

## SCHOOL BUDGET

and Supervisors and their expenses.

- (b) Salaries of Principals and Teachers.
- (c) Textbook and Professional Books for Teachers.
- (d) Supplies and other materials of instruction.
- (e) Tuition paid to other boards.
- (f) Other instructional costs including school libraries.

The term "Operation" as used in Section 2 shall include all expenditures for janitors and engineers, fuel, water, light and power, care of grounds, rent, supplies and other operating expenses.

The term "Maintenance" as used in Section 2 shall include all expenditures for the upkeep of grounds, repair of buildings, repair and replacement of equipment, repair and replacement of apparatus and other maintenance.

The term "Auxiliary and Co-ordinate Activities" as used in Section 2 shall include all expenditures for transportation of pupils, scholarships in Teacher-Training, Vocation Teacher-Training under Smith-Hughes, expenses of teachers at Summer School, Americanization, Adult Education, Promotion of Health, expenses of teachers' and trustees' meeting and other auxiliary activities.

The term "Fixed Charges" as used in Section 2 shall include all expenditures for Insurance.

The term "Capital Outlay" as used in Section 2 shall include all expenditures for grounds, new buildings and alterations (other than repairs), new equipment and apparatus.

Section 4. After the sums for the State-wide activities hereinbefore mentioned have been deducted from the Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000.00) the remainder shall be divided among the State Board, the City of

## SCHOOL BUDGET

Wilmington and the various Special School Districts of the State in the proportion which the net enrollment of the school pupils during the previous school year in each of these divisions bears to the total net enrollment during the said school year in all of the said divisions.

Net enrollment of pupils shall be calculated on the basis of the following conditions:

1. To be counted enrolled a pupil must attend twenty or more school days in a public school in Delaware.

2. In case a pupil transfers from one school to another in Delaware; (a) he shall be counted as enrolled in the school in which he attends the largest number of days; (b) if he attends the same number of days in each of two or more schools he shall be counted as enrolled in the school which he attended last.

3. In case of a continuation school where pupils are required to attend fewer than five days a week, the enrollment in such a school shall be multiplied by one-fifth times the number of days the pupil is required to attend school.

Section 5. After the first of June of any year the State Board of Education is authorized to transfer any amount that will not be needed by one of the aforesaid divisions from the credit of such division to that of another which may show a deficiency, provided the Boards of Education whose allotments are affected by such transfer agree thereto, and further provided, that the expenditure of any sum or sums so transferred shall be subject to the percentage limitations in Section 2 of this Act.

Approved April 10, 1929.

## CHAPTER 65

## STATE REVENUE

## AETNA HOSE, HOOK AND LADDER COMPANY

**AN ACT making an appropriation to the Aetna Hose, Hook and Ladder Company of Newark.**

*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 House concurring therein):*

Section 1. That the sum of Five Hundred Dollars (\$500.00) be and the same is hereby appropriated to the Aetna Hose, Hook and Ladder Company of Newark to be used in the maintenance of said hose, hook and ladder company and the fire apparatus belonging thereto.

Section 2. Said sum of Five Hundred Dollars (\$500.00) so appropriated shall be paid in equal installments of Two Hundred and Fifty Dollars (\$250.00) on the first day of July, 1929, and on the first day of July, 1930, by the State Treasurer from the General Fund to the proper officials of the Aetna Hose, Hook and Ladder Company of Newark.

Section 3. This Act shall be known as a "Supplementary Appropriation Bill."

Approved April 18, 1929.

CHAPTER 66

STATE REVENUE

GOODWILL FIRE COMPANY

**AN ACT making an appropriation to the Goodwill Fire Company of New Castle.**

*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 House concurring therein):*

Section 1. That the sum of Five Hundred Dollars (\$500.00) be and the same is hereby appropriated out of the General Funds of the State of Delaware to the Goodwill Fire Company of New Castle, to be used in the maintenance of the Hose Company and Fire Apparatus.

Section 2. Said sum of Five Hundred Dollars (\$500.00) so appropriated shall be paid in equal annual installments of Two Hundred and Fifty Dollars (\$250.00) on the first day of July, 1929, and the first day of July, 1930.

Section 3. This Act shall be known as a "Supplementary Appropriation Bill".

Approved April 18, 1929.

## CHAPTER 67

## STATE REVENUE

## ROBBINS HOSE COMPANY

**AN ACT making an appropriation to the Robbins Hose Company of Dover.**

*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 House concurring therein):*

Section 1. That the sum of Five Hundred Dollars (\$500.00) be and the same is hereby appropriated to the Robbins Hose Company of Dover, to be used in the maintenance of the Hose Company and fire apparatus. The said sum of Five Hundred Dollars (\$500.00) shall be paid in two equal annual installments for the years 1929 and 1930.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the Funds hereby appropriated shall be paid out of the general funds of the State Treasury.

Approved April 18, 1929.

## CHAPTER 68

## STATE REVENUE

## KENT AND SUSSEX COUNTY FAIR

**AN ACT appropriating certain moneys to Kent and Sussex County Fair, Incorporated, for Prizes.**

*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 concurring therein):*

Section 1. That the sum of Seven Thousand Dollars (\$7,000.00) is hereby appropriated out of the Treasury of the State of Delaware to the "Kent and Sussex County Fair, Incorporated," a corporation of the State of Delaware, for the fiscal year beginning July 1, 1929, and ending June 30, 1930, and a like sum of Seven Thousand Dollars (\$7,000.00) for the fiscal year beginning July 1, 1930, and ending June 30, 1931. Said appropriation shall be used and expended only for prizes for meritorious achievements in agriculture, stock and poultry raising, and in works of manual training and the domestic arts. Such prizes shall be awarded by a Committee, one member of which shall be named by the Governor from the personnel of the State Board of Agriculture, and the remaining members shall be named by the Kent and Sussex County Fair, Incorporated. Said corporation shall on or before the first day of December in each of said fiscal years, file with the State Auditor a sworn itemized statement showing the name of each person to whom a prize has been awarded, for what each prize was awarded and the amount of each prize, and showing also the grand total of said prizes, which statement shall be sworn to and signed before a Notary Public, by both the President and Treasurer of said corporation; when said statement shall have been audited by the State Auditor and found to be true and correct and according to law he shall authorize and direct the State Treasurer to pay to said corporation in each of said fiscal years the total sum shown to be due for prizes by said itemized list, provided, however, said sum shall not exceed Seven Thousand Dollars (\$7,000.00) for each of said years and should said sum be less than the amount appropriated by this Act, then

## KENT AND SUSSEX COUNTY FAIR

the unused balance shall each year remain in and revert to the State Treasury and shall in no case be paid to said corporation.

Section 2. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved April 29, 1929.

## CHAPTER 69

## STATE REVENUE

## INDIAN RIVER INLET

**AN ACT creating a Commission to open an inlet from the Atlantic Ocean to Indian River or Rehoboth Bay and appropriating certain monies for the use of said Commission.**

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

Section 1. There is hereby created and established a Commission consisting of John G. Townsend, Jr., of Selbyville, Delaware; Rufus D. Lingo, Sr., of Dagsboro, Delaware; William J. P. White, of Millsboro, Delaware; Edgar M. Hoopes, Jr., of Wilmington, Delaware, and C. Douglas Buck, Governor of Delaware, to be known as the Indian River Inlet Commission.

Section 2. The said Commission shall, as soon as is practical after the approval of this Act, organize by selecting a Chairman and Secretary and shall have authority to assume all the powers and duties of the Commission created by Chapter 26, Volume 35, Laws of Delaware.

Section 3. The said Commission is hereby empowered to make such arrangements and enter into such contracts and agreements as will permit the placing of tide gates in the Assowoman and the Lewes and Rehoboth Canals for the purpose of assisting in the opening of an inlet from the Atlantic Ocean to Indian River or Rehoboth Bay.

Section 4. The said Commission shall have authority to employ such expert assistants as may be necessary, make such contracts and arrangements as are thought advisable and use all such means as are deemed practical for the opening of such inlet from the Atlantic Ocean.

Section 5. The sum of Ten Thousand Dollars is hereby appropriated out of the Treasury of the State of Delaware to pay

## INDIAN RIVER INLET

the expenses of the members of the Commission incurred in carrying out the provisions of this Act and the cost of construction of tide gates in the Assawoman and the Lewes and Rehoboth Canals.

Section 6. The further sum of Twenty-five Thousand Dollars is hereby appropriated out of the Treasury of the State of Delaware to pay the expenses incurred in opening the inlet from the Atlantic Ocean to the Indian River or Rehoboth Bay; provided, however, this sum of Twenty-five Thousand Dollars or any part thereof, shall not be expended or contracts entered into, which necessitates the spending of such monies, unless or until the erection of the tide gates in the Assowoman Canal has been approved by the Federal Government and a majority of the members of the Commission have agreed to enter into such contracts and agreements as will permit the erection of said tide gates.

Section 7. The further sum of Forty Thousand Dollars is hereby appropriated out of the Treasury of the State to be expended for the purpose of continuing the work of opening the inlet from the Atlantic Ocean to the Indian River or Rehoboth Bay; provided, however, this sum of Forty Thousand Dollars, or any part thereof, shall not be expended or contracts entered into which would necessitate the spending of such monies, until after July 1, 1930, and unless the Commission reaches the conclusion that reasonable success of the project will warrant the expenditures of such monies.

Section 8. The State Treasurer shall pay such warrants as are signed by the Chairman and Secretary of the Commission and coming within the purview of Sections 5, 6 and 7 of this Act, and all warrants shall be accompanied by proper vouchers approved by a majority of the Commission.

Approved April 8, 1929.

## CHAPTER 70

## STATE REVENUE

## WHARF AT LEWES

**AN ACT to acquire by Gift, Devise, Grant, Purchase or Condemnation, Land or Water Rights and to Place Structures thereon as a part of the State Highway System and providing for the cost thereof.**

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

Section 1. The State Highway Department is hereby invested with full power and authority to acquire for the State, by gift, devise, grant, purchase or condemnation for public use, land and water rights on the Delaware Bay Shore at Lewes, or vicinity, as may be determined by the State Highway Department or its successors in power, and to place thereon structures and buildings and to erect or purchase a pier or piers, wharves or docks, for the landing of boats, for the carrying and transportation of freight, automobiles, vehicles and passengers.

Section 2. The said land or water rights, when acquired, and the said pier or piers, wharves or docks, when purchased or erected, shall become a part of the State Highway System of this State, and shall be under the supervision and control of the said Highway Department, or such other body as may succeed the said State Highway Department, and when such pier or piers, wharves or docks have been acquired or erected shall be maintained by the State out of the funds appropriated, raised or collected for the use of the said State Highway Department.

Section 3. The building, erecting and constructing of said piers, wharves, or docks, as situate within the territorial jurisdiction of Delaware, shall be subject to the laws of the State of Delaware, as such laws apply to the constructing of any public highway in this State, when State money is used in the construction of the whole or a part of any such highway.

Section 4. The State Highway Department shall prescribe

## WHARF AT LEWES

such charges for the use of said pier or wharf and make such rules and regulations governing the said pier or wharf, as to it may seem reasonable and necessary.

Section 5. For carrying into effect the provisions of this Act the sum of Sixty Thousand Dollars (\$60,000.00) is hereby appropriated to the State Highway Department out of any moneys in the State Treasury not otherwise appropriated, which shall be paid by the State Treasurer on the draft of the said Department.

Section 6. This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the general funds of the State Treasury.

Approved April 17, 1929.

## CHAPTER 71

## STATE REVENUE

## CELEBRATION AT LEWES

**AN ACT appropriating certain moneys for the purpose of Commemorating the Landing of the First Settlers of the State of Delaware at Lewes.**

WHEREAS, the year 1931 is the Three Hundredth Anniversary of the first settlement upon Delaware soil, which settlement made by the Dutch near the present site of Lewes (which they called Swaanendale or Valley of the Swans and the River Hoornkill for the town of Hoorn, in Holland) led directly, throughout the struggle between nations and individual claimants for possession of the land, to Delaware becoming an independent Colony and State instead of a part of some other Commonwealth; and

WHEREAS, the people of Delaware have a strong and just native pride in the history and traditions of their State, and have always desired to perpetuate in the memory of their children and of the Country at large the proper knowledge and appreciation of that history; and

WHEREAS, the importance of Delaware as a Colony and as the First State in the Union, gives to this event a significance equal to that of other early settlements whose anniversaries have been celebrated with National and International participation;

**THEREFORE**

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

Section 1. That within six months after the approval of this Act, the Governor be and is hereby authorized and requested to select a Committee of seven (7) residents of this State, whom he has reason to believe are deeply interested in historical events, and whose duty it shall be to prepare plans for a fitting Celebration on the occasion of the Three Hundredth Anniversary of the first settlement by the Dutch upon Delaware soil near the present site of Lewes, Delaware, in the year 1931.

## CELEBRATION AT LEWES

Section 2. That the sum of Five Thousand Dollars (\$5,000.00) is hereby appropriated from any moneys in the Treasury of the State of Delaware not otherwise appropriated for the purpose of defraying the expenses of the said Committee in the formation of such plans. The State Treasurer is directed to pay from this appropriation upon warrants signed by the Chairman of said Committee and approved by the Governor.

Approved May 6, 1929.

CHAPTER 72

STATE REVENUE

MEMORIAL DAY OBSERVANCE

**AN ACT making an appropriation to the Veterans of Foreign Wars, of the State of Delaware, for the proper Observance of Memorial Day.**

*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 (\$500.00) is hereby appropriated annually, and shall, on or before the First day of May in each and every year from and after the passage of this Act, be paid over by the State Treasurer of the State of Delaware out of the General Fund in the State Treasury to the duly elected Finance Officer of the Veterans of Foreign Wars, of the State of Delaware, for the purpose of defraying the expenses incurred by said Veterans of Foreign Wars, of the State of Delaware, in the proper observance of Memorial Day in the State of Delaware.

Section 2. This Act shall be known as a "Supplementary Appropriation Bill."

Approved May 1, 1929.

## CHAPTER 73

## STATE SUPPLIES

**AN ACT to amend Chapter 7 of the Revised Code of Delaware in relation to State Supplies.**

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

Section 1. That Section 1 of Chapter 7 of the Revised Code of Delaware, being 282 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

282. Section 1. Board of State Supplies Abolished:—The Board of State Supplies, as created by Section 1 of Chapter 7 of the Revised Code of Delaware, as amended, is hereby abolished.

Section 2. That Section 2 of Chapter 7 of the Revised Code of Delaware, being 283 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

283. Section 2. Supplies for State; How Contracted For Payment from Regular Appropriations:—All Supplies furnished, all work performed, all stationery purchased, and all printing and binding required by the several officers, departments, boards, commissions, bureaus, institutions or agencies of the State, to whom the General Assembly may have appropriated moneys from the State Treasury for such purposes, shall be performed under contract to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed in this Chapter, said contract to be in printed or written form entered into by the proper agency of the State and the person, firm or corporation furnishing supplies or doing the work being contracted for. Bids for supplies to be furnished or work to be done shall be opened in the presence of the persons making the bids, or their representatives, and payment for such supplies and work shall be paid for out of the appropriations set up for such purposes by the Auditor of Accounts.

## STATE SUPPLIES

Section 3. That Section 3 of Chapter 7 of the Revised Code of Delaware, being 284 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

284. Section 3. Supplies for State; How Contracted For Payment from Special Appropriation:—In cases where the General Assembly has not appropriated any moneys to a department, officer, board, commission, bureau, institution or agency of the State for the furnishing of supplies, performance of work, purchase of stationery or requirements for printing and binding, an item shall be set up in the Budget Appropriation Bill for State Departmental Supplies to be drawn upon by warrant signed by the Secretary of State by and with the written approval of the State Treasurer and Auditor of Accounts.

Section 4. That Section 4 of Chapter 7 of the Revised Code of Delaware, being 285 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

285 Section 4. Secretary of State to Contract For:—All supplies furnished, all work performed, all stationery purchased, and all printing and binding required in accordance with the provisions of the preceding Section, shall be performed under contract and in conformity with the provisions of the first Section of this Chapter. The Secretary of State, by and with the consent of the State Treasurer and Auditor of Accounts, is hereby authorized and empowered to enter into contracts on the part of the State with the person, firm or corporation furnishing such supplies or doing such work for any of the agencies of the State herein before mentioned, without appropriations and pay for such supplies or for work performed.

Section 5. That Section 5 of Chapter 7 of the Revised Code of Delaware, being 286 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

## STATE SUPPLIES

286. Section 5. Supplies; How procured and Contracted For:—Every officer, department, board, commission, bureau, institution or agency of the State, to or for whom supplies are to be furnished, work performed, stationery purchased and printing and binding required, shall advertise in at least one newspaper published in each County for two issues preceding the giving of any contract for proposals or bids for doing work and furnishing the State supplies advertised for. The advertisement shall state the name of the State officer, department, bureau, institution, commission or agency of the State for which the work is to be done or the supplies furnished and that the specification may be procured at the office of the State agency executing the proposal or bids, which specifications shall designate the nature and the quality, quantity and amount of such supplies, work to be done and the maximum price for same, and said advertisement shall also state the time and place when and where said proposal or bids will be opened. Every such proposal or bid shall be accompanied by a duly certified check of the bidder or bidders for 10% of the amount of the proposal or bid. Said check shall be returned to said bidder or bidders upon the execution of the contract for which it was presented. Upon the opening of the bids, the proper agency of the State shall carefully consider all such proposals or bids and award the contract or contracts. If any two or more responsible persons, firms, or corporations shall bid an equal amount for furnishing the supplies or doing the work, which bids shall be the lowest, then the State agency shall award said contract to any one of the same. Every successful bidder or bidders shall enter into a contract with the State agency awarding same, as provided in Section 1 of this Chapter, and shall also enter into a bond to the State of Delaware, with surety or sureties to be approved by said Agency, in an amount satisfactory to the officers, department, board, commission, bureau, institution or agency. Every such bond shall have a warrant of attorney attached thereto, authorizing the State, by and through its Attorney General, to confirm and enter into judgment thereon in any Court in the United States of America or elsewhere against the obligors therein named for the amount therein named, and shall be conditioned for the honest and faithful compliance with all the pro-

## STATE SUPPLIES

visions of the contract of the bidder or bidders aforesaid. Whenever, in the opinion of the said State agency, it shall be for the best interest of the State that any of said bonds shall be entered, it shall be so ordered and done by the Attorney General, who shall therefore cause the same to be entered in the proper amounts.

Section 6. That Section 6 of Chapter 7 of the Revised Code of Delaware, being 287 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

287. Section 6. Failure to Fulfill Contract; Procedure On:—If any bidder or bidders hereinbefore mentioned, to whom any contract or contracts as referred to in this Chapter shall be awarded, shall neglect or refuse to comply with the contract entered into, then the State agency concerned shall cause the bond of the bidder or bidders to be entered as aforesaid, and shall proceed by all lawful means to collect all amounts that may be due thereon, and shall, in the manner prescribed in this Chapter, advertise for new bids for furnishing the supplies or performing the work, and in like manner award the contract.

Section 7. That Section 7 of Chapter 7 of the Revised Code of Delaware, being 288 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

288. Section 7. Proposals or Bids may be Rejected; Re-advertisement; When:—The officers, departments, boards, commissions, bureaus, institutions or agencies of the State, any or all of whom have requested proposals or bids as heretofore mentioned, shall have the right to reject any or all of the same, and shall immediately re-advertise for new proposals or bids in lieu of those rejected in the manner as provided in this Chapter, and as originally advertised.

Section 8. That Section 8 of Chapter 7 of the Revised Code

## STATE SUPPLIES

of Delaware, being 289 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

289. Section 8. Supplies for General Assembly; How Purchased and Distributed:—All stationery, supplies and postage for the use of the General Assembly, shall be purchased by the State Librarian pursuant to the provisions of this Chapter, and kept in the control of the said official, who is constituted the custodian and dispenser of all such stationery, supplies and postage to the members of the General Assembly.

Section 9. That Section 9 of Chapter 7 of the Revised Code of Delaware, being 290 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

290. Section 9. Requisition upon State Librarian; Made by Whom:—Each member of the General Assembly may make requisition upon the State Librarian for any stationery, supplies and postage which the said official shall place at the beginning of each biennial session of the General Assembly to the credit of each member thereof, in the sum of Twenty-five Dollars (\$25.00), and at the beginning of each special session thereof, in the sum of Ten Dollars (\$10.00), to be drawn upon by such members for such supplies and postage.

Section 10. That Section 10 of Chapter 7 of the Revised Code of Delaware, being 291 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

291. Section 10. Alphabetical License Books furnished; Publication of License Lists:—In accordance with the provisions of this Chapter, the Secretary of State shall procure and furnish a suitable book for each class of license, in which shall be entered alphabetically the names of those to whom a State license shall be issued; the said official shall also arrange, in accordance with

## STATE SUPPLIES

the aforesaid provisions, for the publication, at the expense of the State, in one newspaper published in each County, annually during the first week of October, of a list of licenses excepting marriage licenses, the fees for which are payable to the State for the last year, and also stating the amount paid by each person licensed.

Section 11. That Section 11 of Chapter 7 of the Revised Code of Delaware, being 292 of said Code, be and is hereby amended by striking out all of said Section and by inserting in lieu thereof the following:

292. Section 11. Publication of Public Laws:—The printing of session laws shall be done under contract made by the Secretary of State, in accordance with the provisions of this Chapter immediately upon the adjournment of the General Assembly, said publication to contain all bills, resolutions, orders or votes of a public nature, and the proclamations of the Governor with proper notes and index.

Section 12. This Act shall become effective upon its approval; provided, however, that the unexpended appropriations to the Board of State Supplies for the fiscal year ending June 30, 1929, shall be at the disposal of the Secretary of State, in accordance with the provisions of this Chapter, and shall be expended for the purposes appropriated by or with the consent and approval of the State Treasurer and Auditor of Accounts.

Approved April 10, 1929.

# TITLE FOUR

## Public Arms and Defense

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### CHAPTER 74

#### DELAWARE NATIONAL GUARD

**AN ACT in relation to Public Arms and Defense, providing a Salary for the property and disbursing Officer for the Delaware National Guard.**

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

Section 1. The Property and Disbursing Officer for the Delaware National Guard; Salary:—The Property and Disbursing Officer for the Delaware National Guard shall receive an annual salary of Nine Hundred Dollars and is authorized to draw his warrant on the State Treasurer who is authorized and directed to pay the sum out of money hereinafter appropriated for military purposes, in equal monthly installments.

Approved May 6, 1929.

## CHAPTER 75

## STATE ARMORY AT LAUREL

**AN ACT making an appropriation for additions and repairs to the Armory and Arsenal at Laurel, and for the discharge of the Commission created to provide for the erection thereof.**

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

Section 1. That the State Armory Commission is hereby authorized and empowered to make additions and repairs to the State Armory and Arsenal at Laurel, and the sum of Ten Thousand Dollars (\$10,000.00) is hereby appropriated and made immediately available out of the State Treasury of the State of Delaware for that purpose.

Section 2. This Act shall be known as Supplementary Appropriation Bill, and the moneys herein appropriated shall be paid out of the general funds of the State Treasury, on warrant or warrants of the State Armory Commission approved by the State Auditor of Accounts.

Section 3. When the additions and repairs hereby authorized shall have been completed, the State Armory Commission, or a majority of the members thereof, shall file a Certificate to that effect in the office of the Secretary of State of the State of Delaware, and upon the filing of such Certificate the State Armory Commission shall be discharged and relieved of all further duties or responsibilities in respect to said Armory and Arsenal.

Approved February 5, 1929.

## CHAPTER 76

## STATE ARMORY AT WILMINGTON

**AN ACT making an appropriation for the completion and equipment of the Armory and Arsenal at Wilmington and for the discharge of the Commission created to provide for the erection thereof.**

*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 Thirty-five Thousand Dollars (\$35,000.00) is hereby appropriated and made immediately available out of the State Treasury of the State of Delaware for the completion and equipment of the State Armory and Arsenal at Wilmington, and for the grading and planting of the grounds surrounding the building.

Section 2. This Act shall be known as a Supplementary Appropriation Bill, and the moneys herein appropriated shall be paid out of the general funds of the State Treasury, on warrant or warrants of the State Armory Commission approved by the State Auditor of Accounts.

Section 3. When said Armory shall have been completed, the State Armory Commission, or a majority of the members thereof, shall file a Certificate to that effect in the office of the Secretary of State of the State of Delaware, and upon the filing of such Certificate the State Armory Commission as created by Section 9, Chapter 45, Volume 34 of the Laws of Delaware shall be discharged and relieved of all further duties or responsibilities.

Approved January 30, 1929.

# TITLE FIVE

## Legislation

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### CHAPTER 77

#### THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND JOURNALS

**AN ACT to amend 372, Section 7, Chapter 10 of the Revised Code of the State of Delaware and to further amend 368 Section 3 Chapter 10 of said Code, as amended, relating to the printing and disposal of public Codes and Laws by establishing the price at which same may be sold.**

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

Section 1. That 372, Section 7, Chapter 10 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing all of said 372, Section 7, and inserting in lieu thereof a new Section to be styled 372, Section 7.

372. Section 7. Annually, on or before the first day of July, it shall be the duty of the State Treasurer to obtain from the Prothonotaries of the several Counties of this State an accurate account of the number of Revised Codes and the number of bound volumes of the Laws of Delaware giving the number of each of the respective volumes as numbered, placed in their respective offices for sale, which they then have on hand or, having sold, have not accounted for, which said Revised Codes and said bound volumes of the Laws of Delaware thereby reported shall be charged by the State Treasurer against the respective Prothonotaries reporting the same.

When any bound volumes of the Laws of Delaware are pub-

## LEGISLATION

lished and delivered by the Secretary of State to the Prothonotaries of the several Counties for sale as provided by law, it shall be the duty of the Secretary of State to transmit an account of the number so delivered to each of the said Prothonotaries to the State Treasurer immediately, who shall charge the same to the respective Prothonotaries. The said Prothonotaries shall, annually on or before the First day of July, or whenever demanded by the State Treasurer, account for all said books sold, the price to be charged for the same to be a price equal to the actual price paid by the State for same, and shall pay to the State Treasurer for said books at the prices above mentioned, after deducting ten per cent. of said price as commissions for selling the same.

Each Prothonotary on retiring from office shall deliver to his successor in office all of the Revised Codes and bound volumes of the Laws of Delaware then on hand, and shall take duplicate receipts for the same, one of which he shall forward to the State Treasurer for credit to his account. If there appear to be books missing, for which the said Prothonotary cannot satisfactorily account, the said Prothonotary shall pay the State Treasurer for the said missing volumes at the prices originally charged him therefor, with the percentage herein allowed for sale deducted, or upon failure so to do the State Treasurer shall proceed to collect the same by process of Law.

Section 2. Further: That 368, Section 3, Chapter 10 of the Revised Code of the State of Delaware as amended, be and the same is hereby further amended by repealing all of said 368, Section 3 and inserting in lieu thereof a new Section to be styled 368, Section 3.

368. Section 3. The Secretary of State shall immediately upon the adjournment of the General Assembly have Fifteen Hundred (1500) copies of all bills, orders, resolutions or votes of a public nature, accurately printed, with an index thereto, to be prepared by him, and shall carefully preserve the originals in the State Archives. The printing of Session Laws shall be done under contract made by the Secretary of State, and in accordance with

## LEGISLATION

specifications furnished by said Secretary. The Secretary of State shall then have Six Hundred (600) copies bound with a general index, and he shall distribute the same as follows: Fifty (50) copies to the Prothonotary of New Castle County, Twenty (20) copies to the Prothonotary of Kent County, and Twenty (20) copies to the Prothonotary of Sussex County; One (1) copy to the Executive, One (1) copy to each State officer, One (1) copy to each County Officer of the respective Counties, One (1) copy to the Library of Congress, One (1) copy to the State Library of each of the United States, and the residue to the State Library of this State for the Librarian to distribute, who shall charge the respective Prothonotaries for the same a price equal to the actual price paid by the State for same; in one year after the delivery of such copies to the respective Prothonotaries, they shall return all unsold copies, and shall be credited therefor the amount which they have been charged for same, and such returned copies shall be delivered to the State Librarian. The State Librarian shall also charge for such copies the actual price paid by the State for same. The copies delivered as herein provided to the Executive, and to the State and County officers shall be kept and remain in their respective offices, and be by them delivered to the successors, as the property of said offices. The other Nine Hundred (900) copies of such bills, orders, resolutions or votes of a public nature, so printed as aforesaid, shall be in pamphlet form with paper binding or covers and shall be sold by the State Librarian at a price equal to the actual price paid by the State.

All moneys realized from the sale of the Session Laws of the State of Delaware by the State Librarian, shall be paid to the State Treasurer for the use of the State.

All Acts or parts of Acts inconsistent herewith are hereby repealed insofar as the inconsistency may occur.

Approved May 7, 1929.

## CHAPTER 78

## 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 thereof 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 Code 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 April 11, 1929.

# TITLE SIX

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## State Officers and Commissions

### CHAPTER 79

#### GOVERNOR

**AN ACT to amend Chapter 63, Volume 29, Laws of Delaware as amended by Chapter 52, Volume 32, Laws of Delaware relating to the State Highway Department.**

*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, Laws of Delaware, as amended by Chapter 52, Volume 32, Laws of Delaware, be and the same is hereby amended by striking out the words "Secretary of State" where the said words appear in the third line of Section 2 of said Chapter and by substituting in lieu thereof the words "Governor of the State" and by striking out the words "Secretary of State" where the said words appear in the second sentence of said Section 2 of said Chapter and by substituting in lieu thereof the word "Governor."

Section 2. That Chapter 63, Volume 29, Laws of Delaware as amended by Chapter 52, Volume 32, Laws of Delaware, be and the same is hereby further amended by striking out the last sentence of Section 3 of said Chapter.

Section 3. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved January 9, 1929.

## CHAPTER 80

## GOVERNOR

**AN ACT to amend Chapter 243, of Volume 35, Laws of Delaware, in reference to the respective boundary rights of Delaware and New Jersey in the Delaware River and Bay.**

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

Section 1. That Chapter 243, of Volume 35, Laws of Delaware, be and the same is hereby amended by adding thereto another Section to be known as Section 3.

Section 3. In the event that a vacancy should occur on the Commission as the result of the death, removal or resignation of any of its members, then and in that event the Governor is hereby authorized and empowered to appoint some suitable person to fill such vacancy.

Approved January 30, 1929.

CHAPTER 81

SECRETARY OF STATE

**AN ACT to amend Chapter 12 of the Revised Code of the State of Delaware, by providing for the increase of the Salary of the Secretary of 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 12 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing all of 391, Section 3 and substituting in lieu thereof a new Section to be known as 391, Section 3, as follows:

391. Section 3. Secretary of State:—The Secretary of State shall receive as full compensation for all his services a salary of Six Thousand Dollars per annum.

Section 2. This Act shall not become effective until July 1, 1929.

Approved April 30, 1929.

## CHAPTER 82

## STATE DETECTIVES

**AN ACT to amend Chapter 31\* of the Revised Code of the State of Delaware, Volume 32, Laws of Delaware, relating to the salaries of the State Detectives.**

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

That Chapter 31\* of the Revised Code of the State of Delaware, as amended by Chapter 31, Volume 32, Laws of Delaware, be and the same is hereby amended by striking out the third paragraph of "566. Sec. 2." and inserting in lieu thereof the following:

The State Detective residing in the City of Wilmington and the two other State Detectives shall receive a salary of Twenty-four Hundred Dollars (\$2400.00) per annum, payable in equal monthly installments by the State Treasurer out of any funds in his hands not otherwise appropriated, upon the certificate of the Attorney General that they have faithfully performed the duties of their offices during the preceding month.

Approved May 15, 1929.

\* So enrolled.

## CHAPTER 83

## INSURANCE DEPARTMENT

**AN ACT to amend Chapter 12 of the Revised Code of 1915 of the State of Delaware relating to the compensation of the Insurance Commissioner by increasing the salary of the Clerk in the Office of the Insurance Commissioner.**

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

Section 1. That Chapter 12 of the Revised Code of 1915 of the State of Delaware, as amended, be and the same is hereby further amended by repealing all of 394, Section 6 of said Chapter 12 and substituting in lieu thereof a new Section to be known as 394, Section 6, as follows:

394. Section 6. Insurance Commissioner:—The Insurance Commissioner shall receive as full compensation for all the duties required of him by law, the sum of Three Thousand Five Hundred Dollars per annum, and he shall be allowed for clerk hire the sum of One Thousand Five Hundred Dollars (\$1,500.00) per annum, and all fees of every character received by him in the discharge of his office, or by virtue thereof, shall be for the use of the State, and he shall semi-annually render an account thereof and pay over the said fees to the State Treasurer.

Approved April 3, 1929.

## CHAPTER 84

## INSURANCE DEPARTMENT

**AN ACT to amend Chapter 20 of the Revised Code of 1915 of the State of Delaware, Relating to the Investments of Domestic Life Insurance Companies, by Further Regulating the Investments of Domestic Life Insurance Companies.**

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

Section 1. That Chapter 20 of the Revised Code of 1915, of the State of Delaware be, and it is hereby amended by repealing 590 B Section 19 B, and substituting in lieu thereof a new Section to be known as 590 B Section 19 B, as follows:

590 B. Section 19 B. Any funds of any domestic life insurance company, over and above the amount of its reserves, may be invested in or loaned upon the security of stock of any corporation created under the Laws of this State or any other State of the United States; provided, however, that no such company shall invest in, loan upon the security of, or acquire, directly or indirectly, more than ten per centum of the stock of any corporation, that the total amount which may be invested in and loaned upon the security of stock of any one corporation shall not exceed ten per centum of the capital and surplus of any such life insurance company, and that no such company shall invest or loan any of its funds in or on the security of any stock on account of which the owners or holders thereof may in any event be or become liable to any assessment, except for taxes.

Approved January 24, 1929.

CHAPTER 85

INSURANCE DEPARTMENT

**AN ACT to amend Chapter 20 of the Revised Code of 1915 by adding thereto a new Section Further Regulating the Investments of Domestic Life Insurance Companies.**

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

Section 1. Chapter 20 of the Revised Code of 1915 be and the same is hereby amended by adding thereto a new Section to follow 590B, Section 19B, and to be known as 590C, Section 19C, as follows:

590C. Section 19C. Any funds of any domestic life insurance company may be invested in bankers' acceptances and bills of exchange of the kinds and maturities made eligible by Law for re-discount with Federal Reserve Banks, provided that the same are accepted by a bank or trust company incorporated under the Laws of the United States or of this State of any other bank or trust company which is a member of the Federal Reserve System.

Approved March 13, 1929.

## CHAPTER 86

## INSURANCE DEPARTMENT

**AN ACT imposing a Penalty on any Person or Persons, Firm, Company or Corporation, His, Its, or their Brokers, Agents, Solicitors, Surveyors, Canvassers or other Representatives of whatever Designation, who shall transact the business of Insurance in any manner or form, unless such person or persons, firm, company or corporation, his, its or their brokers, agents, solicitors, surveyors, canvassers, or other representatives is duly authorized to transact said business under the Laws 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 no person or firm nor any company organized under the Laws of this State or of any other State or foreign country, himself, itself or themselves, or by his, its or their brokers, agents, solicitors, surveyors, canvassers or other representatives of whatever designation, nor any such broker, agent, solicitor, surveyor, canvassers, or other representative, shall solicit, negotiate or affect any contract of insurance of any kind, including all kinds of insurance described in this Act, or sign, deliver or transmit, by mail or otherwise, any policy, certificate of membership or certificate of renewal thereof, or receive any premium, commission, fee or other payment thereon, on any property or thing, or on the life, health or safety of any person, or maintain or operate any office in this State for the transaction of the business of insurance, or in any manner, directly or indirectly, transact the business of insurance of any kind whatsoever within this State, unless such company, person or firm, shall be authorized to do the same under the provisions of the Laws of this State. Any person, firm or company violating any of the provisions of this Section shall be guilty of a misdemeanor; and for a first offense shall be punished by a fine of not less than Three Hundred Dollars (\$300.00) nor more than Five Hundred Dollars (\$500.00), or be imprisoned for a term of three months, or both, in the discretion of the Court; and for any second or subsequent offense

INSURANCE DEPARTMENT

shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned for a term of twelve months, or both, in the discretion of the Court.

Section 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed insofar as such inconsistency does occur.

Approved April 1, 1929.

## CHAPTER 87

## INSURANCE DEPARTMENT

## TITLE INSURANCE

**AN ACT to amend Article 4 of Chapter 20 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 Article 4 of Chapter 25 of the Revised Code of the State of Delaware, be and the same is hereby amended by the addition of a new Section to be styled as 628A, Section 57A.

628 A. Section 57 A. Title Insurance Companies; Charter Powers; Capital; Securities Deposited; How Made Liable: A company to be qualified to act as a guarantor to owners of property, or others interested therein, against loss by defective title or incumbrance, or adverse claim to title either together with or without examination of title, or furnishing information relative thereto must be authorized under the laws of the State where incorporated and by its Certificate of Incorporation to guarantee title and certify to the ownership of title to real property and insure the owner of such property against loss by reason of defective title thereto, or incumbrance thereon, and must comply with the requirements of the laws of this State applicable to such companies doing such business herein.

If incorporated under the Laws of any other State than the State of Delaware, such company must have good and available assets in excess of its liabilities, which liabilities shall be taken to be its capital stock, its outstanding debts and a premium reserve at the rate of fifty per centum of the current annual premium on all outstanding risks in force; must file with the Insurance Commissioner of this State a certified copy of its Certificate of Incorporation, together with a statement signed and sworn to by its President, or one of its Vice-Presidents, and its Secretary, or one of its Assistant Secretaries, showing the amount of its paid up cash capital, each item of investment, the amount of

## TITLE INSURANCE

the current annual premiums in all outstanding risks in force and the amount of its outstanding debts of all kinds, and such further statements, similarly verified, as may by the Laws of this State be required of such company in transacting business herein; must make written application to be authorized to do business by said Insurance Commissioner; must appoint an agent resident in this State upon whom process of Law can be served, and file in the office of the said Insurance Commissioner a written statement duly signed and sealed, certifying to such appointment, which shall continue until another resident agent is substituted; and must have at least One Hundred Thousand Dollars invested in good interest-bearing and dividend-paying securities of the character in which it is allowed under the Laws of the State wherein incorporated to invest its capital, which said securities shall be in value at or above par and deposited with or held by the Insurance Commissioner, or other competent officer of the State where such company is incorporated, in trust for the benefit of the holders of the obligations of such company, and a certificate from such Insurance Commissioner, or such other officer of the State, must be filed the statement provided herein to be filed with the copy of the Certificate of Incorporation.

If incorporated under the General Incorporation Law of the State of Delaware, such company must have such assets, file such statements, appoint such resident agent, file such certificate of its incorporation, and make such application for certificate of authority to do business as is required of foreign title insurance companies; and must deposit with the Insurance Commissioner of this State good interest-bearing dividend-paying securities with a par value and market value of at least Twenty-five Thousand Dollars to be held for the benefit of the holders of the obligations of such company; said securities deposited with the said Insurance Commissioner shall remain with him in trust to answer any default of such company as guarantor of any title to real property, or encumbrances thereon, said Insurance Commissioner and all his successors in office being hereby directed to receive and thereafter retain such deposit in trust for the purposes hereof; such company, however, at all times to collect the interest, dividends

## TITLE INSURANCE

and profits upon such securities, and from time to time withdraw said securities or profits thereof and substituting therefor others of equal good character and value to the satisfaction of the Insurance Commissioner, but such securities and substitutes therefor shall at all times be exempt from and not subject to levy under any writ of attachment and, further, shall not be subject to any process against such company within at least thirty days notice to said company specifying the time, place and manner of such rule and the process under which and purposes for which said securities are to be sold, accompanied by a copy of such process.

Section 2. That Article 4 of Chapter 25 of the Revised Code of the State of Delaware be and the same is hereby amended by the addition of another new Section to be styled as 628B, Section 57B.

628 B. Section 57 B. Domestic Title Insurance Companies; Certificate of Authority; License Fees:—Every corporation organized under the General Incorporation Law of the State of Delaware, either solely or among other things, for the purpose of certifying to the ownership of title to real property or of guaranteeing such title, or of insuring the owner of real property against loss by reason of defective title thereto, or encumbrances thereon, before engaging in such business in this State shall file with the Insurance Commissioner a statement required by Law for such Insurance Companies, and secure a Certificate of Authority to transact such business and pay to the said Insurance Commissioner, for the use of the State, an annual license fee of One Hundred Dollars. Such certificate of authority shall be in force for one year from the date thereof, and no longer. In addition to the aforesaid license fee, such Insurance Company shall pay to the Insurance Commissioner the sum of Ten Dollars for filing its annual statement, Two Dollars for the issuance of its annual certificate of authority, and its proportionate share of publishing annually an abstract of the annual reports of Insurance Companies of this class.

Approved April 11, 1929.

## CHAPTER 88

## INSURANCE COMMISSION

**AN ACT authorizing the appointment of a Commission to recommend a revision of the Insurance Laws and appropriating the sum of Five Thousand Dollars for its expenses.**

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

Section 1. The Governor is hereby authorized to appoint a commission of three persons to be known as the Commission on the Revision of the Insurance Laws, which shall investigate the Insurance Laws of this State, determine what changes are desirable in order to properly regulate the business of insurance, and report its conclusions and recommendations to the next General Assembly with a view to a complete and comprehensive revision of the Laws regulating insurance in all its branches.

Section 2. The members of the Commission shall serve without compensation except for the actual and necessary expenses incurred by them in the performance of their duties, their terms of office shall continue until the final adjournment of the next General Assembly, and any vacancies in the Commission which may occur by death, resignation or otherwise, shall be filled by appointment of the Governor.

Section 3. The Commission shall elect a chairman from its membership and may employ counsel and other assistants and fix their compensation. The expenses of the Commission shall be paid by the State Treasurer on the warrant of the chairman, subject, however, to the limitation that the total expenses of the Commission, including the compensation of its counsel and other assistants, shall not exceed the sum of Five Thousand Dollars (\$5,000.00) which sum is hereby appropriated for that purpose out of any moneys in the State Treasury not otherwise appropriated.

Approved April 18, 1929.

## CHAPTER 89

## STATE BANK COMMISSIONER

**AN ACT to amend Chapter 111, Volume 30, Laws of Delaware, in relation to the State Bank Commissioner.**

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

Section 1. That Chapter 111, Volume 30, Laws of Delaware, be and the same is hereby amended by striking out and repealing, as they appear in the tenth and eleventh lines of Section 1 of said Chapter, the following words, to-wit: "Thirty-six Hundred Dollars," and by inserting in lieu of the said words so stricken out and repealed, the following words, to-wit: "Forty-two Hundred Dollars."

Section 2. That Chapter 111, Volume 30, Laws of Delaware, as amended by Chapter 111, Volume 33, Laws of Delaware, be and the same is hereby further amended by striking out and repealing, as they appear in the eighth, ninth, tenth and eleventh lines of Section 2 of said Chapter as amended as aforesaid, the following words, to-wit:

"The Deputy shall receive an annual salary of Twenty-four Hundred Dollars, and the Clerk an annual salary of Eighteen Hundred Dollars, payable monthly, in full compensation for their respective services", and by inserting in lieu of the words so stricken out and repealed, the following words, to-wit:

"The sum of Eleven Thousand and Four Hundred Dollars is hereby appropriated annually to be used for salaries and wages of the Deputy, Clerk and other assistants of the State Bank Commissioner, who shall each receive, in full compensation for their respective services, such salary as shall be determined by the State Bank Commissioner, to be paid by the State Treasurer in monthly payments upon vouchers approved by the State Bank Commissioner."

Section 3. That Chapter 111, Volume 30, Laws of Delaware,

## STATE BANK COMMISSIONER

be and the same is hereby further amended, by adding immediately after Section 13 of said Chapter, a new Section, to be styled Section 13 A, as follows, to-wit:

"Section 13A. That the State Bank Commissioner shall have full and complete supervision over persons, associations, firms, partnerships, corporations, trustees or trustee systems, or any other combinations of persons whatsoever, which or who transact or attempt to transact the business of making small loans or loaning money as provided for or mentioned in 3554, Sec. 119 to 3562, Sec. 127 inclusive, of Article 29 of Chapter 100 of the Revised Code of Delaware, as amended, with all the powers, duties and responsibilities with respect thereto, as now provided by Law with respect to Banks, Trust Companies, Building and Loan Associations, and other corporations engaged in like business, and with like full power and authority to enforce all necessary rules and regulations as in the case of Banks, Trust Companies, Building and Loan Associations, and other Corporations engaged in like business."

Approved April 19, 1929.

## CHAPTER 90

## STATE BOARD OF AGRICULTURE

## JAPANESE BEETLE

**AN ACT to amend Chapter 25, of Volume 35, Laws of Delaware, entitled "An Act providing for the quarantine and control of the Japanese Beetle; imposing certain powers and duties on the Governor; and making appropriations therefor", by imposing such powers and duties on the State Board of Agriculture rather than on the Governor, and providing for appropriations relating thereto.**

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

Section 1. That Sections 1, 2, 3, 4 and 5 of Chapter 25, Volume 35, Laws of Delaware, be and the same is hereby amended by repealing all of Sections 1, 2, 3, 4 and 5 thereof and by inserting in lieu thereof the following to be known as Sections 1, 2, 3, 4 and 5:

Section 1. That after June 30, 1929, the State Board of Agriculture, in order to protect the agricultural and horticultural crops of the State of Delaware from the ravages of the Japanese Beetle (*Popillia Japonica*) accidentally imported with horticultural products from Japan, may make or cause to be made, investigations of the prevalence of this pest and may provide or cause to be provided, means whereby it may be controlled and its dissemination limited, and for these purposes they may adopt and carry out such control measures as may be deemed advisable.

Section 2. The State Board of Agriculture may also establish quarantine restrictions in affected areas and areas adjacent thereto, and adopt, issue and enforce rules and regulations relative to such quarantine and for the control and limitation of this pest. Under such quarantine restrictions, they or their authorized agents may prohibit and prevent the movement, or the shipment, or transportation of any agricultural, horticultural or any other material of any character whatsoever capable of carrying

## STATE BOARD OF AGRICULTURE

the Japanese Beetle in any state of its development, and further the said State Board of Agriculture or its authorized agents may under such quarantine restrictions, intercept and detain for official inspection, any person, car, vessel, truck, wagon, automobile, motor or other vehicle, suspected or known to carry any material in violation of any quarantine restriction or of any rules or regulations thereunder established by the authority of this Act.

Section 3. Any person, co-partnership, association or corporation, violating any provision of this Act, or any rule or regulation promulgated by the State Board of Agriculture under the authority of this Act, shall be subject to a fine of not less than Ten Dollars nor more than Fifty Dollars for each offense, besides the costs of prosecution, to be collected by summary conviction before any Justice of the Peace as like fines and costs are now collected; provided, however, that any person so convicted shall have the right of appeal as in like cases before a Justice of the Peace. The fines collected under this Act shall be paid forthwith to the State Treasurer and deposited in the General Fund.

Section 4. Any and all the moneys appropriated in Item K-13 of the "Budget Appropriation Bill" for the fiscal years ending June 30, 1930, June 30, 1931, and for any subsequent fiscal years provided for in any subsequent "Budget Appropriation Bills" or so much thereof as may be necessary for the purpose designated in the respective "Budget Appropriation Bills" under the heading "Japanese Beetle Eradication" shall be paid by the State Treasurer upon warrants signed by the President and Secretary of the State Board of Agriculture, when in the discretion of the said Board, such draft shall be necessary.

Section 5. All Acts or parts of Acts inconsistent herewith are hereby repealed, insofar as the inconsistency may occur only.

Approved April 29, 1929.

## CHAPTER 91

## STATE BOARD OF AGRICULTURE

**AN ACT to repeal Chapter 51 of Volume 28, Laws of Delaware entitled "An Act to Regulate the sale of Seed in the State of Delaware, and to provide for the inspection thereof by the State Board of Agriculture", and to regulate the sale of seed in the State of Delaware, to provide for the inspection thereof by the State Board of Agriculture, and to authorize the said State Board of Agriculture to seize and hold any lot of agricultural seed found to violate any of the provisions of this Act until the law has been complied with or said violation otherwise regularly disposed of.**

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

Section 1. For the purpose of this Act, agricultural seeds are defined as the seeds of alfalfa, alsike clover, crimson clover, mammoth clover, red clover, sweet clover, white clover, Canada blue grass, Kentucky blue grass, crested dog's tail, brome grass, fescues, Italian rye grass, perennial rye grass, orchard grass, red-top, timothy, sorghum, Sudan grass, millets, flax, buckwheat, rape, spring vetch, winter vetch, field corn, Kaffir corn, canning house peas, cowpeas, soy beans, barley, oats, rye, wheat, and other cereals which are sold, stored, offered or exposed for sale or distribution or had in possession with intent to sell within this State, or shipped from one point within this State to another point within this State for seeding purposes.

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

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

## STATE BOARD OF AGRICULTURE

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

4. The approximate percentage of germination of such agricultural seeds, together with month and year said seed was tested.

Section 3. The seeds of quack grass (*Agropyron repens*), Canada thistle (*Circium arvense*), dodders (*Cuscuta species*), wild mustard (*Brassica arvensis*), wild oats (*Avena fatua*), and orange hawkweed (*Hieracium aurantiacum*), are hereby defined as noxious weed seeds. No person shall sell, store, offer or expose for sale or distribution or have in possession with intent for sale within this State, or ship from one point within this State to another point within this State for seeding purposes, any agricultural seeds, defined in Section 1 of this Act, containing any of the seeds defined as noxious weed seeds without the name and the approximate number of each noxious weed seed per ounce contained in said agricultural seeds, appearing on the tag or label. (1) If said noxious weed seeds are present in excess of one seed in each five grams of timothy, red top, orchard grass, Canada blue grass, Kentucky blue grass, fescues, brome grasses, perennial and Italian rye grass, crimson clover, red clover, white clover, alsike clover, sweet clover, alfalfa and all other grasses and clovers not otherwise classified; (2) one in twenty-five grams of millets, rape, flax, and other seeds not specified in (1) or (3) of this section; (3) one in one hundred grams of wheat, oats, rye, barley, buckwheat, vetches and other seeds as large or larger than wheat.

Section 4. The percentage of purity, and the percentage of germination of agricultural seed required under Section 2 of this Act shall be based upon analysis and test conducted either by the State Board of Agriculture, or its inspectors or agents, or by the vendor of the agricultural seeds, or his agents. The methods of conducting the analysis and tests of agricultural seeds, adopted as official by the Association of Official Seed Analysts of North America, shall be the official methods under the provision of this Act.

## STATE BOARD OF AGRICULTURE

Section 5. Whoever buys or sells agricultural seeds defined in Section 1 of this Act, for use in this State for seeding purposes, may submit fair samples of such seeds to the State Board of Agriculture for analysis and test of purity or germination, and the State Board of Agriculture shall cause such analysis and tests to be promptly made, and report thereon returned to the sender. For the analysis of purity, the said Board may charge a fee of twenty-five cents for the examination of each sample, and for a test of germination, a further fee of twenty-five cents, either or both of which fees shall be payable in advance. All moneys received from receipt of such fees shall be paid into the Treasury of the State.

Section 6. The enforcement of this Act is hereby placed in the State Board of Agriculture, and the said Board is hereby authorized to appoint such inspectors and agents as may be necessary to enforce this Act, and such inspectors or agents are authorized to take for analysis, paying the reasonable purchase price, a sample of sufficient size, for analysis, from any lot of agricultural seeds offered or exposed for sale; provided, that said sample shall be taken from a parcel, lot or number of parcels which shall be not less than ten per cent of the whole lot inspected.

Upon request of the person from whom the sample is taken the inspector or agent shall divide the sample after it is thoroughly mixed and leave one portion with the person from whom it is taken. Said duplicate portion shall be sealed, numbered and signed by the inspector or agent.

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

First: Any person selling agricultural seeds direct to seed merchants to be cleaned or graded before being offered or exposed for sale for seeding purposes.

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

Third: Mixtures of agricultural seeds prepared for special purposes when so labelled. This shall not, however, exempt the

## STATE BOARD OF AGRICULTURE

vendor of such mixtures from the provisions of Section 3 of this Act.

Fourth: Agricultural seeds sold by a farmer who incidentally sells, directly to another farmer, for seeding purposes, only such seeds as may be produced by him, who does not sell any seeds not produced by him, and who does not ship seeds so sold by mail or by any common carrier.

Section 8. Whoever sells, offers or exposes for sale within this State any agricultural seeds defined in Section 1 of this Act without complying with the requirements of Sections 2 and 3 of this Act, or whoever falsely marks or labels any agricultural seeds under Section 2 of this Act, or whoever shall prevent the State Board of Agriculture, its inspectors or agents, from inspecting said seeds and collecting samples as provided in Section 6 of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than Fifty Dollars for the first offense and not less than Ten nor more than One Hundred Dollars for each subsequent offense. Provided, however, that no prosecution for violation of this Act shall be instituted except in the manner following:

When the agent of the State Board of Agriculture believes, or has reason to believe, that any person has violated any of the provisions of this Act, he shall cause notice of such fact, together with full specifications of the act or omission constituting alleged violation, to be given to said person, who either in person or by agent or attorney, shall have the right under such reasonable rules and regulations as may be prescribed by the State Board of Agriculture, to appear before said State Board of Agriculture and introduce evidence, and said hearing shall be private. If, after said hearing, or without such hearing, in case said person fails or refuses to appear, said Board shall decide and decree that any or all of said specifications have been proven to their satisfaction, they may in their discretion so certify to the proper prosecuting attorney and request him to prosecute said person according to Law for violation of this Act, transmitting with said certificate a copy of the specifications and such other evidence as

## STATE BOARD OF AGRICULTURE

they shall deem necessary and proper. Whereupon said prosecuting attorney shall prosecute said person according to Law.

Section 9. The State Board of Agriculture may cause to be seized and held any lot of agricultural seeds or mixtures of same found to violate any of the provisions of this Act until the Law has been complied with or said violation otherwise legally disposed of.

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

Section 11. The words "person", "Vendor", and "whoever" as used in this Act, shall be construed to import both the plural and singular, as the case demands, and shall include corporations, companies, societies, and associations.

Section 12. That Chapter 51, of Volume 28, Laws of Delaware, be and the same is hereby repealed.

Approved May 1, 1929.

## CHAPTER 92

## STATE BOARD OF AGRICULTURE

**AN ACT to give the State Board of Agriculture power to conduct the Tuberculin Testing of Cattle under the "Modified Accredited Area" plan, as officially defined by the United States Department of Agriculture.**

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

Section 1. When ninety per centum (90%) of the cattle owners in any county, hundred, district, or other designated area have tested herds of cattle or have made application to have their herds tested and are sufficiently interested in the work to cooperate with the State Board of Agriculture to the extent of making such county, hundred, district, or other designated area to become a "modified accredited area", and to comply with the State and Federal regulations in order to keep their own herds clean and to bring into such area only cattle which have been tested in accordance with the State and Federal regulations, the State Board of Agriculture shall have power, at such times as it is deemed advisable and expedient by the Board, to serve notice that such area shall be placed under quarantine and shall commence tuberculin testing under the area plan without expense to the owner, to the extent of funds available, providing the owners agree to comply with the provisions of this Act and all orders, rules, and regulations formulated thereon.

Section 2. When ninety per centum (90%) of the cattle owners in any county, hundred, district, or other designated area have tested herds of cattle or have filed petitions and agreements with the State Board of Agriculture for the tuberculin testing of their cattle under the area or any other plan of testing approved by the State Board of Agriculture, the State Board of Agriculture "may quarantine all cattle on the premises of the remaining ten per centum (10%) and may quarantine all products from such cattle, so that no cattle or products may be removed from such premises. When the owner of such cattle shall have complied

## STATE BOARD OF AGRICULTURE

with all rules and regulations or orders of the State Board of Agriculture, the State Board of Agriculture may remove the quarantine."

Section 3. Whenever a county, hundred, district, or other designated area has become enrolled in the area or any other plan of testing approved by the State Board of Agriculture, no cattle shall be brought into or moved within such county, hundred, district or other designated area except as provided in the rules and regulations prescribed by the State Board of Agriculture.

Section 4. No person or persons shall treat any cattle with a material or substance for the purpose of interfering with a tuberculin test or with a reaction to a tuberculin test, or shall interfere in any way with a representative of the State Board of Agriculture who is making or assisting with a tuberculin test or shall alter or change an ear tag or other mark of identification for the purpose of concealing the identity of any cattle or shall otherwise attempt to interfere with the identification of any cattle.

Section 5. When the percentage of tuberculous cattle within a county, hundred, district, or other designated area enrolled in the area or any other plan of tuberculin testing approved by the State Board of Agriculture, as shown by the last preceding tuberculin test of all breeding and dairy cattle within the county, hundred, district, or other designated area is reduced to meet the requirements of a "Modified Accredited Area" as officially defined by the United States Department of Agriculture, the State Board of Agriculture shall apply to the United States Department of Agriculture for the certification of such county, hundred, district, or other designated area as a "Modified Accredited Area."

Section 6. Any owner or cattle enrolled in the area or any other plan of testing approved by the State Board of Agriculture who fails or refuses to have his animals retested when notified by the State Board of Agriculture shall be considered as violating his agreement and shall become subject to the penalty provided herein.

## STATE BOARD OF AGRICULTURE

Section 7. For the proper enforcement of the provisions of this Act, the State Board of Agriculture is hereby authorized and empowered to make and enforce orders, rules and regulations for the control and eradication and to prevent the spread of tuberculosis or any other contagious or infectious disease to the cattle of the State; and issue any quarantine orders that may be deemed necessary to prevent the entrance of cattle affected with a contagious or infectious disease. Any person or persons violating any of the provisions of this Act or any order, rule or regulation made by the State Board of Agriculture under the provisions of this Act shall be subject to the penalty hereinafter provided.

Section 8. Any person, copartnership, association, or corporation violating any provision of this Act, or any rule or regulation promulgated by the State Board of Agriculture under the authority of this Act, shall be subject to a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for the first offense, and not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for any subsequent offense, or, in default of fine, to imprisonment for not less than ten (10) days nor more than thirty (30) days, besides the costs of prosecution, to be collected by summary conviction before any Justice of the Peace, as like fines and costs are now collected; provided, however, that any person so convicted shall have the right of appeal as in like cases before a Justice of Peace. The fines collected under this act shall be paid forthwith to the State Treasurer and deposited in the General Fund.

Approved May 1, 1929.

## STATE BOARD OF AGRICULTURE

## CHAPTER 93

## STATE BOARD OF AGRICULTURE

**AN ACT to create an Emergency Fund for the use of the State Board of Agriculture for the purpose of the eradication of Tuberculosis in Cattle.**

*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 (\$10,000.00) is hereby appropriated as an emergency fund to be used by the State Board of Agriculture, during the period ending June 30, 1929, for the purpose of the eradication of tuberculosis in cattle.

Section 2. This Act shall be known as a "Supplementary Appropriation Bill" and the State Treasurer is hereby directed to pay said amount to the State Board of Agriculture upon warrant or warrants signed by the President and Secretary of said Board.

Approved April 29, 1929.

CHAPTER 94

STATE BOARD OF AGRICULTURE

**AN ACT appropriating Six Hundred Dollars yearly for the next two years to the State Board of Agriculture for the Delaware State Poultry Association to be used for prizes and expenses of obtaining competent Judges and Speakers for the annual poultry show of the said Delaware State Poultry Association.**

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

Section 1. That the sum of Six Hundred Dollars (\$600.00) annually for the years of 1929 and 1930 is hereby appropriated to the State Board of Agriculture for use by the Delaware State Poultry Association for prizes, and the expenses of poultry judges and speakers for the annual Poultry Show of the Delaware State Poultry Association.

Section 2. The State Treasury of the State of Delaware is hereby directed to pay said amount to the Delaware State Poultry Association upon warrant or warrants signed by the President and Secretary of the State Board of Agriculture.

Approved April 29, 1929.

## CHAPTER 95

## STATE BOARD OF AGRICULTURE

**AN ACT to appropriate money to the State Board of Agriculture for the purpose of securing and distributing Anti-Hog Cholera Serum and Virus.**

*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 (\$10,000.00) is hereby appropriated annually for the fiscal year ending June 30, 1930, and the fiscal year ending June 30, 1931, to be used by the State Board of Agriculture for the purpose of securing and distributing Anti-Hog Cholera Serum and Virus, and that the additional sum of Five Thousand Dollars (\$5,000.00) is hereby appropriated, as above, for this purpose, to become immediately available for use for the remainder of the fiscal year ending June 30, 1929.

Section 2. That the Anti-Hog Cholera Serum and Virus purchased under the provisions of this Act shall be distributed by the State Board of Agriculture to licensed veterinarians for the purpose of inoculating swine of owners of the State of Delaware; provided, that every owner of hogs shall pay, at cost price, for all Anti-Hog Cholera Serum and Virus, over and above fifteen hundred cubic centimeters of Serum and Virus, used to inoculate the hogs of said owner; and the veterinarians to whom such Serum and Virus is furnished shall render reports to the State Board of Agriculture of all swine inoculated.

Approved April 29, 1929.

## CHAPTER 96

## STATE BOARD OF AGRICULTURE

**AN ACT to amend an Act entitled "An Act to Regulate the Grading, Packing, Branding, and sale of Apples in Closed Packages, and providing Penalties for violations of the Provisions thereof, and appropriating money to carry this Act into effect", approved May 4, 1927.**

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

Section 1. That the Act entitled "An Act to Regulate the Grading, Packing, Branding and Sale of Apples in Closed Packages, and Providing Penalties for Violations of the Provisions thereof, and appropriating money to carry this Act into effect", approved May 4, 1927, be and the same is hereby amended as set forth in the succeeding Sections of this Act.

Section 2. That the Act aforesaid be amended by striking out all of said Section 1, after the word "follows" in the third line of said Section 1, and by inserting in lieu thereof the following—"Section 1."

"U. S. Fancy" grade: This grade shall consist of apples of one variety which are mature but not overripe, carefully hand picked, clean, well formed, free from decay, broken skins, and bruises except those incident to proper packing, spray burn, stings or other insect injury, sunscald, visible water core, and from injury by russetting, limb rubs, hail or mechanical, or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety.

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent, by weight, of the apples in any lot may be below the requirements of this grade, but not to exceed one-half of this tolerance, or 5 per cent, shall be allowed for defects causing serious damage, and not more than one-fifth of this amount, or 1 per cent, shall be allowed for decay.

## STATE BOARD OF AGRICULTURE

"U. S. Number One" grade: This grade shall consist of apples of one variety which are mature but not overripe, carefully hand picked, clean, fairly well formed, free from decay, broken skins and bruises except those incident to proper packing and damage caused by limb rubs, spray burn, sunscald, russeting, hail, visible water core, disease, insects, or mechanical or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety.

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent, by weight, of the apples in any lot may be below the requirements of this grade but not more than one-tenth of this amount or 1 per cent shall be allowed for decay.

"U. S. Commercial" grade: This grade shall consist of apples of one variety which meet the requirements of "U. S. Number One" except as to color, and provided further, that early varieties such as Duchess of Oldenburg, Gravenstein, Liveland, Raspberry, Red June, Summer Hagloe, Twenty Ounce, Wealthy, Williams, and other varieties which ripen at the same period need not be mature.

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent by weight, of the apples in any lot may be below the requirements of this grade but not more than one-tenth of this amount or 1 per cent shall be allowed for decay.

"U. S. Number Two" (or, at the option of the packer, "Choice") grade: This grade shall consist of apples of one variety which are mature but not overripe, free from decay and from serious damages caused by dirt, or other foreign matter, bruises, spray burns, sunscald, russeting, hail, disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent, by weight,

## STATE BOARD OF AGRICULTURE

of the apples in any lot may be below the requirements of this grade but not more than one-tenth of this amount or 1 per cent shall be allowed for decay.

"U. S. Unclassified" grade : This grade shall consist of apples which are not graded in conformity with any of the foregoing grades.

Decay, scald, or other deterioration developing in storage or in transit on apples otherwise up to grade shall be considered as affecting the condition and not the grade.

In addition to the foregoing requirements for "U. S. Number One" and "U. S. Fancy" each apple of these grades must have the percentage of color shown in the table below. "Color" means a good shade of red characteristic of the variety. Faded brown stripes shall not be considered as color except in the case of the Gray Baldwin variety.

Variety	U. S. Fancy	U. S. No. 1
Solid red:		
Arkansas Black . . . . .	50 per cent	25 per cent
Black Ben Davis . . . . .	do	do
Esopus Spitzenburg . . . . .	do	do
Gano . . . . .	do	do
King David . . . . .	do	do
Lowry . . . . .	do	do
Opalescent . . . . .	do	do
Virginia Beauty . . . . .	do	do
Winesap . . . . .	do	do
Other similar varieties . . . . .	do	do
Red June . . . . .	33 per cent	15 per cent
Other similar varieties . . . . .	do	do
Striped or partially red:		
Delicious . . . . .	50 per cent	25 per cent
Jonathan . . . . .	do	do
Kinnaird . . . . .	do	do
McIntosh . . . . .	do	do
Missouri Pippin . . . . .	do	do

## STATE BOARD OF AGRICULTURE

Variety	U. S. Fancy	U. S. No. 1
Other similar varieties	50 per cent	25 per cent
Arkansas (Mammoth		
Black Twig)	33 per cent	15 per cent
Baldwin	do	do
Gray Baldwin	do	do
Ben Davis	do	do
Fameuse	do	do
Nero	do	do
Northern Spy	do	do
Paragon	do	do
Ralls (Geneton)	do	do
Rome Beauty	do	do
Stayman Winesap	do	do
Tompkins King	do	do
Wagener	do	do
Wealthy	do	do
Williams	do	do
Willowtwig	do	do
York Imperial	do	do
Other similar varieties	do	do
Duchess of Oldenburg	25 per cent	10 per cent
Graventsein	do	do
Hubbardston	do	do
Red Astrachan	do	do
Smokehouse	do	do
Stark	do	do
Summer Rambo	do	do
Other similar varieties	do	do
Twenty Ounce	do	None
Other similar varieties	do	do
Red cheeked or blushed:		
Hyde King	Blushed Cheek	None
Maiden Blush	do	do
Monmouth (Red Cheeked Pippin)	do	do
Winter Banana	do	do
Other red cheeked or blushed		
varieties	do	do

## STATE BOARD OF AGRICULTURE

Variety	U. S. Fancy	U. S. No. 1
Yellow or green		
varieties—Characteristic color		Characteristic Color

## STANDARDS FOR EXPORT

(As applied to condition factors)

1. The apples in any lot shall be tightly packed when in barrels or baskets and shall be either fairly tight or tightly packed when in boxes.

2. They shall not be further advanced in maturity than firm ripe.

3. Not more than a total of 5 per cent of the apples in any lot shall be damaged by bitter pit, Jonathan spot, scald, internal breakdown, water core, freezing, decay, or other condition factors, except that:

(a) Not more than 2 per cent shall be allowed for apples affected by decay.

(b) Not more than 2 per cent shall be allowed for damage by internal breakdown.

(c) The apples shall be free from scald unless they are packed in oiled paper or have been especially treated with oil to prevent scald, when not more than 2% of slight scald shall be permitted.

## Definition of Terms

As used in these grades:

1. "Mature" means having reached the stage of maturity which will insure the proper completion of the ripening process.

2. "Clean" means free from excessive dirt, dust, spray residue, or other foreign material.

3. "Carefully hand picked" means that the apples do not show evidence of rough handling or of having been on the ground.

## STATE BOARD OF AGRICULTURE

4. "Well formed" means that the apples have the shape characteristic of the variety in the locality where grown.

5. "Fairly well formed" means that the apples may be slightly abnormal in shape but not to an extent which detracts materially from the appearance of the fruit.

6. "Injury by russetting, limb rubs, and hail" means (a) light brown limb rubs affecting a total area of over one-half inch in diameter; (b) smooth net-like russetting extending over an area of more than one-fourth of the surface in the aggregate; (c) smooth solid russetting extending over an area of more than one-tenth of the surface in the aggregate; (d) rough or bark-like russetting affecting a total area of more than one-fourth inch in diameter; (e) hail marks where the injury is more than superficial or superficial hail marks exceeding one-fourth inch in the aggregate, or where the skin has been broken.

7. "Damaged" means any injury or defect which materially affects the appearance or keeping quality. Anyone of the following defects, or any combination thereof the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Dark brown or black limb rubs over one-half inch in diameter, or light brown limb rubs over 1 inch in diameter.

(b) Spray burn and sunscald where the normal color of the apple is materially changed or the skin is blistered or cracked.

(c) Smooth net-like russetting extending over an area of more than one-fourth of the surface in the aggregate.

(d) Smooth solid russetting extending over an area of more than one-tenth of the surface in the aggregate.

(e) Rough or bark-like russetting affecting a total area of more than one-half inch in diameter.

(f) Hail marks where the injury is more than superficial or superficial hail marks exceeding one-half inch in the aggregate, or where the skin has been broken.

STATE BOARD OF AGRICULTURE

(g) Scab spots which are not corked over or corked-over scab spots affecting a total area of more than one-fourth inch in diameter.

(h) More than two healed insect stings either of which is over one-eighth inch in diameter exclusive of any encircling discolored ring.

(i) Cedar-rust infection which exceeds in the aggregate an area of one-fourth inch in diameter.

(j) Worm holes.

(k) Sooty lotch or fly speck which is thinly scattered over more than one-tenth of the surface, or dark, heavily concentrated spots affecting an area of more than one-half inch in diameter.

8. "Serious damage" means any injury or defect which seriously affects the appearance or keeping quality. The following defects shall be considered as serious damage.

(a) Limb rubs, spray burn, and sunscald which seriously detract from the appearance of the apple.

(b) Smooth solid russetting extending over more than one-half of the surface in the aggregate.

(c) Rough or bark-like russetting, hail marks, or healed stings which materially deform or disfigure the fruit.

(d) Scab spots which are not corked over or corked-over scab spots affecting a total area of more than three-fourths inches in diameter.

(e) Cedar-rust infection which exceeds in the aggregate an area of three-fourths inch in diameter.

(f) Sooty blotch and fly speck affecting more than one-third of the surface.

(g) Worm holes.

Section 3. That Section 3 of the Act aforesaid be amended by inserting between the word "consign" in the second line of said

## STATE BOARD OF AGRICULTURE

Section 3 and the word "in" in the said second line of said Section 3, the words "or placed in a storage warehouse."

Section 4. That Section 3 of the Act aforesaid be further amended by adding at the end of said Section 3 the following—

When apples in closed packages are delivered to a storage warehouse for storage, such delivery is presumptive evidence that the apples are intended for sale. The packages of apples become subject to inspection and must be properly branded. In the case of apples placed in storage for packing later, the owner may file with the operator of the storage a statement in writing, signed by the owner, describing the apples, stating the number of packages, and declaring that they are to be repacked and properly branded before shipment. Such a statement will be regarded by the State Board of Agriculture as overcoming the presumption that the apples are intended for sale, provided that the statement is kept available for examination by representatives of the State Board of Agriculture, and that due notice is given to the State Board of Agriculture when the apples are repacked and branded.

Section 5. That the Act aforesaid be further amended by striking out all of Section 6 thereof and by inserting a new Section 6 as follows—

Section 6. It shall be the duty of the State Board of Agriculture to ascertain if the foregoing provisions of this Act have been complied with in all cases coming within the provisions of this Act and for this purpose the said State Board of Agriculture and its agents are hereby authorized to enter any place where there are closed packages of apples coming within the provisions of this Act and to examine and inspect such packages and the contents thereof and the said State Board of Agriculture and its agents are further authorized for the purpose aforesaid to examine and inspect packages of apples and the contents thereof in trains, cars, trucks, or other vehicles, or when carried in water transports.

STATE BOARD OF AGRICULTURE

Section 6. That the Act aforesaid be further amended by striking out all of Section 10 thereof.

Section 7. That the Act aforesaid be further amended by striking out all of Section 12 thereof and by inserting a new Section 12 as follows—

Section 12. Every violation of any of the provisions of this Act shall be deemed a misdemeanor and every person guilty thereof shall, upon conviction, before any Justice of the Peace of the County wherein such violation occurs, be fined in a sum not less than \$5.00 nor more than \$100.00 for every such violation.

Any person who shall obstruct or in any way interfere with the State Board of Agriculture or any of its agents in the execution of any of the duties of the said State Board of Agriculture under this Act, shall be deemed to have violated the provisions of this Act.

It shall be the duty of the State Board of Agriculture to see that every violator of any of the provisions of this Act is prosecuted as hereinbefore set forth.

Approved March 26, 1929.

## CHAPTER 97

## STATE BOARD OF AGRICULTURE

**AN ACT requiring purchasers or receivers of milk or cream for manufacturing purposes or for resale, to furnish to the producer thereof certain periodical statements of daily deliveries and the average per centum butterfat test of the same; providing for the enforcement thereof; and fixing penalties.**

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

Section 1. That every purchaser or receiver of milk or cream from the producer thereof, for manufacturing purposes or for reselling the same, shall, at each periodical time of payment to such producer for such milk or cream, or where the producer of such milk or cream is selling the same to such purchaser or receiver by or through cooperative association or other agency and the payment therefor is being made by such purchaser or receiver to such cooperative association or other agency, shall, at the time such purchaser or receiver makes each periodical payment to such cooperative association or other agency, give each such producer so delivering milk a statement showing the amount delivered daily during the periodical time for which payment is made and the average per centum butterfat test of same, provided payment is made on the basis of butterfat content; such statement to contain the name or number of the producer or seller of such milk or cream, the date of delivery thereof, and the amount so delivered; such statement to be given in the terms of the unit used as a basis for determining the value thereof; Provided, however, that such purchaser or receiver may in lieu of said monthly statement give daily to such producer or to his agent at the time of delivery of such milk or cream to such purchaser or receiver a written statement of the amount of milk or cream so received or purchased.

Section 2. The Secretary of the State Board of Agriculture shall be charged with the enforcement of the provisions of this Act. Nothing contained in this Section shall be construed to pre-

STATE BOARD OF AGRICULTURE

vent any individual from prosecuting any one violating any of the provisions of this Act.

Section 3. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not more than One Hundred Dollars (\$100.00) or imprisonment for not more than thirty days, or both, in the discretion of the Court.

Section 4. All fines and penalties imposed and received for the violation of any of the provisions of this Act shall be paid to the Secretary of the State Board of Agriculture or his agent, and shall thereafter be paid into the State Treasury for the use of the State.

Section 5. This Act shall take effect July first, One Thousand Nine Hundred and Twenty-nine.

Section 6. All Acts and parts of Acts inconsistent herewith are hereby repealed.

Approved March 7, 1929.

## CHAPTER 98

## STATE FORESTRY DEPARTMENT

**AN ACT to amend an Act entitled "An Act to Create a State Forestry Department," the same being Chapter 50, Volume 35, Laws of Delaware.**

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

Section 1. That Section 1, Chapter 50, Volume 35, Laws of Delaware be and the same is hereby amended by striking out the words "shall not exceed the sum of Five Thousand Dollars in any year" and inserting in lieu thereof the following words: "shall not exceed the sum being kept in the State Treasury under the State Forestry Fund."

Approved April 29, 1929.

## CHAPTER 99

## STATE BOARD OF HEALTH

**AN ACT to amend Chapter 25 of the Revised Code of Delaware relating to the Board of Health of the State of Delaware, and providing for an additional member of said Board, who shall be a Doctor of Dental Surgery.**

*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 Delaware be and the same is hereby amended by adding, at the end of 736, Sec. 1. of Article 1, of said Chapter 25, the following:

On and after the approval of this Act, in addition to the number of members of the Board of Health of the State of Delaware as now constituted by Law, there shall be an additional member of said Board, who shall be a Doctor of Dental Surgery in good standing of the Delaware State Dental Society, to be appointed by the Governor in like manner and for like term as now provided for members of said Board, and to have all such powers and to perform all such duties as now provided by Law in the case of other members of said Board; provided, nevertheless, that not more than five members of the said The Board of Health of the State of Delaware shall at any one time be of the same political faith and opinion.

Section 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed only to the extent of such inconsistency.

Approved March 13, 1929.

## CHAPTER 100

## STATE BOARD OF HEALTH

**AN ACT to amend Chapter 26 of the Revised Code of the State of Delaware, by providing that the State Registrar of Vital Statistics shall make certain registrations relative to Births Marriages and Deaths, occurring previous or subsequent to said Act, if for any reason said Registration has been neglected or omitted and further directing said Registrar to issue Certified Copies of said Registrations.**

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

Section 1. That Chapter 26 of the Revised Code of the State of Delaware be amended, by adding after 822 Section 87 a new Section to be styled 822 A Section 87 A.

822 A. Section 87 A. Notwithstanding any other of the provisions of this Act, the State Registrar is authorized on the production of evidence satisfactory to him, relative to a birth, marriage or death, occurring before the going into effect of this Act, or after it, if for any reason registration has been neglected or omitted, to register any birth, marriage or death which may have occurred when registration was not effective or which may from any cause have escaped registration and the said State Registrar is hereby directed to issue certified copies of such registrations if so requested.

All Acts and parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved March 25, 1929.

## CHAPTER 101

## STATE BOARD OF HEALTH

## ICE CREAM CONTENT

**AN ACT to amend an Act entitled "An Act to Provide for the Purity and Quality of Ice Cream", being Chapter 204 of Volume 34, Laws of Delaware, by permitting the sale and distribution of Ice Cream or Ice Cream Mixture or Compound containing less than Twelve Percentum and Ten Percentum of Milk Fats in States where a Lesser percentage of Milk Fats is allowed.**

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

Section 1. That Chapter 204 of Volume 34, Laws of Delaware, be and the same is hereby amended by striking out all of Section 1 of said Chapter and by inserting in lieu thereof the following new Section to be known as Section 1.

Section 1. That no person, firm or corporation shall sell or distribute, or have in possession for selling or distribution any ice cream or ice cream mixture or compound, which is adulterated or misbranded. Ice cream is hereby defined as the frozen product made from cream with the addition of milk or milk products, or eggs, fruit juices or nuts, with or without sugar or artificial flavoring or coloring. It shall contain not less than twelve per cent (12%) of milk fats, except when the ingredients include fruits, nuts or eggs, in which case it shall contain not less than ten per cent (10%) of milk fats; Provided, however, that nothing herein contained shall be construed to prohibit the selling and distributing by any person, firm or corporation doing business in this State of ice cream or ice cream mixture or compound containing less than twelve per cent and ten per cent of milk fats in States where a lesser percentage of milk fats is allowed, and such person, firm, or corporation shall have the right to manufacture and possess ice cream or ice cream mixture or compound containing less than twelve per cent and ten cent milk fat, only

## STATE BOARD OF HEALTH

for the purpose of selling and distributing the same in other States.

Section 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed insofar as such inconsistency does occur.

Approved March 21, 1929.

## CHAPTER 102

## STATE BOARD OF HEALTH

**AN ACT to amend Chapter 25 of the Revised Code of 1915 of the State of Delaware, by adding thereto a new Article to be known as Article 6 and to include the following new Sections: 824 A, Section 90 to 824 O, Section 104, inclusive, relating to the manufacture and sale of Mattresses and related Articles.**

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

824 A. Sec. 90. The word "mattress" shall mean any quilted pad, mattress, mattress pad, mattress protector, bunk, quilt or box spring, stuffed or filled with excelsior, straw, hay, grass, corn husk, moss, fiber, cotton, wool, hair, jute, kapok or other soft material, to be used on a couch or other bed for sleeping purposes.

The words "pillows", "bolster", or "feather-bed", shall mean any bag, case or covering made of cotton or other textile material, and stuffed or filled with excelsior, straw, hay, grass, corn husks, moss, fiber, cotton, wool, hair, jute, feathers, feather down, kapok or other soft material to be used on a bed or other article for sleeping purposes.

The word "comfortable" shall mean any cover, quilt, or quilted article made of cotton, or other textile material, and stuffed or filled with fiber, cotton, wool, hair, jute, feathers, feather down, kapok or other soft material.

The word "new" as used in this Article 6, shall mean any material or article which has not been previously manufactured or used for any purpose.

The word "second-hand" shall mean any material or article of which prior use has been made.

The word "shoddy" shall mean any material which has been

## STATE BOARD OF HEALTH

spun into yarn, knit or woven into fabric, and subsequently cut up, torn up, broken up or ground up.

The word "person", as used herein, shall include persons, corporations, co-partnerships and associations.

Words used in the singular number shall include the plural; and the plural the singular.

824 B. Sec. 91. No person shall employ or use in the making or renovating of any mattress, pillow, bolster, feather-bed or comfortable (a) any material known as "shoddy" or any fabric or material from which shoddy is constructed; (b) any second-hand material; (c) any new or second-hand feathers, unless such shoddy, second-hand material or new or second-hand feathers have been sterilized and disinfected by a reasonable process approved by the State Board of Health.

824 C. Sec. 92. Any person engaged in the making, re-making or renovating of any mattress, pillow, bolster or comfortable in which second-hand material is used, or in the making of any new or second-hand feather or down-filled article or engaged in sterilizing and disinfecting any material, feathers, or article coming under the provisions of this Article 6, shall submit to the State Board of Health for approval a reasonable and effective process, together with duplicate plans of apparatus or auxiliary devices, for the sterilization and disinfection of second-hand material, feathers and second-hand articles herein enumerated.

Upon the approval of such process for sterilization and disinfection, a numbered permit for its use shall be issued to the applicant by the said State Board of Health. Such permit shall expire one year from date of approval and issue. Every person to whom a permit has been issued, shall keep such permit conspicuously posted in his office or place of business. Refusal to display such permit in accordance with this Article 6 shall be sufficient reason to revoke and forfeit the permit.

For all permits issued as required by any provision of this

## STATE BOARD OF HEALTH

Article 6 (not including, however, by the term "permits", the "tags" otherwise referred to in said Article 6), there shall at time of issue thereof, be paid by the applicant to the State Board of Health a fee of Fifty Dollars (\$50.00).

Nothing herein shall prevent any person engaged in the making, remaking, renovating or sale of any article herein described, which requires sterilizing and disinfecting under the provisions hereof, from having such sterilizing and disinfecting performed by any person to whom a permit for such purposes has been issued, provided the number of the permit shall appear in the statement on the tag attached to the Article.

824 D. Sec. 93. All places where any mattress, pillow, bolster, feather-bed or comfortable is made, remade or renovated, or where materials for the herein-named articles are prepared, or establishment where said articles are offered for sale, or are in possession of, any person with intent to sell, deliver, or consign them, or establishment where sterilizing and disinfecting is performed, shall be subject to inspection by the State Board of Health to ascertain whether the materials and the finished articles herein enumerated conform to the requirements of this Article 6.

824 E. Sec. 94. No person shall sell, lease, offer to sell or lease, or deliver or consign in sale or lease, or have in his possession with intent to sell, lease, deliver, or consign in sale or lease, (a) any mattress, pillow, bolster, feather-bed or comfortable, made, remade, or renovated in violation of this Article 6, (b) any second-hand mattress, pillow, bolster, feather-bed, or comfortable, unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the State Board of Health.

824 Sec. 95. Each and every mattress or article covered by this Article 6, other than a feather or down-filled pillow, bolster, bed or comfortable, shall bear securely attached thereto and visible on the outside covering a substantial cloth tag, upon which shall be plainly and indelibly stamped or printed, in English,

## STATE BOARD OF HEALTH

(a) a statement showing the kind of materials used in filling said mattress or article and whether the materials used in filling are wholly new or second-hand or partly second-hand; (b) the word "second-hand" upon any article of which prior use has been made; (c) the number of the permit issued for sterilizing and disinfecting.

Each and every pillow or other article covered by this Article 6, in which feathers or down are used shall bear securely attached thereto and visible on the outside covering a substantial cloth tag, upon which shall be plainly and indelibly stamped or printed in English (a) a statement that the feathers or down have been sterilized and disinfected in accordance with this Article 6; (b) the number of the permit issued for sterilizing and disinfecting the feathers or down; (c) the word "second-hand" upon a feather or down-filled article of which prior use has been made.

No additional information shall be contained in said statements.

This statement of materials used in filling must be in plain type not less than one-eighth inch in height.

The tag required by this Article 6 to be attached to any article covered by this Article shall be not less than six square inches in size.

It shall be unlawful for any person to imitate, counterfeit, sell, or have in his possession any imitated or counterfeited adhesive stamp required under the provisions of this Article 6.

It shall be unlawful to use, exclusively, in the said statement concerning any mattress, pillow, bolster or comfortable, the word "felt", or words of like import, if any other than garnetted materials are used in filling, or the words "curled hair", or words of like import, if other than curled hair is used in filling.

It shall be unlawful to make any false, untrue or misleading

## STATE BOARD OF HEALTH

statement, term or designation on such tag, or to remove, deface, alter or in any manner attempt to remove, deface or alter such tag, or the adhesive stamp required by this Article 6, or cause to be removed, defaced or altered any statement on a tag placed upon any article included in the provisions of this Article 6.

824 G. Sec. 96. The State Board of Health shall upon application to them by any person entitled thereto, register such applicant, and assign a registry number by which number said applicant shall thereafter be known and designated in applying and enforcing the tagging, inspection and adhesive stamp provisions of this Article, and thereupon he shall furnish to such applicant adhesive stamps in quantities of not less than one thousand for which the applicant shall pay ten dollars for each thousand stamps, which said payment and charge shall constitute an inspection charge for the purpose of enforcing this Article.

824 H. Sec. 97. The State Board of Health is hereby authorized to prepare and cause to be printed adhesive stamps which shall bear a replica of the seal of the State, the registry number of the person applying therefor, and such other matter as the State Board of Health shall direct.

824 I. Sec. 98. It shall be unlawful for any person to sell, lease, offer to sell or lease, to deliver or to have in his possession with intent to sell, lease, deliver or consign any article covered by this Article, unless there shall be attached to the tag required by this Article, by the person manufacturing, renovating, sterilizing or offering for sale the same, an adhesive stamp prepared and issued by the State Board of Health, as hereinbefore provided.

824 J. Sec. 99. All fees collected under the provisions of this Article 6 shall be paid to the State Board of Health, and when so collected and paid, shall thereafter be by the said Board of Health placed in a separate fund, to be known as the Bedding Fund, into which all moneys collected under the provisions of this Article 6 shall be paid, and from which all expenditures ne-

## STATE BOARD OF HEALTH

cessary in carrying into effect the provisions of this Article 6 shall be paid.

All moneys in the Bedding Fund, from time to time, are hereby specifically appropriated to the State Board of Health, for the purpose of carrying into effect the provisions of this Article 6, and for the payment of salaries and expenses of inspectors, employees, and for research, or any other necessary expenses of said State Board of Health, connected with the enforcement of this Article 6.

824 K. Sec. 100. It is the intent of this Article 6 to prevent both the manufacture and the sale within this State of any of the articles enumerated in Section 94 of this Article 6, except in conformity to and in compliance with the provisions of said Section 94. Inasmuch, however, as some of the articles so enumerated may be made, or the material used in the manufacture or renovation thereof may be processed, outside of the limits of this State, it is hereby expressly provided, that where the person or concern so manufacturing any such article or processing any such material shall so have or operate his or its plant outside of the limits of this State, the State Board of Health may, in its discretion in lieu of a physical inspection of the plant of such non-resident person or concern, satisfy himself by examination of the product so made or possessed by such non-resident or by such other means as said State Board of Health may deem adequate, of the propriety of issuing to such non-resident, the permit required by the provisions of this Article 6, or of renewing or keeping in force a permit so issued. But in the event that any time the said State Board of Health may deem it necessary to make physical inspection of any such plant or factory of said non-resident, then and in that event he shall be entitled and empowered to require the payment by such non-resident, of such sum as may cover the reasonable traveling charges entailed by such physical inspection, and to refuse to issue, or to revoke or suspend any permit, until or unless such charges are so paid.

824 L. Sec. 101. The State Board of Health, through its officers and employees is hereby charged with the administration

## STATE BOARD OF HEALTH

and enforcement of Article 6 and shall have the power to take for evidence, at any trial involving violation of this Article, any article made or offered for sale in violation of this Article. The State Board of Health shall make and enforce reasonable rules and regulations for the enforcement of this Article.

824 M. Sec. 102. Any person violating the provisions of this Article 6 or the rules and regulations adopted thereunder, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not less than Ten Dollars and not more than Fifty Dollars for each offense, and, in default of the payment of such fine, to undergo imprisonment of not less than ten days for each separate offense; provided that the total term of imprisonment at any one time for additional offenses shall not exceed ten months.

Each mattress, pillow, bolster, feather-bed or comfortable made, remade or renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver or consign, contrary to the provisions hereof, shall constitute a separate offense.

Each imitated or counterfeited adhesive stamp made, used, sold, offered for sale, delivered or consigned contrary to the provisions of this Article shall constitute a separate offense.

The State Board of Health may revoke any permit issued under the provisions of Article 6, if the person to whom the permit was issued has violated any provisions of this Article 6 or the rules or regulations established thereunder.

824 N. Sec. 103. If the provisions of Article 6 aforesaid cannot take effect in their entirety, because determined to be unconstitutional as to part or parts of said Article 6, nevertheless all the remaining provisions of said Act shall be given full force and effect, as fully and completely as if the part or parts so determined to be unconstitutional had not been included in said Article.

824 O. Sec. 104. The provisions of this Article 6 shall

## STATE BOARD OF HEALTH

be in full force and effect beginning with July 1st, 1929; provided that the provisions of this Article 6 shall not apply to any mattress, pillows, bolsters, feather-beds or comfortables, as provided for in said Article, which any dealer in this State may have on hand, in transit or purchased and not delivered on July 1, 1929.

Approved April 1, 1929.

## CHAPTER 103

## STATE BOARD OF PHARMACY

**AN ACT to amend Chapter 28 of the Revised Code of the State of Delaware in relation to the State Board of Pharmacy.**

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

Section 1. That Chapter 28 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 859 Section 4, and 868 Section 13, of said Chapter, and by inserting in lieu thereof the following, to be known as 859. Section 4, and 868 Section 13:

859. Sec. 4. COMPENSATION OF SECRETARY AND MEMBERS; FEES AND FINES, HOW DISPOSED OF; ANNUAL APPROPRIATION; COMPENSATION, HOW PAID:—The Secretary shall receive such salary, not exceeding Three Hundred Dollars per annum, as may be prescribed by the Board, and his necessary expenses while engaged in the performance of his official duties. The other members shall receive the sum of Ten Dollars for each day actually employed in the discharge of their official duties, and their necessary expenses while engaged therein, provided that no member shall receive in any event more than Three Hundred Dollars per annum.

All fees collected by the Secretary for the examination of pharmacists and assistant pharmacists and for the renewal of certificates of registration, and all fines collected under prosecutions, begun or caused to be begun by the Board of Pharmacy, and all other funds collected under this Chapter, shall by him be conveyed into the State Treasury monthly, and shall be placed to the credit of a fund which is appropriated for the use of the Board of Pharmacy.

There is hereby appropriated annually hereafter, from money in the Treasury of this State, the sum of Two Hundred and Fifty Dollars, to be placed to the credit of the Board of Pharmacy, and to be used as herein provided.

## STATE BOARD OF PHARMACY

The compensation and expenses of the Secretary and members of the Board of Pharmacy, and all expenses incurred by the Board in carrying into execution the provisions of this Chapter, shall be paid out of said fund upon the warrant signed by the President and Secretary of the Board, in accordance with the provisions of Section 20 of Chapter Fifteen.

868. Sec. 13. FEES; WHEN PAYABLE:—The Board of Pharmacy shall charge and collect the following fees: for the examination of an applicant for license as a pharmacist, Fifteen Dollars; for the examination of an applicant for license as an assistant pharmacist, Ten Dollars; for renewing the license of a pharmacist, One Dollar; for renewing the license of an assistant pharmacist, One Dollar.

All fees shall be paid before any applicant may be admitted to examination or his name placed upon the register of pharmacist or assistant pharmacist, or before any license, or any renewal thereof, may be issued by the Board.

Approved March 6, 1929.

## CHAPTER 104

## STATE LIBRARY COMMISSION

## DISTRICT LIBRARY

**AN ACT relating to the borrowing of Money for Public Libraries and striking out 951, Section 19, Chapter 34, and substituting a new Section therefor.**

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

Section 1. That 951, Section 19, of Chapter 34 of the Revised Code of the State of Delaware, be and the same is hereby stricken out and the following new Section is substituted in the place thereof—

951. Section 19. District Library Commissioners; Borrowing of money by; Method of; Election for; Resubmission of Question Form of Bonds; Limit of Amount; Bonds how Executed; Security for Loan; Taxation for Payment of Interest and Principal; Sinking Fund:—Under the circumstances and conditions hereinafter set forth, money may be borrowed in aid of any free public library in this State now or hereafter established.

(1) The district library commission or other governing board of a free public library in aid of which money is desired to be borrowed shall adopt a resolution to the effect that it deems it advisable that a specified sum of money be borrowed for some specified purpose or purposes.

(2) The said commission or board shall submit the question of the approval or rejection of said resolution to the qualified voters of said district at any annual meeting at which members of the district library commission are elected or at a special meeting called for the purpose.

(3) The said commission or board shall give notice that the said resolution will be submitted to the voters as aforesaid. Such notice shall be given by publication in two issues of a news-

## DISTRICT LIBRARY

paper published in the library district (or if no newspaper is published in the said district, then in some newspaper published in the county) and by printed advertisements posted in at least five public places in the district at least ten days prior to the date of the annual meeting or special meeting at which the resolution will be submitted to the voters as aforesaid. The said notice shall state the substance of the resolution aforesaid, and the day, hour, and place that it will be submitted to the voters aforesaid.

(4) The said commission or board shall appoint the persons to conduct the election. The polls shall remain open at least two hours. Every person above the age of twenty-one years residing in the district and paying school taxes therein, and who is not delinquent in such payment shall be entitled to vote and shall have one vote for every dollar or fractional part of a dollar of taxes paid by such person according to the last assessment in said district. The voting shall be by ballot on which shall be written or printed the words "for the resolution in aid of the library" or "against the resolution in aid of the library."

(5) If a majority of the votes cast be for the resolution in aid of the library, authority to borrow the amount of money specified in the resolution aforesaid shall be deemed to be thereby conferred. If a majority of the votes cast be against the resolution in aid of the library, the money shall not be borrowed, and the question shall not be submitted again to the voters during that same school year.

(6) The said commission or board shall certify the result of said election to the Board of Education having the management of the public schools of the district.

(7) If the results of the said election be for the resolution in aid of the library as aforesaid, the said Board of Education is hereby authorized and required to borrow the amount specified in the resolution aforesaid, and for this purpose may issue a bond or bonds for said amount. Such bond or bonds shall be in such form and denomination and shall bear such date and be at such

## DISTRICT LIBRARY

rate of interest, not exceeding six per centum per annum, and shall mature at such time or times as said Board of Education shall determine; provided always, however, that the amount of any sums borrowed under the provisions of this Section shall not exceed the sum of Twenty-five Thousand Dollars for any one district. Any bond issued as aforesaid shall be signed by the President of the Board of Education aforesaid and attested by its Secretary or Clerk, and in case said Board of Education shall have or use a common seal, shall be sealed with the same, but in the absence of such common seal, the word "SEAL" with a scroll around the same shall be deemed and taken to be the seal of the district. The faith and credit of the school district wherein the library aforesaid is situated shall be deemed to be pledged by every bond issued under the provisions of this Section.

(8) Whenever any bond or bonds shall have been issued under the provisions of this Section, the Board of Education having the management of the public schools of the district shall annually raise by levy and taxation a sum sufficient for the payment of the interest on the amount or amounts so borrowed, and shall likewise raise from time to time by levy and taxation such sum or sums as shall be necessary to establish a sinking fund for the payment of the debt secured by said bond or bonds at or before the maturity thereof. The sums authorized to be raised for interest and for a sinking fund as aforesaid shall be raised in the same manner as school taxes in said district are raised, and shall be in addition to all sums authorized to be raised by said district by any other statute.

(9) All moneys borrowed as aforesaid shall be held by the Board of Education aforesaid for the use of the free public library in the district, and shall be paid out when and as directed by the district library commission or governing board of the said free public library. The purpose or purposes, for which the money aforesaid shall be by the said district library commission or governing board directed to be paid as aforesaid, may be for the purchase of a building for the library and for the alterations or repair thereof, or of a site for such building and for the erection

## DISTRICT LIBRARY

of a building thereon, or for the improvement and repair of any library building owned by such district, and-or for the purchase of library furniture and equipment and-or for the purchase of books for the library. In case any corporation, club, society, organization, or association shall desire to have the use of some part or portion of the library building not required for library purposes and will agree in consideration for permission to use such part or portion of said building to pay a rental or to contribute a reasonable amount toward the purchase of the library building or toward the cost of the erection of a library building and-or toward the cost of the maintenance of the library, the district library commission or governing board shall have the right and power to make or enter into a lease, contract, or other agreement accordingly.

Approved May 9, 1929.

## CHAPTER 105

## STATE LIBRARY COMMISSION

## CORBIT LIBRARY

**AN ACT to permit the Trustees of School District No. 61 and 61 ½ in New Castle County to resign as Trustees of the Corbit Library Funds and authorizing the Chancellor of the State of Delaware to appoint a new Trustee of said Funds.**

WHEREAS, Dr. James Corbit, of Odessa, Delaware, by his last Will and Testament, executed on the Fifteenth day of June, A. D. One Thousand Eight Hundred and Forty-six, gave to the Commissioners or Trustees of the public or district school in Cantwell's Bridge, New Castle County and State of Delaware "now Odessa" and their successors, in trust, certain public securities amounting in all to Nine Hundred and Fifty Dollars (\$950.00), to be invested in the purchase of a library for the use of the said school district; and

WHEREAS, the General Assembly of the State of Delaware on the Twenty-seventh day of February, A. D. 1857, provided that said fund and all other donations or bequests for said library be sacredly held in the name of said school district for the use and benefit of said library; and

WHEREAS, Daniel Corbit, of Odessa, aforesaid, by letter dated the Fourth day of April, A. D. 1868, addressed to "The Committee of School District No. 61, New Castle County, Delaware" gave to the said school district securities amounting to the sum of Five Hundred Dollars (\$500.00) in trust to collect and apply the interest thereof toward the purchase of books for the Corbit Library; and

WHEREAS, William B. Corbit, formerly of Odessa, Delaware, by Will dated November 19, 1881, gave and bequeathed all of his books to School District No. 61, in New Castle County, its successors and assigns, for the use of the public library in said district, known as the Corbit Library and further bequeathed the sum of Ten Thousand Dollars (\$10,000.00) to be invested in good

## CORBIT LIBRARY

and safe securities and the interest and income thereof paid unto the said School District No. 61 in New Castle County, its successors and assigns, forever, for the support, maintenance and increase of the said public library in said district, known as the Corbit Library; and

WHEREAS, Mary Corbit Warner, by Will dated November 13, 1919, gave and bequeathed unto the Corbit Library of Odessa, Delaware, the sum of Five Hundred Dollars; and

WHEREAS, all of the above bequests were accepted by the said district, a library purchased and enlarged from time to time and proper buildings procured for the keeping of said library; and

WHEREAS, it is deemed advisable by the Commissioners of said School District and as such, Trustees of said funds, that a new Trustee be appointed by the Chancellor of the State of Delaware, and have made application to this General Assembly to enact a Law for that purpose. THEREFORE,

*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 School District No. 61 of New Castle County, Delaware (now known as Districts Nos. 61 and 61½) be authorized, empowered and directed to file their resignations as Trustees of said funds with the Chancellor of the State of Delaware, on or before the expiration of sixty days from the approval of this Act and that the Chancellor of the State of Delaware be empowered to appoint some suitable person or corporation as Trustee of said funds with all the rights and duties heretofore had and enjoyed by the persons acting as Trustees of said funds.

Section 2. That Chapter 416, Vol. 11 Laws of Delaware, entitled "An Act imposing upon the Committee of School District No. 61 in New Castle County, certain duties and for other purposes" be and the same is hereby repealed.

Approved February 19, 1929.

## CHAPTER 106

## STATE HIGHWAY DEPARTMENT

**AN ACT to authorize the State Highway Department to Acquire, by gift, devise, grant or purchase, timberlands adjacent to Public Highways as a part of the State Highway System.**

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

Section 1. The State Highway Department is hereby invested with full power and authority to acquire for the State, by gift, devise, grant or purchase, for public use, timberlands adjacent to Highways in this State, as now existing or as hereafter laid out or constructed, as may be determined by the State Highway Department, or its successors in power, the land so to be acquired to lie within a line parallel to and not exceeding five hundred (500) feet from the center line of any such highway.

Section 2. The said timberlands, when acquired shall become a part of the State Highway system of this State and shall be under the supervision and control of said State Highway Department, or such other body as may succeed the said State Highway Department.

Section 3. The State Highway Department is hereby authorized to make payment for any timberlands that may be acquired by purchase under the provisions of this Act from the same funds within the control of the State Highway Department out of which the State Highway Department is authorized to pay for lands acquired by purchase and lying within the right of way of any public highway over which it has jurisdiction under the provisions of Chapter 63, Volume 29, of the Laws of Delaware, as amended.

Approved April 10, 1929.

## CHAPTER 107

## NOTARIES PUBLIC

**AN ACT to amend Chapter 42 of the Revised Code of the State of Delaware of 1915 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:*

Section 1. That Chapter 42 of the Revised Code of 1915 of the State of Delaware, as amended, be and the same is hereby further amended by the repeal of 1006. Section 1, and the insertion in lieu thereof of the following, which shall be styled as 1006. Section 1.

1006. Section 1. Notaries; Number of:—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 every person who shall be appointed by him as Collector of State Revenue also a Notary Public, provided that a Collector of State Revenue shall only act as a Notary Public in connection with work performed in carrying out the duties of his office; and 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 is removed from said office of the Justice of the Peace, or Collector of State Revenue, shall terminate at the same time his term of office as Justice of 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 authorized and directed to appoint one Notary Public for each trust company, bank, 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

## NOTARIES PUBLIC

Public who may be appointed for the several Trust Companies, Banks, Banking Associations, 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, shall be confined to the business of their respective Trust Companies, Banks, 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, 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 two hundred Notaries Public, in Kent County forty Notaries Public, in Sussex County forty Notaries Public.

Approved March 26, 1929.

## CHAPTER 108

## EMPLOYMENT BUREAU

**AN ACT providing for an Employment Bureau and Appropriating moneys for the Maintenance Thereof.**

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

Section 1. That the Governor of the State of Delaware be and he is hereby authorized to appoint an Employment Bureau consisting of three persons whose duties it shall be to cooperate with the United States Employment Service and with the City of Wilmington for the purpose of relieving unemployment in the State of Delaware; and investigating and securing facts relating to employment and unemployment in general. The said Employment Bureau is hereby authorized to employ such assistants as it may deem necessary to carry out the provisions of this Act.

Section 2. There shall be appropriated out of the Treasury of the State of Delaware, from funds not otherwise appropriated, the sum of Two Thousand Five Hundred Dollars (\$2,500.00) per year to provide for the maintenance and expenses of the Employment Bureau as aforesaid, said money to be disbursed as needed by the State Treasurer upon warrants signed by the Chairman and Secretary of said Bureau. Any part of the Two Thousand Five Hundred Dollars appropriated annually which is not used as above provided for shall be returned to the General Fund of the State Treasury.

Section 3. The moneys herein appropriated shall be available immediately upon the passage of this Act, provided, however, that a like sum or sums of money shall be set aside, appropriated and expended, by the City of Wilmington for a like purpose.

Section 4. An annual report of the expenditures and activities of the said Bureau shall be made to the Governor on or before the first day of July in each year.

Approved April 29, 1929.

# TITLE SEVEN

## County Government

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### CHAPTER 109

#### LEVY COURTS

**AN ACT appropriating moneys from the State Treasury for the purpose of Paying Maturities on certain Highway Improvement Bonds and State Aid Road Bonds, issued by Levy Courts of New Castle, Kent and Sussex Counties and Maturing during the Fiscal Biennium of the State of Delaware, ending June 30, 1931.**

*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 House agreeing thereto):*

Section 1. On or before June 1, 1929, the Levy Court Commissioners of the Counties of New Castle, Kent and Sussex respectively shall certify to the State Treasurer the sums of money necessary to meet the requirements for paying maturities of principal falling due on the Highway Improvement Bonds and State Aid Road Bonds of each of said Counties during the fiscal biennium of the State of Delaware beginning on July 1, 1929, and ending on June 30, 1931.

Section 2. The Highway Improvement Bonds and State Aid Road Bonds heretofore referred to in this Act are as follows:

New Castle County Bonds authorized under the following Acts: Chapter 51 of Vol. 24, Laws of Delaware, Chapter 101 of Vol. 29, Laws of Delaware, Chapter 97, of Vol. 30, Laws of Delaware, Chapter 98 of Vol. 30, Laws of Delaware, Chapter 88 of Vol. 32, Laws of Delaware and Chapter 94 of Vol. 33, Laws of

## LEVY COURTS

Delaware; Kent County Bonds authorized under the following Acts: Chapter 23 of Vol. 31, Laws of Delaware, Chapter 97 of Vol. 33, Laws of Delaware and Chapter 104, of Vol. 34, Laws of Delaware; Sussex County Bonds authorized under the following Acts: Chapter 105 of Vol. 29, Laws of Delaware and Chapter 105 of Vol. 34, Laws of Delaware.

Section 3. There is hereby appropriated and authorized to be paid out of the State Treasury to the Levy Court Commissioners of New Castle County, and to the Levy Court Commissioners of Kent County, and to the Levy Court Commissioners of Sussex County, for the use of said Counties respectively such sums of money as shall be necessary for the payment of the maturities of principal on all the said bonds set forth in Section 2 of this Act, to be used by said respective Levy Court Commissioners for the purpose of paying said respective maturities of principals and for no other purpose. The moneys hereby appropriated and authorized are intended to embrace the sums necessary to provide for the said maturities of principal on the said Highway Improvement Bonds and the State Aid Road Bonds of each of the said Counties falling due during the period from July 1, 1929 up to June 30, 1931, both inclusive.

Section 4. Within ten days prior to the maturity date of any of the bonds set forth in Section 2 of this Act, it shall be the duty of the State Treasurer and he is hereby directed and required to pay to the Receiver of Taxes and County Treasurer of the respective Counties, the sums of money certified under Section 1 of this Act to be necessary for the payment of maturities of principal of the said bonds coming due as aforesaid.

Section 5. The Levy Courts of the respective Counties in fixing the annual rate of taxation shall not provide for the raising of any sum of money for the payment of maturities on any of the bonds in this Act referred to.

Section 6. This Act shall be known and called a "Supplementary Appropriation Bill" and the moneys hereby appropriated shall be paid from the General Fund of the State.

Approved February 18, 1929.

## CHAPTER 110

## LEVY COURT, NEW CASTLE COUNTY

**AN ACT appropriating moneys from the State Treasury for the purpose of paying maturities on certain Highway Improvement Bonds, issued by the Levy Court of New Castle County during the fiscal biennium of the State of Delaware, ending June 30, 1931.**

WHEREAS, an Act was passed by both Houses of the present General Assembly, known as Senate Bill No. 4, the object of which was to appropriate certain moneys to meet the requirement for paying maturities of principals falling due on certain Highway Improvement Bonds and State Aid Road Bonds of each of the Counties of this State during the fiscal biennium of the State of Delaware beginning on July 1, 1929, and ending on June 30, 1931, and

WHEREAS, through oversight or inadvertency the Tenth Series of Highway Improvement Bonds authorized by Volume 34, Chapter 103, of the Laws of Delaware were omitted from said Act, 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 House agreeing thereto):*

Section 1. On or before June 1, 1929, the Levy Court Commissioners of New Castle County shall certify to the State Treasurer the sums of money necessary to meet the requirements for paying the maturities of principal falling due on Highway Improvement Bonds of New Castle County during the fiscal biennium of the State of Delaware beginning on July 1, 1929, and ending on June 30, 1931.

Section 2. The Highway Improvement Bonds heretofore referred to in this Act, are as follows:

New Castle County Bonds authorized under Chapter 103, Volume 34, Laws of Delaware.

## LEVY COURT, NEW CASTLE COUNTY

Section 3. There is hereby appropriated and authorized to be paid out of the State Treasury to the Levy Court Commissioners of New Castle County for the use of the said County such sums of money as shall be necessary for the payment of maturities of principals on all the Bonds set forth in Section 2 of this Act, to be used by the said Levy Court Commissioners for the purpose of paying said respective maturities of principals and for no other purpose. The moneys hereby appropriated and authorized are intended to embrace the sums necessary to provide for the said maturities of principals on the said Highway Improvement Bonds of said New Castle County falling due during the period from July 1, 1929, up to June 30, 1931, both inclusive.

Section 4. Within ten days prior to the maturity date of any of the Bonds set forth in Section 2 of this Act, it shall be the duty of the State Treasurer and he is hereby directed and required to pay to the Receiver of Taxes and County Treasurer of New Castle County the sums of money certified under Section 1 of this Act to be necessary for the payment of maturities of principal of the said Bonds coming due as aforesaid.

Section 5. The Levy Court of New Castle County in fixing the annual rate of taxation shall not provide for the raising of any sum of money for the payment of maturities on any of the bonds in this Act referred to.

Section 6. This Act is to be taken as supplementary to and not in exclusion of said Senate Bill No. 4, recently passed by the present session of the General Assembly.

Section 7. This Act shall be known and called a "Supplementary Appropriation Bill" and the moneys hereby appropriated shall be paid from the General Fund of the State.

Approved March 27, 1929.

## CHAPTER 111

## OBLIGATIONS OF OFFICERS

**AN ACT providing for the cancellation and satisfaction of the official obligations of State and County officers after the expiration of their respective terms of office.**

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

Section 1. That at any time after the expiration of the term of office of any State or County officer in this State, who is required by law to give bond or other obligation with surety for the faithful performance of his duties as such officer, such officer may present a petition to the Resident Judge of the particular county in which said bond or other obligation is filed or recorded, in such form as shall be prescribed by the said Judge, stating all of the facts proper and necessary to lay before the said Judge the reasons for asking that said bond or other obligation theretofore entered into by such officer should be cancelled and satisfied of record.

Section 2. That upon the presentation of any such petition, by any such officer, as stated in Section 1 of this Act, to the Resident Judge of the particular County as aforesaid, the said Judge shall inquire into all the facts and circumstances of the particular case; and, if satisfied from the evidence presented, that the said officer has performed all of the duties lawfully required of him, and has properly accounted for all moneys or other property or things of value coming into his hands as such officer, and there are no reasons why the bond or other official obligations of such officer should be cancelled and satisfied of record; then, and under such circumstance, the said Judge may in his discretion make an order that said obligation be cancelled, and that the Recorder of Deeds of the County where the said bond or other official obligation is recorded shall mark the same satisfied of record.

Section 3. That all Acts or parts of Acts inconsistent with

## OBLIGATION OF OFFICERS

the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

Approved March 13, 1929.

## CHAPTER 112

## LEVY COURT, NEW CASTLE COUNTY

## COUNTY FREE LIBRARY

**AN ACT authorizing the Creation and Maintenance of a County Free Library for New Castle County and authorizing the appropriation of County Moneys therefor.**

WHEREAS, residents of New Castle County are desirous of enjoying the advantages of a county free library and the Levy Court of New Castle County and The Wilmington Institute, a corporation of the State of Delaware, desire to maintain such a library and to utilize any funds that may be made available for such object whether from a private or public source; 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 Branch thereof concurring therein):*

Section 1. The Levy Court of New Castle County hereby is authorized and empowered to appropriate public moneys toward the maintenance and support of a free library for the use of the residents of New Castle County outside of the City of Wilmington and for all purposes incident thereto (in amounts not to exceed in any one year the sum of Ten Thousand Dollars).

Section 2. The Wilmington Institute, a corporation of the State of Delaware, hereby is authorized and empowered to administer a free library for the use of the residents of New Castle County outside of the City of Wilmington, and to perform all functions incident thereto, such functions to be in addition to those now devolving upon The Wilmington Institute under existing laws and to be paid for with other funds than those received from the City of Wilmington.

Section 3. The Levy Court of New Castle County and The

## COUNTY FREE LIBRARY

Wilmington Institute hereby are authorized and empowered to enter into continuous contracts, pursuant to resolutions of their respective bodies, with each other and with other persons or corporations, whether public or private, respecting payments of money to be made toward the maintenance and support of a free library for the use of the residents of New Castle County outside of the City of Wilmington.

Approved March 6, 1929.

CHAPTER 113

LEVY COURT, NEW CASTLE COUNTY

COUNTY AUDITORS

**AN ACT to amend Chapter 43 of the Revised Code of the State of Delaware, as amended, 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 1915 of the State of Delaware, as amended, be and the same is hereby further amended, by repealing all of the second paragraph of 1028, Section 16 thereof and by inserting in lieu thereof the following new paragraph:

Each of said Auditors, so appointed by said Judge, shall receive for his services a sum not exceeding Seven Hundred and Fifty 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.

Approved May 6, 1929.

## CHAPTER 114

## LEVY COURT OF KENT COUNTY

**AN ACT to authorize the Levy Court of Kent County to cause new Release and Acquittance Indices in the office of the Register of Wills of Kent County, to be made.**

*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 Kent County be and it is hereby authorized and required to cause to be made, pursuant to the Campbell System of Indices, a true and correct copy of the indices to all Releases and Acquittances recorded in the office of the Register of Wills in and for Kent County, and for such purpose said Levy Court shall appoint two Commissioners and whatever clerical assistants said Levy Court shall deem necessary, to perform the work and said Levy Court is hereby authorized to procure and pay for such books as shall be necessary to carry out the purpose under this Act.

Section 2. That after the completion of said new Release and Acquittance Indices, the Associate Judge of the Superior Court resident in Kent County shall appoint an Examiner to examine said new Release and Acquittance Indices and after such Examiner shall approve of the execution and exactness of said new indices, he shall certify the same to said Resident Associate Judge to be a true and correct copy of said indices, and then and after such certification, the said copy shall become and be the Release and Acquittance Indices of the said County in lieu of those heretofore and now in use.

Section 3. That after such new Release and Acquittance Indices shall have been approved and certified as aforesaid, the said Levy Court shall pay to said two Commissioners and their assistants and to said Examiner just and reasonable compensation for their respective services, the amounts to be fixed by said Levy Court.

Section 4. The said Levy Court, said Commissioners and

assistants and said Examiner shall have free access to the Records in the said office of the said Register of Wills while in the performance of their duties under this Act.

Approved March 26, 1929.

## CHAPTER 115

## LEVY COURT OF KENT COUNTY

**AN ACT to authorize the Levy Court of Kent County to cause new Mortgage Indices to be made.**

*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 Kent County be and it is hereby authorized and required to cause to be made, pursuant to the Campbell System of Indices, a true and correct copy of the indices of unsatisfied Mortgages recorded in the office of the Recorder of Deeds in and for Kent County and for such purpose said Levy Court shall appoint two Commissioners and whatever clerical assistants said Levy Court shall deem necessary to perform the work, and said Levy Court is hereby authorized to procure and pay for such books as shall be necessary to carry out the purposes of this Act.

Section 2. That after the completion of said New Mortgage indices the Associate Judge of the Superior Court resident in Kent County shall appoint an Examiner to examine said New Mortgage indices and if such Examiner shall approve of the execution and exactness of said new indices, he shall certify the same to said Resident Associate Judge to be a true and correct copy of said indices, and then and after such certification the said copy shall become and be the Mortgage indices of the said County in lieu of those heretofore and now in use.

Section 3. That after said new Mortgage indices shall have been approved and certified as aforesaid, the said Levy Court shall pay to said two Commissioners and their assistants and to said Examiner just and reasonable compensation for their respective services, the amounts to be fixed by said Levy Court.

Section 4. The said Levy Court, said Commissioners and Assistants and said Examiner shall have free access to the Records in said office while in the performance of their duties under this Act.

Approved March 25, 1929.

## CHAPTER 116

## LEVY COURT OF KENT COUNTY

**AN ACT to authorize the Levy Court of Kent County to cause new Judgment Indices to be made.**

*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 Kent County be and it is hereby authorized and required to cause to be made, pursuant to the Campbell System of Indices, a true and correct copy of the indices of unsatisfied Judgments entered in the office of the Prothonotary of the Superior Court of the State of Delaware in and for Kent County, and for such purpose said Levy Court shall appoint two Commissioners and whatever clerical assistants said Court shall deem necessary to perform the work, and said Levy Court is hereby authorized to procure and pay for such books as shall be necessary to carry out the purpose of this Act.

Section 2. That after the completion of said new Judgment indices the Associate Judge of the Superior Court resident in Kent County shall appoint an Examiner to examine said new indices and if such examiner shall approve of the execution and exactness of the said indices, he shall certify the same to said Resident Associate Judge to be a true and correct copy of said indices, and then and after such certification the said copy shall become and be the Judgment indices of said County in lieu of those heretofore and now in use.

Section 3. That after said new Judgment indices shall have been approved and certified as aforesaid, the said Levy Court shall pay to said two commissioners and their assistants and to said Examiner just and reasonable compensation for their respective services, the amounts to be fixed by said Levy Court.

Section 4. The said Levy Court, said Commissioners and assistants, and said Examiner shall have free access to the Records in the said office of the said Prothonotary while in the performance of their duties under this Act.

Approved March 25, 1929.

## CHAPTER 117

## LEVY COURT OF KENT COUNTY

**AN ACT to authorize the Levy Court of Kent County to cause indices of Real Estate Assignments in the office of the Register in Chancery and Clerk of the Orphan's Court in and for Kent County, to be made.**

*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 Kent County be and it is hereby authorized and required to cause to be made, pursuant to the most modern and approved system of indices, true and correct indices of all Assignments of Real Estate recorded in the office of the Register in Chancery and Clerk of the Orphan's Court in and for Kent County, which indices shall show alphabetically the names of the Assignees of said Real Estate and the names of the decedent owners of such Real Estate out of which said Assignments were made and such other facts, if any, as said Levy Court shall deem advisable, and for such purpose the said Levy Court shall appoint two Commissioners and whatever clerical assistants said Levy Court shall deem necessary to perform the work, and the said Levy Court is hereby authorized to procure and pay for such books as shall be necessary to carry out the purpose of this Act.

Section 2. That after the completion of said Assignment indices, the Associate Judge of the Superior Court resident in Kent County shall appoint an Examiner to examine said Assignment indices and after such Examiner shall approve of the execution and exactness of said indices, he shall certify the same to said Resident Associate Judge to be true and correct Assignment indices, and then and after such certification the said indices shall be and become the Assignment indices of the said County.

Section 3. That after said Assignment indices shall have been approved and certified as aforesaid the said Levy Court shall pay to said two commissioners and their assistants and

LEVY COURT OF KENT COUNTY

to said Examiner just and reasonable compensation for their respective services, the amounts to be fixed by said Levy Court.

Section 4. The said Levy Court, said Commissioners and assistants and said examiner shall have free access to the office of the said Register in Chancery and Clerk of the Orphan's Court while in the performance of their duties under this Act.

Approved March 25, 1929.

## CHAPTER 118

## LEVY COURT OF KENT COUNTY

**AN ACT authorizing and empowering the Levy Court of Kent County to insure the employees and appointed officers thereof, and to elect to be bound by the compensatory provisions of the Delaware Workmen's Compensation Law.**

*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 Kent County is hereby authorized and empowered to enter into a contract with some reliable insurance company or companies doing business in the State of Delaware to insure the employees or appointed officers of the County against injury or death incurred by such employees or appointed officers while performing their duties as employees or appointed officers of the County.

Section 2. The said Levy Court may at any time elect to be bound by the compensatory provisions of the Delaware Workmen's Compensation Law.

Section 3. The said Levy Court shall be the sole judge of the kind of insurance and the amount thereof which will best execute the purposes and provisions of this Act.

Section 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed in so far as such inconsistency does occur.

Approved March 19, 1929.

## CHAPTER 119

## LEVY COURT OF KENT COUNTY

**AN ACT for the relief of Indigent Sick of Kent County.**

WHEREAS, Chapter 91, Volume 34 of the Laws of Delaware authorized and directs the Levy Court of Kent County to appropriate and set aside the sum of Four Thousand (\$4,000.00) Dollars annually, to provide hospital treatment and care of the indigent sick of said County; and

WHEREAS, the said sum of Four Thousand (\$4,000.00) Dollars, appropriated for the fiscal year ending June 30th, 1929, has been exhausted and used in the treatment and care of the indigent sick in the hospitals of said County, and no money is available to care for and treat cases that may require treatment prior to the first of July, 1929; THEREFORE:

*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 Kent County is hereby authorized and directed to appropriate and set aside the sum of Two Thousand (\$2,000.00) Dollars to provide hospital treatment and care of the indigent sick of said County for the period prior to July 1st, 1929.

Section 2. That said sum of Two Thousand (\$2,000.00) Dollars shall be applied and paid in accordance with the regulations prescribed in said Chapter 91, Volume 34, in so far as said regulations may be applicable.

Approved April 16, 1929.

## CHAPTER 120

## LEVY COURTS OF KENT AND SUSSEX COUNTIES

**AN ACT to amend Chapter 91, Volume 34 Laws of Delaware, entitled "An Act for the Relief of the Indigent Sick of Kent and Sussex Counties."**

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

Section 1. That Chapter 91, Volume 34, Laws of Delaware, entitled "An Act for the Relief of the Indigent Sick of Kent and Sussex Counties" be and the same is hereby amended by striking out all of Section 1 thereof and by inserting in lieu thereof the following new Section 1:

"Section 1. Beginning July 1, 1929, the Levy Court of Kent County is hereby authorized and directed to appropriate and set aside the sum of Eight Thousand Dollars (\$8,000.00) annually, and the Levy Court of Sussex County is hereby authorized and directed to appropriate and set aside the sum of Six Thousand Dollars (\$6,000.00) annually, to provide hospital treatment and care for the indigent sick of said respective Counties.

That said Chapter 91 be and the same is hereby further amended by striking out the words and figures Four Thousand Dollars (\$4,000.00), as the same appear in line 33 of Section 3, and substituting in lieu thereof the words and figures Eight Thousand Dollars (\$8,000.00), and by striking out the words and figures Four Thousand Dollars (\$4,000.00) as the same appear in line 34 of said Section 3 and substituting in lieu thereof the words and figures Six Thousand Dollars (\$6,000.00).

That said Chapter 91 be and the same is hereby further amended by striking out the second paragraph of Section 3 of said Chapter, being lines 52 to 68 inclusive, and by substituting in lieu thereof the following:

"The Levy Court of Kent County shall not expend under

## LEVY COURTS OF KENT AND SUSSEX COUNTIES

this Act for the months of July, August and September in each year more than Two Thousand Dollars (\$2,000.00), nor for the months of October, November and December more than Two Thousand Dollars (\$2,000.00) in addition to any sum which may be unused out of the first mentioned Two Thousand Dollars, nor for the months of January, February and March more than Two Thousand Dollars (\$2,000.00) in addition to any sums which may be unused for the six months before mentioned, nor for the months of April, May and June more than Two Thousand Dollars (\$2,000.00) in addition to what may be unused for the nine months before mentioned. And the Levy Court of Sussex County shall not expend under this Act for the months of July, August and September in each year more than One Thousand Five Hundred Dollars (\$1,500.00), nor for the months of October, November and December more than One Thousand Five Hundred Dollars (\$1,500.00) in addition to any sum which may be unused out of the first mentioned One Thousand Five Hundred Dollars, nor for the months of January, February and March more than One Thousand Five Hundred Dollars in addition to any sums which may be unused for the six months before mentioned, nor for the months of April, May and June more than One Thousand Five Hundred Dollars, in addition to what may be unused for the nine months before mentioned.

The purpose of the provisions of this paragraph being to distribute the funds provided for by this Act as equitably as possible throughout the fiscal year, and to guard against the expenditure of the entire annual fund during the first few months of the fiscal year.

Approved April 29, 1929.

## CHAPTER 121

## VALUATION AND ASSESSMENT OF PROPERTY

**AN ACT to amend Chapter 79, Volume 28, Laws of Delaware relating to the valuation and assessment of property 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 Chapter 79 of Volume 28, Laws of Delaware, be amended by striking out that portion of Section 16 of said Chapter designated as 1123 A, Sec. 26 A, and by substituting in lieu thereof the following:

1123 A. Sec. 26 A. 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.

The Board of Assessment for Sussex County shall have the power and authority to select a suitable person or persons from each of the representative districts of Sussex County or, if necessary, from each of the election districts of Sussex County, whose duty it shall be to assist said Board of Assessment in locating the persons and property of persons in said representative district, or in said election district, and in the valuation of assessable property. The persons so employed shall receive as compensation for his services such sum as shall be fixed by the Levy Court. The

VALUATION AND ASSESSMENT OF PROPERTY

Board of Assessment shall certify in writing the name of each person so employed in each of said districts, and shall approve all bills rendered to said Levy Court by such persons so employed before payment shall be made to such persons by the said Levy Court.

Approved May 1, 1929.

## CHAPTER 122

## RECORDERS

**AN ACT requiring Recorders of Deeds of each of the three Counties of the State of Delaware to deliver to the State Board of Health certain Books, indexes and loose leaf binders relating to Births, Deaths and Marriages, and the appropriation of Two Hundred Dollars for the proper transportation of same and securing of cabinets and equipment for the safe and accessible preservation of same.**

*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 of each of the three Counties of the State of Delaware are hereby directed and charged forthwith, after the approval of this Act, to deliver to the State Board of Health all books, including indexes and loose leaf binders relating to births, deaths and marriages, now in their possession, which have been used exclusively for those purposes. Upon delivery of such to the State Board of Health the respective Recorders shall take a receipt from the Executive Secretary of the State Board of Health for same.

Section 2. That the sum of Two Hundred Dollars (\$200.00) be and the same is hereby appropriated, to be paid out of the General Fund of the Treasury of the State of Delaware for the purpose of paying for the transportation of said records and for the purchasing of cabinets and equipment for the safe and accessible preservation of same.

All Acts and parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 18, 1929.

CHAPTER 123

RECORDERS

**AN ACT to authorize the Recorder of Deeds of the State of Delaware in and for Kent County to procure a new seal of office.**

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

Section 1. That John W. Tarburton, Recorder of Deeds of the State of Delaware, in and for Kent County, be and he is hereby authorized to procure a new seal for his office to be made of brass or steel of the dimensions and engraved with the same devices of the present seal, which said seal when completed shall be taken and deemed to be the seal of the Recorder of Deeds of the State of Delaware, in and for Kent County, and shall thereafter be affixed to all writings, papers and records where the seal of the said Recorder of Deeds is required, and the present seal shall then be broken and destroyed by the said Recorder of Deeds in the presence of the Sheriff of Kent County.

Section 2. The Levy Court of Kent County shall pay the necessary costs of procuring said new seal.

Approved February 5, 1929.

## CHAPTER 124

## CONSTABLES

**AN ACT to amend Chapter 51 of the Revised Code of the State of Delaware by providing for a Constable to reside in the Town of Rehoboth, 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 B, Sec. 4 B.

1400 B. Sec. 4 B. 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 Tenth 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 Rehoboth, 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 the law upon constables in and for Sussex County aforesaid.

Approved January 28, 1929.

## CHAPTER 125

## PROTHONOTARY

**AN ACT to authorize the Prothonotary of the Superior Court of the State of Delaware, in and for Sussex County, to make Indices of Judgments in his office.**

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

Section 1. That the Prothonotary of the Superior Court of the State of Delaware, in and for Sussex County, be and he is hereby authorized and directed to make or cause to be made complete indices, both direct and reverse, of all the unsatisfied judgments entered in said Superior Court from the April Term, A. D. 1862, to the present time. In making said indices he shall use the Campbell system of indexing, and the record of said judgments shall be examined to ascertain the satisfactions of all judgments. The Prothonotary is authorized to procure such books as shall be necessary and proper for that purpose, the costs of which shall be paid by the Levy Court of Sussex County.

Section 2. That the Levy Court of Sussex County be and it is hereby authorized and directed to appoint, from among the members of the Sussex County bar, two commissioners, who shall examine said indices after the said Prothonotary shall have completed the same, and if they approve the execution and correctness of said indices, they shall certify their approval on each record thereof, and upon said certification the said indices shall become and be the indices to all the unsatisfied judgments of record in said Superior Court from the year A. D. 1862, to the present time.

Section 3. That the said Prothonotary shall receive for his services in making said indices a just and reasonable compensation to be determined and paid by the Levy Court of Sussex County upon having filed with it the certificate of said commissioners of their approval of said indices. The Prothonotary is also authorized to employ necessary clerical assistance at a compensation to be determined and paid by the Levy Court of Sussex

## PROTHONOTARY

County. The said commissioners shall also receive for their services a just and reasonable compensation to be determined and paid by the Levy Court of Sussex County.

Approved March 26, 1929.

CHAPTER 126

SALARIES OF CERTAIN COUNTY OFFICERS

**AN ACT to amend Chapter 53 of the Revised Code of the State of Delaware by providing certain definite dates when salaries shall be paid.**

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

That Chapter 53 of the Revised Code of the State of Delaware be and the same is hereby amended by adding thereto a new Section to follow 1440, Section 8 of said Chapter, and to be known as 1440 A, Section 8 A, as follows:

1440 A. Section 8 A. The salaries of such deputies and clerks, where by Law payable by New Castle County, 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, on the Fifth and Twentieth days of each month, upon the certificate in writing of the officer employing them that they have faithfully performed their duties up to the First or Fifteenth day of such month.

Approved March 13, 1929.

## CHAPTER 127

## ROADS AND BRIDGES

**AN ACT to amend Chapter 55 of the Revised Code of the State of Delaware, relating to the County Engineer of New Castle County, as amended by Chapter 92, Volume 30, Laws of Delaware.**

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

Section 1. That Chapter 55 of the Revised Code of the State of Delaware as amended by Chapter 92, Volume 30, Laws of Delaware, be and the same is hereby amended, by striking out 1482, Section 2 of said Chapter 55, as amended, and inserting in lieu thereof the following:—

1482. Section 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 Five Thousand Dollars (\$5,000.00) 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 objection to said County Road Engineer that he shall also hold the office of New Castle County State Highway Commissioner under the provisions of Section 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 said Levy Court and

ROADS AND BRIDGES

the State of Delaware shall not exceed Five Thousand Dollars (\$5,000.00) per annum.

Approved April 8, 1929.

## CHAPTER 128

## ROADS AND BRIDGES

**AN ACT to amend Chapter 55 of the Revised Code of the State of Delaware relating to the Roads and Bridges 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 adding thereto a new Section to be styled 1512 P, Sec. 32 P.

1512 P. Sec. 32 P. The Levy Court of New Castle County shall have the right and authority from time to time, by resolution duly adopted, to transfer such sum or sums of money as shall be set out in such resolution from the General Fund to the credit of any Hundred and after the same is so transferred, such money shall be used in the maintenance and improvement of the public roads, bridges and causeways of such Hundred. Provided, however, that not more than Twenty Thousand Dollars (\$20,000.00) shall be transferred, under the provisions of this Act, in any one fiscal year.

Approved March 28, 1929.

CHAPTER 129

ROADS AND BRIDGES

**AN ACT giving the Sussex County Levy Court power to close all Dirt Roads running parallel with improved Highways where there is no objection to same by property owners on such roads.**

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

Section 1. That on and after the approval of this Act, the Levy Court of Sussex County shall have full power and authority to close any public road, whether same be of dirt or otherwise, running parallel with any improved highway in said County; provided, that all of the abutting property owners along said public road consent to the vacating of such public road and signify such consent in writing.

Section 2. That where any such public road is vacated and closed, the abutting property owners on either side of same shall be permitted to extend the boundaries of their respective properties to the middle of such vacated and closed public road and shall own all of that land up to said middle of said vacated and closed public road.

Section 3. All Acts or parts of Acts inconsistent with any or all of the provisions of this Act are hereby repealed to the extent of such inconsistency.

Approved April 10, 1929.

## CHAPTER 130

## ROADS AND BRIDGES

**AN ACT to make passable all State and County Roads over which School Busses and Mail Routes are established.**

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

Section 1. All State and County Roads over which school busses and mail routes are established shall have first consideration of County or State road funds for the purpose of making and maintaining said roads passable at all times.

Approved April 4, 1929.

# TITLE EIGHT

## Elections

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### CHAPTER 131

#### GENERAL ELECTIONS

**AN ACT to amend Chapter 60 of the Revised Code of 1915 of the State of Delaware by changing the boundaries of the Third Election District of the Sixth Representative District of New Castle County and creating a new Election District in said Representative District.**

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

Section 1. That Chapter 60 of the Revised Code of 1915 of the State of Delaware, as amended, be and the same is hereby further amended by repealing all the paragraphs of 1737, Section 17 of said Code, beginning with and designated as "N. C. 3", describing the present boundaries of the Third Election District of the Sixth Representative District in New Castle County, and by substituting in lieu thereof the following new paragraphs:

N. C. 3. The Third Election District of the Sixth Representative District is all that portion of Brandywine Hundred Bounded by a line beginning on the Delaware River at Quarryville Creek; thence northerly with the several meanderings of said Creek until it intersects the Carr Road; thence northwesterly with the center line of said Carr Road to a point where said Carr Road runs into the Marsh Road; thence southerly by the center of said Marsh Road to a point where said Road runs into the Philadelphia Turnpike; thence running in a northeasterly direction by the center line of said Philadelphia Turnpike until it is joined by the Lenderman Road; thence southeasterly by the

## GENERAL ELECTIONS

center line of said Lenderman Road until it is joined by the River Road; thence westerly by the center line of the said River Road until it intersects the line dividing the land of Isaac M. Lenderman from the land formerly of Gordon; thence by said line dividing said lands southerly to the Delaware River; thence up the said River to Quarryville Creek, the point of beginning.

All persons entitled to vote in said Third Election District shall vote at Bellefonte Community House.

The Inspector of Election elected from the Third Election District of the Sixth Representative District of New Castle County at the General Election held A. D. 1928 shall be the Inspector of the said Third 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 1915 of the State of Delaware, as amended, be and the same is hereby further amended by adding after that paragraph of 1737, Section 17 of said Code designated as "N. C. 3 C" and describing the boundaries of the Sixth Election District of the Sixth Representative District in New Castle County the following new paragraph describing the boundaries of a new election district, to be known as the Seventh Election District of the Sixth Representative District in New Castle County.

N. C. 3 D. The Seventh Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded by a line beginning at a point on the Delaware River at Holly Oak or Tide Creek; thence with the several meanderings of the main or northerly branch thereof until it intersects the Baltimore and Philadelphia Railroad; thence westerly by the center line of the right of way of said Railroad until the Railroad intersects the Lodge Road at Silverside Station; thence with the center line of said Lodge Road in a northerly direction until the said Lodge Road intersects Quarryville Creek; thence down said Creek by the several meanderings thereof to the Delaware River;

GENERAL ELECTIONS

thence up the said River to Holly Oak or Tide Creek, the point of beginning.

All persons entitled to vote in said Seventh Election District shall vote at Ward's Store, Holly Oak.

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 April 19, 1929.

## CHAPTER 132

## GENERAL ELECTIONS

**AN ACT to amend Chapter 60 of the Revised Code of 1915 of the State of Delaware by changing the Boundaries of the Fourth Election District of the Sixth Representative District of New Castle County and creating a new Election District in said Representative District.**

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

Section 1. That Chapter 60 of the Revised Code of 1915 of the State of Delaware be and the same is hereby amended by repealing all the paragraphs of 1737, Section 17 of said Code, beginning with and designated as "N. C. 3 A", as appears in Chapter 110 of Volume 29 Delaware Laws, describing the present boundaries of the Fourth Election District of the Sixth Representative District in New Castle County, and by substituting in lieu thereof the following new paragraphs:

N. C. 3 A. The Fourth Election District of the Sixth Representative District is all that portion of Brandywine Hundred beginning at a point on the Delaware River, in line with the center of Haine's Avenue; and thence in a northwesterly direction along the center line of Haine's Avenue to a point where said Haine's Avenue runs into Hillcrest Avenue; and thence in a westerly direction along the center line of Hillcrest Avenue to where said Hillcrest Avenue runs into the Philadelphia Turnpike; and thence in a northeasterly direction along the center line of said Turnpike to where the said Turnpike runs into the Marsh Road; thence northerly by the center line of said Marsh Road to a point where the said Marsh Road runs into the Carr Road; thence running in a westerly direction by the center line of the said Carr Road to a point where the said Carr Road runs into the Shipley Road; thence southerly by the center line of said Shipley Road to Dixon's Corner where the said Shipley Road is joined by the Weldin Road; thence westerly by the center lines of said Weldin Road until it runs into the Faulk Road; thence southerly by the center line of

## GENERAL ELECTIONS

said Faulk Road to Philadelphia and Great Valley Turnpike; commonly called Concord Pike; thence southerly by the center of said Turnpike and Elliott Avenue to the City line of Wilmington; thence easterly by the said City line to the Delaware River; and thence by the said Delaware River to the place of beginning.

The Inspector of Election elected from the Fourth Election District of the Sixth Representative District of New Castle County at the General Election held A. D. 1928 shall be the Inspector of the said Fourth 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 1915 of the State of Delaware be and the same is hereby amended by adding after that paragraph 1737, Section 17 of said Code, designated as "N. C. 3 B", 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 a new Election District, to be known as the Sixth Representative District in New Castle County.

N. C. 3 C. The Sixth Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded by a line beginning at a point on the Delaware River dividing the land of Isaac Lenderman from the land formerly of Gordon; thence by said line dividing said lands northerly until it intersects the River Road; thence easterly by the center line of said River Road to a point where said River Road runs into Lenderman's Road; thence northerly by the center line of Lenderman's Road until it is joined by the Philadelphia Turnpike; thence running in a westerly direction to a point where said Turnpike runs into Hillcrest Avenue; thence easterly along the center line of Hillcrest Avenue to a point where Hillcrest Avenue runs into Haine's Avenue; and thence southeasterly along the center line of Haine's Avenue to a point on the Delaware River; and thence by said Delaware River to the center line extended of Lenderman's Road to the point of beginning.

## GENERAL ELECTIONS

All persons entitled to vote in the said Sixth Election District shall vote at such place as shall be named by the Inspector of Election of 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 April 19, 1929.

## CHAPTER 133

## GENERAL ELECTIONS

**AN ACT to amend Chapter 60 of the Revised Code of Delaware by changing the Boundaries of the Sixth Election District of the Seventh Representative District of New Castle County, and creating Two New Election Districts 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 Delaware, as amended by Chapter 97 of Volume 28 of the Laws of Delaware, be and the same is hereby further amended by striking out all of the paragraph of Section 17, of Code Paragraph 1737, designated as "N. C. 8 A." describing the boundaries of the Sixth Election District of the Seventh Representative District in New Castle County, and inserting in lieu thereof the following:

N. C. 8 A. The Sixth Election District of the Seventh Representative District is all that portion of Christiana Hundred, bounded and described as follows: Beginning at the intersection of the center line of Mill Creek with the center line of the duPont Road, at the center of the new concrete bridge on the duPont Road crossing Mill Creek; thence southerly and southeasterly along the center line of the duPont Road to its intersection with the center line of Race Street as shown on the plot or plan of Glynrich; thence southeasterly along the center line of Race Street to its intersection with the center line of Newport Pike or Maryland Avenue extended; thence southwesterly along the center line of the Newport Pike or Maryland Avenue extended to its intersection with the center line of Winston Avenue as shown on the plot or plan of Elmhurst; thence northwesterly along the center line of Winston Avenue to a point where it intersects with the center line of Mary Street as shown on the plots or plans of Richardson Park and Elmhurst; thence northeasterly along the center line of Mary Street to its intersection with the center line of Mill Creek; and thence northeasterly and easterly and following along

## GENERAL ELECTIONS

the center line of Mill Creek by the various courses thereof to its intersection with the center line of the duPont Road, at the center of the new concrete bridge over Mill Creek, and the place of beginning.

All persons entitled to vote in the said Sixth Election District of the Seventh Representative District shall vote at the Community Hall in Richardson Park.

The Inspector of Election elected in the Sixth Election District of the Seventh Representative District of New Castle County, at the last General Election, shall be the Inspector of said Sixth Election District as created by this Act, until his successor is duly elected and qualified.

N. C. 8 C. The Eighth Election District of the Seventh Representative District is all that portion of Christiana Hundred, bounded and described as follows: Beginning at the intersection of the center line of Mill Creek with the center line of duPont Road, at the center of the new concrete bridge on said duPont Road crossing Mill Creek; thence easterly along the center line of Mill Creek and following the various courses thereof to its intersection with the center line of Silverbrook; thence northerly along the center line of Silverbrook and following the various courses thereof to a point in the division line between the lands late of the estate of Dr. Stidham and the northerly side of the right-of-way of the old Delaware and Western Railroad; thence easterly and along the said division line to a point in the easterly side of an old lane leading from the Newport Pike or Maryland Avenue extended to the lands late of the estate of said Dr. Stidham, being also the division line between the lands late of the estate of said Dr. Stidham and the lands late of the estate of A. C. Cleland; thence north, northeasterly, along the said easterly side of the said land and division line of the lands late of the said estates to a corner; thence northerly and still along the said easterly side of the said lane and also along the said division line of the lands late of the said estates to a corner; thence northeasterly and along still another line of lands late of the said estates to a

## GENERAL ELECTIONS

point in the City line of the City of Wilmington; thence in a southerly direction and following the boundary line of the City of Wilmington and the boundary line of New Castle Hundred to the center line of the Marsh Road at the edge of the Christiana River; thence in a northerly and westerly direction along the center line of the Marsh Road to its intersection with the center line of the duPont Road; thence northerly along the center line of duPont Road to its intersection with the center line of the Newport Pike or Maryland Avenue extended; thence northeasterly along the center line of said Pike or Avenue extended to its intersection with the center line of Race Street as shown in the plot or plan of Glynrich; thence northwesterly along the center line of said Race Street to its intersection with the center line of duPont Road; and thence northwesterly and northerly along the center line of the duPont Road to the center of the concrete bridge over said Mill Creek, and the place of beginning.

All persons entitled to vote in the said Eighth Election District of the Seventh Representative District shall vote at the Public School Building in the said Election District.

The Governor shall appoint some qualified voter in the said Election District to be Inspector of the said Election District who shall have all the powers and perform all the duties given to and imposed upon inspectors of election.

N. C. 8 D. The Ninth Election District of the Seventh Representative District is all that portion of Christiana Hundred bounded and described as follows: Beginning at the intersection of the center line of the Newport Pike or Maryland Avenue extended with the center line of the Marsh Road, sometimes called the Boxwood Road, at or near Hayden's Greenhouses; thence westerly along the center line of the said Marsh Road, or Boxwood Road as the same is sometimes called, to a point where it intersects with the center line of the Public Road leading from Newport to Price's Corner; thence northerly along the center line of the road last named to its intersection with the right-of-way of the Baltimore and Ohio Railroad; thence along the center line

## GENERAL ELECTIONS

of the said right-of-way in an easterly direction to a point where it crosses Mill Creek; thence southeasterly along the center line of Mill Creek to a point where it intersects with the center line of Mary Street extended as said street is shown on the plots or plans of Elmhurst and Richardson Park; thence southwesterly along the center line of said Mary Street to a point where it intersects with the center line of a certain other street or avenue called Winston Avenue as shown on the plot or plan of Elmhurst; thence southeasterly along the center line of said Winston Avenue to its intersection with the center line of the Newport Pike or Maryland Avenue extended; and thence southwesterly along the center line of said Newport Pike or Maryland Avenue extended to its intersection with the center line of Marsh Road or Boxwood Road, and the place of beginning.

All persons entitled to vote in the Ninth Election District of the Seventh Representative District shall vote at such convenient place in said District as shall be selected by the Inspector and the two Judges of Election of said Election District or a majority of them.

The Governor shall appoint some qualified voter in the said Election District to be Inspector of the said Election District who shall have all the powers and perform all the duties given to and imposed upon Inspectors of Election.

Approved May 6, 1929.

## CHAPTER 134

## 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 First Representative District in Sussex County, and by creating a new Election 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 striking out of that Section of said Chapter designated "1737 Sec. 17" all of that sub-Section of said Section designated therein as "S 1", fixing the boundaries of the First Election District of the First Representative District in Sussex County, and by substituting in lieu of said sub-Section, two new sub-Sections, one of which shall be designated as "S 1" to fix the boundaries of the First Election District of the First Representative District, of Sussex County, and the other of which shall be designated as "S 1 A", to fix the boundaries of a new Election District, which shall be the Third Election District of the said First Representative District, the said two new sub-Sections to be in the language following, viz:

S 1. The First Election District of the First Representative District shall comprise all that portion of Cedar Creek Hundred bounded by a line beginning at a point where the public road leading from Lincoln City to the Shawnee Road intersects with the road leading from Milford to Lincoln City; thence in a westerly direction to the Shawnee Road, being a corner of the Stuart lands; thence along the center line of said Shawnee Road and the Road leading to Oakley Station on the Queen Anne Railroad to the boundary line between Cedar Creek Hundred and Nanticoke Hundred; thence northerly along said boundary line to the boundary line between Kent and Sussex Counties; thence northeasterly along said last mentioned boundary line to Walnut Street Bridge in the town of Milford; thence along the center line of said Walnut Street in a southerly direction to the concrete road

## GENERAL ELECTIONS

leading from the duPont Boulevard into Lincoln City; thence along the center line of said concrete road to the point of beginning—i.e. The new First Election District of the First Representative District of Sussex County shall comprise all of the old First Election District of the First Representative District of Sussex County as defined in 1737, Sec. 17-S 1 of the Revised Code, before this amendment lying west of the center line of the old State Road leading south from Walnut Street Bridge in the town of Milford to the concrete road leading from the duPont Boulevard into Lincoln City.

All persons entitled to vote in the First Election District shall vote at Armory Hall in the Town of Milford, or if same be not available for that purpose, at a place to be provided by the Inspector of the said District, within the said District as near to said Armory Hall as is possible.

S. 1 A. The Third Election District of the First Representative District is all that portion of Cedar Creek Hundred bounded by a line beginning on the west side of the Delaware Bay at the old or closed mouth of Cedar Creek; thence up said Creek by the various meanderings thereof in a southwesterly direction past the brick granary and Cedar Creek Mills to Cubbage's Mill to the public road leading to Lincoln City; thence by the center line of said public road westerly through the town of Lincoln to a point where said road intersects the road from Milford lying just east of the duPont Boulevard; thence in a northerly direction along the center line of said road leading from said point over Walnut Street Bridge in the Town of Milford, to a point which is the boundary line between Kent and Sussex Counties; thence northeasterly along said last mentioned boundary line to the Delaware Bay shore; thence down said Delaware Bay shore southerly to the old mouth of Cedar Creek, being the point of beginning; i.e. The new Third Election District of the First Representative District of Sussex County shall comprise all of the old First Election District of the First Representative District of Sussex County as defined in 1737, Section 17 S 1 of the Revised Code, before this amendment, lying east of the center line of the old

## GENERAL ELECTIONS

State Road leading south from Walnut Street Bridge in the Town of Milford to the concrete road leading from the duPont Boulevard into Lincoln City.

All persons entitled to vote in the Third Election District shall vote at Chapel Beautiful in the Town of Milford, or if same be not available for that purpose, at a place to be provided by the Inspector of the said District, within the said District, as near to said Chapel Beautiful as is possible.

Section 2. That the person elected at the General Election in 1928, Inspector for the First Election District of the First Representative District in Sussex County, shall act as Inspector of the said Election District, as defined in Section 1 of this Act, and a person shall be appointed by the Governor to act as Inspector for the Third Election District of said First Representative District as designated by Section 1 of this Act.

Approved April 16, 1929.

# TITLE NINE

## Corporations

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### CHAPTER 135

#### DOMESTIC 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 Branch thereof concurring therein):*

Section 1. That Section 5 of the said Chapter 65 of the Revised Code of Delaware, being Section 1919 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1919. Sec. 5. What Certificate Shall Set Forth:—The Certificate of Incorporation shall set forth:

1. The name of the corporation, which name shall contain one of the words "association," "company," "corporation," "club," "incorporated," "society," "union," or "syndicate" or one of the abbreviations, "co." or "inc." and shall be such as to distinguish it upon the records in the office of the Secretary of State from the names of other corporations organized under the Laws of this State.

2. The name of the county and the city, town, or place within the county in which its principal office or place of business is to be located in this State, and the name of its resident agent which agent may be either an individual or a corporation. In towns or

## DOMESTIC CORPORATIONS

cities of over six thousand inhabitants, the street and number of such principal office or place of business shall be stated, and the address by street and number of said resident agent shall be stated. Should such resident agent be not a resident of, nor located in, an incorporated town or city, then the hundred of its or his location or residence, and postoffice address, shall be stated.

3. The nature of the business, or objects or purposes to be transacted, promoted or carried on.

4. If the corporation is to be authorized to issue only one class of stock, the total number of shares of stock which the corporation shall have authority to issue and (a) the par value of each of such shares, or (b) a statement that all such shares are to be without par value; or, if the corporation is to be authorized to issue more than one class of stock, the total number of shares of all classes of stock which the corporation shall have authority to issue and (a) the number of the shares of each class thereof that are to have a par value and the par value of each share of each such class, and/or (b) the number of such shares that are to be without par value, and (c) a statement of all or any of the designations and the powers, preferences and rights, and the qualifications, limitations or restrictions thereof, which are permitted by the provisions of Section 13 of this Chapter in respect of any class or classes of stock of the corporation and the fixing of which by the Certificate of Incorporation is desired, and an express grant of such authority as it may then be desired to grant to the Board of Directors to fix by resolution or resolutions any thereof that may be desired but which shall not be fixed by said Certificate. In each case the Certificate of Incorporation shall also set forth the minimum amount of capital with which the corporation will commence business, which shall not be less than one thousand dollars. The provisions of this paragraph shall not apply to corporations which are not organized for profit and which are not to have authority to issue capital stock. In the case of such corporations, the fact that they are not to have authority to issue capital stock shall be stated in the Certificate of Incorporation, and the conditions of membership shall be stated therein.

## DOMESTIC CORPORATIONS

5. The names and places of residence of each of the incorporators.

6. Whether or not the corporation is to have perpetual existence, if not, the time when its existence is to commence and the time when its existence is to cease.

7. Whether the private property of the stockholders or, in the case of a corporation which is to have no capital stock, if the members of such corporation shall be subject to the payment of corporate debts, and if so, to what extent.

8. The Certificate of Incorporation may also contain any provision which the incorporators may choose to insert for the management of the business and for the conduct of the affairs of the corporation, and any provisions creating, defining, limiting and regulating the powers of the corporation, the directors and the stockholders, or any class of the stockholders, or, in the case of a corporation which is to have no capital stock, of the members of such corporation; provided, such provisions are not contrary to the laws of this State.

9. The Certificate of Incorporation may also contain the following provision, in haec verba, viz:

"Whenever a compromise or arrangement is proposed between this corporation and its creditors or any class of them and / or between this corporation and its stockholders or any class of them, any court of equitable jurisdiction within the State of Delaware may, on the application in a summary way of this corporation or of any creditor or stockholder thereof, or on the application of any receiver or receivers appointed for this corporation under the provisions of Section 3883 of the Revised Code of 1915 of said State, or on the application of trustees in dissolution or of any receiver or receivers appointed for this corporation under the provisions of Section 43 of the General Corporation Law of the State of Delaware, order a meeting of the creditors or class of creditors, and / or of the stockholders or class of stockholders of

## DOMESTIC CORPORATIONS

this corporation, as the case may be, to be summoned in such manner as the said Court directs. If a majority in number representing three-fourths in value of the creditors or class of creditors, and / or of the stockholders or class of stockholders of this corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this corporation as consequence of such compromise or arrangement, the said compromise or arrangement and the said reorganization shall, if sanctioned by the Court to which the said application has been made, be binding on all the creditors or class of creditors, and / or on all the stockholders or class of stockholders, of this corporation, as the case may be, and also on this corporation."

10. The Certificate of Incorporation may also contain such provisions as may be desired limiting or denying to the stockholders the pre-emptive right to subscribe to any or all additional issues of stock of the corporation of any or all classes.

11. The Certificate of Incorporation may also contain provisions requiring for any corporate action the vote of a larger proportion of the stock or any class thereof than is required by this Chapter.

Section 2. That said Chapter 65 of said Revised Code be and the same is hereby amended by inserting immediately after Section 5 A, thereof a new Section to be known as 1919 B, Section 5 B, reading as follows:—

1919 B, Sec. 5 B. Definition of Term "Certificate of Incorporation":—The term "Certificate of Incorporation" as used in this Chapter, unless the context shall otherwise require, shall include all certificates filed pursuant to Sections 6, 13, 25, 26 or 27 of this Chapter and any agreement of consolidation or merger filed pursuant to Section 59 of this Chapter.

Section 3. That Section 6 of Chapter 65 of the Revised Code of Delaware, being Section 1920 thereof, be amended by striking out said Section and inserting in lieu thereof the following:—

## DOMESTIC CORPORATIONS

1920, Sec. 6. Certificate; How Signed, Sealed and Acknowledged; Recording; When Evidence:—The certificate shall be signed and sealed by each of the incorporators, and shall be acknowledged before any officer authorized by the laws of this State to take acknowledgments of deeds to be the act and deed of the signers, respectively, and that the facts therein stated are truly set forth; said certificate shall be filed in the office of the Secretary of State, who shall furnish a certified copy of the same under his hand and seal of office, and said certified copy shall be recorded in the office of the Recorder of the County where the principal office of said corporation is to be located in this State, in a book to be kept for that purpose; said certificate or a copy thereof duly certified by the Secretary of State, accompanied with the certificate of the Recorder of the County wherein the same is recorded under his hand and the seal of his office, stating that it has been recorded, the record of the same in the office of the Recorder aforesaid, or a copy of said record duly certified by the Recorder aforesaid, shall be evidence in all Courts of Law and Equity in this State.

Section 4. That Section 9 of Chapter 65 of the Revised Code of Delaware, being Section 1923 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1923. Sec. 9. Board of Directors; Qualifications; Powers; Classes; Committees of Directors:—The business of every corporation organized under the provisions of this Chapter shall be managed by a Board of Directors, except as hereinafter or in its Certificate of Incorporation otherwise provided. The number of directors which shall constitute the whole board shall be such as from time to time shall be fixed by, or in the manner provided in, the by-laws, but in no case shall the number be less than three. Directors need not be stockholders unless so required by the Certificate of Incorporation or the by-laws. The Directors shall hold office until their successors are respectively elected and qualified, and a majority of them shall constitute a quorum for the transaction of business, unless the by-laws shall provide that a different number shall constitute a quorum, which in no case shall be less than one-third of the total number of directors nor less than two directors. The Board of Directors may, by resolution or reso-

## DOMESTIC CORPORATIONS

lutions, passed by a majority of the whole board, designate one or more committees, each committee to consist of two or more of the directors of the corporation, which to the extent provided in said resolution or resolutions or in the by-laws of the corporation, shall have and may exercise the powers of the Board of Directors in the management of the business and affairs of the corporation, and may have power to authorize the seal of the corporation to be affixed to all papers which may require it. Such committee or committees shall have such name or names as may be stated in the by-laws of the corporation or as may be determined from time to time by resolution adopted by the Board of Directors. The directors of any corporation organized as aforesaid may, by the Certificate of Incorporation or any amendment thereto, or by a vote of the stockholders, be divided into one, two or three classes; the term of office of those of the first class to expire at the annual meeting next ensuing; of the second class one year thereafter; of the third class two years thereafter, and at each annual election held after such classification and election, directors shall be chosen for a full term, as the case may be, to succeed those whose terms expire. But the provisions of this Section shall not apply to corporations not for profit, for which it is desired to have no capital stock; and the business of every such corporation organized under the provisions of this Chapter shall be managed as provided in its Certificate of Incorporation.

Section 5. That Section 13 of Chapter 65 of the Revised Code of Delaware, being Section 1927 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1927. Sec. 13. Classes of Stock; Certificates Filed and Recorded in Certain Cases:—Every Corporation shall have power to issue one or more classes of stock or one or more series of stock within any class thereof, any or all of which classes may be of stock with par value or stock without par value, with such voting powers, full or limited, or without voting powers and in such series and with such designations, preferences and relative, participating, optional or other special rights, and qualifications, limitations or restrictions thereof, as shall be stated and ex-

## DOMESTIC CORPORATIONS

pressed in the Certificate of Incorporation, or in any amendment thereto, or in the resolution or resolutions providing for the issue of such stock adopted by the Board of Directors pursuant to authority expressly vested in it by the provisions of the Certificate of Incorporation or of any amendment thereto. The power to increase or decrease or otherwise adjust the capital stock as in this Chapter elsewhere provided shall apply to all or any of such classes of stock. Any preferred or special stock may be made subject to redemption at such time or times and at such price or prices and may be issued in such series, with such designations, preferences and relative, participating, optional or other special rights, and qualifications, limitations or restrictions thereof as shall be stated and expressed in the Certificate of Incorporation, or any amendment thereto, or in the resolution or resolutions providing for the issue of such stock adopted by the Board of Directors as hereinabove provided. The holders of preferred or special stock of any class or of any series thereof shall be entitled to receive dividends at such rates, on such conditions and at such times as shall be stated and expressed in the Certificate of Incorporation, or in any amendment thereto, or in the resolution or resolutions providing for the issue of such stock adopted by the Board of Directors as hereinabove provided, payable in preference to, or in such relation to the dividends payable on any other class or classes of stock, and cumulative or non-cumulative as shall be so stated and expressed. When dividends upon the preferred and special stocks, if any, to the extent of the preference to which such stocks are entitled, shall have been paid or declared and set apart for payment, a dividend on the remaining class or classes of stock may then be paid out of the remaining assets of the corporation available for dividends as elsewhere in this Chapter provided. The holders of the preferred or special stock of any class or of any series thereof shall be entitled to such rights upon the dissolution of, or upon any distribution of the assets of, the corporation as shall be stated and expressed in the Certificate of Incorporation, or any amendment thereto, or in the resolution or resolutions providing for the issue of such stock adopted by the Board of Directors as hereinabove provided; and any preferred or special stock of any class or of any series thereof

## DOMESTIC CORPORATIONS

may be made convertible into, or exchangeable for, shares of any other class or classes or of any other series of the same or any other class or classes of stock of the corporation at such price or prices or at such rates of exchange and with such adjustments as shall be stated and expressed or provided for in the Certificate of Incorporation, or in any amendment thereto, or in the resolution or resolutions providing for the issue of such stocks adopted by the Board of Directors as hereinabove provided. If any corporation shall be authorized to issue more than one class of stock or more than one series of any class, the designations, preferences and relative, participating, optional or other special rights of each class of stock or series thereof and the qualifications, limitations or restrictions of such preferences and / or rights shall be set forth in full or summarized on the face or back of the certificate which the corporation shall issue to represent such class or series of stock. Before any corporation shall issue any shares of stock of any class or of any series of any class of which the voting powers, designations, preferences and relative, participating, optional or other rights, if any, or the qualifications, limitations or restrictions thereof, if any, shall not have been set forth in the Certificate of Incorporation or in any amendment thereto but shall be provided for in a resolution or resolutions adopted by the Board of Directors pursuant to authority expressly vested in it by the provisions of the Certificate of Incorporation or an amendment thereto, a certificate setting forth a copy of such resolution or resolutions and the number of shares of stock of such class or series shall be made under the seal of the corporation and signed by the President or a Vice-President and by the Secretary or an Assistant Secretary of the corporation and acknowledged by such President or Vice-President before an officer authorized by the Laws of Delaware to take acknowledgments of deeds and shall be filed and a copy thereof shall be recorded in the same manner as Certificates of Incorporation are required to be filed and recorded by the provisions of Section 6 of this Chapter. Unless otherwise provided in any such resolution or resolutions, the number of shares of stock of any such class or series so set forth in such resolution or resolutions may be increased or decreased (but not below the number of shares thereof then outstanding) by a cer-

## DOMESTIC CORPORATIONS

tificate likewise made, signed, filed and recorded setting forth a statement that a specified increase or decrease therein had been authorized and directed by a resolution or resolutions likewise adopted by the Board of Directors; and in case the number of such shares shall be so decreased, the number of shares so specified in said certificate shall resume the status which they had prior to the adoption of the first resolution or resolutions.

Section 6. That Section 14 of Chapter 65 of the Revised Code of Delaware, being Section 1928 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1928. Sec. 14. Issuance of Stock for Cash, Labor Done, or Real or Personal Property; Consideration for Shares or Stock without Par Value; Determination of Amount of Capital; Statements of Amount of Par Value and of Amount of Authorized or Issued Shares of Stock; Issuance of Partly Paid Shares, and Liability in respect thereof; Options in respect of Shares:—Subscriptions to, or the purchase price of, the capital stock of any corporation organized or to be organized under any Law of this State may be paid for, wholly or partly, by cash, by labor done, by personal property, or by real property or leases thereof; and the stock so issued shall be declared and taken to be full paid stock and not liable to any further call, nor shall the holder thereof be liable for any further payments under the provisions of this Chapter. And in the absence of actual fraud in the transaction, the judgment of the directors, as to the value of such labor, property, real estate or leases thereof, shall be conclusive.

As to corporations incorporated prior to April 1, 1929, shares of capital stock without par value, whether common or preferred or special, may be issued by the corporation from time to time for such consideration as may be fixed from time to time by the Board of Directors thereof, pursuant to authority conferred by the Certificate of Incorporation or, if such authority shall not be so conferred on the Board of Directors, then for such consideration as may be fixed by the consent in writing of, or by vote of,

## DOMESTIC CORPORATIONS

the holders of record of two-thirds of the total number of shares of each class of stock then outstanding and entitled to vote in respect thereto, such vote to be given at a meeting called for that purpose in such manner as shall be prescribed by the by-laws. As to corporations incorporated on or after April 1, 1929, shares of capital stock without par value, whether common or preferred or special, may be issued by the corporation from time to time for such consideration as may be fixed from time to time by the Board of Directors thereof, unless in the Certificate of Incorporation the power to fix such consideration shall have been reserved to the stockholders, in which event such power shall be exercised by the stockholders by consent in writing or by vote of the holders of record of two-thirds of the total number of shares of each class of stock then outstanding and entitled to vote in respect thereto, said vote being given at a meeting called for the purpose in such manner as shall be prescribed by the by-laws; provided that, although such power has been reserved to the stockholders, the directors shall nevertheless have power to fix such consideration for the first issue of stock, and such issue shall not exceed ten per centum of the whole amount of such stock authorized by the Certificate of Incorporation. Any and all shares without par value so issued for which the consideration so fixed has been paid or delivered shall be deemed full paid stock and shall not be liable to any further call or assessments thereon, and the holders of such shares shall not be liable for any further payments in respect of such shares under the provisions of this Chapter.

Any corporation may by resolution of its Board of Directors determine that only a part of the consideration which shall be received by the corporation for any of the shares of its capital stock which it shall issue from time to time shall be capital; provided, however, that, in case any of the shares issued shall be shares having a par value, the amount of the part of such consideration so determined to be capital shall be in excess of the aggregate par value of the shares issued for such consideration having a par value, unless all the shares issued shall be shares having a par value, in which case the amount of the part of such consideration so determined to be capital need be only equal to

## DOMESTIC CORPORATIONS

the aggregate par value of such shares. In each such case the Board of Directors shall specify in dollars the part of such consideration which shall be capital. If the Board of Directors shall not have determined (a) at the time of issue of any shares of the capital stock of the corporation issued for cash, or (b) within sixty days after the issue of any shares of the capital stock of the corporation issued for property other than cash what part of the consideration for such shares shall be capital, the capital of the corporation in respect of such shares shall be an amount equal to the aggregate par value of such shares having a par value, plus the amount of the consideration for such shares without par value. The capital of the corporation may be increased from time to time by resolution of the Board of Directors directing that a portion of the net assets of the corporation in excess of the amount so determined to be capital be transferred to capital account. The Board of Directors may direct that the portion of the excess net assets so transferred shall be treated as capital in respect of any shares of the corporation of any designated class or classes. The excess, if any, at any given time, of the total net assets of the corporation over the amount so determined to be capital shall be surplus.

In any case in which the Law requires that the par value of the shares of the capital stock of a corporation be stated in any certificate or paper, it shall be stated in respect of any shares without par value that such shares are without par value; and wherever the amount of the authorized or issued capital stock of the corporation is required to be stated and the corporation shall have any shares without par value, it shall be sufficient to state the total number of shares authorized or issued, as the case may be, the number and par value of shares having a par value and the number of shares without par value.

Any corporation may issue the whole or any part of its shares as partly paid and subject to call for the remainder of the consideration to be paid therefor. Upon the face or back of the certificates issued to represent any such partly paid shares the total amount of the consideration to be paid therefor and the

## DOMESTIC CORPORATIONS

amount paid thereon shall be specified. The corporation may declare and pay dividends upon any such shares upon the basis of the percentage of the consideration actually paid thereon.

Subject to any provisions in respect thereof set forth in the Certificate of Incorporation every corporation shall have power to create and issue, whether or not in connection with the issue and sale of any shares of stock or other securities of the corporation, rights or options entitling the holders thereof to purchase from the corporation any shares of its capital stock of any class or classes, such rights or options to be evidenced by or in such instrument or instruments as shall be approved by the Board of Directors. The terms upon which, the time or times, which may be limited or unlimited in duration, at or within which, and the price or prices at which any such shares may be purchased from the corporation upon the exercise of any such right or option shall be such as shall be fixed and stated in the Certificate of Incorporation or in any amendment thereto, or in a resolution or resolutions adopted by the Board of Directors providing for the creation and issue of such rights or options, and, in every case, set forth or incorporated by reference in the instrument or instruments evidencing such rights or options; provided, however, that, in case the shares of stock of the corporation to be issued upon the exercise of such rights or options shall be shares having a par value, the price or prices so to be received therefor shall not be less than the par value thereof; and provided further, that in case the shares of stock so to be issued shall be shares of stock without par value the consideration therefor as to corporations incorporated prior to April 1, 1929, and on or after April 1, 1929, as the case may be, shall be determined in the manner hereinabove provided in this Section for the fixing of the consideration for the issue of such stock.

Section 7. That Section 15 of Chapter 65 of the Revised Code of Delaware, being Section 1929 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1929. Sec. 15. Certificates of Shares:—Every holder of

## DOMESTIC CORPORATIONS

stock in a corporation shall be entitled to have a certificate, signed by, or in the name of the corporation by, the President or a Vice-President and the Treasurer or an Assistant Treasurer, or the Secretary or an Assistant Secretary of such corporation, certifying the number of shares owned by him in such corporation; provided, however, that, where such certificate is signed by a transfer agent or an assistant transfer agent or by a transfer clerk acting on behalf of such corporation and a registrar, the signature of any such President, Vice-President, Treasurer, Assistant Treasurer, Secretary or Assistant Secretary may be facsimile. In case any officer or officers who shall have signed, or whose facsimile signature or signatures shall have been used on, any such certificate or certificates shall cease to be such officer or officers of such corporation, whether because of death, resignation or otherwise, before such certificate or certificates shall have been delivered by such corporation, such certificate or certificates may nevertheless be adopted by such corporation and be issued and delivered as though the person or persons who signed such certificate or certificates or whose facsimile signature or signatures shall have been used thereon had not ceased to be such officer or officers of such corporation.

Section 8. That Section 17 of Chapter 65 of the Revised Code of Delaware, being Section 1931 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1931. Sec. 17. Power of Stockholders to Vote in Person or by Proxy; Limitation of Power; Closing of Transfer Books or Fixing Date for Determination of Stockholders of Record for Certain Purposes; Cumulative Voting; Quorum:—Unless otherwise provided in the Certificate of Incorporation, each stockholder, shall at every meeting of the stockholders be entitled to one vote in person or by proxy for each share of the capital stock held by such stockholder, but no proxy shall be voted on after three years from its date, unless said proxy provides for a longer period, and, except where the transfer books of the corporation shall have been closed or a date shall have been fixed as a record date for

## DOMESTIC CORPORATIONS

the determination of its stockholders entitled to vote, as herein-after provided, no share of stock shall be voted on at any election for directors which shall have been transferred on the books of the corporation within twenty days next preceding such election of directors.

The Board of Directors shall have power to close the stock transfer books of the corporation for a period not exceeding forty days preceding the date of any meeting of stockholders or the date for payment of any dividend or the date for the allotment of rights or the date when any change or conversion or exchange of capital stock shall go into effect; provided, however, that in lieu of closing the stock transfer books as aforesaid, the by-laws may fix or authorize the Board of Directors to fix in advance a date, not exceeding forty days preceding the date of any meeting of stockholders or the date for the payment of any dividend, or the date for the allotment of rights, or the date when any change or conversion or exchange of capital stock shall go into effect, as a record date for the determination of the stockholders entitled to notice of, and to vote at, any such meeting, or entitled to receive payment of any such dividend, or to any such allotment of rights, or to exercise the rights in respect of any such change, conversion or exchange of capital stock, and in such case such stockholders and only such stockholders as shall be stockholders of record on the date so fixed shall be entitled to such notice of, and to vote at, such meeting, or to receive payment of such dividend, or to receive such allotment of rights, or to exercise such rights, as the case may be, notwithstanding any transfer of any stock on the books of the corporation after any such record date fixed as aforesaid.

The Certificate of Incorporation of any corporation may provide that at all elections of directors of such corporation, each stockholder shall be entitled to as many votes as shall equal the number of his shares of stock multiplied by the number of directors to be elected, and that he may cast all of such votes for a single director or may distribute them among the number to be voted for, or any two or more of them as he may see fit, which right when exercised, shall be termed cumulative voting.

## DOMESTIC CORPORATIONS

The provisions of this Section shall not apply, however, to corporations not for profit, for which it is desired to have no capital stock. Unless otherwise provided in the Certificate of Incorporation of a corporation which is to have no capital stock, or in an amendment thereto, each member of such corporation shall at every meeting of members be entitled to one vote in person or by proxy, but no proxy shall be voted on after three years from its date, unless said proxy provides for a longer period.

Subject to the provisions of this Chapter in respect of the vote that shall be required for a specified action, the Certificate of Incorporation or by-laws of any corporation may specify the number of shares and/or the amount of other securities having voting power the holders of which (or in the case of a corporation with no capital stock, the number of the members thereof having voting power who) shall be present or represented by proxy at any meeting in order to constitute a quorum for, and the votes that shall be necessary for, the transaction of any business.

Section 9. That Section 18 of Chapter 65 of the Revised Code of Delaware, being Section 1932 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1932. Sec. 18. Fiduciary Stockholders, Voting Power of; Voting Trusts:—Persons holding stock in a fiduciary capacity shall be entitled to vote the shares so held, and persons whose stock is pledged shall be entitled to vote, unless in the transfer by the pledgor on the books of the corporation he shall have expressly empowered the pledgee, to vote thereon, in which case only the pledgee, or his proxy may represent said stock and vote thereon.

One or more stockholders may, by agreement in writing deposit capital stock with or transfer capital stock to any person or persons, or corporations authorized by their charter to act as Trustee, for the purpose of vesting in said person, persons or corporations the right to vote thereon, or for such other lawful

## DOMESTIC CORPORATIONS

purposes as may be agreed for any period of time determined by such agreement, not exceeding ten years upon terms and conditions stated in such agreement, pursuant to which such person, persons or corporations shall act. After filing a copy of such agreement in the principal office of the corporation in the State of Delaware, which copy shall be open to the inspection of any stockholder of the corporation or any depositor under said agreement daily during business hours, the certificates of stock so transferred shall be surrendered and cancelled, and new certificates therefor shall be issued to such transferee or transferees, who may be designated Voting Trustees, in which said new certificates it shall appear that they are issued pursuant to such agreement, and in the entry of such transferee or transferees as owners of such stock in the proper books of the issuing corporation that fact shall also be noted, and thereupon said transferee or transferees may vote upon the stock so transferred during the period in such agreement specified; stock standing in the name of such Voting Trustees may be voted either in person or by proxy, and in voting said stock, such Voting Trustees shall incur no responsibility as stockholder, Trustee, or otherwise, except for their own individual malfeasance. In any case where two or more persons are designated as Voting Trustees, and the right and method of voting any stock standing in their names at any meeting of the corporation are not fixed by the agreement appointing said Trustees, the right to vote said stock and the manner of voting the same at any such meeting shall be determined by a majority of said Trustees, or if they be equally divided as to the right and manner of voting the same in any particular case, the vote of said stock in such case shall be divided equally among the Trustees.

Section 10. That Section 19 of Chapter 65 of the Revised Code of Delaware, being Section 1933 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1933. Sec. 19. Corporation May Purchase, Hold, Sell, and Transfer Its Own Stock; Not to be Voted:—Every corpora-

## DOMESTIC CORPORATIONS

tion organized under this Chapter shall have the power to purchase, hold, sell and transfer shares of its own capital stock; provided that no such corporation shall use its funds or property for the purchase of its own shares of capital stock when such use would cause any impairment of the capital of the corporation; and provided further that shares of its own capital stock belonging to the corporation shall not be voted upon directly or indirectly; and provided, further, that nothing in this Section shall be construed as limiting the exercise of the rights given by Section 27 of this Chapter.

Section 11. That Section 20 of Chapter 65 of the Revised Code of Delaware, being Section 1934 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1934. Sec. 20. Stockholders Liability:—When the whole of the consideration payable for shares of a corporation shall not have been paid in, and the assets shall be insufficient to satisfy the claims of its creditors, each holder of such shares shall be bound to pay on each share held by him the sum necessary to complete the amount of the par value of such share as fixed by the charter of the company or its Certificate of Incorporation, or such proportion of that sum as shall be required to satisfy the debts of the corporation, or, in the case of stock without par value, this liability shall be limited to the unpaid balance of the consideration for which such shares were issued by the corporation. The amounts which shall be payable as hereinbefore in this Section provided may be recovered as provided for in Section 49 of this Chapter, after a writ of execution against the corporation has been returned unsatisfied, as provided for in Section 51 of this Chapter. Any thing in this Chapter to the contrary notwithstanding, a holder of shares who has acquired such shares in good faith without knowledge that they were not paid in full or to the extent stated in the certificate for such shares shall not be liable either to the corporation or to its creditors for any amount beyond that shown by such certificate to be unpaid on the shares represented thereby; and any holder who derives his title through

## DOMESTIC CORPORATIONS

such a holder and who is not himself a party to any fraud affecting the issuance of such shares shall have all the rights of such former holder.

Section 12. That Section 26 of Chapter 65 of the Revised Code of Delaware, being Section 1940 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1940. Sec. 26. Certificate of Incorporation: How Amended; When Corporation Has Capital Stock; When Corporation Has No Capital Stock:—Any corporation of this State existing prior to the tenth day of March, 1899, whether created by Special Act, or general Law, or any corporation created under the provisions of this Chapter, may, from time to time, when and as desired, amend its Certificate of Incorporation by addition to its corporate powers and purposes, or diminution thereof, or both; or by substitution of other powers and purposes, in whole or in part, for those prescribed by its Certificate of Incorporation; or by increasing or decreasing its authorized capital stock or reclassifying the same, by changing the number, par value, designations, preferences, or relative, participating, optional, or other special rights of the shares, or the qualifications, limitations or restrictions of such rights, or by changing shares with par value into shares without par value, or shares without par value into shares with par value either with or without increasing or decreasing the number of shares; or by changing its corporate title; or by making any other change or alteration in its Certificate of Incorporation that may be desired, and any or all such changes or alterations may be effected by one certificate of amendment; provided that every Certificate of Incorporation as so amended, changed or altered, shall contain only such provisions as it would be lawful and proper to insert in an original Certificate of Incorporation made at the time of making such amendment. Whenever issued shares having par value are changed into the same or a greater or less number of shares without par value, whether of the same or of a different class or classes of stock, the aggregate amount of the capital of the corporation represented by such shares without par

## DOMESTIC CORPORATIONS

value shall be the same as the aggregate amount of capital represented by the shares so changed; and whenever issued shares without par value are changed into other shares without par value to a greater or lesser number, whether of the same or of a different class or classes, the amount of capital represented by the new shares in the aggregate shall be the same as the aggregate amount of capital represented by the shares so changed. The certificate of amendment of the Certificate of Incorporation of the corporation effecting any such change shall set forth that the capital of the corporation will not be reduced under or by reason of said amendment.

Every such amendment shall be made and effected in manner following, to-wit:

1. If the corporation has a capital stock, its Board of Directors shall adopt a resolution setting forth the amendment proposed, declaring its advisability, and calling a meeting of the stockholders entitled to vote in respect thereof, for the consideration of such amendment. Said meeting shall be called and held upon such notice as the Certificate of Incorporation or by-laws of the corporation shall provide, or, in the absence of such provision, upon notice thereof to each stockholder so entitled to vote, either delivered to such stockholder or mailed to him, at his post-office address, if known, at least ten days before the date fixed for said meeting, said notice to set forth such amendment in full or a brief summary of the changes to be effected thereby, as the directors shall deem advisable. At said meeting a vote of the stockholders so entitled to vote, by ballot, in person or by proxy, shall be taken for and against the proposed amendment, which vote shall be conducted by two Judges appointed for that purpose, either by the directors or by the said meeting. Said Judges shall decide upon the qualifications of voters, and accept their votes, and when the vote is completed, count and ascertain the number of shares voted respectively for and against the amendment, and shall declare whether the persons or bodies corporate holding the majority of the voting stock of said corporation (or of each class of stock entitled to vote thereon, when such vote

## DOMESTIC CORPORATIONS

is to be taken by classes, as hereinafter provided) have voted for or against the proposed amendment; and shall make out a certificate accordingly, stating the number of shares of stock, issued and outstanding and entitled to vote thereon, and the number of shares voted for and the number of shares voted against the amendment respectively, and shall subscribe and deliver said certificate to the Secretary of the corporation. If it shall appear by said certificate of the Judges that the person or bodies corporate holding the majority of the stock of said corporation entitled to vote (or of each class of stock when such vote is to be taken by classes, as hereinafter provided) have voted in favor of the amendment, a certificate setting forth the amendment and certifying that such amendment has been duly adopted in accordance with the provisions of this Section shall be made under the seal of the corporation and signed by its President or a Vice-President, and its Secretary or an Assistant Secretary and the President or such Vice-President shall acknowledge the said certificate before an officer authorized by the Laws of Delaware to take acknowledgments of deeds; and the said certificate, so executed and acknowledged shall be filed in the office of the Secretary of State, and a copy thereof, certified by said Secretary of State, shall be recorded in the office of the Recorder of the County in which the original Certificate of Incorporation is recorded; or if the corporation shall have been created by special public act of the Legislature, then said certificate shall be recorded in the office of the Recorder of any County where the business of the said Corporation may be conducted. And upon so filing and recording the same, the Certificate of Incorporation of said corporation shall be deemed to be amended accordingly; provided, however, that if any such proposed amendment would alter or change the preference given to any one or more classes of stock, by the Certificate of Incorporation, so as to affect such class or classes of stock adversely, or would increase or decrease the amount of the authorized stock of such class or classes of stock, or would increase or decrease the par value thereof, then the holders of the stock of each class of stock so affected by the amendment shall be entitled to vote as a class upon such amendment, whether by the terms of the Certificate of Incorporation such class be entitled to vote or

## DOMESTIC CORPORATIONS

not; and the affirmative vote of a majority in interest of each such class of stock so affected by the amendment shall be necessary to the adoption thereof, in addition to the affirmative vote of a majority of every other class of stock entitled to vote thereon; and provided, further, that the amount of the authorized stock of any such class or classes of stock may be increased or decreased by the affirmative vote of the holders of a majority of the stock of the corporation entitled to vote, if so provided in the original Certificate of Incorporation or in any amendment thereto which created such class or classes of stock or in any amendment thereto which was authorized by a resolution or resolutions adopted by the affirmative vote of the holders of a majority of such class or classes of stock.

2. If the corporation has no capital stock, then the Board of Directors, managers, trustees, or the governing body thereof shall pass a resolution declaring that every such addition, change or alteration is advisable, and if at the next meeting, held not earlier than fifteen days and not later than thirty days from the meeting at which such resolution shall have been passed, two-thirds of the whole number of the said Board of Directors, managers, trustees, or the governing body, shall vote in favor of such amendment, addition, change or alteration, a certificate thereof shall be signed by the President and Secretary under the corporate seal, acknowledged by said President before any officer authorized by the Laws of this State to take acknowledgment of deeds, to be the act and deed and certificate of such corporation, and such certificate acknowledged as aforesaid, together with the assent of two-thirds of the whole number of the members of the said Board of Directors, managers, trustees, or governing body in writing, shall be filed in the office of the Secretary of State, and a copy thereof duly certified by the Secretary of State shall be recorded in the office of the Recorder of the County in which the original Certificate of Incorporation is recorded; or, if the corporation shall have been created by a special public Act of the Legislature, then said certificate shall be recorded, as above provided, in the county where said corporation has its principal place of business; and upon so filing and recording the same, the Certificate of Incorporation.

## DOMESTIC CORPORATIONS

ration shall be deemed to be amended accordingly.

Section 13. That Section 27 of Chapter 65 of the Revised Code of Delaware, being Section 1941 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1941. Sec. 27. Retirement of Preferred Stock:—Whenever any corporation organized under this Chapter shall have issued any preferred or special shares it may, subject to the provisions of its Certificate of Incorporation (1) redeem such shares, if subject to redemption, at such time or times, at such price or prices, and otherwise as shall be stated or expressed in the Certificate of Incorporation or (2) at any time or from time to time purchase such shares, in the case of shares subject to redemption, at not exceeding the price or prices at which the same may be redeemed. The corporation may apply to such redemption or purchase an amount out of its capital which shall not be greater than the sum of (1) that part of the consideration received for such shares which shall be capital pursuant to the provisions of Section 14 of this Chapter and that part of surplus which shall have been transferred and treated as capital in respect of such shares pursuant to the provisions of said Section and (2) any amounts by which the capital of the corporation shall have been increased by other transfers from surplus in accordance with the provisions of said Section 14; but no such redemption or purchase shall be made out of the capital unless the assets of the corporation remaining after such redemption or purchase shall be sufficient to pay any debts of the corporation, the payment of which shall not have been otherwise provided for. The shares so redeemed or purchased by the application of capital, and any shares of the corporation surrendered to it on the conversion or exchange thereof into or for other shares of the corporation pursuant to the provisions of the Certificate of Incorporation shall have the status of authorized and unissued shares of the class of stock to which such shares belong; provided, however, that if the Certificate of Incorporation prohibits the reissue of such shares, the authorized capital stock of the corporation of the class

## DOMESTIC CORPORATIONS

to which such shares belong shall, upon such redemption, purchase, conversion or exchange, be deemed to be, and shall be, reduced to the extent of the aggregate par value of the shares so redeemed, purchased, converted or exchanged or, if such shares are without par value, to the extent of the total number of such shares.

Whenever any capital of the corporation is applied to the redemption or the purchase of shares pursuant to the provisions of this Section 27, a certificate shall be made accordingly under the seal of the corporation and the hands of its President or a Vice-President and its Secretary or an Assistant Secretary and the President or such Vice-President shall acknowledge said certificate before an officer authorized by the Laws of Delaware to take acknowledgments of deeds; and said certificate, so executed and acknowledged, shall be filed and a copy thereof shall be recorded, in the same manner as Certificates of Incorporation are required to be filed and recorded by the provisions of Section 6 of this Chapter; and thereupon the capital of the corporation shall be deemed to be and shall thereby be reduced by the amount so applied without the necessity of any other proceedings under any other Section of this Chapter. If the shares so redeemed or purchased or surrendered on conversion or exchange constitute all the outstanding shares of any particular class of stock and cannot be reissued, the Board of Directors shall have power by the certificate so filed and recorded to amend the Certificate of Incorporation so as to eliminate all reference to the shares so redeemed or purchased or surrendered and on the filing and recording of such certificate the Certificate of Incorporation shall be deemed to be amended accordingly.

Nothing contained in this Section 27 shall in any way affect the rights of any corporation to redeem or purchase any of its shares from surplus and to hold such shares or to resell them for such consideration as shall be fixed from time to time by the Board of Directors.

Section 14. That Section 28 of Chapter 65 of the Revised

## DOMESTIC CORPORATIONS

Code of Delaware, being Section 1942 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1942. Sec. 28. Reduction of Capital:—Any corporation organized under this Chapter may reduce its capital at any time by the written consent of the holders of record of a majority of the total number of shares of the corporation having voting powers at the time outstanding or by resolution adopted by the holders of record of a majority of said shares at a meeting of the stockholders called for that purpose upon at least twenty days notice given in accordance with the by-laws of the corporation to said stockholders. Any preferred or special shares which have been called for redemption and the payment of the redemption price of which has been provided for shall not be deemed to be outstanding. A certificate stating the fact of such consent or the adoption of such resolution shall be made under the seal of the corporation and the hands of its President or a Vice-President and its Secretary or an Assistant Secretary and the President or such Vice-President shall acknowledge said certificate before an officer authorized by the Laws of Delaware to take acknowledgments of deeds; and the certificate, so executed and acknowledged, shall be filed and a certified copy thereof shall be recorded in the same manner as Certificates of Incorporation are required to be filed and recorded by the provisions of Section 6 of this Chapter. Upon the completion of such filing and recording the capital of the corporation shall thereby be so reduced. No such reduction, however, shall be made in the capital of the corporation unless the assets of the corporation remaining after such reduction are sufficient to pay any debts, the payment of which shall not have been otherwise provided for and said certificate shall so state.

Such reduction of the capital of the corporation may be effected by retiring or reducing the outstanding stock of any class or by drawing the necessary number of shares of the outstanding stock of any class by lot for retirement, or by the exchange by the holders of outstanding stock of any class of the stock of such

## DOMESTIC CORPORATIONS

class held by them for a decreased number of shares of stock of the same or of a different class of stock, or by the exchange of stock having par value for stock having no par value, or by reducing the par value of the shares of any class of stock having par value or the amount of capital represented by shares of stock having no par value, or by the purchase of shares for retirement, either pro rata from all holders of shares of that class of stock or by purchasing such shares from time to time in the open market or at private sale in both cases at not exceeding such price or prices as may be fixed or approved by the stockholders entitled to vote upon the reduction of capital to be effected in that manner, or by retiring shares owned by the corporation. If shares having a par value are retired, an amount not exceeding the aggregate par value of such shares may be charged against or paid out of the capital of the corporation in respect of such shares having par value and if shares having no par value are retired, an amount not exceeding that part of the capital of the corporation represented by such shares pursuant to the provisions of Section 14 of this Chapter may be charged against or paid out of the capital of the corporation in respect of such shares having no par value.

When any corporation shall decrease the amount of its capital as hereinbefore provided, the above-mentioned certificate shall be published for three weeks successively at least once in each week, in a newspaper published in the County in which the principal office of the corporation is located; the first publication to be made within fifteen days after the filing of such certificate, and in default thereof the directors of the corporation shall be jointly and severally liable to any creditors of the corporation who shall suffer loss by reason of the non-compliance with the provisions of this Section and the stockholders shall be similarly liable up to the amount of such sums as they may respectively receive of the amount so reduced; provided that no such decrease of capital shall release the liability of any stockholder, whose shares have not been fully paid, for debts of the corporation therefore contracted.

## DOMESTIC CORPORATIONS

Section 15. That Section 29 of Chapter 65 of the Revised Code of Delaware, being Section 1943 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1943. Sec. 29. Voting List of Stockholders; Preparation; Inspection; Refusal to Produce; Penalty; Voting Powers of Security Holders:—It shall be the duty of the officer who shall have charge of the stock ledger of a corporation to prepare and make, at least ten days before every election of directors, a complete list of the stockholders entitled to vote at said election, arranged in alphabetical order. Such list shall be open at the place where said election is to be held for said ten days, to the examination of any stockholder, and shall be produced and kept at the time and place of election during the whole time thereof, and subject to the inspection of any stockholder who may be present. Upon the wilful neglect or refusal of the said directors to produce such a list at any election they shall be ineligible to any office at such election. The original or duplicate stock ledger shall be the only evidence as to whom are stockholders entitled to examine such list or the books of the corporation, or to vote in person or by proxy at such election. The original or duplicate stock ledger containing the names and addresses of the stockholders, and the number of shares held by them, respectively, shall, at all times, during the usual hours for business, be open to the examination of every stockholder at its principal office or place of business in this State, and said original or duplicate stock ledger shall be evidence in all Courts of this State.

Every corporation, now or hereafter organized under and pursuant to the provisions of this Chapter, may make suitable provision in its Certificate of Incorporation and thereby to the extent, in the manner and subject to the conditions provided in the Certificate of Incorporation confer upon the holders of any bonds or debentures issued or to be issued by any such corporation, whether secured by mortgage or otherwise, the power to vote in respect to the corporate affairs and management of the corporation to the same extent and in the same manner as stockholders

## DOMESTIC CORPORATIONS

of the said corporation, as may be provided in the Certificate of Incorporation and, in case of a default in the payment of the principal or interest on said bonds or debentures, or otherwise, or in any other case, confer upon such bondholders or debenture holders the same right of inspection of the corporate books and accounts and records of any such corporation, and also any other rights, which the stockholders of the corporation have or may have by reason of the provisions of the Statutes of this State or pursuant to the provisions of the Certificate of Incorporation.

Section 16. That Section 34 of Chapter 65 of the Revised Code of Delaware, being Section 1948 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1948. Sec. 34. Dividends; Reserves:—The directors of every corporation created under this Chapter, subject to any restrictions contained in its Certificate of Incorporation, shall have power to declare and pay dividends upon the shares of its capital stock either (a) out of its net assets in excess of its capital as computed in accordance with the provisions of Sections 14, 26, 27 and 28 of this Chapter, or (b), in case there shall be no such excess, out of its net profits for the fiscal year then current and/or preceding fiscal year; provided, however, that if the capital of the corporation computed as aforesaid shall have been diminished by depreciation in the value of its property, or by losses, or otherwise, to an amount less than the aggregate amount of the capital represented by the issued and outstanding stock of all classes having a preference upon the distribution of assets, the directors of such corporation shall not declare and pay out of such net profits any dividends upon any shares of any classes of its capital stock until the deficiency in the amount of the capital represented by the issued and outstanding stock of all classes having a preference upon the distribution of assets shall have been repaired. Subject to any restrictions contained in its Certificate of Incorporation, the directors of any corporation engaged in the exploitation of wasting assets may determine the net profits derived from the exploitation of such

## DOMESTIC CORPORATIONS

wasting assets without taking into consideration the depletion of such assets resulting from lapse of time or from necessary consumption of such assets incidental to their exploitation.

Nothing contained in this Section shall prevent the stockholders of any corporation, or the directors thereof if the Certificate of Incorporation shall so provide, from setting apart out of any of the funds of the corporation available for dividends a reserve or reserves for any proper purpose or from abolishing any such reserve in the manner in which it was created.

A director shall be fully protected in relying in good faith upon the books of account of the corporation or statements prepared by any of its officials as to the value and amount of the assets, liabilities and / or net profits of the corporation, or any other facts pertinent to the existence and amount of surplus or other funds from which dividends might properly be declared and paid.

Section 17. That Section 39 of Chapter 65 of the Revised Code of Delaware being Section 1953 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1953. Sec. 39. Dissolution; Proceedings for:—If it should be deemed advisable, in the judgment of the Board of Directors, and most for the benefit of any corporation organized under this Chapter, that it should be dissolved, the said board, within ten days after the adoption of a resolution to that effect by a majority of the whole board at any meeting called for that purpose, of which meeting every director shall have received at least three days' notice, shall cause notice of the adoption of such resolution to be mailed to each stockholder residing in the United States, and thereupon cause a like notice to be inserted in a newspaper published in the County wherein the corporation shall have its principal office, at least three weeks successively, once a week, next preceding the time appointed for the same, of a meeting of the stockholders having voting power, to be held at the office

## DOMESTIC CORPORATIONS

of the corporation, to take action upon the resolution so adopted by the Board of Directors, which meeting shall be held between the hours of ten o'clock in the forenoon and three o'clock in the afternoon of the day so named, and which meeting may, on the day so appointed, by consent of a majority in interest of the stockholders present in person or by proxy, having voting power, be adjourned from time to time, for not less than eight days at any one time, of which adjourned meeting notice by advertisement in said newspaper shall be given; and if at any such meeting two-thirds in interest of all the stockholders, having voting power, shall consent that a dissolution shall take place and signify their consent in writing, such consent, together with a list of the names and residences of the directors and officers, certified by the President and Secretary and Treasurer, shall be filed in the office of the Secretary of State, who, upon being satisfied by due proof that the requirements aforesaid have been complied with, shall issue a certificate that such consent has been filed, and the Secretary of State shall cause such certificate to be published in one issue in a newspaper published in the county wherein the principal office of the dissolved corporation was situated. The Secretary of State shall ascertain the charge for publishing the certificate of dissolution as aforesaid, and collect the amount from the corporation before the certificate of dissolution is issued; and upon the filing in the office of the Secretary of State of an affidavit of the manager or publisher of the said newspaper that said certificate has been published one time, in said newspaper, the corporation shall be dissolved.

Whenever all the stockholders, having voting power, shall consent in writing to a dissolution, no meeting of stockholders shall be necessary, but on filing said consent in the office of the Secretary of State, he shall, as above provided, issue a certificate of dissolution, which shall be published as above provided.

Whenever the Secretary of State issues a certificate of dissolution it shall be recorded in the office of the Recorder of the County in which the principal office of the corporation was maintained.

## DOMESTIC CORPORATIONS

Whenever it shall be desired to dissolve any corporation not for profit and having no capital stock, organized under this Chapter, the board of managers or other controlling body, however named, having in charge the administration of the business or affairs of such corporation, shall exercise, assume and fulfill all of the functions, rights, privileges and duties, looking toward, involved in or concerned with the dissolution of such corporation, which are hereinabove in like cases imposed or conferred upon the Board of Directors of a corporation having capital stock in and upon its dissolution; and the members of such corporation not for profit and having no capital stock entitled by its by-laws, or by its conditions of membership or otherwise, to vote for the election of members of its board of managers or other controlling or managing body, or upon any of the affairs or concerns of such corporation, shall exercise, assume and fulfill all of the functions, rights, privileges and duties looking toward, involved in or concerned with the dissolution of such corporation, which are hereinabove, in like case, imposed or conferred upon the stockholders of a corporation having capital stock, in and upon its dissolution. In all other respects, the method and proceedings for the dissolution of a corporation not for profit or having no capital stock shall conform, so near as may be to the method and proceedings hereinabove prescribed for the dissolution of corporations having capital stock.

No corporation shall be dissolved under the provisions of this Section until all franchise taxes due to or assessable by the State have been paid by said corporation.

Section 18. That Section 59 of Chapter 65 of the Revised Code of Delaware, being Section 1973 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1973. Sec. 59. Consolidation or Merger; Proceedings for:—Any two or more corporations organized under the provisions of this Chapter, or existing under the Laws of this State, for the purpose of carrying on any kind of business, may

## DOMESTIC CORPORATIONS

consolidate or merge into a single corporation which may be any one of said constituent corporations or a new corporation to be formed by means of such consolidation or merger as shall be specified in the agreement hereinafter required; the directors, or a majority of them, of such corporations as desire to consolidate or merge, may enter into an agreement signed by them and under the corporate seals of the respective corporations, prescribing the terms and conditions of consolidation or merger, the mode of carrying the same into effect, and stating such other facts required or permitted by the provisions of this Chapter to be set out in Certificates of Incorporation, as can be stated in the case of a consolidation or merger, stated in such altered form as the circumstances of the case require, as well as the manner of converting the shares of each of the constituent corporations into shares of the consolidated corporation, with such other details and provisions as are deemed necessary.

Said agreement shall be submitted to the stockholders of each constituent corporation, at a meeting thereof, called separately for the purpose of taking the same into consideration; of the time, place and object of which meeting due notice shall be given by publication at least once a week for four successive weeks in one or more newspapers published in the County wherein each such corporation either has its principal office or conducts its business, and a copy of such notice shall be mailed to the last known post office address of each stockholder of each such corporation, at least twenty days prior to the date of such meeting, and at said meeting said agreement shall be considered and a vote by ballot, in person or by proxy, taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote; and if the votes of stockholders of each such corporation representing two-thirds of the total number of shares of its capital stock shall be for the adoption of the said agreement, then that fact shall be certified on said agreement by the Secretary of each such corporation, under the seal thereof; and the agreement so adopted and certified shall be signed by the President and Secretary of each of such corporations under the corporate seals thereof and acknowledged by the President of each of such

## DOMESTIC CORPORATIONS

corporations before any officer authorized by the Laws of this State to take acknowledgments of deeds to be the respective act, deed and agreement of each of said corporations, and the agreement so certified and acknowledged shall be filed in the office of the Secretary of State, and shall thence be taken and deemed to be the agreement and act of consolidation or merger of the said corporations; and a copy of said agreement and act of consolidation or merger, duly certified by the Secretary of State under the seal of his office, shall also be recorded in the offices of the Record-ers of the Counties of this State in which the respective corporations so consolidating or merging shall have their original Certificates of Incorporation recorded, or if any of the corporations shall have been specially created by a public Act of the Legislature, then said agreement shall be recorded in the County where such corporation shall have had its principal place of business, and such record, or a certified copy thereof, shall be evidence of the agreement and act of consolidation or merger of said corporations, and of the observance and performance of all acts and conditions necessary to have been observed and performed precedent to such consolidation or merger.

Section 19. That Section 64 A of Chapter 65, of the Revised Code of Delaware, being 1978 A thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1978 A. Sec. 64 A. Sale of Assets and Franchises:— Every corporation organized under the provisions of this Chapter, may at any meeting of its Board of Directors, sell, lease or exchange all of its property and assets, including its good will and its corporate franchises, upon such terms and conditions and for such consideration, which may be in whole or in part shares of stock in, and / or other securities of, any other corporation or corporations, as its Board of Directors shall deem expedient and for the best interests of the corporation, when and as authorized by the affirmative vote of the holders of a majority of the stock issued and outstanding having voting power given at a stock-holders' meeting duly called for that purpose, or when authorized by the written consent of the holders of a majority of the voting

## DOMESTIC CORPORATIONS

stock issued and outstanding, provided, however, that the Certificate of Incorporation may require the vote or written consent of the holders of a larger proportion of the stock issued and outstanding.

Section 20. That Section 71 of Chapter 65 of the Revised Code of Delaware, being Section 1985 thereof, be amended by striking out said Section and inserting in lieu thereof the following:

1985. Sec. 71. State Taxes and Fees:—The following taxes and fees shall be collected by and paid to the Secretary of State, for the use of the State, upon the receipt for filing of any certificate or other paper relating to corporations in the office of the said Secretary of State:

Upon the receipt for filing of an original Certificate of Incorporation, the tax shall be computed on the basis of one cent for each share of authorized capital stock having par value up to and including twenty thousand shares, one-half of a cent for each such share in excess of twenty thousand shares up to and including two hundred thousand shares, and one-fifth of a cent for each such share in excess of two hundred thousand shares; one-half of a cent for each share of authorized capital stock without par value up to and including twenty thousand shares, one-fourth of a cent for each such share in excess of twenty thousand shares up to and including two million shares, and one-fifth of a cent for each such share in excess of two million shares; provided, however, that in no case shall the amount paid be less than Ten Dollars. For the purpose of computing the tax on par value stock each One Hundred Dollar unit of the authorized capital stock shall be counted as one taxable share.

Upon the receipt for filing of a Certificate of Amendment of Certificate of Incorporation, or an amended Certificate of Incorporation before payment of capital, increasing the authorized capital stock of a corporation, the tax shall be an amount equal to the difference between the tax computed at the foregoing rates upon

## DOMESTIC CORPORATIONS

the total authorized capital stock of the corporation including the proposed increase, and the tax computed at the foregoing rates upon the total authorized capital stock excluding the proposed increase; provided, however, that in no case shall the amount paid be less than Ten Dollars.

Upon the receipt for filing of a Certificate of Consolidation or Merger of two or more corporations, the tax shall be an amount equal to the difference between the tax computed at the foregoing rates upon the total authorized capital stock of the corporation created by such consolidation or merger, and the tax so computed upon the aggregate amount of the total authorized capital stock of the constituent corporations; provided, however, that in no case shall the amount paid be less than Twenty Dollars.

For the purpose of computing the taxes as hereinbefore set forth the authorized capital stock of a corporation shall be considered to be the total number of shares which the corporation is authorized to issue, whether or not the total number of shares that may be outstanding at any one time be limited to a less number.

Upon the receipt for filing of an amended Certificate of Incorporation before payment of Capital and not involving an increase of authorized capital stock, or an amendment to the Certificate of Incorporation not involving an increase of authorized capital stock or a Certificate of Reduction of Capital, or a Certificate of Retirement of Preferred Stock, the tax to be paid shall be Ten Dollars; and for all other certificates relating to corporations, not otherwise provided for, the tax to be paid shall be Five Dollars; provided, that in case of corporations created solely for religious or charitable purposes no tax shall be paid.

Upon the receipt for filing of a Certificate of Dissolution, there shall be collected by and paid to the Secretary of State a tax of Ten Dollars; a fee of Two Dollars in each case for filing and / or indexing the certificate and the affidavit; a fee of Five Dollars for certifying to and / or copying said certificate; and the

## DOMESTIC CORPORATIONS

charges for publication of the Certificate of Dissolution in the amount of Six Dollars and Fifty Cents.

For receiving and filing and/or indexing any certificate, affidavit, agreement, report or any other paper provided for by this Chapter, a fee of Two Dollars in each case shall be paid; for recording and indexing articles of association and other papers required by this Chapter to be recorded by the Secretary of State, a fee computed on the basis of one cent a line shall be paid.

For certifying to and/or copying any Certificate of Incorporation, or any Certificate of Amendment to Certificate of Incorporation, or any Certificate of Consolidation or Merger, a fee shall be paid computed on the basis of One Dollar for affixing the seal of the office and Sixty Cents per page of thirty lines, or any part thereof, for original copies, and One Dollar for affixing the seal of the office and Thirty Cents per page for each duplicate copy thereof; provided that in no case shall the fee to be paid be less than Five Dollars.

For certifying to and/or copying any other form of certificate provided for in this Chapter, a fee shall be paid computed on the basis of the provisions of Article 24 of Chapter 6 of the Revised Code of Delaware.

Approved March 22, 1929.

## CHAPTER 136

## CORPORATIONS

**AN ACT to amend Chapter Sixty-five 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 members elected to each Branch thereof concurring therein):*

Section 1. That Section 15 of said Chapter 65, being Section 1929 of said Revised Code, be and the same is hereby amended by striking out said Section and inserting in lieu thereof the following:

Sec. 15. Certificates of Shares:—Every stockholder shall have a certificate signed by the President or Vice-President and the Treasurer or an Assistant Treasurer, or the Secretary or an Assistant Secretary, certifying the number of shares owned by him in such corporation; provided, that where any such certificate is signed by a transfer agent or transfer clerk and by a registrar, the signatures of any such President, Vice-President, Treasurer, Assistant Treasurer, Secretary or Assistant Secretary may be facsimiles, engraved or printed.

Approved January 9, 1929.

## CHAPTER 137

## CORPORATIONS

**AN ACT to amend Section 1971 of the Revised Code, being Section 57 of Chapter 65, relative to the Lien of Employees of Insolvent Corporations.**

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

Section 1. That Chapter 65 of the Revised Code, of the State of Delaware, be and the same is hereby amended by repealing all of 1971, Section 57 of said Chapter, and substituting in lieu thereof, the following:

1971. Sec. 57. Lien of Employees:—"Whenever any corporation formed under the provisions of this Chapter, or any foreign corporation doing business in this State, shall become insolvent, the employees doing labor or service of whatever character in the regular employ of such corporation, shall have a lien upon the assets thereof for the amount of the wages due to them, not exceeding two months' wages respectively, which shall be paid prior to any other debt or debts of said corporation; but the word 'employee' shall not be construed to include any of the officers of such corporation."

Approved March 21, 1929.

## CHAPTER 138

## FOREIGN CORPORATIONS

**AN ACT to amend Chapter 65 of the Revised Code, of the State of Delaware, relative to Foreign Corporations.**

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

Section 1. That Article 11 of Chapter 65 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out Section 188 of said Chapter 65, being 2101 A of the Revised Code of 1915, and by inserting in lieu thereof the following:

2101 A. Section 188. Foreign Corporations Doing Business In This State:—No corporation created by the Laws of any other State, or the Laws of the United States, shall do any business in this State, through or by branch offices, agents or representatives located in this State, until it shall have filed in the office of the Secretary of State of this State a certified copy of its charter and the name or names of its authorized agent or agents in this State, together with a sworn statement of the assets and liabilities of such corporation, and shall have paid to the Secretary of State, for the use of the State, Ten Dollars, provided, however, that no corporation created by the Laws of any other State, or the Laws of the United States, shall be deemed to be doing business in this State (nor shall such corporation be required to comply with the provisions of this Section) under the following conditions, or any of them:

(a) If it is in the mail order or a similar business, merely receiving orders by mail or otherwise in pursuance of letters, circulars, catalogs, or other forms of advertising, or solicitation, accepting such orders outside this State, and filling them with goods shipped into this State from without same;

(b) If it employs salesmen, either resident or traveling, to solicit orders in this State, either by display of samples or

## FOREIGN CORPORATIONS

otherwise (whether or not maintaining sales offices in this State), all orders being subject to approval at the offices of the corporation without this State, and all goods applicable to such orders being shipped in pursuance thereof from without this State to the vendee or to the seller or his agent for delivery to the vendee; provided, that any samples kept within this State are for display or advertising purposes only, and no sales, repairs, or replacements are made from stock on hand in this State;

(c) If it sells, by contract consummated outside this State and agrees, by such contract, to deliver into from without this State, machinery, plants, or equipment, the construction, erection or installation of which within this State requires the supervision of technical engineers or skilled employees performing services not generally available, and as a part of the contract of sale agrees to furnish, such services, and such services only, to the vendee at the time of construction, erection or installation;

(d) If its business operations within this State, although not falling within the terms of paragraphs (a), (b), and (c) above, or any of them, are nevertheless wholly interstate in character.

The certificate of the Secretary of State, under his seal of office, of the filing of such charter shall be delivered to such agent or agents upon the payment to said Secretary of State of the usual fees for making certified copies, and the said certificate shall be prima facie evidence of the right of such corporation to do business in this State; provided, however, this Section shall not apply to insurance companies doing business in this State.

Section 2. All Acts, or parts of Acts inconsistent herewith are hereby repealed to the extent of the inconsistency only.

Approved May 7, 1929.

CHAPTER 139

FOREIGN CORPORATIONS

**AN ACT relating to Foreign Corporations acting as fiduciaries within 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 a corporation organized and doing business under the Laws of any State of the United States of America other than Delaware, duly authorized by its charter or by-law so to act, may be appointed by any last will and testament, or codicil, or other testamentary writing, probated within this State, as Executor, Guardian, Trustee, or other fiduciary, and may act as such within this State, when and to the extent that the Laws of the State in which such foreign corporation is organized confer like powers upon corporations organized and doing business under the Laws of the State of Delaware.

Approved March 18, 1929.

## CHAPTER 140

## THE CITY OF WILMINGTON

**AN ACT relating to Bonds of Officers of the Mayor and Council of Wilmington.**

*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. The Council of The Mayor and Council of Wilmington shall have power and authority to require bond from any officer of the City of Wilmington for the faithful discharge of the duties of his office, and to fix the amount thereof. The Council may also require any deputy, clerk or other subordinate in any office of the City of Wilmington to give bond to the principal officer in said office. All such bonds shall have annexed thereto a warrant of attorney to confess judgment.

Approved February 5, 1929.

## CHAPTER 141

## THE CITY OF WILMINGTON

**AN ACT relating to Officers of The Mayor and Council of Wilmington.**

*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. In case it shall appear from an audit of the accounts of any officer or employee of The Mayor and Council of Wilmington by a competent auditor duly authorized and empowered to practice as an auditor and accountant within the State of Delaware, that a shortage appears in the accounts of any such officer, the said officer shall forthwith upon the demand of The Council of The Mayor and Council of Wilmington surrender his office to his successor who shall be appointed to fill the unexpired term, unless such officer shall be reinstated as hereinafter provided. Such interim successor shall be appointed by the Mayor if such office be an appointive office, and by The Council if such office shall be an elective office.

Section 2. The Council shall within thirty days after its demand to such officer to surrender his office, give notice of the time and place to such officer in whose accounts such shortage shall appear, for such officer to appear for an examination of his accounts and to show cause why his removal from office shall not be made permanent. Said hearing may be continued from time to time by The Council for not more than two weeks at any one time and not longer than is reasonably necessary for a full and complete audit of the accounts of such officer. If upon such completed audit and hearing as aforesaid, The Council shall determine that there is no shortage in the accounts of such officer, the officer shall, unless his term shall in the meantime be expired, be reinstated in his said office and shall be entitled to receive full salary for the period of his removal. If upon such completed audit and hearing The Council shall determine that a shortage exists in the accounts of such officer, the removal of such officer

## THE CITY OF WILMINGTON

shall be permanent and such officer shall not be entitled to any compensation, which is then unpaid to him.

Section 3. The person appointed to succeed any officer who shall have been removed as aforesaid, either permanently or temporarily, shall give bond, take the oath and have all of the powers pertaining to such office including the power to remove any and all existing deputies and clerks in said office and appoint their successors, and shall receive such salary as shall be fixed by The Council.

Approved March 6, 1929.

## CHAPTER 142

## THE CITY OF WILMINGTON

**AN ACT to amend Chapter 121, Volume 28, Laws of Delaware, being an Act creating a Board of Assessment for the City of Wilmington and providing the means and method by which said Board shall assess property therein for the purpose of raising revenues for City and School Purposes.**

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

Section 1. That Section 2 of Chapter 121, Volume 28, Laws of Delaware be amended by striking out all of said Section and substituting in lieu thereof a new Section to be known as Section 2.

Section 2. The Mayor of the City of Wilmington shall appoint during the month of July, A. D. 1915, two suitable persons residents of the City of Wilmington, members of said Board of Assessment, for the term of four years from the first day of July, or until their successors shall be appointed and qualified. The salary of the above named members of the Board, and each of their successors shall be determined by The Council and payable in the same manner as other City officials are now paid. Said members of the Board shall devote their entire time to the work of the Board, or such time as may be necessary and expedient to make good, fair, equal, faithful and complete assessments of property in the City of Wilmington. The two members of the Board above provided for shall not at any time be of the same political party, and their successors shall be appointed by the Mayor. Any vacancy therein shall be filled by appointment by the Mayor for the unexpired term.

The Building Inspector shall be ex-officio a member of said Board but shall have no vote on any matter pertaining to the duties of said Board except upon the question of appeals respecting assessments, as herein provided; or in cases where the said

## THE CITY OF WILMINGTON

shall be permanent and such officer shall not be entitled to any compensation, which is then unpaid to him.

Section 3. The person appointed to succeed any officer who shall have been removed as aforesaid, either permanently or temporarily, shall give bond, take the oath and have all of the powers pertaining to such office including the power to remove any and all existing deputies and clerks in said office and appoint their successors, and shall receive such salary as shall be fixed by The Council.

Approved March 6, 1929.

## CHAPTER 142

## THE CITY OF WILMINGTON

**AN ACT to amend Chapter 121, Volume 28, Laws of Delaware, being an Act creating a Board of Assessment for the City of Wilmington and providing the means and method by which said Board shall assess property therein for the purpose of raising revenues for City and School Purposes.**

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

Section 1. That Section 2 of Chapter 121, Volume 28, Laws of Delaware be amended by striking out all of said Section and substituting in lieu thereof a new Section to be known as Section 2.

Section 2. The Mayor of the City of Wilmington shall appoint during the month of July, A. D. 1915, two suitable persons residents of the City of Wilmington, members of said Board of Assessment, for the term of four years from the first day of July, or until their successors shall be appointed and qualified. The salary of the above named members of the Board, and each of their successors shall be determined by The Council and payable in the same manner as other City officials are now paid. Said members of the Board shall devote their entire time to the work of the Board, or such time as may be necessary and expedient to make good, fair, equal, faithful and complete assessments of property in the City of Wilmington. The two members of the Board above provided for shall not at any time be of the same political party, and their successors shall be appointed by the Mayor. Any vacancy therein shall be filled by appointment by the Mayor for the unexpired term.

The Building Inspector shall be ex-officio a member of said Board but shall have no vote on any matter pertaining to the duties of said Board except upon the question of appeals respecting assessments, as herein provided; or in cases where the said

## THE CITY OF WILMINGTON

two members cannot agree. For such service he shall receive an annual salary of One Hundred and Fifty Dollars.

Section 2. That Section 15, be amended by striking out all of Section 15 and inserting in lieu thereof the following Section to be known as Section 15.

Section 15. The Board of Assessment for the City of Wilmington shall also hear and determine all appeals respecting the assessments. The Board shall sit at its office, or some other public and convenient place in the City of Wilmington, on each secular day from the 1st to the 15th day of April, inclusive, in each and every year, from 9 A. M. to 12 Noon, and from 2 P. M. to 4 P. M. and from 7 P. M. to 9 P. M. and at such other times as the Board may deem necessary for the purpose of hearing appeals from assessments, and shall continue to sit during the above mentioned time, or so long as may be necessary to adjudge appeals. Upon appeals the said Board shall have power to alter any assessment, and shall also have the power to make additional assessments or alterations whether appeal has been filed or not, but where no appeal has been filed, proper notice of such additions or alterations shall be given to the owners or their agents whenever possible; the said Board in connection with said assessment shall have power to determine and to do whatever may appertain to justice and right. Appeals shall be made in writing and in such form as the Board shall direct. No appeal shall be received or heard or adjudication or appeal made, nor shall the assessment list be altered or added to after the 15th day of April; provided, however, that real estate not assessed prior to the 15th day of March may be assessed by the said Board at any time before the assessment roll is sent to The Council, previous notice of such intended assessment, designating the time at which the same will be made, being given by the said Board in writing, to the owner or owners, or if he, she or they, be absent from the City, then to the person or persons in possession of the premises, or in such case by posting a copy of said notice upon the premises.

Approved March 6, 1929.

THE CITY OF WILMINGTON

CHAPTER 143

THE CITY OF WILMINGTON

**AN ACT to amend an Act entitled "An Act to provide for the Collection of Taxes and Assessments for the City of Wilmington," being Chapter 93, Volume 35, Laws of Delaware.**

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

Section 1. That in addition to all existing methods and authority for the collection of taxes or special assessments due to The Mayor and Council of Wilmington, the following method and authority is hereby established;

The Mayor and Council of Wilmington may file, or cause to be filed, a Praecipe in the office of the Prothonotary of the Superior Court, in and for New Castle County, which shall contain the name of the person against whom the taxes or assessments sought to be collected were assessed, and a copy of the bills showing the amount of taxes or assessment due and the property against which the assessment was laid, and a statement of the index numbers of such property as the same appear upon the assessment rolls of The Mayor and Council of Wilmington, shall be sufficient identification and description of the said property; such index numbers relating to a property, shall, if the said property is situated in the Northern Collection District of said City, be designated by the letter "N", and if located in the Southern Collection District shall be designated by the letter "S". Thereupon the said Prothonotary shall make a record of the same on a special Judgment Docket of said Superior Court against the property mentioned or described in said Praecipe which said record shall consist of the following:

The name of the person in whose name the assessment was made,

## THE CITY OF WILMINGTON

The index numbers of said property, marked with the appropriate letter identifying the District in which said property is located as hereinbefore stated, as the same shall appear upon the assessment rolls of The Mayor and Council of Wilmington,

The year or years for which said taxes are due and payable,

The date of the filing of such Praeceptum,

The amount of the judgment, the same being the amount set forth in said Praeceptum.

Such judgment shall be indexed in the Judgment Docket itself under the index number for said property appearing upon the assessment rolls of the said The Mayor and Council of Wilmington, and by referring to the page in said Judgment Docket whereon the record aforesaid shall appear. Thereafter upon a Praeceptum for Monition filed in the office of the said Prothonotary by The Mayor and Council of Wilmington through any person authorized on its behalf to collect taxes or assessments due to said City, a Monition shall be issued by the Prothonotary aforesaid to the Sheriff of New Castle County, which Monition shall briefly state the amount of the Judgment for the taxes or assessment due and the years thereof, together with a brief description of the property upon which said taxes or assessments are a lien and a description of such property by street and number or by the index number appearing upon the assessment roll of the said City shall be a sufficient description. Said Monition shall be in substantially the following form:

To all persons having or claiming to have any title, interest or lien upon the within described premises, take warning that unless the judgment for the taxes or assessment stated herein is paid within twenty days after the date hereof or within such period of twenty days, evidence of the payment of taxes herein claimed shall be filed in the office of the Prothonotary, which evidence shall be in the form of a receipted tax bill or duplicate thereof, bearing date prior to the

## THE CITY OF WILMINGTON

filing of the lien in the office of the Prothonotary for New Castle County, The Mayor and Council of Wilmington may proceed to sell the property herein mentioned or described for the purpose of collecting the judgment for the taxes or assessments herein stated.

Name of person in whose name property is assessed	Index Num- ber of City Assessment	Description of property	Year or Years	Amount of Judgment
---	---	----------------------------	------------------	-----------------------

Said Monition, or a copy thereof, shall be posted by the Sheriff upon some prominent place or part of the property against which said judgment for the taxes or assessment is a lien, and the Sheriff shall make due and proper return of his proceedings under said Monition to said Prothonotary, within ten days after the posting of said Monition as aforesaid.

Alias or pluries Monition may issue upon like Praecept. The posting of said notice as herein required shall constitute notice to the owner or owners and all persons having any interest in said property.

At any time after the expiration of twenty days next following the return of the Sheriff upon such Monition, unless before the expiration of said twenty days the said Judgment and costs on said Judgment shall be paid or evidence of the payment of such taxes evidenced by a receipted tax bill or a duplicate thereof bearing date therefor prior to the filing of said lien for record in the office of the Prothonotary as aforesaid, upon application in writing by The Mayor and Council of Wilmington, through its City Solicitor, or any other person authorized on its behalf to collect taxes or assessments due to the said City, a writ of Venditioni Exponas shall issue out of the office of the said Prothonotary directed to the Sheriff commanding the Sheriff to sell the property mentioned or described in said writ and make due return of his proceedings thereunder in the same manner as is now applicable with respect to similar writs of Venditioni Exponas issued out of the said Superior Court.

## THE CITY OF WILMINGTON

Said writ shall be substantially in the following form:  
NEW CASTLE COUNTY, SS.  
The State of Delaware.

## TO THE SHERIFF OF NEW CASTLE COUNTY, GREETINGS:

WHEREAS, by a Monition issued out of the Superior Court dated at Wilmington, the            day of            A. D. 19    . IT WAS COMMANDED, that you should post the said Monition or copy thereof upon the real estate therein mentioned and described, and make a return to the said Superior Court within ten days after said posting.

That on the            day of            A. D. 19    , you returned that a copy of the said Monition was posted on the real estate therein mentioned and described on the            day of            A. D. 19    .

We therefore now command you to expose to public sale, the real estate mentioned and described in said Monition as follows:

and that you should cause to be made as well a certain debt of            Dollars (\$            ) lawful money of the United States, which to the said The Mayor and Council of Wilmington, a Municipal corporation of the State of Delaware, is due and owing, as also the sum of            Dollars (\$            ) lawful money as aforesaid, for its costs, which it has sustained by the detaining of that debt, whereof the said            was convicted as it appears of record and against which said property it is a lien:

And have you that money before the Judges of our Superior Court at Wilmington, on Monday the            day of next, to render to the said The Mayor and Council of Wilmington, a Municipal corporation as aforesaid, for its debt and costs as aforesaid, and this writ:

THE CITY OF WILMINGTON

WITNESSETH, the Honorable \_\_\_\_\_ at Wilming-  
ton, the \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19 \_\_\_\_.

Prothonotary.

Issued: The description contained in such Monition shall be a sufficient description of the real estate to be sold under said writ.

Section 2. Any real estate or interest therein sold under the provisions hereof shall vest in the purchaser all the right, title and interest of the person in whose name said property was assessed, and/or all right, title and interest of the person or persons who are the owners thereof, and likewise freed and discharged from any dower or courtesy or statutory right, in the nature of a dower or courtesy, whether absolute or inchoate, in or to said real estate.

Section 3. The owner of any such real estate sold under the provisions of this Act or his legal representatives may redeem the same at any time within one year from the day the sale thereof is approved by the Court, by paying to the purchaser or his legal representatives, successors or assigns, the amount of the purchase price and fifteen per cent in addition thereto, together with all costs incurred in the cause; or if the purchaser or his legal representatives, successors or assigns shall refuse to receive the same, or do not reside or cannot be found within the City of Wilmington, by paying said amount into said Court for the use of said purchaser, his legal representatives or assigns.

In the event that the owner of said property or his legal representatives shall fail to redeem said property as herein provided, the purchaser of said property or his legal representatives, successors or assigns may present a Petition to the Superior Court setting forth the appropriate facts in conformity with this Act and pray that the said Superior Court make an order directing the Sheriff, then in office, to execute, acknowledge and deliver a deed conveying the title to said property to the Petitioner; and thereupon the said Superior Court shall have power, after a hearing upon said Petition, to issue an order directing the Sheriff to ex-

## THE CITY OF WILMINGTON

cute, acknowledge and deliver a deed as prayed for in said Petition, and a description of said property by the index number for said property upon the assessment roll of The Mayor and Council of Wilmington, together with a description of said property made from a map of the assessed property in the City of Wilmington in the office of the Board of Assessment for the said City of Wilmington shall be a sufficient description in any such deed.

If the owner of any real estate sold under an order of sale or his legal representative shall redeem said real estate, he may prefer to said Superior Court a Petition setting forth that fact and thereupon the said Superior Court, after hearing and determining the facts set forth in said Petition, the said Superior Court shall have power to cause to be entered upon the record of the Judgment, under which said real estate was sold, a memorandum that the real estate described in the proceedings upon which said Judgment was entered has been redeemed and thereafter the said owner shall hold such redeemed real estate subject to the same liens and in the same order of priority as they existed at the time of the sale thereof, excepting so far as the said liens have been discharged or reduced by the application of the proceeds by the said Sheriff from the said sale.

Section 4. Upon the return of the proceedings under said writ of Venditioni Exponas, the Superior Court may inquire into the regularity of the proceedings thereunder, and either approve the sale or set it aside.

Section 5. No proceedings shall be brought under this Act unless the tax or assessment sought to be collected hereunder shall at the time of the filing of said Praeceptum in the office of the Prothonotary be and constitute a lien upon the property against which the tax or assessment was assessed or laid.

Section 6. Wherever the Superior Court is mentioned in this Statute, the same shall be held to embrace the Judges or any Judge thereof, and any Act required or authorized to be done under this Act may be done by the said Superior Court or any Judge thereof in vacation thereof, as well as in term time.

## THE CITY OF WILMINGTON

Section 7. The fees and costs to be taxed in all proceedings under this Act where not otherwise provided for, shall be as follows:

The following fees shall be charged by the Prothonotary:

Filing Praeipe .....	\$1.10
Issuing Monition and copy .....	2.75
Issuing Alias or Pluries, Monition and copy .....	2.75
Writ of Venditioni Exponas .....	2.25
Filing any Petition in Superior Court under this Act .....	1.00
Costs of paying money into Superior Court .....	1.00
Costs of paying money out of Superior Court for each check drawn .....	1.00

The following fees shall be charged by the Sheriff:

Posting Monition or copy thereof .....	\$.75
Posting each Alias or Pluries Monition or copy thereof .....	.75

All other charges not covered by this Act shall be the same as are now provided by law.

Approved March 25, 1929.

## THE CITY OF WILMINGTON

## CHAPTER 144

## THE CITY OF WILMINGTON

**AN ACT to amend "An Act providing for Assessment against Abutting Properties in the City of Wilmington for a portion of the cost of paving and improving the Public Street Roadways", being Chapter 122, Volume 29, Laws of Delaware.**

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

Section 1. That Section 8 of "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington for a Portion of the cost of Paving and Improving the Public Street Roadways", being Chapter 122, Volume 29, Laws of Delaware, approved April 27, 1917, be and the same is hereby repealed and the following substituted in lieu thereof:

Section 8. If the lien or amount apportioned, is paid within six months from the date of the bill, there shall be allowed a rebate of five per centum from the face of the bill; if paid after six months and within one year from the date of the bill, no deduction shall be made from the face thereof; if paid after one year from the date of the bill, there shall be added to the face of the bill a penalty at the rate of five per centum per annum.

Section 2. The provisions of this Act shall be deemed to apply only to liens created or laid after the approval of this Act; and the provisions of Section 8 heretofore existing and by this Act repealed, are continued in full force and effect with respect to all liens created or laid prior to the approval of this Act.

Approved March 22, 1929.

## THE CITY OF WILMINGTON

## CHAPTER 145

## THE CITY OF WILMINGTON

**AN ACT relating to Paving and Curb Stones within 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 each Branch thereof concurring therein):*

Section 1. In addition to the existing power and authority now vested by Law in the Board of Directors of the Street and Sewer Department of The Mayor and Council of Wilmington, the said Board of Directors of said Street and Sewer Department are hereby authorized whenever it is necessary or advisable that sidewalk curbing and paving should be constructed or repaired within the City of Wilmington, to adopt a Resolution requiring the owner of any property in front of which such construction or repairing is advisable to make such construction within twenty days, or such repair within ten days, after notice of such Resolution. Such notice may be forwarded to such owner by registered mail, addressed to such owner at the property to be affected, or at his last known post office address, and the mailing of such notice in a postpaid sealed envelope registered and addressed to such owner at the property to be affected or at his last known post office address, shall upon receipt by the said Board of Directors of the Street and Sewer Department of a return receipt therefor, signed by such owner or by someone in his behalf, be deemed sufficient notice to such owner of said Resolution. Such notice likewise may be posted upon the property to be affected in some prominent place, or may be served upon such owner in such other manner as may be provided in the Resolution of the said Board of Directors.

In case any such owner shall fail to comply with the terms of said Resolution within the time therein provided, after the receipt of such notice, he shall be deemed guilty of a misdemeanor.

## THE CITY OF WILMINGTON

and shall, upon conviction, be punished by a fine of not less than Five Dollars nor more than Twenty-five Dollars for each and every offense.

In addition, if any such owner shall fail to abide by the terms of such Resolution within the time therein provided after the receipt of notice thereof, the said Board of Directors are hereby authorized to cause the work authorized by said Resolution to be done, and to charge the expense of doing said work upon the property of said Owner with respect to which such curbing or paving or repairing was required and such charge shall be and constitute a lien upon the said property in the same manner, to the same extent and with the same priority as is now or may hereafter be provided by Law with respect to paving and curbing or repairing within the City of Wilmington.

Approved March 22, 1929.

## THE CITY OF WILMINGTON

## CHAPTER 146

## THE CITY OF WILMINGTON

**AN ACT to amend an Act entitled "An Act relating to the Sinking Fund of the Mayor and Council of Wilmington", being Chapter 92, Volume 35, Laws of Delaware.**

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

Section 1. That Section 2 of "An Act Relating to the Sinking Fund of The Mayor and Council of Wilmington", being Chapter 92, Volume 35, Laws of Delaware, approved March 25, A. D. 1927, be and the same is hereby repealed and the following substituted in lieu thereof:

Section 2. The Council shall appropriate in the annual appropriation ordinance for each fiscal year a sum, to be paid to the Sinking Fund Commissioners, equivalent to four per centum of the face amount of all bonds which are issued after this Act becomes effective and which are not issued as a part of an issue of bonds maturing in annual installments beginning not later than five years from their date (hereinafter called serial bonds) and also a sum sufficient to pay the principal of all other bonds issued after this Act becomes effective and maturing during such fiscal year for the payment of which adequate funds are not then in the hands of said Sinking Fund Commissioners and also a sum sufficient to pay the interest on all bonds hereinbefore described payable during such fiscal year. Said sum shall be appropriated to and paid to said Sinking Fund Commissioners in lieu of all payments required to be made to the Sinking Fund Commissioners under and by virtue of any and all prior acts relating to the sinking fund.

Said sum so appropriated for the security and payment of bonds other than serial bonds shall be paid to the Commissioners

## THE CITY OF WILMINGTON

of the Sinking Fund in the month of August, A. D. 1927, and in the month of August in each year thereafter, and shall be by said Commissioners deposited in such bank or trust company in the City of Wilmington as the said Commissioners shall 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. Such funds shall be invested only in securities of the following classes and kinds, viz:

(a) Stocks and bonds and interest-bearing obligations of the United States, for which the faith and credit of the United States are pledged to provide for the payment of the interest and principal thereof, including the bonds of the District of Columbia;

(b) Stocks and bonds and interest-bearing obligations of the State of Delaware and of any other State of the United States, issued pursuant to the authority of the Law relating thereto;

(c) Stocks and bonds of any County of the State of Delaware, and of any County of any State of the United States, issued pursuant to the authority of the Law relating thereto;

(d) Stocks and bonds of any school district of the State of Delaware, issued for school purposes and pursuant to the authority of the Law relating thereto;

(e) Stocks and bonds and interest-bearing obligations of any incorporated city or town of the State of Delaware or of any of the States of the United States, issued pursuant to the authority of the Law relating thereto, for the payment of which the faith and credit of the municipality issuing the same, are pledged; the said Commissioners shall have the right and power to sell said securities or any of them and to reinvest said funds, and any profits arising therefrom shall be deemed a part of the Sinking Fund.

The Sinking Fund Commissioners shall accept any and all sums of money payable into the Sinking Fund by any Ordinance of the Council and shall invest and reinvest the same.

Any and all premiums received from the sales of bonds of

## THE CITY OF WILMINGTON

said City on and after July 1, 1927, shall be paid to the Commissioners of the Sinking Fund by The Council, and the same shall be a part of the Sinking Fund.

Any and all surplus revenues of the Board of Harbor Commissioners after the payment of all operating expenses of the Marine Terminal, including interest, but not including the principal due or to become due upon any bonds issued for or on behalf of the construction of the said Marine Terminal, shall be paid to the Sinking Fund Commissioners and shall become a part of the Sinking Fund.

Approved March 25, 1929.

## CHAPTER 147

## THE CITY OF WILMINGTON

**AN ACT to grant to the Mayor and Council of the City of Wilmington all the right and title of the State of Delaware to certain land under water 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. That the Governor of the State of Delaware be and is hereby authorized and directed to grant and convey to The Mayor and Council of the City of Wilmington, under the Great Seal of Delaware, all the right and title of the State of Delaware, in and to all the land under water within the limits of the said City of Wilmington where said land under water is located in or under any part of navigable streams.

Approved March 29, 1929.

CHAPTER 148

THE CITY OF WILMINGTON

**AN ACT creating a Regional Plan Commission for Wilmington and Vicinity.**

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

Section 1. That a Commission to be known as the Regional Plan Commission for Wilmington and the nearby parts of New Castle County; the said commission shall consist of five persons who shall be residents of New Castle County, and who shall be appointed by the Governor; be and the same is hereby created and established.

Section 2. It shall be the duty of the said commission to investigate the desirability of establishing a Regional Plan for Wilmington and vicinity in order to secure an orderly development of highway and other means of communication, sanitation, utilities, and other improvements necessary for the satisfactory development of a modern urban and suburban community. The said Commission shall serve until the next session of the General Assembly of the State of Delaware, to which they shall report the results of their investigations and make such recommendations as they may deem desirable.

Section 3. The members of the said Commission shall serve without pay for their services.

Section 4. The State Board of Supplies or such other Board, Commission or officer as may be designated by the General Assembly to furnish State Supplies and Printing is hereby authorized and directed to provide for the printing of the report of the said Commission.

Approved March 22, 1929.

## CHAPTER 149

## THE CITY OF WILMINGTON

**AN ACT relating to the Board of Public Education in Wilmington.**

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

Section 1. When any land or building owned by the Board of Public Education in Wilmington shall cease to be used for school purposes in the same manner and to the same extent as they were formerly used, the same shall upon the request of The Council of The Mayor and Council of Wilmington be conveyed to the Mayor and Council of Wilmington by the said Board of Public Education in Wilmington.

Section 2. Whenever any such land or building shall be so conveyed, The Council of The Mayor and Council of Wilmington shall have power to sell the same or to appropriate it to other public uses. If the same shall be devoted to a public use, The Council shall have power to appropriate it to another or different public use or to withdraw the same from public use if it is no longer needed for such purposes and to sell the same. The proceeds arising from any such sale shall be applied to the Sinking Fund of The Mayor and Council of Wilmington for redemption or purchase of outstanding school bonds issued and sold by The Mayor and Council of Wilmington.

Approved March 6, 1929.

## CHAPTER 150

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Incorporate the Town of Bellefonte, New Castle County."**

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

Section 1. That Chapter 126, Volume 28, Laws of Delaware, be and the same is hereby amended by repealing Section 8 thereof and substituting in lieu thereof the following:

Section 8. That the Commissioners shall cause a fund to be raised by way of tax, upon persons authorized to vote for Commissioners at the elections provided for by said Chapter 126, Volume 28, Laws of Delaware, as amended, and by way of tax to be levied and assessed upon all lands and tenements and interest in such lands and tenements within the corporate limits of said Town. Said fund so raised as aforesaid is to be used for any purpose that will contribute to the safety, convenience, welfare and prosperity of said Town.

Section 2. That Chapter 126, Volume 28, Laws of Delaware, be and the same is hereby further amended by repealing Section 9 thereof and substituting in lieu thereof the following:

Section 9. That whenever said Commissioners shall deem it advisable to lay out a new street, or road or to widen, change or vacate any existing street or road in said Town, the said Commissioners shall certify such fact to the Levy Court of New Castle County and thereupon the said Levy Court shall have the right and authority to institute or cause to be instituted the necessary and proper proceedings under the laws of the State of Delaware, as the same now is or may hereafter be relating to the laying out, widening, changing and vacating public roads in New Castle County.

## CITIES AND TOWNS

Section 3. That said Chapter 126, Volume 28, Laws of Delaware, be and the same is hereby further amended, by repealing Section 10 thereof and substituting in lieu thereof the following:

Section 10. The improvement, maintenance and repair of all the roads, streets, lanes and alleys within the corporate limits of said Town, shall be under the control and jurisdiction of the Levy Court of New Castle County in the manner provided in Sections 1 to 12 of Chapter 55 of the Revised Code of the State of Delaware, as amended.

Section 4. That said Chapter 126, Volume 28, Laws of Delaware, be and the same is hereby further amended by repealing Section 11 thereof and substituting in lieu thereof the following:

Section 11. The amount of taxes for road purposes collected within the corporate limits of said Town and paid over to the County Treasurer, shall be used by the Levy Court of New Castle County for the maintenance and improvement of the public roads, streets, lanes and alleys in said Town in the manner provided in Sections 1 to 12 of Chapter 55 of the Revised Code of the State of Delaware, as amended.

Section 5. That said Chapter 126, Volume 28, Laws of Delaware, be and the same is hereby further amended by repealing the third paragraph of Section 14 thereof and substituting in lieu thereof the following:

The said tax collector shall render an account and pay unto the Town Treasurer, all moneys in his hands on the first Monday of every month and upon the expiration of his term of office, and at such other time or times as the Commissioners or a majority of them shall require. The Commissioners may allow such delinquents as they or a majority of them may think proper. The compensation of the Tax Collector shall be fixed by the Commissioners.

Section 6. That Chapter 126, Volume 28, Laws of Delaware,

## CITIES AND TOWNS

be and the same is hereby further amended by repealing Section 17 thereof and substituting in lieu thereof the following:

Section 17. That there shall be twelve stated meetings in every year of the said Commissioners, viz: on the Second Monday of every month, and special meetings, upon two days' notice, at such times as the same shall be called by any three of the Commissioners, at which meetings they may pass all such ordinances or rules for the good government of the said Town, the repair and making of public pumps or water works, its police, improvements, ornaments and general welfare, and for all other matters excepting the improvement of the streets and sidewalks of the said Town, as by the Commissioners may be deemed proper; provided the same be not repugnant to the Constitution or Laws of this State, and provided further that no ordinance shall be passed until presented and considered at two meetings of the Commissioners either regular or special and approved by a majority of the Commissioners. The said Commissioners shall have full power and authority to impose fines, penalties and forfeitures and provide for their collection, for the violation of any provision of this Act or any ordinance enacted in pursuance thereof.

Section 7. The provisions of this Act shall not become operative until the First day of July, A. D. 1929.

Approved March 13, 1929.

## CHAPTER 151

## CITIES AND TOWNS

**AN ACT to amend Chapter 212, Volume 25, Laws of Delaware being an Act entitled "An Act to Incorporate the Town of Bethany Beach, and Giving it Authority to Issue Bonds," as amended by striking out a certain word and inserting another in lieu thereof, and by striking out certain clauses relating to discounts.**

*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 13 of Chapter 212, Volume 25, Laws of Delaware, entitled "An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds," as amended, be and the same is hereby further amended by striking out the word "May" in the third line of the said Section 13, and inserting in lieu thereof the word "March".

Section 2. Section 14 of said Chapter 212, Volume 25, Laws of Delaware, be and the same is hereby amended by repealing all of said Section 14 and substituting a new Section in lieu thereof to be known as Section 14 as follows:

Section 14. That the said Commissioners after having revised and completed the said assessment as aforesaid, and ascertained and determined, according to their best judgment, the amount necessary and proper to be assessed to each freeholder, of the said Town, and also the tax levied on the whole valuation and assessment, and the rate per Hundred Dollars, they, or a majority of them, shall sign such perfected list and immediately place the same or a duplicate thereof in the hands of the said collector, who shall at once proceed to collect the taxes mentioned and contained in said list, and in collecting the same shall have the same powers as are given by Law to a collector of County taxes. The said collector before entering upon the duties of his office shall give bond with sufficient surety to the said Commis-

## CITIES AND TOWNS

sioners, to be approved by them, in a sum at least double the amount of the list or duplicate of taxes, placed in his hands, conditioned for the faithful discharge of the trusts imposed in him and for the collection of all taxes committed to him and for the payment by him of the amount of all such taxes, excepting only as far as allowance shall be made to him by the said Commissioners for delinquencies, commissions or otherwise, to the officer or officers authorized or appointed by the said Commissioners for the purpose, at such times as the Commissioners shall appoint. The said collector shall receive such reasonable compensation or commissions for his services as shall be determined by the said Commissioners.

Approved February 27, 1929.

## CHAPTER 152

## CITIES AND TOWNS

**AN ACT authorizing the Sale of the Town Hall of the Town of Bethany Beach.**

*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 Bethany Beach be and they are hereby authorized and empowered to sell during the month of June, A. D. 1929, all of that property known as the Town Hall, consisting of Lots Nos. 2 and 4 of Block 107 as appears on the map of Bethany Beach, Delaware, and situate in the Town of Bethany Beach, County of Sussex and State of Delaware, and more particularly described as follows:

Beginning at the intersection of the Southerly side of Garfield Park and the Westerly side of Atlantic Avenue; thence Southerly along the Westerly side of Atlantic Avenue one hundred and twenty-five feet to a point in the Northerly side of a ten feet wide alley; thence Westerly along the Northerly side of said ten feet wide alley ninety feet to a point in the Easterly side of Lot No. 6 of Block 107; thence Northerly along said side of said Lot one hundred and twenty-five feet to the Southerly side of Garfield Park, and thence Easterly along said side of said Garfield Park ninety feet to the place of beginning, be the contents thereof what they may.

Section 2. The Commissioners of the Town of Bethany Beach be and they are hereby further authorized and empowered to convey a good fee simple title to the herein described property to the purchaser or purchasers of same, and to execute and deliver a proper deed of same to such purchaser or purchasers. Such purchaser or purchasers shall not be liable for the application of the proceeds of the sale of said property.

Section 3. Notice of said sale shall be given at least thirty

## CITIES AND TOWNS

(30) days prior to the sale of said property in at least two (2) of the newspapers of Sussex County, one newspaper of Kent County and one newspaper of the City of Wilmington, and in thirty (30) conspicuous places of the State of Delaware. Said sale shall not take place before the fifteenth day of June, A. D. 1929, but may take place on the fifteenth day of June, A. D. 1929 or on any day thereafter.

Every taxable of the said Town of Bethany Beach shall receive notice by mail of the time and place of the sale.

Section 4. The proceeds of such sale shall be used by The Commissioners of the Town of Bethany Beach to retire outstanding bonds of the Town of Bethany Beach.

Approved February 27, 1929.

## CHAPTER 153

## CITIES AND TOWNS

**AN ACT to amend Chapter 149 of Volume 29, Laws of Delaware, entitled "An Act to Reincorporate the Town of Cheswold" by changing the hours for holding the annual town election, defining qualified voters thereat and by increasing the amount authorized to be raised by taxation.**

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

Section 1. That Chapter 149 of Volume 29, Laws of Delaware entitled "An Act to Re-incorporate the Town of Cheswold" be amended by repealing all of the first and second paragraphs of Section 3 thereof and inserting in lieu thereof two new paragraphs to be styled Section 3.

"Section 3. That on the last Saturday in March, A. D. 1929, and annually thereafter, from six until eight o'clock in the evening, there shall be held a town election at such place as the said Commissioners shall designate, at which all citizens of Twenty-one years of age and upwards, who shall have paid the town tax last assessed against them, or who shall have become residents of said town since the last assessment was made and thirty days prior to said election, or who shall have gained their majority since the last assessment was made, shall have the right to vote.

That the town election to be held on the last Saturday in March, A. D. 1929, as aforesaid, shall be held by the Alderman and two judges of election, elected at the town election for the year A. D. 1928; at which election there shall be chosen by ballot five Commissioners, three of whom shall be resident freeholders of said town, three of said Commissioners at said election to be elected for the term of two years and two of said Commissioners to be chosen for the term of one year. Annually thereafter there shall be held, by the said officials, on the last Saturday of each

## CITIES AND TOWNS

March, a town election at the same hour, at which on the even years there shall be two Commissioners elected to serve for two years and on the odd year, three Commissioners elected to serve for two years, who shall hold office until their successors are duly elected and qualified."

Section 2. That Chapter 149 of Volume 29, Laws of Delaware entitled "An Act to Re-incorporate the Town of Cheswold" be amended by repealing all of the first paragraph of Section 5 thereof and inserting in lieu thereof a new first paragraph to be styled Section 5.

"Section 5. That the Commissioners herein provided for and their successors in office, shall at their first stated meeting in each year, determine the amount of tax to be raised in said town for that year, not exceeding Five Hundred Dollars, including tax on real and personal property and poll tax, but excluding exonerations and commissions for collections, and shall appoint one or more assessors who may or may not be of their number, to make an assessment of persons and property in said town, and shall appoint a Collector and Treasurer."

Approved March 26, 1929.

## CHAPTER 154

## CITIES AND TOWNS

**AN ACT to vest title of certain Real Estate in The Mayor and Council of Delaware City.**

WHEREAS, a question of doubt has arisen as to whether The Mayor and Council of Delaware City has good fee simple title to that certain lot, piece or parcel of land situate in the town of Delaware City, New Castle County, State of Delaware, and more particularly bounded and described as follows, to-wit:

BEGINNING at a point on the Northeasterly side of Delaware Avenue; thence Northeasterly along the line of land of Harry M. Pierce four hundred ten feet (410') to a point in the Delaware River; thence Southeasterly along the Delaware River thirty-one feet (31') to a point in the Delaware River; thence Southwesterly along the Delaware River three hundred sixty-two and twenty-five hundredths feet (362.25') to a point in the Delaware River; thence Southeasterly along the Delaware River sixty-two and twenty-five hundredths feet (62.25') to a point which now forms the termination of the Northeast side of Delaware Avenue; thence along the said Northeasterly side of Delaware Avenue, Northwesterly seventy-five feet (75') to the place of Beginning; and

WHEREAS, this doubt cannot be dispelled by any recorded or unrecorded deed or instrument;

NOW THEREFORE, for the purpose of removing any doubt in regard to the title to the land and premises hereinbefore described and for the purpose of vesting in fee simple the land and premises hereinbefore described in the said The Mayor and Council of Delaware City,

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

Section 1. That the right, title and interest of any and every kind and nature whatsoever of any and to all the land and

CITIES AND TOWNS

premises hereinbefore described, is hereby vested in fee simple in The Mayor and Council of Delaware City, their successors and assigns.

Section 2. This Act shall be deemed and taken to be a Public Act.

Approved March 19, 1929.

## CHAPTER 155

## CITIES AND TOWNS

**AN ACT authorizing "The Mayor and Council of Delaware City" to borrow money and issue bonds therefor, for the purpose of paying certain bonds of the Town of Delaware City now due and unpaid.**

WHEREAS, certain bonds of the Town of Delaware City aggregating Twenty-two Thousand Dollars issued under Chapter 93 of Volume 21, Laws of Delaware, became due and payable on March 1, 1929; and the sum of Sixteen Thousand Dollars of principal of said bonds still remains due and unpaid owing to want of funds applicable to the payment of said bonds; and it is now necessary that the sum of Sixteen Thousand Dollars be borrowed by said Town to provide for the payment of said bonds; 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 Branch concurring therein):*

Section 1. For the purpose of paying said bonds now due and unpaid, "The Mayor and Council of Delaware City", a Municipal corporation of the State of Delaware, is authorized and empowered to borrow on the faith and credit of the said Town the sum of Sixteen Thousand Dollars, and for this purpose to issue bonds of the said Municipal Corporation in that amount.

The said money shall be borrowed and the bonds issued pursuant to Ordinance adopted by The Council of said Town. The principal of said bonds shall be made payable at the expiration of thirty years from the date of the issue thereof. The Council of the said Municipal Corporation shall prescribe the form of the said bonds and the denominations thereof, determine and fix the rate of interest thereon not exceeding five per centum per annum, and shall direct and effect the preparation and printing of and negotiate the sale and delivery of said bonds. The said bonds shall bear date when issued and shall bear interest from

## CITIES AND TOWNS

date payable semi-annually. They should be signed by the Mayor and the three Members of Council and be sealed with the corporate seal of the said Municipal Corporation, and shall be exempt from all State, County and Municipal Taxation.

The moneys received from the sale of said bonds shall be paid over to the Treasurer of the Town of Delaware City, and shall be held by him under order of Council to be paid in redemption and cancellation of the due and unpaid bonds issued under said Chapter 93, Volume 21, Laws of Delaware. Any surplus of said moneys shall be applied to the necessary expenses in and about the preparation and sale of said bonds, and any remaining surplus shall be held as part of the sinking fund for the redemption of the bonds issued under this Act. The purchasers and holders of the bonds authorized by this Act shall be in no way liable for the application, misapplication or non-application of the proceeds of the sale of said bonds.

Section 2. The Council of the said Town is authorized and required to levy and collect annually by taxation such sum of money as shall be sufficient to pay the annual interest accruing on said bonds, and also a special tax for the purpose of establishing a fund adequate for the redemption at maturity of all the bonds of the issue. The taxes for such interest and sinking fund shall be levied and collected in the same manner as are the other taxes in said Town.

Approved April 1, 1929.

## CHAPTER 156

## CITIES AND TOWNS

**AN ACT authorizing certain improvements in and upon the Streets of the Town of Delmar, 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 Delmar is authorized and empowered upon petition, as hereinafter provided, to pave, gutter, curb and grade the streets of the Town of Delmar, 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 two-thirds majority of the property owners owning property abutting on any street of the said Town of Delmar, 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 cost of such improvement; and, provided further, that said petition shall be deemed sufficient when signed by a two-thirds majority of such property owners, residing in the Town of Delmar.

Section 3. Whenever any street, or section thereof, is

## CITIES AND TOWNS

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 Delmar 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 Delmar 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 the Council Chamber of the Town of Delmar, 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 two 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 altera-

## CITIES AND TOWNS

tions 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 Delmar 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 mistakes 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 Sussex County, is shown upon the 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 Delmar, 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 election to be expressed in writing to the Town Council, aforesaid,

## CITIES AND TOWNS

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 Delmar at such office or place in the Town of Delmar as he shall designate; the designation of such place or office to be given by notice of said Collector of Taxes by advertisement in at least two issues of the newspaper published in the Town of Delmar, 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 shall be the duty of

## CITIES AND TOWNS

the Mayor of the Town of Delmar 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 Delmar at public auction after advertisement in two successive issues of some newspaper published in said Town, and a deed from the Mayor of the Town of Delmar 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 Delmar out of the purchase money of the said property so sold as aforesaid to pay all costs arising from said process and sale to the parties entitled thereto respectively and to retain the amount of such assessment with accrued interest thereon as aforesaid. The residue of said purchase money shall be immediately deposited by the said Collector of Taxes of the Town of Delmar in the First National Bank of Delmar to the credit of the owner of the property so sold.

Approved March 7, 1929.

CHAPTER 157

CITIES AND TOWNS

**AN ACT providing for the Redrawing of the Plot of the Town of Dover now of record in the Recorder of Deeds Office in and for Kent County, and providing for the Payment for same by the Levy Court of Kent County.**

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

Section 1. The Recorder of Deeds in and for Kent County is hereby authorized and directed to purchase a new Plot Record Book for better preserving the Records in the said office.

Section 2. The Levy Court of Kent County is hereby authorized and directed to employ a competent engineer draftsman to redraft and copy a plot known as "Fulton's Addition to Dover" in record in the Recorder of Deeds office in said County, in said book so purchased by said Recorder of Deeds.

Section 3. The Levy Court of said County is hereby authorized to pay for said book so purchased and for said services of said Engineer Draftsman so employed, out of any funds of said County not otherwise appropriated.

Approved May 6, 1929.

## CHAPTER 158

## CITIES AND TOWNS

**AN ACT changing the name of "The Town of Dover" to "The City of Dover" and establishing a charter therefor.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met: (two-thirds of the members elected to each House of the Legislature concurring therein) as follows:*

Section 1. The municipal corporation of the State of Delaware, now known as "The Town of Dover" shall hereafter be known as "The City of Dover."

The boundaries of The City of Dover are hereby established and declared to be as follows, that is to say:

Beginning at a point in the East line of lands of the Delaware Railroad Company, where said line would be intersected by the South line of South Street if same were extended (being the same beginning point as now established in the present outlines of The Town of Dover); thence running in a Southerly direction with the East line of lands of the said The Delaware Railroad Company to another point in said line, where it is intersected by the North line of Wyoming Avenue extended, as said Wyoming Avenue appears on a plot of lands of the "Waples Farm" of record in the office of the Recorder of Deeds at Dover, Kent County and State of Delaware, in Deed Book M, Volume 10, Page 313; thence leaving said Railroad and running in an Easterly direction with the North line of said Wyoming Avenue and extending across the State Highway to the East line of said State Highway, where it is intersected by the North line of said Wyoming Avenue extended; thence running in a Northerly direction with the East line of said State Highway to another point in said line, where it is intersected by the South line of "South Dover Heights", as shown on a plot of lots of "South Dover Heights" of record in the office of the Recorder of Deeds at Dover, Kent County and State of Delaware, in Deed Book M, Volume 12,

## CITIES AND TOWNS

Page 218; thence leaving said State Highway and running in an Easterly direction with the South line of said "South Dover Heights" to a point where said line intersects the West bank of St. Jones River; thence running with the Westerly bank of the St. Jones River in a Northerly direction to a point where it is intersected by the North line of Kings Highway near the Dover Water and Light Plant; thence running in an Easterly direction, crossing St. Jones River and the said Kings Highway, and along with the North line of the road leading to Little Creek, to a point in said line, where it is intersected by the East line of lands of The City of Dover, on which is located the Light and Water Plant; thence running with the East line of lands of the said City of Dover in a Northwesterly direction to a point in the East line of the public road, leading from Dover to Cowgills Corner; thence running in a Northerly direction with the East line of said Cowgills Corner road to another point in said line, opposite the dividing line between lands of Robert E. Lewis, on which his home dwelling is erected, and lands of the Lewis Mill property; thence crossing said road and running in a Westerly direction along and with the dividing line between lands of the said Robert E. Lewis home dwelling and the Lewis Mill property, said line to be extended in a Westerly direction, crossing St. Jones River to the Westerly bank thereof; thence running up and along the Westerly bank of said St. Jones River and the Lewis Mill Pond, with the several meanderings thereof, in a North and West direction to a point where the Westerly line of said pond is intersected by the Northerly line of Monroe Street extended; thence running in a Westerly direction with the Northerly line of said Monroe Street extended to a point where it intersects the Easterly line of Main or State Street; thence running in a Northerly direction with the Easterly line of Main or State Street to a point therein, opposite the South line of Walker Road; thence running in a Westerly direction, across State Street, with the South line of said Walker Road, to a point where this line is intersected by the Easterly line of lands of the said Delaware Railroad Company; thence running in a Southerly direction along and with the East line of lands of the said The Delaware Railroad Company to a point where the South line of Fulton Street inter-

## CITIES AND TOWNS

sects therewith; thence running in a Westerly direction, crossing said Railroad, with the South line of Fulton Street extended to the intersection of the East line of the public road recently laid out through the Saulsbury farm as shown on a plot of subdivisions of the said "Saulsbury Farm" of record in the office of the Recorder of Deeds at Dover, Kent County and State of Delaware, in Deed Book S, Volume 10, Page 210; thence running in a Southerly direction with the Easterly line of said public road and with the said line extended, crossing the Horsehead Road, to a point in the South line of the Hazletville Road, which intersects therewith; thence running in an Easterly direction with the South line of said Hazletville Road and crossing the lands of the Delaware Railroad Company, to a point in the Easterly line of the said Railroad Company's lands; thence running in a Southerly direction with the Easterly line of lands of the said Delaware Railroad Company to the place of beginning, provided, however, that no farm lands hereby included within these limits shall be subject to any City tax, unless the same shall be laid out as building lots and unless the same shall front upon some public street of The City; and all farm lands within the aforesaid limits which shall be laid out as building lots and which shall front upon some public street of The City shall be subject to be taxed to the depth of one hundred and fifty feet from said street line for City purposes.

The Council of The City of Dover, may, at any time hereafter, cause a survey and plot to be made of the said City and the said plot, when made and approved by said Council shall be recorded in the Office of the Recorder of Deeds, etc., of the State of Delaware, in and for Kent County, and the same, or the record thereof, or a duly certified copy of said record, shall be evidence in all Courts of Law and Equity in this State.

Section 2. The inhabitants of the City of Dover within the boundaries defined in Section 1 of this Act, or within the boundaries hereafter established, shall continue to be a body politic and corporate, by the name of "The City of Dover", and under that name shall have perpetual succession; may have and

## CITIES AND TOWNS

use a corporate seal; may sue and be sued; may hold and acquire by purchase, gift, devise, lease or condemnation, real property and personal property within or without its boundaries for any municipal purpose, in fee simple or lesser estate or interest, and may sell, lease, hold, manage, and control such property as its interests may require; and shall have all other powers and functions requisite or appropriate for the government of the City, its peace and order, its sanitation, appearance and beauty, the health, safety, convenience, comfort and well-being of its population, and the protection and preservation of property, public and private.

Section 3. The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive but, in addition to the powers enumerated herein, implied thereby, or appropriate to the exercise thereof, it is intended that The City of Dover shall have, and may exercise, all powers which, under the Constitution of the State of Delaware, it would be competent for this charter specifically to enumerate. All powers of the City, whether expressed or implied shall be exercised in the manner prescribed by this charter, or, if not prescribed herein then in the manner provided by ordinance or resolution of the Council.

Section 4. The government of the said City and the exercise of all the powers conferred by this charter (except as otherwise provided herein) shall be vested in a Mayor and City Council.

Section 5. The Council shall be the legislative body of the City and composed of eight members nominated and elected as hereinafter provided.

In order that the members of Council shall be distributed over the City, the City shall be divided into four representative districts, and two of said members of Council shall be residents of each district. The First District shall be that portion of the City lying South of the centre line of Loockerman Street, West of the centre line of State Street and East of the Pennsylvania Railroad; the second district shall be that portion of the

## CITIES AND TOWNS

City lying East of the centre of State Street; the third district shall be that portion of the City lying North of the centre line of Loockerman Street and between the centre line of State Street and the centre line of Governors Avenue; the fourth district shall be that portion of the City lying North of the centre line of Loockerman Street and West of the centre line of Governors Avenue and also all that portion of the City lying West of the Pennsylvania Railroad.

The term of the Mayor shall be for one year and the term of a Councilman shall be for two years from the second Monday of February following his election, or until his successor has been duly elected and qualified.

No one shall be eligible to be elected as Mayor or as a member of the Council who was not nominated therefor, as hereinafter prescribed, and who at the time of his election was not a resident of the said City and had not resided therein for the two years next preceding, or who was not a citizen of the State of Delaware or who was not of the age of twenty-one years.

Section 6. A municipal election at which members of the Council shall be elected shall be held on the third Monday of January of the year 1930, and of every year thereafter, which shall be known as the regular municipal election. All other municipal elections that may be held shall be known as special municipal elections.

At the regular municipal election held on the third Monday in January in the year 1930, there shall be elected four members of the Council. At the regular municipal election in every year thereafter there shall be elected four members of the Council.

At the regular municipal election held in the year 1930, and in every year thereafter there shall also be elected the Mayor.

Section 7. The mode of nomination of candidates for the Council and for the Mayor shall be by petition signed by not less

## CITIES AND TOWNS

than ten nor more than twenty-five electors of the City, and filed with the Clerk of Council on or before the Monday preceding the next regular municipal election.

Whenever a petition nominating a person for the office of Mayor or of Councilman shall have been filed as above prescribed, the name of such person shall be printed on the ballot for the regular municipal election as a candidate for the office for which he was nominated, provided, he possesses the qualifications prescribed by this charter for a candidate for such office.

No nominating petition shall designate more than one person to be voted for as a member of Council or as Mayor.

The signers of a nominating petition for a member of the Council must be electors of the City residing in the same City district in which the nominee resides; but the signers to the nominating petition for the Mayor may be City electors resident in the City at large.

There must be attached to each nominating petition an affidavit of the circulator thereof, stating the number of signers and that each signature appended thereto was made in his presence, and is the genuine signature of the person whose name it purports to be, and that all of said signers are entitled to vote at the regular municipal election referred to.

And, in the case of a petition nominating a candidate for Councilman, that the circulator of the petition verily believes that each signer of said petition is a resident of the same City district in which the nominee resides.

With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify the same. The form of the nominating petition shall be substantially as follows:

We, the undersigned, electors of The City of Dover, hereby

## CITIES AND TOWNS

nominate . . . . ., who  
 resides in the . . . . . City District of the said City  
 of Dover, for the office of Councilman (or for the office of Mayor  
 as the case may be) to be voted for at the regular municipal  
 election to be held in the said City, on the . . . . . day of  
 . . . . . in the year . . . . .; and we individually  
 certify that we are qualified to vote for a candidate for the office  
 named, and that we have not signed any other nominating peti-  
 tion for that office, and that our places of residence are truly  
 stated after our signatures.

Name . . . . .

Street and Number . . . . .

(Space for Signatures)

STATE OF DELAWARE

KENT COUNTY

SS.

. . . . . being duly  
 sworn (or affirmed) deposes and says that he is the circulator  
 of the foregoing petition paper containing . . . . . signatures,  
 and that the signatures appended thereto were made in his pres-  
 ence, and are the signatures of the persons whose names they  
 purport to be, and that he verily believes the residence of each  
 signer thereof to be truly stated, and that all of said signers are  
 entitled to vote at the regular municipal election referred to in  
 said paper.

(Signed) . . . . .

Subscribed and sworn to (or affirmed) before me\* this  
 day of . . . . .

. . . . . Justice of the Peace  
 (or Notary Public)

Section 8. The regular municipal election shall be held  
 on the third Monday in January of each year.

## CITIES AND TOWNS

The election shall be opened at one o'clock P. M., and closed at four o'clock P. M.

The Council shall designate the place of election and make all needful rules and regulations not inconsistent with this charter, or with General Law, for the conduct of the elections, for the prevention of fraud in election and for the recount of ballots in case of doubt or fraud.

The election shall be held by an Election Board consisting of the Alderman and two of the four members of Council, who hold over, to be chosen by the Council, at a previous meeting of Council.

Should any or all of the persons to hold said election be absent from the place of election by one o'clock P. M., on the day of election, or fail or neglect to act in the conduct of such election during all the time that the polls are open, as aforesaid, the electors present at the time shall have the right to designate from the electors of the City, such number of persons as shall be necessary to fill the places made vacant by the absence or neglect aforesaid.

When the polls are closed, the election officers shall publicly count the votes, and shall certify the result of the election to each of the persons elected and to the Council.

The candidate for the office of Mayor receiving the highest number of votes cast for that office shall be declared to be elected Mayor, and the candidate for the office of Councilman from each City District, who has received the highest number of votes cast for any candidate for the office of Councilman, in that same District, shall be declared to be elected to that office.

In the case of a tie vote for any office the persons holding the election shall determine the tie by lot.

Every resident of said City, who is over twenty-one years

## CITIES AND TOWNS

of age and who has resided in said City for, at least, six months next preceding the day of election and who is not a delinquent for any tax levied by the City, shall be entitled to vote at said election.

The Council shall supply the ballots for the election. The ballots shall be printed and shall contain the names of each candidate who has been nominated as hereinbefore provided, together with the designation of the office for which he is a candidate.

No ballots, except those supplied by the Council, shall be voted at the election; provided, that if the Council shall fail to supply sufficient ballots, any elector may write or cause to be written or printed ballots to supply the deficiency, provided that such ballots shall contain only the names of candidates duly nominated as hereinbefore provided.

If a majority of the election board shall not be satisfied that any person offering to vote at the election possesses the qualifications of a city elector as prescribed by this charter, they shall receive the ballot, but shall not count it, and shall return it in a separate package to the Council with the name of the person presenting the ballot.

Section 9. At seven-thirty o'clock on the second Monday in February, following a regular municipal election, the Mayor and Council shall meet at the usual place for holding Council meetings and the newly elected officers shall assume the duties of office, being first duly sworn or affirmed to perform their duties with fidelity.

Such meeting shall be called or known as the annual meeting.

Thereafter the Council shall hold regular meetings at such times as may be prescribed by ordinance, but not less frequently than once each month. Special meetings may be called and held as prescribed by ordinance.

## CITIES AND TOWNS

All meetings of the Council shall be open to the public.

Section 10. A majority of the members elected to the Council shall constitute a quorum to do business, but a less number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

No ordinance, resolution, or order shall be valid unless it shall have (1) the affirmative vote of a majority of the members elected to the Council, and (2) the written approval of the Mayor (or Vice-Mayor in those cases where the Vice-Mayor is authorized to act as Mayor as hereinafter prescribed), provided that in the absence of such approval by the Mayor (or Vice-Mayor as the case may be) the Council may, after not less than seven days nor more than thirty-five days after the prior vote, pass or adopt the same ordinance, resolution or order which did not receive the approval of the Mayor (or the Vice-Mayor as the case may be) by the affirmative vote of three-fourths of the members elected to the Council.

Whenever the Council shall adopt an ordinance, resolution, or order, it shall be the duty of the Mayor (or the Vice-Mayor as the case may be) to signify his approval or disapproval thereof in writing to the Clerk of the Council within seven days thereafter. The Clerk of the Council shall forthwith notify the members of the Council of such approval or disapproval.

Motions to adjourn meetings of Council and orders to compel the attendance of absent members shall not require the approval of the Mayor or Vice-Mayor.

No member of the Council shall be excused from voting except on matters involving the consideration of his own official conduct, or when his financial interests are involved.

The yeas and nays shall be taken upon the passage of every ordinance and resolution and entered together with the text of

## CITIES AND TOWNS

the ordinance or resolution upon the journal of the proceedings of the Council.

The Clerk shall also enter in the journal whether the ordinance or resolution had or failed to have the approval of the Mayor (or Vice-Mayor as the case may be). The journal shall be deemed conclusive evidence of the facts stated therein except in the case of fraud.

Section 11. The Council shall be the judge of the election and qualification of its members and, in such cases, shall have power to subpoena witnesses and compel the production of all pertinent books, records and papers; but the decision of the Council in any such case shall be subject to review by the courts. The holding over members shall constitute the Council for the purpose of determining election contests. The Council shall determine its own rules and order of business and keep a journal of its proceedings. It shall have power to compel the attendance of absent members, and may punish its members for disorderly behavior.

Section 12. Neither the Mayor, Vice-Mayor, nor any member of Council shall receive a salary or other compensation for the performance of his duties, but he shall be entitled to be reimbursed for all expenses actually incurred in the execution of his official duties; provided that the sum of Five Dollars shall be paid to each member of the Election Board, and to each member of Council, sitting to hear appeals from the municipal assessment.

Section 13. VACANCIES. The loss of residence in the City, the loss of residence in the State (and in the case of a Councilman, removal from the district where he resided at the time of his election), or the conviction for a crime or misdemeanor during the term for which he was elected, shall create a vacancy in the office, either of Mayor or Councilman. In the case of any such vacancy or of any vacancy created by death, resignation, or otherwise, the Council shall fill such vacancy for the residue of the whole term.

## CITIES AND TOWNS

Section 14. **MAYOR, DUTIES OF.** The Mayor shall be the Executive and Chief Official of the City. He shall preside at meetings of the Council, but shall have no vote except in case of a tie. He shall have the powers and perform the duties conferred and imposed by this charter and the ordinances of the City.

Section 15. **VICE-MAYOR, DUTIES OF.** At the annual meeting the Council shall elect one of their number to the office of Vice-Mayor. During a vacancy in the office of Mayor or during the absence or disability of the Mayor, the Vice-Mayor shall have all the powers and duties of the Mayor.

Section 16. **CLERK OF COUNCIL.** The Council shall choose a Clerk, who shall keep a record of the proceedings of the Council and perform such other duties and have such powers as may be prescribed by ordinance.

Section 17. **ORDINANCES.** The Council is hereby vested with the authority to adopt ordinances of every kind relating to any subject coming within the powers and functions of the City, or relating to the government of the City, its peace and order, its sanitation, appearance and beauty, the health, safety, convenience and comfort of its population, and the protection and preservation of property, and to fix and impose and enforce the payment of, fines and penalties for the violation of any such ordinance; provided that no fine or penalty shall exceed the sum of One Hundred Dollars; and no provision in this charter as to ordinances on any particular subject shall be deemed or held to be restrictive of the power to adopt ordinances on any subject not specifically enumerated.

Section 18. The Council shall have power to define nuisances and cause their abatement. The operation of any instrument, device, or machine of any kind whatsoever, that shall cause electrical interference with radio reception within the limits of the City shall, at the option of the Council, be deemed to be a nuisance.

## CITIES AND TOWNS

Section 19. The power to adopt ordinances relating to the health of the population of the City or to prevent the introduction or spread of infectious or contagious diseases or nuisances affecting the City shall extend to the area outside of the City limits and within one mile from said limits.

Section 20. The Council shall have power to adopt all measures requisite or appropriate for protection against fire. To this end Council may adopt ordinances prohibiting the use of building materials that the Council deem would create a fire hazard, and may zone or district the City and make particular provisions for particular zones or districts with regard to buildings and building materials. This power shall be deemed to embrace new buildings or additions to or alterations of existing structures of every kind. The Council shall have power to condemn any building or structure or portion thereof that it deems constitutes a fire menace and to require or cause the same to be torn down, removed or so altered as to eliminate the menace of fire.

Section 21. The Council may adopt zoning ordinances limiting and restricting to specified districts, and regulating therein, buildings and structures according to their construction and the nature and extent of their use.

Section 22. The power of the Council to adopt ordinances for the safety of the City and its population shall be deemed to embrace the right to prescribe the height and thickness of the walls of any building and the kind and grade of materials used in the construction thereof.

The Council may provide for the issuance of building permits and forbid the construction of a new building or the addition to or alteration and repair of an existing building except a building permit has been obtained therefor. The Council may appoint a building inspector and prescribe his powers and duties.

Section 23. The Council may create a City planning com-

mission for the development, improvement, and beautification of the City, and prescribe its powers and duties.

Section 24. The Council shall have the right to grant or refuse franchises or licenses to public utilities and common carriers and fix the terms and conditions thereof and to regulate their use of the streets, lanes and alleys of the City; provided that nothing in this Section contained shall be deemed to affect or impair the franchises or powers of any corporation owning, leasing or operating a steam railroad in or through the City at the time of the approval of this Act.

Section 25. The Council shall have power to operate a light, power and water plant for the City, and to do all things necessary for its maintenance and operation. The Council may at their option transmit electric current and or water from its said plant to places or properties outside of the City limits upon such terms, charges and conditions as they shall determine.

The Council shall have power to adopt ordinances, rules and regulations in regard to the use for public or private purposes of electric current distributed and or water furnished by the City and the amount to be paid by the users thereof, and fix fines and penalties for any wilful or negligent injury or damage to its water and light plant, and to any objectionable use in connection with its light and water system, and to any interference with or obstruction of the said system.

Section 26. The Council shall have superintendence and supervision of the sewers and the sewer system of the City. They shall have power to install any or additional sewers in the City. The Council may by condemnation proceedings take for sewer purposes, private land, or the right to use private land under the surface thereof, for the laying of sewer mains. The proceedings by condemnation under this Section shall be the same as prescribed by Section 27 of this charter with regard to the laying out of new streets, and the resolutions referred to in said Section shall be modified to cover the case contemplated by this present Section.

The Council shall have power to make all ordinances, rules

## CITIES AND TOWNS

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The Council shall have power to make all ordinances, rules

## CITIES AND TOWNS

and regulations regarding the sewers and sewer system of the City and the use thereof, and may fix fines and penalties for the violation of the provisions of such ordinances. The Council may require any property in the City to be connected with the water and sewer mains and to compel the owner of such property to pay the cost of such connection and the tapping fee or charge therefor. The connecting with the water or sewer mains and the tapping thereof shall be under the regulation and control of the Council.

Section 27. The Council shall have power and authority to lay out, locate and open new streets and to widen and to alter existing streets or parts thereof, and to vacate or abandon streets or parts thereof, whenever they shall deem it for the best interest of the City. The procedure in every case as aforesaid shall be as follows :

The Council shall, by a majority vote, adopt a resolution favorable to the opening of the new street, or to the widening or altering of a street, or to the vacating or abandoning of a street, or any part thereof, as the case may be and giving a general description of the street to be opened or widened, or altered, or of the street or part thereof to be vacated or abandoned, as the case may be. The said resolution shall also state the day, hour and place when the said Council will sit to hear objections and to award just and reasonable compensation to anyone who will be deprived of property. A copy of such resolution shall be posted in five or more public places in the City at least five days before the day fixed for the hearing aforesaid.

At the time and place fixed in the said resolution, said Council shall hear such residents of the City or owners of the property affected as shall attend, and shall at said meeting, or at a subsequent day, as they shall deem proper, adopt a resolution by a majority vote to proceed with or to abandon, as they shall deem for the best interest of the said City, the opening of a new street or the widening, altering, vacating or abandoning of an existing street or part thereof, as the case may be, as contemplated in

## CITIES AND TOWNS

their prior resolution. And in case the determination of the said Council shall be to proceed with the plan contemplated by the resolution first aforesaid, they shall also award just and reasonable compensation to anyone who will be deprived of property in consequence thereof. Such compensation, if any be awarded, shall be paid by the Treasurer of the City, on a warrant drawn on him by authority of the Council aforesaid. If anyone who will be deprived of property as aforesaid be dissatisfied with the compensation awarded by the Council aforesaid, he may within five days after the award of the Council, as aforesaid, appeal from such award by serving written notice to that effect on the City Manager. In order to prosecute said appeal such appellant shall, within five days after the expiration of the five days allowed for the appeal as aforesaid, apply to the judge of the Superior Court for the State of Delaware resident in Kent County, or in his absence at said time, to the Chief Justice of the said Court, for the appointment of freeholders to hear and determine the matter of compensation to such appellant for any property of which he will be deprived as aforesaid, and thereupon the said Judge or Chief Justice, as the case may be, shall issue a commission under his hand directed to five impartial freeholders of Kent County commanding them to determine and fix the damages which the said appellant will sustain by reason of being deprived of any property as aforesaid, taking into consideration the benefits or advantages that will enure to the said appellant, and to make return of their findings to the said Judge or Chief Justice, as the case may be, at a time therein appointed. The said freeholders shall give notice of the day, hour and place when they will meet to view the premises and to assess the damages, if any, as aforesaid. Such notice shall be served upon the appellant personally, or by posting a copy on the premises affected at least five days before the day when they are to view the premises as aforesaid and a copy of such notice shall also be served on the City Manager at least five days before the day of such meeting.

The freeholders named in such commission, being first sworn or affirmed, on the day and at the hour and place stated in the notice aforesaid, shall view the premises and hear the appellant

## CITIES AND TOWNS

and his witnesses and the Council and their witnesses, and shall without delay, determine and fix the damages, if any, which the said appellant will sustain by reason of being deprived of any property as aforesaid. Thereupon and without delay the said freeholders shall make return in writing of their proceedings in the premises to the said Judge or Chief Justice, as the case may be, who shall cause the said return to be delivered to the said City Manager and such return shall be final and conclusive. The said Judge or Chief Justice shall have power to fill any vacancy among the freeholders. The amount of damages being ascertained as aforesaid, the said Council may pay or tender the same to the person or persons entitled thereto, within one month after the same shall be finally ascertained, or may deposit the same to his or her credit in any bank in the City to the credit of the person or persons entitled thereto within the said period of one month, and thereupon the said Council may carry into effect the plan contemplated in their resolutions aforesaid. In the ascertainment and assessment of damages by the freeholders appointed by the Judge or Chief Justice aforesaid, if the damages shall be increased, the costs of the appeal shall be paid by the Treasurer of the City out of any money in his hands belonging to the City, but if said damages shall not be increased the costs of the appeal shall be paid by the party appealing. The fees to the freeholders shall be five dollars per day to each, which shall be taxed as part of the costs.

Whenever, the land comprehended or included in any street, or part thereof, vacated or abandoned under this Section is owned by the City, the Council may, in their discretion, sell such land either at private or public sale and for such consideration as the Council shall deem proper, and shall have the right and power to convey to the purchaser or purchasers thereof a good and sufficient title thereto.

The word street shall be deemed and held to comprehend and include sidewalks, lanes and alleys.

Section 28. The Council shall have the power to cause to

## CITIES AND TOWNS

be paved or repaved the streets and sidewalks of the City or any part or portion thereof, with such material or materials as it shall determine. Before the exercise of said power in any particular instance, the Council shall adopt an ordinance or resolution stating, in effect, that on a named day and at a named hour and place the Council will meet to consider the question of paving or repaving with a specified material or materials the streets, or sidewalks on a named street in front of the property of named owners, and of assessing the cost thereof against the owners. The said ordinance or resolution shall be published at least one week prior to the meeting aforesaid in at least one issue of at least two newspapers published in the City. The Council shall hold a meeting in accordance with said ordinance or resolution and thereat shall hear the aforesaid owners of property and other residents of the City appearing on the questions referred to in the said ordinance or resolution.

After such hearing, the Council either at said meeting or at a subsequent meeting shall decide whether or not to proceed with the paving or repaving referred to in the said ordinance or resolution; provided that in the case of paving or repaving of a street or a portion thereof, the Council shall not proceed with such improvement if at or prior to the hearing aforesaid, the Council shall be presented with a written objection thereto signed by a majority of the owners of real property in front of which such paving or repaving was contemplated, but this proviso shall not apply to sidewalks. If the Council shall decide to proceed it shall determine whether the whole or some specified proportion of the cost of the paving or repaving aforesaid in front of the real property of the owner named in the aforesaid ordinance or resolution shall be borne by said owners. If said determination shall be that the whole or a specified proportion of said cost shall be borne by said owners, then and in such case the said owners shall be compelled to pay the whole or the specified proportion of the cost aforesaid, as the case may be; the amount to be paid by the owner of each parcel of property affected shall be determined on the basis of the lineal frontage of the parcel on the street or sidewalk to be paved or repaved.

## CITIES AND TOWNS

When said paving or repaving has been done and the cost thereof ascertained, the Council shall ascertain the amount that the owner of each parcel of property aforesaid shall pay, as hereinbefore stated, and shall fix the time when such payment must be made, provided that in the case of the paving or repaving of a street or any portion thereof, the time of payment shall not be less than twelve months thereafter, and in the case of the paving or repaving of sidewalks or any portion thereof, not less than ninety days thereafter; and shall give written notice thereof to such owner by leaving or posting the same on his aforesaid real property or by mailing the same to his last known address. If any such owner shall fail to pay the specified amount at or before the time or times specified in the notice, the amount specified in said notice may be collected by the sale of his aforesaid real property. Such sale shall be made by the City Manager who shall advertise the parcel of real property for sale in at least one issue of at least two local newspapers prior to two weeks before the day of sale. Such advertisement shall give such general description of the parcel to be sold as will identify it, and shall state the day, hour, and place at which the sale will be held.

Unless a sum of money for which the said parcel is to be sold, as aforesaid, together with the cost of advertisement of the sale, shall be paid prior to the day of sale, the said parcel of real property shall be sold by the City Manager at public sale on the day and at the hour and place named in the advertisement for the sale, to the highest and best bidder for the same.

Upon payment to the City Treasurer of the price for which the property is sold at such sale, a deed of the property sold shall be executed in the name of The City of Dover by the Mayor and attested by the Clerk of Council and bearing an imprint of the corporate seal of the City, and delivered to the purchaser. Such deed shall vest in the purchaser the same estate or interest in the property sold as the owner of the parcel at the time of the adoption of the ordinance or resolution first in this Section referred to, had therein, or thereto, subject to the same liens and encumbrances of record against said property at the date of the adoption of said ordinance or resolution.

## CITIES AND TOWNS

The City Treasurer shall first deduct the costs of the sale which shall include the cost of the advertisement of the sale, the charges of an auctioneer, and all other expenses incident to the sale and also 10% of the amount that the owner of the property had failed to pay for the cost of the paving or repaving as aforesaid.

The City Treasurer shall then deduct the amount that the owner of the property had failed to pay to the City as aforesaid, together with the 10% aforesaid, and together with the costs, charges and other expenses of the sale aforesaid, and shall pay the sum so deducted into the City treasury.

Any balance remaining shall be paid by the City Treasurer to the person or persons who were the owners of the property sold.

The term owner or owners as used in this Section shall be deemed to mean the person or persons who owned the property in question at the time of the adoption or passage of the ordinance or resolution first in this Section referred to, and any change of ownership thereafter shall not be deemed or held to affect any of the steps or proceeding mentioned in this Section.

The aforesaid deed of the property sold shall recite briefly the amount that the owner had failed to pay to the City, as aforesaid, the advertisement and notice of sale, the holding of the sale, the amount of the successful bid, and the costs of the sale, including the items hereinbefore set forth.

The provisions in this Section relating to the paving or repaving of streets shall be deemed to apply to and include curbs and gutters.

Section 29. The streets, sidewalks, lanes and alleys in the City shall be under the supervision, management and control of the Council, and the Council may prescribe the grades thereof and adopt ordinances regulating the use thereof and the traffic thereon.

## CITIES AND TOWNS

Section 30. The Council shall have power to provide for the incineration or other sanitary disposal of litter, debris, refuse, garbage and sewage.

Section 31. The Council shall have power to adopt ordinances regulating the parking of automobiles and motor vehicles within the City, and may lease or purchase land to be used for parking purposes.

Section 32. The salaries or compensation of all City officers and City employees shall be determined by the Council.

Section 33. **THE CITY MANAGER.** The Council shall appoint a City Manager who shall be the chief administrative officer of the City. He need not, when appointed, be a resident of the City or the State. No member of the Council shall, during the time for which elected, be chosen as City Manager. The Manager shall be appointed for an indefinite term but shall be removable at the pleasure of the Council. Before the Manager may be removed he shall, if he so demand, be given a written statement of the reasons alleged for his removal and the right to be heard publicly thereon at a meeting of the Council prior to the final vote on the question of his removal, but pending and during such hearing the Council may suspend him from office. The action of the Council in suspending or removing the Manager shall be final, it being the intention of this charter to vest all authority and fix all responsibility for such suspension or removal in the Council. In case of the absence or disability of the Manager the Council may designate some qualified person to perform the duties of the office during such absence or disability.

Section 34. **RESPONSIBILITY OF MANAGER. POWERS OF APPOINTMENT AND REMOVAL.** The City Manager shall be responsible to the Council for the proper administration of all affairs of the City placed in his charge, and to that end, except as otherwise provided herein, he shall have the power to appoint and remove all employees in the administrative service of the affairs of the City under his charge. All such appointment shall be without definite term.

## CITIES AND TOWNS

**Section 35. REMOVAL OF EMPLOYEES.** Employees appointed by the City Manager, or under his authorization, may be removed by him at any time. The decision of the Manager in any such case shall be final and there shall be no appeal therefrom to any other officer, body or court whatsoever.

**Section 36. COUNCIL NOT TO INTERFERE IN APPOINTMENTS OR REMOVALS.** Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from, office by the City Manager or any of his subordinates, or in any manner take part in the appointment or removal of employees in the administrative service of the affairs of the City under the charge of the Manager. Except for the purpose of inquiry, the Council and its members shall deal with that portion of the administrative service for which the Manager is responsible solely through the Manager, and neither the Council nor any member thereof shall give orders to any subordinate of the City under the City Manager either publicly or privately. Any violation of the provisions of this Section by a member of the Council shall be a misdemeanor, conviction of which shall immediately forfeit the office of the member so convicted.

**Section 37. DUTIES OF THE MANAGER.** It shall be the duty of the City Manager to supervise the administration of the affairs of the City under his charge; to make such recommendations to the Council concerning the affairs of the City as may seem to him desirable; to keep the Council advised of the financial conditions and future needs of the City; to prepare and submit to the Council the annual budget estimate; to prepare and submit to the Council such reports as may be required by that body; and to perform such other duties as may be prescribed by this charter or required of him by ordinance or resolution of the Council.

**Section 38. RIGHT OF MANAGER IN COUNCIL.** The City Manager and such other officers of the City as may be designated by vote of the Council, shall be entitled to seats in the Council, but shall have no vote therein.

## CITIES AND TOWNS

Section 39. INVESTIGATIONS BY COUNCIL. The Council shall have power to inquire into the conduct of any office, officer or employee of the City and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths, and compel the production of books, papers and other evidence.

Section 40. The City Manager shall have charge of the light and water plant operated by the City, and of the light and water and sewer systems of the City. He shall have charge of the supervision of the streets, gutters, curbs and sidewalks of the City and of all work relating thereto. He shall have charge of the administration of all provisions of this charter and ordinances and regulations of the Council relating to affairs of the City, when not otherwise provided for by this charter or by any ordinance or resolution of the Council. He shall ex-officio be the Collector of Taxes for the City. It shall be his duty to collect all water rents and fees for the tapping of water mains and sewers, all charges for electric current and all City revenue from any source whatsoever. He shall pay over to the City Treasurer at least monthly, and oftener if required by Council, all moneys received or collected by him and by any employee under him.

He shall keep a full and strict account of all moneys received and all disbursements made by him and such accounts shall be at all times open to inspection by the Council. He shall make such reports and at such times as the Council shall direct.

Section 41. The Council shall require the City Manager to give bond in such amount and such form and with such surety as the Council shall approve.

Section 42. CITY TREASURER. At the annual meeting the Council shall elect a City Treasurer to hold office until the next annual meeting of the Council, or until his successor has been duly chosen and qualified, but subject to removal at any time by the Council.

## CITIES AND TOWNS

The City Treasurer shall be the custodian of all the City funds and shall deposit them in a banking institution designated by the Council.

He shall pay out no money except upon warrant signed by the City Manager and countersigned by the Mayor.

The Mayor and the City Manager shall sign no warrants on the City Treasurer except pursuant to appropriations or resolutions theretofore made by the Council.

He shall keep a true and detailed account of all moneys received and of all moneys paid out by him. He shall preserve all vouchers for moneys paid by him. His books and accounts shall at all times be open to inspection by the Council or the Mayor or the City Manager.

He shall make such reports and at such times as the Council may direct.

The City Treasurer shall be required to give bond in such amount and in such form and with such surety as the Council shall determine or approve.

Section 43. The fiscal year of the City shall begin the first day of July and shall end with the next succeeding thirtieth day of June.

Section 44. On or before the second Monday of February of each year, the City Manager shall prepare and submit to the Council, a budget, presenting a financial plan for conducting the affairs of the City for the ensuing fiscal year.

The budget shall include the following information:

1. A detailed statement showing the expenses of conducting each department and office of the City for the current year and last preceding fiscal year.

## CITIES AND TOWNS

2. A detailed estimate of the expenses of conducting each department and office of the City for the ensuing fiscal year with reasons for the increases and decreases recommended.
3. The value of supplies and materials on hand.
4. The amount of the debt of the City together with a schedule of maturities of bond issues.
5. A statement showing the amount required for interest on the City debt and for paying off any bonds maturing during the year and the amount required for the sinking fund.
6. An itemized statement of all anticipated income of the City with a comparative statement of the amounts received by the City from each of the same or similar sources for the last preceding and current fiscal years.
7. An estimate of the amount of money to be received from taxes.
8. Such other information as the City Manager may think desirable or as may be required by the Council.

The Council shall on or before the second Monday in the month of March in each year adopt a budget for the succeeding fiscal year. The Council shall, so far as possible, adhere to the budget so adopted in the making of appropriations.

Section 45. No claim against the City shall be paid except on an order on the Treasurer, signed by the City Manager, and approved and countersigned by the Mayor. The City Manager shall examine all pay-rolls, bills and other claims and demands against the City and shall issue no warrant for payment, unless he finds that the claim is proper and in proper form and correctly computed. The City Manager shall, at each monthly meeting, present a report to Council showing in detail all pay-rolls, bills and other claims for which warrants were drawn during the preceding month.

Section 46. Annually in the month of July the Council shall have the finances of the City and the books and accounts of the

## CITIES AND TOWNS

City Manager, the Alderman and the City Treasurer audited by a certified accountant.

As soon as practicable after such audit has been completed, the Council shall cause to be made and published a report of the City's finances for the preceding fiscal year.

Section 47. That in the year 1930 and in every third year thereafter there shall be made a true, just and impartial valuation and assessment of all the real property within the City and of all the personal property subject to county taxation within the City (except farm lands to the extent that they are exempted by the provisions of Section 1 of this charter and except also personal property on any farm lands actually used for or in connection with farming), locating each parcel of real property by street and number or other description, and also an assessment of all the male residents in the City above the age of twenty-one years, as well those owning as those not owning real property or personal property within its limits. The said valuation and assessment shall be made by an assessor or assessors who shall be elected by the Council at the previous December meeting by a majority vote thereof. An assessor shall be a freeholder within the corporate limits of the City. Before entering upon the duties of his office he shall be sworn or affirmed by a Justice of the Peace of the City to perform the duties of his office with fidelity and without favor or partiality.

The assessment as aforesaid made in the year 1930 and in every third year thereafter shall be made prior to the first day of March in such year.

The assessment made in the year 1930 and in every third year thereafter shall be known as the general assessment. In each year (except the year 1930 and every third year thereafter) there shall be made a scrap assessment. The said scrap assessment shall be made by the assessor or assessors elected by the Council as aforesaid, and shall be made prior to the first day of March in such year.

## CITIES AND TOWNS

The scrap assessment shall value and assess all taxable real property and personal property in the City not already valued and assessed by the general assessment then in force (except farm lands to the extent that they are exempted by the provisions of Section 1 of this charter and except also personal property on any farm lands actually used for or in connection with farming) and all improvements made since said general assessment, and all male residents of the City above the age of twenty-one years and not already assessed, and dropping from the assessment the names of those who have removed from the City. In the year that a scrap assessment is made, the general assessment then in force as supplemented or modified by the scrap assessment shall constitute the assessment for the year.

The assessment shall be set down by the assessor or assessors in two or more copies as the Council shall direct, and shall be delivered to the Council as soon as made. The real property and personal property of the assessors shall be assessed by the Council. The Council shall, prior to the fifteenth day of March in the year 1930 and prior to the fifteenth day of March in each third year thereafter cause a copy of the general assessment to be hung up in two public places in the City, there to remain for the space of ten days for public information. Prior to the fifteenth day of March in each year that a scrap assessment is made as hereinbefore provided, the Council shall cause a copy of such scrap assessment to be hung up in two public places in the City, there to remain for the space of ten days for public information. With the copies of the general assessment or of the scrap assessment, as the case may be, hung up as aforesaid, shall be a notice of the day, hour and place that the Council will sit as a Board of Revision and Appeal. Notice of the hanging up of the copies of the assessment, and of the day, hour and place when the Council will sit as a Board of Revision and Appeal shall be published in at least one issue of the newspapers published in said City. On the day and at the time and place designated in the notice aforesaid, the Council shall sit as a Board of Revision and Appeal to correct and revise the assessment hung up as aforesaid and to hear appeals concerning the same. They shall have full power and authority

## CITIES AND TOWNS

to alter, add to, deduct, and take from the said assessment. The decision of a majority of the Council sitting shall be final and conclusive.

No Councilman shall sit on his own appeal.

The assessment as revised and adjusted by the Council as aforesaid shall be the basis for the levy and collection of taxes for the City.

The Council shall have the right to levy and collect taxes on gas mains, telephone, telegraph or trolley poles or other erection of like character within the limits of the City together with the wires thereon strung, and to this end may at any time direct the same to be included in or added to the City assessment.

Nothing in this Act contained shall be deemed or held invalidate or otherwise affect any assessment made prior to the approval of this Act or any tax levied thereunder.

Section 48. The Council shall in the months of April in each year determine the amount of money to be raised for the City for general purposes for the next fiscal year not exceeding the sum of Twenty-five Thousand Dollars, and shall also determine the amount of money required to be raised in such year by the City for interest, sinking fund and redemption of the bonds, of the City. A reasonable sum for delinquencies, discounts and costs of collection may be added by the Council to the amounts aforesaid. The amounts determined as aforesaid together with any additional sum or sums authorized to be levied and collected, as in this Section hereinafter provided, shall be levied and collected by the Council on the property and persons assessed as aforesaid and in accordance with such assessment and according to a rate established by the Council.

The electors of the City may assemble in Town meeting on the evening of the third Monday in February in any year, to determine whether any additional sum or sums shall be levied and

## CITIES AND TOWNS

collected for any specific purpose or purposes; notice of which meeting, the place of meeting and the special purpose or purposes for which said additional sum or sums are desired having been published by the Council, or by any taxable of the City, in the newspapers of the City twice immediately preceding the time of said meeting. At said meeting a resolution or resolutions shall be prepared stating explicitly the additional sum or sums needed or desired, and the specific purpose or purposes to which the said sum or sums shall be applied.

Every resident of the said City who is over twenty-one years of age and who has lived in said City for at least six months next preceding, and who is not a delinquent for any tax levied by the City shall be entitled to one vote for each one dollar of tax paid by him according to the last assessment in said City. The electors of the City shall then proceed to vote yes or no, by ballot, upon said resolution or resolutions, and the result shall be certified to the Town Council; and if a majority of the votes cast shall be yes, then the Council shall levy and collect said additional sum or sums and apply the same for the purpose or purposes specified; and if more has been levied and collected than was necessary for the purpose or purposes named or specified the residue shall be carried into the treasury of the City for general purposes.

Section 49. In the month of April in each year, the Council shall deliver to the Collector of Taxes a list containing the names of the taxables, and opposite the name of each the amount of his real property assessment, the amount of his personal property assessment and his poll assessment, and the tax upon the total of his assessment, and the rate per hundred dollars. The said list shall be signed by the Clerk of Council.

All taxes shall be paid to the Collector of Taxes. A discount of five per cent shall be allowed on taxes paid during the month of May in the calendar year they were assessed. Taxes paid during the months of June, July, August and September, in the calendar year that they were assessed, shall not be privileged to any discount nor be subject to any penalty. To every tax that

## CITIES AND TOWNS

is not paid prior to the first day of October, in the calendar year that it was assessed, there shall be added and collected one per cent for every month or fraction of a month after the thirtieth day of September that the said tax remains unpaid.

It shall be the duty of the Collector of Taxes to proceed forthwith to collect all taxes unpaid by the first day of October in the calendar year that they were assessed and in the collection of said taxes he shall have all the powers conferred upon or vested in the Receiver of Taxes and County Treasurer for Kent County.

The Council shall have the authority to allow errors and delinquents in the assessment.

The provisions of Article 6 of Chapter 79 of the Revised Code of the State of Delaware of 1915 shall be deemed and held to apply to all taxes laid and imposed under the provisions of this Act.

Section 50. Whenever the needs of the City shall require more money than is at the time in the City treasury from current receipts, the Council shall be authorized and empowered to anticipate current revenue by borrowing such sum as shall be needed, not in excess of the sum of Fifty Thousand Dollars (\$50,000.00) in any one year. The amount so borrowed shall be paid back out of current revenue received thereafter.

To exercise the power aforesaid the Council shall adopt a resolution to that effect, which resolution shall require the affirmative vote of at least three-fourths of all the members of Council, and the approval of the Mayor. The indebtedness created under this Section shall be evidenced by the bond, or note, of the City, and the faith and credit of the City shall be deemed to be pledged thereby.

Section 51. TREES. Trees being among the chief beauties of the City, and their preservation requiring that they be treated with special care and intelligence, the Council is empowered to

## CITIES AND TOWNS

create a Tree Commission for the trees in the streets, the Green, and other public places of the City and to appropriate annually an amount of money adequate for their care and preservation. The Tree Commission may be given authority to take necessary or appropriate action to prevent injuries to trees from electric wires or from any other source or cause whatsoever, and to combat the pests and diseases to which they are subject, and when necessary to employ tree experts provided that they do not exceed the appropriation made by the Council.

Section 52. ALDERMAN. At the annual meeting the Council shall elect an Alderman for the term of one year or until his successor has been duly chosen and qualified.

The Alderman may be removed during his term by a vote of three-fourths of the members elected to the Council.

In case of the temporary inability of the Alderman to perform his duties by reason of sickness or absence, or otherwise, the said Council may at any meeting appoint an acting Alderman for the period of said inability.

Before entering upon the duties of his office, the Alderman shall be sworn or affirmed to perform the duties of his office with fidelity.

The Alderman shall have jurisdiction and cognizance of all breaches of the peace and other offenses committed in the City so far as to arrest and hold for bail or fine and imprison offenders. And also of all fines, penalties and forfeitures prescribed by this charter or any law of the State or by any ordinance of the Council and also of all neglects, omissions or defaults of any member of the City police force or other City officer or employee, provided that in the case of a violation of an ordinance, he shall impose no fine or penalty in excess of that fixed by the ordinance, and shall not commit to prison for a longer term than thirty days in default in the payment of a fine imposed by him. The jail of Kent County may be used for imprisonment under the provisions of this Act

## CITIES AND TOWNS

provided that the Council shall pay for the board of persons committed for breaches of ordinances that do not constitute breaches of the general law. Within his jurisdiction as aforesaid the Alderman shall have all the powers and authority of a Justice of the Peace for Kent County.

Any action, suit or proceeding authorized under any of the provisions of this charter or under any ordinance of said City may be instituted in the name of "The City of Dover."

His fees for any service under this Section shall be the same as those of a Justice of the Peace for like service, and for any service or duty for which no fee may be provided by law the fee may be established by ordinance of the Council.

If any Alderman shall be removed from his office by the Council as hereinbefore provided, he shall deliver to his successor all the books and papers belonging to his office, and shall pay over to the City Treasurer all moneys in his hands belonging to the City within five days after his removal. Upon neglect or failure to make such delivery or payment, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined not more than Five Hundred Dollars or be imprisoned in the discretion of the Court.

The Alderman shall, at the monthly meeting of the Council, report to the Council all fines imposed by him during the preceding month, and pay to the Treasurer of the City all such fines and penalties received by him during the said time, and in default of making such report or paying such fine and penalties for a period of twenty days after such report should be made and such fines and penalties should be paid as aforesaid, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than One Hundred Dollars nor more than Five Hundred Dollars.

Section 53. POLICE. There shall be a City police force, the number thereof and their salaries shall be determined by the

## CITIES AND TOWNS

Council, but they shall be chosen and appointed by the Mayor. The Mayor is hereby vested with all the powers of a conservator of the peace within the City limits. The members of the police force shall be subject to his direction and orders and may be removed by him at any time. They shall preserve peace and order, and compel obedience within the City limits to the ordinances of the City and the laws of the State. They shall have such other duties as the Council and or the Mayor shall prescribe.

Each member of the police force shall be vested with all the power and authority within the City limits and within one mile outside of said limits, (and, in the case of the pursuit of an offender, without limit) of a constable of Kent County.

Every person sentenced to imprisonment by the Alderman shall be delivered by a member of the police force to the County jail of Kent County to be there imprisoned for the term of the sentence. In the case of an arrest during an hour or hours when the Alderman shall not be available to hear and determine the charge, the person arrested may be delivered to the County jail for Kent County for imprisonment until such reasonable time thereafter as shall enable the Alderman to hear and determine the charge against such person.

Section 54. CITY SOLICITOR. At the annual meeting the Council shall elect a City Solicitor for the term of one year or until his successor has been duly chosen and qualified.

The City Solicitor may be removed during his term by a vote of three-fourths of the members elected to the Council.

The City Solicitor shall be an attorney at law who shall have practiced in the State of Delaware for at least five years. He shall be the chief legal adviser of and attorney for the City. It shall be his duty, either personally or by such assistants as he may designate, to attend meetings of the Council; to give advice in writing, when so requested, to the Council or the City Manager to prosecute or defend, as the case may be, all suits or cases to

## CITIES AND TOWNS

which the City may be a party; to prosecute for all offenses against the ordinances of the City and for such offenses against the laws of the State as may be required of him by law; to prepare all contracts, bonds and other instruments in writing in which the City is concerned, and to endorse on each his approval of the form and correctness thereof; and to perform such other duties of a legal nature as the Council may by ordinance require. In addition to the duties imposed upon the Solicitor by this charter or required of him by ordinance or resolution of the Council he shall perform any duties imposed upon the chief legal officers of municipalities by law.

Section 55. All powers conferred upon or vested in the Town of Dover and or the Town Council of the Town of Dover by any act or law of the State of Delaware not in conflict with the provisions of this charter, are hereby expressly conferred upon and vested in the City of Dover and or the Mayor and Council of the City of Dover, precisely as if each of the said powers was expressly repeated in this charter.

Section 56. All ordinances adopted by the Town Council of the Town of Dover and in force at the time of the approval of this charter are continued in force until the same or any of them shall be repealed, modified or altered by the City Council under the provisions of this charter.

Section 57. The person being the President of the Town Council of Dover at the time of the approval of this Act is hereby made the Mayor of the City of Dover until the election and qualification of a Mayor under the provisions of this charter; and the persons who are members of the Town Council of Dover at the time of the approval of this Act shall be the members of the Council of the City of Dover for and during the period for which they were elected members of the Town Council of Dover.

All the acts and doings of the Council of the Town of Dover or of any officials of the said Town lawfully done or performed under the provisions of any law of this State or of any ordinance

## CITIES AND TOWNS

of the Council of the said Town, prior to the approval of this Act, are hereby ratified and confirmed.

Section 58. All taxes, debts, fines or penalties and forfeitures due the Town of Dover shall be deemed to be due the City of Dover, and all debts due from the said Town of Dover shall be deemed to be debts of the City of Dover, and the same shall remain unimpaired until paid. All power to collect taxes imposed under the provisions of this Act shall be deemed to apply and extend to all unpaid taxes imposed by the Town Council of Dover.

The bonds given by or on account of any official of the Town of Dover shall not be impaired or affected by the provisions of this Act.

Section 59. Printed copies of the ordinances and resolutions of the City Council of Dover, published by authority of the Council, shall be admitted as evidence thereof in all Courts, and in pleading it shall not be necessary to recite or draw them out at large.

Section 60. All Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act are hereby repealed.

Section 61. If any part of this Act shall be held to be unconstitutional, such holding shall not be deemed to invalidate the remaining provisions of this Act.

Approved April 10, 1929.

CITIES AND TOWNS

CHAPTER 159

CITIES AND TOWNS

**AN ACT to amend Chapter 176, Volume 25, Laws of Delaware entitled "An Act to Incorporate the Town of Elsmere, New Castle County", as amended, in reference to nominations for Town Elections.**

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

Section 1. That Chapter 176, Volume 25, Laws of Delaware, entitled "An Act to incorporate the Town of Elsmere, New Castle County", be and the same is hereby further amended by striking out sentence three of paragraph two, Section Five thereof, and by inserting in lieu thereof the following new sentence.

"At such meeting, nominations shall be made for the various offices to be voted for at such election, and every person nominated and seconded at such a meeting shall be considered a candidate for any of the offices to be voted for at such election."

Approved February 19, 1929.

## CHAPTER 160

## CITIES AND TOWNS

**AN ACT to re-incorporate the Town of Frederica.**

*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 corporation created by the Act entitled "An Act to Incorporate the Town of Frederica", passed at Dover, March 8, 1865, same being Chapter 530 of Volume 12, Laws of Delaware, as revived and re-enacted in Chapter 566 of Volume 17, Laws of Delaware, as amended, be and the same is hereby continued in force for the period of twenty years from the passage hereof, and that it shall have all the power, rights and privileges conferred by said Act, with amendments thereto as revived and amended, which, for such purposes is hereby re-enacted, and the Commissioners elected on the first Monday of March, A. D. 1929 shall be the Commissioners until the first Monday in March 1930, and in case the fourth Saturday of March named in the fourth Section of said Act as amended, shall happen before the passage hereof, then it shall be lawful for the said Commissioners to hold their first stated meeting on the fourth Saturday in April of the present year, and at such meeting to do and perform anything which by said Act as amended, they were authorized to do on the fourth Saturday in March, and thereafter their meeting shall be as in said Act provided.

Approved March 19, 1929.

## CHAPTER 161

## CITIES AND TOWNS

**AN ACT to amend Chapter 238, Volume 26, Laws of Delaware, entitled "An Act to re-incorporate the Town of Georgetown", by increasing the amount which may be raised annually by taxation in the Town of Georgetown.**

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

Section 1. That Section 6, Chapter 238, Volume 26, Laws of Delaware, entitled "An Act to re-incorporate the Town of Georgetown" be and the same is hereby amended by striking out the words "Twenty-five Hundred" in the seventh and eighth lines of said Section, and inserting in lieu thereof the words "Sixty-five Hundred."

Section 2. That Chapter 243, Volume 27, Laws of Delaware, and Chapter 106, Volume 35, Laws of Delaware, and all other Acts, or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

Approved March 7, 1929.

## CHAPTER 162

## CITIES AND TOWNS

**AN ACT authorizing the Town Council of Harrington under certain conditions to construct a System of Sewers and Disposal Works in and for the Town of Harrington, Delaware.**

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

Section 1. As soon as practicable after the passage of this Act, the Town Council of Harrington shall fix by resolution the day, time and place of taking the vote of all the residents of the Town of Harrington, Delaware, whose names appear on the last registration list of the certified voters of the said Town for the purpose of determining whether the system of sewers and sewage disposal works, and other works necessarily connected therewith, for the said Town of Harrington, Delaware, shall be constructed, purchased, paid for and operated by a commission consisting of five (5) judicious citizens and residents of the said Town of Harrington, to be known as the "Sewer Commission", and who shall be, if necessary, elected in manner and form as hereinafter set forth, or whether the said system of sewers and sewage disposal works aforesaid shall be constructed, purchased, paid for and operated by the Town Council of Harrington, and their successors in office. After having fixed by resolution as aforesaid the day, time and place of taking the vote in manner and form as aforesaid, the said Council shall cause a copy of such resolution to be exhibited in at least three public places in the said Town of Harrington for at least one week prior to the day fixed for the holding of the said election. The ballots to be used at the said election shall be arranged substantially as follows:

**Place an X in the square you wish to vote**

In favor of the construction of the proposed sewer system for Harrington by a "Sewer Commission."

In favor of the construction of the proposed sewer system for Harrington by "Town Council."

## CITIES AND TOWNS

The said election shall be held on the day and at the time and place as fixed by the said resolution and shall be conducted by the President of the Town Council of Harrington, who shall have power and authority to appoint not more than two (2) tellers or judges of the said election who shall take the vote in manner and form as aforesaid.

Section 2. The said President of the Town Council shall on the next regular meeting night of the Council following the said election certify to the said Council the total number of votes cast at the said election and shall further certify the total number of votes cast in favor of the construction and operation of the proposed sewer system by a Sewer Commission, and shall further certify the total number of votes cast in favor of the construction and operation of the proposed sewer system by the Town Council of Harrington.

Section 3. In case a majority of all the votes cast at the said election as certified to by the President of the Town Council shall be in favor of the construction and operation of the proposed sewer system by the Town Council, then, and in that event, the Town Council of Harrington, shall have power and authority as hereinafter set forth to build and construct a system of sewers and sewage disposal works for the Town of Harrington, Delaware.

Section 4. In case of majority of all the votes cast at the said election as certified to by the President of the Town Council shall be in favor of the construction and operation of the proposed sewer system by a Sewer Commission, then, and in that event, the President of the Town Council of the Town of Harrington shall within thirty days call a public Mass meeting at which a Chairman shall be elected by popular choice at that time. An unlimited number of nominations for the Sewer Commission shall be made by those present. A ballot containing all nominees shall then be distributed. Each person shall be allowed one vote and is to mark on the prepared ballot an X opposite the names of the ten (10) persons he prefers. After the ballots have been collected, canvassed and counted the names of the ten (10) nominees

## CITIES AND TOWNS

receiving the highest number of votes shall be duly recorded and filed with the Secretary of the Town Board by the Chairman of the said Mass meeting. Within ten days after said Mass meeting, the President of the Town Council of Harrington shall call a second election and appoint not more than two (2) tellers for the purpose of selecting five (5) members who are to constitute the Sewer Commission. The said members of the Sewer Commission are to be voted on and selected from the ten (10) nominees duly recorded with the Secretary of the Town Board, as aforesaid. A ballot shall be prepared on which shall appear the names of the ten (10) nominees selected at the said Mass meeting. Each legal voter shall place an X after the five (5) nominees of his choice appearing on the ballot and the five (5) nominees receiving the highest number of votes shall be declared elected as members of and to constitute the Sewer Commission of the Town of Harrington to serve until completion of said sewer system and sewage disposal works. Vacancies, caused by death or otherwise, shall be filled by a majority vote of the remaining members of the Sewer Commission. The results of said election shall be duly canvassed and recorded by the Secretary of the Town Board and filed in the office of the same. The said Sewer Commission shall have power and authority as hereinafter set forth to build and construct a system of sewers and sewage disposal works for the Town of Harrington, Delaware.

Section 5. That under the conditions and limitations hereinafter set forth the Town Council of Harrington, and their successors in office, or the Sewer Commission, appointed in manner and form as aforesaid as determined by the said election, be and it is hereby authorized and empowered to construct, purchase, pay for and operate a system of sewers and sewage disposal works, and other works necessarily connected therewith, for the Town of Harrington, Delaware, and with full power and authority to do and perform any and all of the things herein provided, and such other things as are connected therewith, incidental thereto or necessary to carry out fully the purpose and intents of this Act. The members of the said Council, or of the said Sewer Commission, as the case may be, shall serve without com-

## CITIES AND TOWNS

pensation, except that any member of the Council, or of the said Sewer Commission, as the case may be, may be reimbursed from the fund hereinafter created for any expenses incurred by him or her in carrying out the provisions of this Act, provided such expenses be either authorized or ratified by the said Council, or the Sewer Commission, as the case may be.

Section 6. No moneys received from the sale of bonds authorized under this Act, or from the assessments hereinafter authorized, shall be paid out by authority of the said Council, or the said Sewer Commission, as the case may be, except by warrants or checks issued by the said Council, or Sewer Commission, as the case may be, signed by the President of the said Council, or by the Chairman of the said Sewer Commission, and countersigned by the Treasurer of the Town of Harrington, or by the Treasurer of the Sewer Commission, as the case may be. The said Town Treasurer, or the Treasurer of the Sewer Commission, as the case may be, shall furnish such bond to the Town Council of Harrington as it may determine necessary for the protection of the Town Council of Harrington against any default of the said Treasurer of Council, or against any default of the Treasurer of the said Sewer Commission, as the case may be, in handling the funds created under this Act.

Section 7. The Town Council of Harrington, or the Sewer Commission, as the case may be, is, after having complied with the conditions and requirements of this Act, hereby vested with every power necessary or proper for the construction and operation of a system of sewers and disposal works in and for the Town of Harrington, Delaware, and with every other power incidental thereto, or connected therewith. It shall employ such assistance, engineering, professional or otherwise, as it may determine necessary and shall fix the remuneration therefor, and shall ask, receive and award contracts for work to be done or labor or materials to be furnished, or both, in the execution of this work, and shall determine whether such contracts have been faithfully kept and performed, and shall have the authority to accept or reject any or all work done, and any and all labors furnished

## CITIES AND TOWNS

under such contracts, said contracts shall be executed on behalf of the Town of Harrington by the President of the Town Council of Harrington, and the Secretary of the Town Board, or by the Chairman and Secretary of the said Sewer Commission, as the case may be, and the corporate seal of the said Town shall be affixed thereto. No bid shall be accepted, no assistance employed, no contracts shall be awarded, nor shall any bill for services, labor or materials be paid unless the same shall have been approved by a majority of the members of the said Council, or by a majority of the members of the said Sewer Commission, as the case may be, with such approval evidenced by the names of those approving appearing on the face of such documents. After such approval of such bills, it shall be the duty of the President of the Town Council of Harrington, or of the President of the said Sewer Commission, as the case may be, to issue his warrant or check, countersigned by the Town Treasurer, or by the Treasurer of the said Sewer Commission, as the case may be, in payment therefor.

Section 8. The Town Council of Harrington, or the Sewer Commission, as the case may be, shall as soon as practicable after the passage of this Act, consider ways and means for the construction of sewers and of works for disposing of sewage in and for the Town of Harrington, Delaware, as herein authorized. It shall employ such assistance as it deems necessary and proper to prepare plans, specifications and estimates governing the construction of said work and shall select such plan as it may deem expedient. After a selection has been made it shall be the duty of the said Council to fix by resolution the day, time and place or places of taking the vote of all the voters of the Town of Harrington, who shall be duly qualified as hereinafter set forth, and shall cause a copy of such resolution to be exhibited in at least three public places in the Town of Harrington, and to be published in at least three consecutive issues of a newspaper published weekly in Kent County, State of Delaware, the last publication of the said resolution shall be at least one week prior to the day fixed for holding said election. It shall also be the duty of the said Council to cause to be exhibited in some public place in the Town of Harrington during the interim between the first

## CITIES AND TOWNS

publication of the resolution aforesaid, and the election aforesaid, the plans, specifications and estimates selected by it, the said Council, or the said Sewer Commission, as the case may be, for the construction of a system of sewers and sewage disposal works for the Town of Harrington.

Section 9. The said Council on the day and time and at the place or places as fixed by the resolutions aforesaid shall submit to all the voters of the Town of Harrington, who shall be duly qualified as hereinafter set forth, the question of building and constructing a system of sewers and sewage disposal works in the Town of Harrington aforesaid, according to the plans, specifications and estimates selected by the said Council, or by the said Sewer Commission, as the case may be, and exhibited by it as aforesaid. The ballots to be used at the said election shall be so arranged as to allow every voter qualified as hereinafter set forth opportunity to express his position as being either For or Against the construction of the sewer system and sewage disposal works herein provided for, and the said election shall be held on the day and at the time and place or places as fixed by resolution of the said Council, and shall be conducted by the same officers as other Town elections as are now by Law held and conducted, provided, however, that not more than two elections to take the vote in manner and form as aforesaid shall be held under the provisions of this Act between the first day of January and the Thirty-first day of December in any one year, and that such elections shall be at least a period of four months apart.

Section 10. In order for any person, male or female, to be allowed to vote at the election hereinbefore provided for, he or she must be a resident of the Town of Harrington, twenty-one years of age, and his or her name must appear on the last registration list of the qualified voters of the Town of Harrington, he or she must actually reside in the Town of Harrington, as shown by the plans, specifications and estimates exhibited by the said Council as aforesaid, and in addition thereto, his or her Town taxes or other assessments for the fiscal year preceding said election must have been paid in full, and any person offering to

## CITIES AND TOWNS

vote shall, if challenged, by any duly qualified voter of the Town of Harrington, produce before voting, a receipt for his or her Town taxes for the last fiscal year preceding such election as aforesaid, and the failure or refusal to produce such a receipt shall disqualify such person from voting at the said election, provided, however, that no female person, otherwise qualified to vote under this Section, shall be required to produce a receipt for her head or poll tax for the previous year.

Section 11. Should the majority of votes cast at any election held as above stated be in favor of building the sewer system and the sewage disposal works connected therewith, as provided for in the plans, specifications and estimates exhibited as aforesaid, the said Council, or the said Sewer Commission, as the case may be, shall proceed, as soon as possible after the date of such election with the construction of the work authorized by this Act, and shall have full power and authority to determine in any and every case how the work shall be done and shall have full and complete charge of the construction of the work and of the operation of the works so constructed.

Section 12. In case the work authorized under this Act shall be done by contract, then the party or parties contracting to do this work, or any part thereof, shall furnish to the Town Council of Harrington a bond of adequate amount and with good and sufficient surety conditioned for the true and faithful performance of each and every the covenants appearing in the said contract and for the proper construction of the sewer system and sewage disposal works, provided for under this Act, according to the plans and specifications as embodied in the said contract. The said contract shall also state at what progress of the work payments therefor shall be made, and it shall be the duty of the Town Council of Harrington, or the said Sewer Commission, as the case may be, at or before such time or times for payment as it may appear in the said contract, to expose for sale and to sell under the conditions hereinafter set forth bonds of the Town of Harrington of such classes, denominations and aggregate amounts as is hereinafter set forth, and to use the money arising

## CITIES AND TOWNS

from the sale of such bonds in meeting the payments as they may fall due under the said contract.

Section 13. Immediately upon the completion and acceptance by the said Council, or the said Sewer Commission, as the case may be, of the sewer and sewage disposal plant in accordance with the plans and specifications as embodied in the contract aforesaid, the said Town Council of Harrington, or the said Sewer Commission, as the case may be, shall cause to be made a true and accurate measurement of the lineal feet of all property within the Town of Harrington abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys in which sewers have been constructed under the provisions of this Act, and the said Council, or the said Sewer Commission, as the case may be, shall also cause to be made a true and accurate statement of the whole and entire cost of constructing the said sewer system and the said sewage disposal works, and the said Town Council of Harrington, or the said Sewer Commission, as the case may be, shall apportion equally upon each lineal foot of frontage of said property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys, or any portion thereof in which sewers have been constructed under the provisions of this Act, subject to the limitations as set forth in Paragraph 16, fifty per cent of the entire cost of the construction of the said sewer system and sewage disposal works.

Section 14. The said Council, or the said Sewer Commission, as the case may be, shall, before levying any assessment for the cost of the work aforesaid, cause to be prepared a complete list of all the property to be thus assessed, showing the lineal feet of each property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys in which the sewers are built as aforesaid, the owner of such property, the exemptions, if any, under Section 16 of this Act, and the amount to be assessed against each owner or owners. A copy thereof shall be exhibited in some public place within the Town of Harrington for one week, and a notice of such exhibit shall be advertised in at least two successive issues of the newspaper published

## CITIES AND TOWNS

weekly in Kent County, and the said notice shall also state a time and place when and where the said Council or the said Sewer Commission, as the case may be, shall sit to hear any and all objections which may be made against said assessments as set forth in the aforesaid list. The time of such meeting shall be not less than one week, nor more than two weeks, after the date of the last issue of such notice. The said Council, or the said Sewer Commission, as the case may be, shall sit on the evening of the day appointed in the said notice from 8:00 o'clock P. M. until 10:00 o'clock P. M. and may adjourn from night to night, and shall hear all objections which may there be made to such assessment lists and shall make such alterations and corrections in the said list as the said Council, or the said Sewer Commission, as the case may be, may deem proper, provided such alterations and corrections shall be in compliance with the provisions of this Act. After having heard such objections and after having made such alterations and corrections the said Council, or the said Sewer Commission, as the case may be, shall cause to be exhibited, for at least one week, following the date of the last meeting as aforesaid, a copy of the said assessment list as thus altered and corrected. After the said assessment list, altered and corrected as aforesaid, shall have been exhibited for one full week the said list shall be certified by the said Council, or the said Sewer Commission, as the case may be, as correct and the several amounts shown upon such altered and corrected list as having been assessed against the properties mentioned therein shall be liens upon the respective properties upon which such assessment is made, and such lien shall have priority of any liens, incumbrances or conveyances, except taxes and prior liens of a like nature for public improvements; no error or mistake in regard to the name of an owner shall be held to invalidate any assessment so made, and it shall be sufficient if the name of the last owner as shown by the Record in the office of the Recorder of Deeds in and for Kent County, State of Delaware, appears upon such assessment list. The Secretary of the said Council, or the Secretary of the said Sewer Commission, as the case may be, shall immediately prepare statements of such assessments against each property so assessed and shall mail or deliver or

## CITIES AND TOWNS

cause to be delivered such statements to the party or parties whose name or names appear as the owner of such property. If mailed to the last known address of such party it shall be full and sufficient notice of such assessment for the purpose of this Act.

Section 15. All sums paid on account of such assessment shall be paid to the Treasurer of the Town Council of Harrington, or Treasurer of the said Sewer Commission, as the case may be, who shall give his receipt therefor, and all such sums shall be by him deposited within forty-eight hours of their receipt, in some banking institution in the Town of Harrington as a "Sinking Fund for Sewers," and shall be kept entirely separate and distinct from any other funds handled by said Treasurer. All such amounts thus received shall form a sinking fund, and shall only be paid out for the purpose of paying the indebtedness incurred for building said sewers and disposal works hereinafter authorized, and for paying the interest thereon, as it becomes due.

Section 16. All assessments shall be paid upon the property abutting upon any street, highway, lane or alley, or any portion thereof in which any sewer may be laid or constructed under the provisions of this Act, and shall be based upon the lineal feet of such abutting property, each lineal abutting foot within the limits of the Town of Harrington being assessed equally, provided, however, that where a property is situated at a corner of two such streets, highways, lanes or alleys, or is otherwise so situated as to abut on two or more such streets, highways, lanes or alleys, then and in that case the said Council, or the said Sewer Commission, as the case may be, shall determine which is the front of the said property and which is the side frontage of the said property. The front of the said property as determined by the said Council, or the said Sewer Commission, as the case may be, shall be fully assessed but the owner of such property shall have an exemption of one hundred and fifty (150) lineal feet measured from the corner of the side frontage of his or her property as determined by the said Council, or by the said Sewer Commission, as the case may be, and provided, further that in

## CITIES AND TOWNS

case a property, whether a corner property or not, faces or fronts on two non-intersecting streets, only the front of such property as determined by the said Council, or by the said Sewer Commission, as the case may be, shall be liable for such assessment, unless the owner or owners thereof should decide to tap into the sewer in the rear of the said property in which case, he, she, it or they shall pay such additional assessment based on lineal footage as aforesaid as the said Council, or the Sewer Commission, as the case may be, may determine in accordance with the provisions of this Act, and provided that no property, or portion of property, shall be assessed for the cost of constructing the system of sewers and disposal works herein provided for, unless such property, or some portion thereof, shall abut upon that portion of the street, highway, lane or alley in which a sewer has been built or laid, or unless such property, or a portion thereof, or the owner thereof, has a right of access to said street, highway, lane or alley, and desires to use said sewer before a sewer is constructed upon the street, highway, lane or alley to which such property, or a portion thereof, or the owner thereof, has the right of access, in which case the said property shall be liable for the same assessment as though it actually abutted upon the street, highway, lane or alley in which such sewer is laid.

Section 17. Where any such assessment shall be made upon any land for the cost of constructing the sewer system and disposal works aforesaid, the property so assessed shall have the right to be connected with the sewer in front of such property, under and subject to such rules and regulations as may be prescribed by the Town Council of Harrington, or by the Sewer Commission, as the case may be.

Section 18. All assessments so made shall be due upon the date of the certifying by the said Council, or by the Sewer Commission, as the case may be, as to the correctness of the same, and if paid in full within thirty days after the date of such certifying a discount of five per centum shall be allowed from the amount of such assessment, and shall be accepted by the Treasurer of the Town Council of Harrington, or by the

## CITIES AND TOWNS

Treasurer of the Sewer Commission, as the case may be, as a full payment and release of the lien of such assessment. Upon all payments made after thirty days from the date of certifying as aforesaid, the full amounts of the assessment shall be paid with interest at the rate of six per centum per annum, computed from the date of certifying as aforesaid, and said interest so computed shall be added to the amount of said assessment. Any property owner at his, her or its discretion to be expressed in writing to the said Council, or the Sewer Commission, as the case may be, within thirty days after the certifying of the assessment as aforesaid may pay the said assessments in five equal annual installments, together with interest on the unpaid balance from the date of certifying said assessment; the first installment to be due and payable within thirty days from the date of certifying as aforesaid, and each subsequent installment with accrued interest to be due and payable on the First day of July in each year thereafter. Any property owner may have the right at any installment period to pay the balance due on his, her or its assessment in full. All assessments shall be due and payable to the Treasurer of the Town Council of Harrington, or to the Treasurer of the Sewer Commission, as the case may be.

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Section 19. In all cases where the property owner does not elect to pay in installments, or, having elected to pay in installments, fails to pay the first installment in thirty days after the date of certifying, as aforesaid, he, she or it shall be held to have waived the right to pay in installments, and the entire assessment, together with accrued interest from the date of certifying, as aforesaid, shall immediately thereafter become due and payable. If the property owner who has not elected to pay in installments, fails to pay his, her or its full assessment within thirty days after the date of certifying of such assessment, as aforesaid, or having elected to pay in installments, fails to pay the first installment within thirty days after the date of the certifying, as aforesaid, or makes default in the payment of any annual installment, or the accrued interest thereon, the whole of such assessment shall immediately become due and payable, and in any such case it shall be the duty of, and the Town Council of

## CITIES AND TOWNS

Harrington, or the Sewer Commission, as the case may be, is hereby directed to proceed forthwith to collect all of such assessment, and the accrued interest thereon in the manner now provided for the collection of delinquent taxes due for town purposes.

Section 20. The right to assess and collect the cost of constructing the system of sewers and disposal works from the property abutting upon the streets, highways, lanes or alleys in the Town of Harrington, in which any sewer is built under the provisions hereof, and all other of the provisions of this Act shall bind and apply to all property within the limits of the Town of Harrington, whether owned by and used for churches, schools or any other purpose, and whether exempted by any special or general Law of the State of Delaware from assessment for Town Taxes or other Town assessments.

Section 21. The Town Council of Harrington or the said Sewer Commission, as the case may be, shall set apart all money received from the assessments as aforesaid, and accrued interest thereon, as a sinking fund for the purpose of paying the interest upon and the principal of the notes, bonds, or other evidences of indebtedness issued under the authority of this Act, and the money so received shall not be expended or used for any other purpose whatsoever. It shall be deposited in such banking institution in the Town of Harrington as the Town Council of Harrington or the said Sewer Commission, as the case may be, shall designate, and together with any increment earned thereon shall be applied to the redemption of the notes issued under the authority of this Act, and the payment of the interest thereon.

Section 22. Whenever the said Council, or the said Sewer Commission, as the case may be, shall deem it necessary or expedient to obtain private property, either within the limits of the Town of Harrington or without such limits, to a distance not exceeding two miles, for the purpose of building the system of sewers and disposal works as authorized in this Act, the said Council, or the said Sewer Commission, as the case may be, is hereby empowered to acquire such property by agreement with

## CITIES AND TOWNS

the owner of such property. If the owner or owners of any land or lands necessary to be taken for the purpose mentioned in this Act, be unable or unwilling to contract and agree with the said Council, or the said Sewer Commission, as the case may be, upon the compensation to be made for any real or supposed injury that may be done to said lands by entry and occupation, then said Municipal Corporation shall have power and authority to go upon said land or lands and the said Town Council or Sewer Commission, as the case may be, or a majority of them, after viewing the same, may assess the damages of said owner or owners fairly and impartially under all the circumstances and certify their finding and award in writing to the said owner or owners, and if such owner or owners be not resident within said town, the said Town Council or Sewer Commission, as the case may be, or a majority of them, shall certify their finding and award to the tenant of said real estate, but if there be no tenant resident in said town, the said notice shall be affixed to the most conspicuous part of the premises, which notice shall be as effectual as personal service of the same. If any owner be dissatisfied with the amount of the compensation or damages allowed by said Town Council or Sewer Commission, as the case may be, he or she may, within five days after such notice, appeal from said assessment of compensation or damages by serving written notice to that effect on the President or other presiding officer of the Town Council of Harrington or by the Chairman of the Sewer Commission, as the case may be. In order to prosecute said appeal such owner or owners shall, within five days after the expiration of five days allowed for appeal and upon five days notice to the said President or presiding officer, make written application to the Associate Judge of the Superior Court of this State, resident in Kent County, for the appointment of a Commission, for five persons to hear and determine the matter in controversy, and thereupon the said Associate Judge shall issue a commission under his hand directed to five freeholders of said County, three of whom shall be residents of the said Town of Harrington, and two of whom shall be non-residents of said Town, demanding them to assess the damages which the owner or owners of said land or lands intended to be taken, occupied or used for the

## CITIES AND TOWNS

purposes, of this Act as aforesaid (and who shall have notified said Commissioners of their intention to appeal) may sustain or incur by reason of such use or occupancy and to make return of their proceedings to the said Associate Judge at the time in said Order appointed. The freeholders named in such commission being first sworn or affirmed as in said Commission shall be directed, shall view the premises, and they, or a majority of them, shall assess the damages as aforesaid and shall make return in writing of their proceedings in the premises to the said Judge, who shall deliver said Return to the said Town Council of Harrington or the Sewer Commission, as the case may be, which Return shall be final and conclusive. The said Associate Judge shall have power to fill any vacancy in the Commission. The amount of damages being so ascertained, the said Town Council of Harrington or the Sewer Commission, as the case may be, may pay or tender the same to the person or persons entitled thereto, within one month after the same shall be finally ascertained, or if the person or persons so entitled reside out of or are absent from said town during the said period of one month, then the same may be deposited to his or her credit in any responsible bank or trust company in Kent County, Delaware, within said time, and the said Town Council or Sewer Commission, as the case may be, shall cause a record of said proceedings to be filed in the office of the Prothonotary for Kent County and a certified abstract thereof recorded, as provided by Law, in the office of the Recorder of Deeds of said County and thereupon said property or land may be taken or occupied for the use aforesaid. In the ascertainment of damages by the free holders aforesaid, if the damages shall be increased, the costs of the appeal shall be paid by the Town Council of Harrington or the Sewer Commission, as the case may be, out of the money in its custody arising from the sale of said bonds, but if said damages shall not be increased, the cost of the appeal shall be paid by the appellant. The fees of the freeholders shall be two dollars per day each, which shall be taxed as part of the costs.

After the damages shall be fixed and ascertained by the freeholders, the said Town Council of Harrington or the Sewer

## CITIES AND TOWNS

Commission as the case may be, shall have the option to pay the damages assessed within the time aforesaid and to proceed with said improvements, or upon payment of costs only, may abandon their intention of taking and occupying said land or lands for the purposes aforesaid.

Section 23. For the purpose of meeting the cost of the construction of the sewer system and sewage disposal works authorized by this Act the Town Council of Harrington, or the said Sewer Commission, as the case may be, shall be and it is hereby authorized, empowered and directed to borrow upon the faith and credit of the Town of Harrington as hereinafter provided a sum not exceeding One Hundred and Thirty-five Thousand Dollars (\$135,000.00) and for the purpose of securing the payment of such sum to issue bonds in denominations of One Thousand Dollars (\$1,000.00) each and bearing such rate of interest not exceeding six per centum per annum as the said Council, or said Sewer Commission, as the case may be, shall, by resolution, determine. The interest upon the said bonds shall be payable semi-annually in each and every year from the date of the issue thereof. Said bonds shall be serial bonds.

Said bonds may at the discretion of the said Council, or the said Sewer Commission, as the case may be, contain a provision for the redemption thereof by the said Council, or the said Sewer Commission, as the case may be, at any interest period after the expiration of five years from the date thereof at a premium not to exceed five per centum.

The said bonds shall be prepared under the supervision of the Town Council of Harrington, or the said Sewer Commission, as the case may be, and shall be signed by the President of the Town Council of Harrington and the Treasurer of the said Town Council of Harrington, and be sealed with the corporate seal of the said Town Council of Harrington and shall be exempt from State, County and Municipal taxation. It shall be the duty of the said officers to execute the said bonds when directed by the said Council, or the said Sewer Commission, as the case may be, so to do, and it shall be the duty of such officer, as the said

## CITIES AND TOWNS

Council, or the said Sewer Commission, as the case may be, may determine, to keep an accurate record of the said bonds.

Section 24. Whenever, in the judgment of the said Council, or the said Sewer Commission, as the case may be, it shall be deemed desirable that any part of the said bonds shall be sold the said Council, or the said Sewer Commission, as the case may be, shall sell and dispose of the same on the most advantageous terms obtainable, provided, however, that in no case shall they be sold for less than par, after having advertised the same in at least three consecutive issues of a paper published weekly in Kent County. No commission or other compensation directly or indirectly shall be charged by or paid to any member of the said Council, or Sewer Commission, as the case may be, for effecting the sale or negotiation of said bonds; said bonds, principal and interest shall be payable at such bank or trust company in the Town of Harrington as the said Council, or Sewer Commission, as the case may be, shall by resolution, determine. The said bonds shall be payable if demanded in gold coin of the United States of America out of the money received from the assessments laid and collected from abutting property owners in manner and form as aforesaid, together with such other funds as may necessarily be appropriated for that purpose by the Town Council of Harrington. The said Council, or Sewer Commission, as the case may be, is hereby authorized and directed to pay the interest on the said bonds at any bank or trust company in the Town of Harrington when and as the same shall become due. The said Council, or Sewer Commission, as the case may be, in fixing the rate of taxation for the purpose of meeting the payment of the said bonds and interest shall annually, beginning with the year of the sale of said bonds, or any part thereof, levy on all property, or persons within the Town of Harrington aforesaid, a sufficient tax rate to pay the interest on all unpaid bonds, and also to provide such sinking fund as may be determined by the said Council, or Sewer Commission, as the case may be, to be necessary, taken in conjunction with the amounts received from the assessments aforesaid for the retirement of the said bonds as and when they shall become due.

## CITIES AND TOWNS

Section 25. 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 Treasurer of the Town Council of Harrington, or by the Treasurer of the Sewer Commission, as the case may be, in such banking institution in the said Town of Harrington as the said Council, or said Sewer Commission, as the case may be, may prescribe and shall be known as the "Sinking Fund", and shall be kept in a separate account, and payments therefrom shall be made only for the purposes herein designated and none of the money received from the sale of the said bonds, or any of them, shall be applied to any purpose, except as provided in this Act. The bonds to be issued shall be substantially in this form:

UNITED STATES OF AMERICA  
STATE OF DELAWARE

\$1,000.

No.

Town of Harrington  
Sewer Bonds  
Class

The Town Council of Harrington, a municipal corporation of the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the bearer, or if this Bond be registered, to the registered holder thereof, his legal representatives, successors or assigns, on the First day of April, A. D. 1941, the sum of One Thousand Dollars, lawful money of the United States of America, with interest thereon at the rate of five per centum per annum, payable semi-annually on the first days of April and October in each year. Both principal and interest payable at Harrington, Delaware, said principal being payable upon the surrender of this bond and the interest being payable upon the surrender of the annexed coupons as they become due.

This Bond is one of an issue of bonds aggregating in all One Hundred and Thirty-five Thousand Dollars, numbered from 1 to 135, inclusive, for One Thousand Dollars each, all of like date, tenor and effect, authorized by an Act of the General Assembly

## CITIES AND TOWNS

of the State of Delaware entitled "An Act authorizing the Town Council of Harrington under certain conditions to construct a system of sewers and disposal works in and for the Town of Harrington, Delaware, approved \_\_\_\_\_," and issued pursuant to the provisions of an Ordinance of the Town of Harrington, approved \_\_\_\_\_

This Bond, until registration, shall pass by delivery, but may be registered in books to be kept for that purpose in the office of the Treasurer of the Town of Harrington, Delaware, and if so registered, shall thereafter be transferable only upon the said books at the said office of the Treasurer by the owner in person or by attorney, unless the last preceding transfer shall have been to bearer, and it shall continue to be susceptible to successive registration and transfer to bearer at the option of the holder, but such registration shall not affect the negotiability of the annexed coupons.

It is hereby certified that all conditions, acts and things essential to the validity of this bond, exist, have happened and have been done, and that every requirement of Law effecting the issue thereof has been duly complied with, and that the issue of bonds of which this is one, is within every debt and other limit prescribed by the Laws and Constitution of this State.

IN WITNESS WHEREOF, the President of the Town Council of Harrington has caused this bond to be signed by the President of the Town Council and the Treasurer of the Town of Harrington, and the corporation seal of said Town to be hereto affixed, as of the first day of \_\_\_\_\_, A. D. 192 \_\_\_\_.

.....  
Mayor.

.....  
President of Council.

.....  
Treasurer.

## CITIES AND TOWNS

Said bonds may contain such provisions, in addition to those herein set forth, and not inconsistent with the requirements of this Act, as the said Council shall determine.

Section 26. Should the Treasurer of the said Council, or the Treasurer of the Sewer Commission, as the case may be, fail to have in his hands at any time when needed, sufficient funds to pay off said bonds as and when they become due, or to pay the interest on any unpaid bonds, the Council of the Town of Harrington, or the Sewer Commission, as the case may be, shall and it is hereby directed to levy upon and collect by special taxation from all taxable property and persons within the Town of Harrington such sums as may be necessary, in addition to the sums in the hands of the said Treasurer received from the payment of assessments as aforesaid to retire and pay the said bonds as and when the same shall become due and to pay the interest on any unpaid bonds. Said special taxes shall be collected as other taxes are now by Law collected for Town purposes, and all sums received from such special taxes are hereby inviolably dedicated to the payment of said bonds as and when they shall become due and the interest on any unpaid bonds.

Section 27. Should a majority of the voters of the Town of Harrington, qualified in manner and form as aforesaid, be opposed to the construction of the said sewer system and sewage disposal works as evidenced by their votes cast at any election held under the provisions of this Act, then the said Council, or the said Sewer Commission, as the case may be, may, in accordance with the provisions of this Act, re-submit the same plans and specifications for another election, or the said Council, or the said Sewer Commission, as the case may be, is hereby authorized and empowered, if it deem such a course expedient, to cause to be prepared other plans, specifications and estimates for sewers and disposal works, which said new plans may or may not include the same streets, highways, lanes, alleys, or any of them, as the former plans, specifications and estimates, and after the said new plans, specifications and estimates have been prepared, the Town Council of Harrington, may proceed to another election

## CITIES AND TOWNS

under the provisions of this Act. In like manner such elections may, if necessary, be repeated from time to time under the provisions of this Act until the first day of January, A. D. 1935.

Section 28. Wherever and whenever the system of sewers built under the authority of this Act is extended to any point within the limits of the Town of Harrington, the property abutting upon that portion of the streets, highways, lanes or alleys in which such extensions are built, shall pay to the Treasurer of the Town Council of Harrington, or to the Treasurer of the said Sewer Commission, as the case may be, the same rates per front foot of property abutting upon said extensions as the Town Council of Harrington, or the said Sewer Commission, as the case may be, decides to assess against the front foot of property abutting upon the streets, highways, lanes or alleys in which the system of sewers is first built, as described in this Act, that, each front foot of property situated within the Town of Harrington and having access to a sewer built under the provisions of this Act, shall be assessed alike, and the assessments therefor shall be made and collected, in all respects, as already provided for herein.

Section 29. The said Council, or the said Sewer Commission, as the case may be, shall prepare rules and regulations governing the use of the system of sewers and disposal works authorized under this Act and for the making of connections therewith and may provide such penalties for the breach of said rules and regulations as the said Council, or the said Sewer Commission, as the case may be, may deem necessary.

Section 30. Upon the written notice from the Board of Health of the Town of Harrington of the existence of a nuisance detrimental to the public health of the inhabitants of said Town, and stating that such nuisance can be eliminated by connecting the property upon which said nuisance exists with the system of sewers built under this Act, the Town Council of Harrington shall, and it is hereby directed to serve a written notice upon the owner of the property upon which such nuisance is alleged to

## CITIES AND TOWNS

exist, to connect such property with the system of sewers within thirty (30) days after the date of such notice. Should such property not be thus connected within the period fixed in such notice, the owner thereof, upon conviction before the Alderman of the Town of Harrington, of his failure to obey the instructions of said Council as contained in such notice, be subject to a fine not less than Five (\$5.00) nor more than Ten (\$10.00) Dollars for each and every day beyond the expiration of the period named in such notice for connecting with the system of sewers which said connection remains unmade, and such nuisance is allowed to remain, said fine is to be collected as other fines for offences against the Laws and Ordinances of the Town of Harrington are now, by Law, collected.

Section 31. In case a Sewer Commission shall be appointed under the provisions of this Act, the said Commission is hereby authorized and directed to rent or lease a regular meeting place, and is hereby further authorized and directed to purchase such office furniture, books, stationery, or other equipment as it may deem necessary. The said Sewer Commission shall meet not less often than once each month, and is hereby authorized to employ in case the same shall be necessary a clerk at a salary not exceeding Five Hundred Dollars (\$500.00) per year, whose duties shall be prescribed by the said Sewer Commission. The cost of the lease of the said quarters, and of the purchase of the said office furniture, books, stationery, or other equipment, shall be paid by the Sewer Commission out of any money coming into its hands from the assessments, or from the special taxes as hereinbefore set out. In case the sewer system and sewage disposal works shall be constructed and operated by the Town Council of Harrington, then the provisions of this Act shall apply with equal force to the said Council.

Section 32. Should the majority of the voters of the Town of Harrington, qualified as aforesaid, be opposed to the building of sewers and disposal works, as evidenced by their votes cast at an election held under the provisions of this Act, the Town Council of Harrington is hereby authorized and directed to pay

## CITIES AND TOWNS

all sums of money paid or contracted to be paid by the said Council, or the said Sewer Commission, as the case may be, in the preparation of the plans, specifications and estimates for such proposed sewers and disposal works, out of any moneys belonging to the Town Council of Harrington.

Section 33. In the same manner and form as provided for in Section 1, the Town Council of Harrington shall also pass a resolution and submit the question as to whether the funds for constructing, purchasing, paying for, and operating the said system of sewers and sewage disposal works shall be raised and assessments made on property owners according to the lineal foot of frontage of said property, which plan is suggested in Section 13, or according to the taxation plan, whereby the entire cost of the said sewer system and sewage disposal works shall be borne by the tax payers of the Town, and the necessary funds raised among said tax payers in accordance with the latest Town assessment list of the said Town of Harrington.

Section 34. In addition to the ballots which shall determine whether the Town Council or a Commission shall construct the proposed sewer system as referred to in Section 1, the Town Council of Harrington shall prepare other ballots to be used at the same election, which ballots shall be arranged substantially as follows:

**Place an X in the square you wish to vote**

In favor of raising funds by lineal foot frontage plan.	In favor of raising funds according to Taxation plan.
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Section 35. At the same time as provided for in Section 2, the said President of the Town Council shall, in addition to certifying to the said Council the results of the election as to whether or not a Sewer Commission or the Town Council shall construct and operate the proposed sewer system, also certify to

## CITIES AND TOWNS

Council the result of the vote cast for the two respective plans of raising funds for such construction and operation, namely, the lineal foot frontage plan or the taxation plan.

Section 36. In the event the taxation plan should be adopted, as provided for in Section 33, then and in that event all provisions of this Act which deal solely and strictly with the lineal foot frontage plan shall be of no effect; provided, however, that where it can be done expeditiously, conveniently, and practically, all provisions of this Act relating to the lineal foot frontage plan concerning the preparation, exhibition, and posting of notices and plans, the hearing of appeals, and other matters necessary for carrying out the purposes of this Act, shall be applied to the taxation plan in order to carry out its purposes. In the event the lineal foot frontage plan shall be adopted, as provided for in Section 13, then and in that event Sections 33, 34, 35 and 36 of this Act shall be of no effect, and the provisions of Sections 1 to 32, inclusive, shall be the only provisions which shall be enforced and carried out.

Approved April 11, 1929.

## CHAPTER 163

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Incorporate the Town of Houston", approved March 26, A. D. 1913, being Chapter 240, Volume 27, Laws of Delaware.**

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

Section 1. That the Act entitled "An Act to incorporate the Town of Houston," approved March 26, A. D. 1913, being Chapter 240, Volume 27, Laws of Delaware, be and the same is hereby amended by striking out of Section 6 of said Act the words, "Three Hundred Dollars" and inserting in lieu thereof the words "Six Hundred Dollars."

Approved March 7, 1929.

## CHAPTER 164

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Re-incorporate the Town of Laurel", being Chapter 164, Volume 29, Laws of Delaware, by providing for the extension of the limits of the said Town of Laurel, so as to include the present Town of North Laurel, the said additional territory to be known as the Fourth Ward of the said Town of Laurel; and providing for the election of a Councilman from the said Ward so created, and further providing for the said Town of Laurel to borrow the sum of Fifteen Thousand Dollars and To issue bonds, 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: (two-thirds of all the members elected to each House concurring therein):*

Section 1. That Section 1 of said Chapter 164, Volume 29, Laws of Delaware, be and the same is hereby amended by adding at the end of said Section the following: "That the limits of the said Town of Laurel shall also include what is known as North Laurel, the limits of which are as follows: Beginning at the East side of Poplar Street and the North side of Laurel River; thence following up the North side of said River to and across Records Mill Dam; thence up the North side of Records Mill Pond to a branch on the North side of said Mill Pond; thence up with the said branch in a Northerly direction to a new stone road leading to Georgetown; thence in a Westerly direction along and with the South side of said public road to the public road leading from Laurel to Bethel; thence along and with the Southeast side of Poplar Street to the place of Beginning."

Section 2. That Section 2 of said Chapter 164, Volume 29, Laws of Delaware, be amended by striking out the word "three" in the second line of said Section, and inserting in lieu thereof the word "four."

## CHAPTER 163

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Incorporate the Town of Houston", approved March 26, A. D. 1913, being Chapter 240, Volume 27, Laws of Delaware.**

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

Section 1. That the Act entitled "An Act to incorporate the Town of Houston," approved March 26, A. D. 1913, being Chapter 240, Volume 27, Laws of Delaware, be and the same is hereby amended by striking out of Section 6 of said Act the words, "Three Hundred Dollars" and inserting in lieu thereof the words "Six Hundred Dollars."

Approved March 7, 1929.

## CHAPTER 164

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Re-incorporate the Town of Laurel", being Chapter 164, Volume 29, Laws of Delaware, by providing for the extension of the limits of the said Town of Laurel, so as to include the present Town of North Laurel, the said additional territory to be known as the Fourth Ward of the said Town of Laurel; and providing for the election of a Councilman from the said Ward so created, and further providing for the said Town of Laurel to borrow the sum of Fifteen Thousand Dollars and To issue bonds, 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: (two-thirds of all the members elected to each House concurring therein):*

Section 1. That Section 1 of said Chapter 164, Volume 29, Laws of Delaware, be and the same is hereby amended by adding at the end of said Section the following: "That the limits of the said Town of Laurel shall also include what is known as North Laurel, the limits of which are as follows: Beginning at the East side of Poplar Street and the North side of Laurel River; thence following up the North side of said River to and across Records Mill Dam; thence up the North side of Records Mill Pond to a branch on the North side of said Mill Pond; thence up with the said branch in a Northerly direction to a new stone road leading to Georgetown; thence in a Westerly direction along and with the South side of said public road to the public road leading from Laurel to Bethel; thence along and with the Southeast side of Poplar Street to the place of Beginning."

Section 2. That Section 2 of said Chapter 164, Volume 29, Laws of Delaware, be amended by striking out the word "three" in the second line of said Section, and inserting in lieu thereof the word "four."

## CITIES AND TOWNS

That said Section 2, Chapter 164, Volume 29, be further amended by adding at the end of said Section a new paragraph as follows:

"The Fourth Ward shall consist of all that part of the said Town lying and being within the following boundary lines, to-wit: Beginning at the East side of Poplar Street and the North side of Laurel River; thence following up the North side of said River to and across Records Mill Dam; thence up the North side of Records Mill Pond to a branch on the North side of said Mill Pond; thence up with the said branch in a Northerly direction to a new stone road leading to Georgetown; thence in a Westerly direction along and with the South side of said public road to the public road leading from Laurel to Bethel; thence along and with the Southeast side of Poplar Street to the place of Beginning."

Section 3. That said Chapter 164, Volume 29, Laws of Delaware, be further amended by striking out the second paragraph of Section 7 of said Chapter 164, and inserting in lieu thereof the following: "The Council shall consist of six members, four of whom shall be residents of and substantial freeholders of the several wards from which they are elected respectively, and the other two of whom shall be residents of and substantial freeholders of the Town of Laurel."

Section 4. That said Chapter 164, Volume 29, Laws of Delaware, as amended by Chapter 151, Volume 34, Laws of Delaware, be further amended by repealing the whole of said Chapter 151, Volume 34, and enacting in lieu thereof the following new Section to be known as Section 8.

"Section 8. Within thirty days after the approval of this Act, there shall be an election held within the limits of the newly created Fourth Ward of said Town of Laurel, at the place where elections for the Town of North Laurel heretofore have been held, at which election the qualified voters of said newly created Fourth Ward shall elect a member of Council of said Town of Laurel, who shall serve as such until the first day of April, A. D. 1931; and

## CITIES AND TOWNS

the term of office of the member of Council chosen at said election shall be the same as that of the member of Council elected from the First Ward of said Town of Laurel at the regular election held in the month of March, A. D. 1927; and at the regular election to be held in the month of March, A. D. 1929, there shall be elected a Mayor for the term of two years, and members of Council from the Second and Third Wards for the term of four years, and a member of Council at large for the term of four years; and at the regular election to be held in the year 1931, there shall be elected a Mayor for the term of two years, members of Council from the First and Fourth Wards, and a member of Council at large for the term of four years. Biennially after the election so to be held in the year 1931, each member of Council shall be elected to serve for the term of four years, and the Mayor for the term of two years. The said officers shall be chosen by plurality of the votes cast.

The special election to be held in said Fourth Ward, as herein provided, shall be conducted as Town elections heretofore have been conducted in said Town of Laurel.

The Council may from time to time by ordinance, subject as in other cases to the approval of the Mayor, re-adjust the boundary lines of the several Wards, so that each of said Wards shall contain as nearly as possible an equal number of inhabitants."

Section 5. That the said Mayor and Council of Laurel, for the purpose of extending the sewer, water and curbing systems of said Town into the said Fourth Ward, which by this Act is added to said Town of Laurel, for the use and benefit of the inhabitants of said Fourth Ward, is hereby authorized and empowered to borrow on the faith and credit of the said town of Laurel, the sum of Fifteen Thousand Dollars, which shall be applied, appropriated and expended for the purpose of supplying to the inhabitants of said Fourth Ward as complete and adequate sewerage and water systems as are now provided for the said Town of Laurel, as it has heretofore existed; and the said Mayor and

## CITIES AND TOWNS

Council of Laurel for the purpose of carrying into effect the provisions of this Section, is hereby authorized and empowered to, if in its discretion it desired to do so, issue notes and certificates of indebtedness in such amounts and payable at such times as it may deem advisable, if in its opinion the indebtedness herein provided for can be paid from the funds of the Town without an issuance of bonds; and if the said Mayor and Council of Laurel shall deem it advisable to issue bonds, it is hereby authorized and empowered to issue bonds of the municipal corporation of such Town as the Mayor and Council of Laurel shall deem best; said bonds shall be known as Sewerage and Water bonds; shall all bear the same date; shall bear interest at a rate not exceeding the legal rate, payable semi-annually, on the first days of December and June of each year, at such bank or trust company in the said Town of Laurel as said municipal corporation may designate. The principal of said bonds shall be made payable at the expiration of thirty years from the date of the issue thereof, the said Mayor and Council of Laurel reserving the right and authority to redeem 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 Mayor and Council of Laurel elects to redeem any of said bonds after the expiration of ten years from the date of issue thereof, such election shall be effected on any day on which the semi-annual interest is due, and in pursuance of a notice to that effect published by the said Mayor and Council of Laurel in at least two issues of at least two newspapers in Sussex County, Delaware, the first of said publications of said notice to be at least thirty days prior to the date such bond or bonds is or are to be redeemed. In calling said bonds for redemption and payment they shall be called consecutively commencing with the lowest number of the issue and the interest on said bond or bonds so called in and redeemed 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 and redeemed, as herein provided, any holder or holders of any such bond or bonds shall offer the same for redemption, the said Mayor and Council of Laurel, if it deem it expedient so to do, may

## CITIES AND TOWNS

redeem and pay the bond or bonds so offered and cancel the same, the interest on said bond or bonds so redeemed and cancelled to cease from the date of such redemption.

Section 6. That the said Mayor and Council of Laurel 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 Mayor and Council of Laurel, and countersigned by its Treasurer, and shall be sealed with the corporate seal of said corporation. Said bonds shall be exempt from all State, County and Municipal taxation. Each of said bonds shall contain coupons providing for the payment of the interest thereon as said interest shall become due, and as the said bonds and any of said coupons are paid, the same shall be cancelled in such manner as the said Mayor and Council of Laurel shall direct. The interest and principal of the said bonds, notes or certificates of indebtedness, whichever may be issued, shall be paid from the funds of the water department, if such shall be available at the time such payments are made.

Section 7. That the said Mayor and Council of Laurel shall negotiate the sale and delivery of said bonds, and shall apply and use all the money arising from the sale of said bonds for the purpose of carrying into effect the provisions of this Act; provided, however, that in the sale of said bonds the said Mayor and Council of Laurel is hereby required and directed to advertise for bids for the purchase of said bonds in at least two issues of at least two newspapers published in the State of Delaware, inviting bids for the same, in which said advertisements shall be stated the denomination of said bonds, rate of interest and place and date of opening said bids, and the conditions of said bonds. The said Mayor and Council of Laurel shall have the power to require that each bid for said bonds, or any portion thereof, shall be accompanied by a certified check for such amount as it may deem proper as a guaranty of good faith on the part of the bidder, and after the bonds are sold and awarded the said Mayor and Council of Laurel shall return to the unsuccessful bidder or bidders the certified check or checks so filed by said unsuccessful

## CITIES AND TOWNS

bidder or bidders with his or their bids. The said Mayor and Council of Laurel shall have the right to reject any or all bids for said bonds, but if said bonds are sold they shall be sold to the person or persons, firm or corporation offering the most advantageous terms. Provided that nothing in this Bill contained shall be considered compulsory as to the issuance of the bonds, if the said Mayor and Council of Laurel shall determine to issue instead of bonds, either notes or certificates of indebtedness.

Section 8. That the said Mayor and Council of Laurel is hereby authorized and required to assess and collect annually in the same manner as is 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, notes or certificates of indebtedness. And it is further hereby authorized and empowered to assess and collect annually in the same manner a further special tax for the purpose of establishing a sinking fund adequate for the redemption at or before maturity, as prescribed in this Act, of the bonds, notes or certificates of indebtedness 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, notes or certificates of indebtedness shall not exceed the sum of Two Thousand Dollars (\$2,000.00), in any one year. The sinking fund so to be provided shall be deposited in any Bank or Banks in the Town of Laurel, until such time as it may be needed for the redemption of any or all of said bonds, notes, or certificates of indebtedness. Provided, that it shall not be compulsory for the Mayor and Council of Laurel to assess and collect such taxes as are provided in this Section, if the water department shall be able to make such payments from its funds without the necessity of any special taxation.

Section 9. The said Mayor and Council of Laurel is hereby further directed to borrow said sum of Fifteen Thousand Dollars (\$15,000.00) as in this Act provided, as soon as possible after the approval of this Act and the sewers and watermains for which said sum of Fifteen Thousand Dollars is hereby authorized

## CITIES AND TOWNS

to be borrowed, shall be completely installed in said Fourth Ward and in complete operation before the thirty-first day of December, A. D. 1930.

Section 10. Provided that this Bill shall become effective, and the Corporation of the Commissioners of North Laurel shall be abolished when and after by a referendum vote held in the two municipalities the freeholders of each shall have voted favorably on the consolidation of the said Commissioners of North Laurel and the Mayor and Council of Laurel; the election to be held in North Laurel, and also what is known as South Laurel on Friday, March 29th, between the hours of twelve and four o'clock P. M. at the usual voting place in each of said municipalities. At said election the freeholders of the two municipalities shall each be entitled to one vote, and for the purpose of this referendum only freeholders of said towns, resident in the respective towns shall be entitled to vote. If a majority of such freeholders resident in the Town of North Laurel shall favor such consolidation, and on the same date, if the freeholders resident in what is known as South Laurel shall vote favorably on such consolidation, the Town of North Laurel shall be from the date of said referendum abolished, and what is now known as North Laurel as set out and described in this Act, shall become a portion of the Town of South Laurel, and governed by the Mayor and Council of Laurel, so elected and constituted as is herein provided.

Approved March 13, 1929.

## CHAPTER 165

## CITIES AND TOWNS

**AN ACT to amend an Act entitled, "An Act to reincorporate the Town of Laurel," being Chapter 214, Volume 24, Laws of Delaware, as amended, in reference to the Salaries of the Members of Council.**

*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 Act entitled, "An Act to Reincorporate the Town of Laurel," being Chapter 214, Volume 24, Laws of Delaware, as the same has been amended, be and the same is hereby further amended, by striking out and repealing Section 10 thereof, and by inserting in lieu thereof the following new Section, to be styled Section 10 as follows:

Section 10. The salary of each member of the Council shall be Twenty-five Dollars per annum.

Approved February 18, 1929.

CHAPTER 166  
CITIES AND TOWNS

**AN ACT to enable the Town of Laurel to Borrow Money and Issue Notes or Certificates of Indebtedness for the purpose of Refunding Certain Indebtedness.**

*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 Mayor and Council of Laurel be and it is hereby authorized and empowered to borrow on the credit of said Town the sum of Thirty-two Thousand Dollars (\$32,000.00) which shall be applied, appropriated and expended for the purpose of refunding certain indebtedness of said Town, to-wit: the indebtedness of Twenty Thousand Dollars (\$20,000.00) which said amount was borrowed by virtue of Chapter 284, Volume 21, Laws of Delaware; the indebtedness of Eight Thousand Dollars (\$8,000.00) which said amount was borrowed by virtue of Chapter 435 and Chapter 436, Volume 22, Laws of Delaware; and the indebtedness of Four Thousand Dollars (\$4,000.00) which said amount is the unpaid balance of a sum borrowed as an emergency fund.

Section 2. That the said Mayor and Council of Laurel, for the purpose of carrying into effect the provisions of this Act, shall have full power and authority and it is hereby expressly authorized and directed, to issue notes or certificates of indebtedness or both, in denominations of One Thousand Dollars (\$1,000), bearing interest at a rate not exceeding six per centum per annum, payable quarterly or semi-annually in each year. The principal of such notes or certificates of indebtedness shall be paid, at the rate not less than Two Thousand Dollars (\$2,000.00) each year, out of receipts of the Water Department of said Town, or from the Town Treasury. If, however, at any time the receipts of the Water Department and the funds in the Town Treasury are insufficient to provide the funds for the payment of said sum

## CITIES AND TOWNS

of not less than Two Thousand Dollars (\$2,000.00) in any one year, then and in that event Mayor and Council of Laurel is hereby authorized, empowered and directed to levy an additional tax sufficient to provide for the payment of said sum.

Section 3. That the said Mayor and Council of Laurel shall direct and effect the preparation and prescribe the form of the said notes or certificates of indebtedness, which shall be signed by the Mayor and President of Council and countersigned by the Town Clerk, and shall be sealed by the corporate seal of said Town, and shall be exempt from all State, County and Municipal taxation.

Section 4. For the purposes of this Act, no referendum shall be necessary.

Section 5. That this Act shall be deemed and taken to be a Public Act.

Approved February 11, 1929.

## CHAPTER 167

## CITIES AND TOWNS

**AN ACT to amend Chapter 164, of Volume 29, Laws of Delaware entitled "An Act to Reincorporate the Town of Laurel" by Increasing the Penalty for Violation of Town Ordinances.**

*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 Chapter 164 of Volume 29, Laws of Delaware entitled "An Act to reincorporate the Town of Laurel" be, and the same is hereby amended by striking out all of paragraph 27 of Section 6 of said Chapter and inserting in lieu thereof a new paragraph to be known and styled as paragraph 27,

(27) "To make the violation of its Ordinances a misdemeanor in all proper cases, and to prescribe the punishment thereof, by fine or imprisonment, or both, provided that such fine shall not exceed One Hundred Dollars, and such imprisonment a term of three months; to carry out the provisions of this Article, the keeper of the jail of Sussex County shall be required to receive and keep any and all such persons committed to his custody, under the provisions of this Act.

All prosecutions for the violation of ordinances shall be before the Alderman, or before any Justice of the Peace of the State of Delaware, resident in the Town of Laurel, and shall be in the name of the State of Delaware.

Approved March 7, 1929.

## CHAPTER 168

## CITIES AND TOWNS

**AN ACT to authorize Commissioners of Lewes to issue certificates of indebtedness to provide for the expense of construction of sewers in the Town of Lewes.**

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

Section 1. Commissioners of Lewes having on the second day of April, A. D. 1928 contracted with Hyland P. George and John P. Lynch, trading as George and Lynch, for the construction of certain sewers, drains and appurtenances in the Town of Lewes, Delaware, and the said contractors having finished and completed the said contract, and being willing to accept and receive payment therefor out of the current revenues of the Board of Public Works of said Town of Lewes, if secured by the authority and credit of the Town of Lewes, Commissioners of Lewes, a municipal corporation, is hereby authorized and empowered to prepare and issue certificates of indebtedness not exceeding in the aggregate the sum of Forty-seven Thousand, Eight Hundred and Seventy-seven Dollars and Sixty-four Cents (\$47,877.64), of such denominations or amounts, in such form, and bearing such rate of interest, not exceeding the legal rate, and with such dates of maturity as may be deemed expedient and proper.

Section 2. The certificates of indebtedness shall all bear the same date, and shall be in such amounts as may be paid as nearly as may be calculated from the current revenues of the Board of Public Works of the Town of Lewes; and they shall contain a provision whereby the entire issue of said certificates of indebtedness or any part thereof, may at the option of Commissioners of Lewes, be paid at any time.

Section 3. The said certificates of indebtedness shall be signed by the President of Commissioners of Lewes, shall be attested by its Secretary and under its corporate seal, and shall be

## CITIES AND TOWNS

kept by the Secretary of Commissioners of Lewes until ordered by resolution to be delivered to said George and Lynch. The Secretary shall keep a record of each of said certificates of indebtedness containing the date thereof, the amount, the date of issue, the rate of interest, and the time when each shall have been paid.

Section 4. None of said certificates of indebtedness shall be issued or delivered for any purpose except in discharge of the expenses incurred by reason of the construction of sewers, drains and appurtenances under and by virtue of the aforesaid contract bearing date the second day of April A. D. 1928.

Approved February 26, 1929.

## CHAPTER 169

## CITIES AND TOWNS

**AN ACT to further amend an Act entitled "An Act to reincorporate the Town of Lewes" being Chapter 220, Volume 24, Laws of Delaware, as amended, by increasing the amount to be raised by taxation by 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 House thereof concurring therein):*

Section 1. That Chapter 220, Volume 24, Laws of Delaware, entitled "An Act to reincorporate the Town of Lewes", as amended by Section 3, Chapter 144, Volume 34, Laws of Delaware, be and the same is hereby further amended by striking out the word "Fifteen" appearing in the seventh line of the second paragraph of Section 3 thereof, and by inserting in lieu thereof the words "Twenty-five".

Approved April 1, 1929.

## CHAPTER 170

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Authorize the Commissioners of Lewes to appoint a Board of Public Works for the Town of Lewes which shall establish control and regulate an Electric Light Plant, Water Works and a Sewer System for said Town, prescribing the powers and duties of said Board, and providing for the election of their Successors" being Chapter 196, Volume 22, Laws of Delaware.**

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

Section 1. That the Act entitled "An Act to authorize the Commissioners of Lewes to appoint a Board of Public Works for the Town of Lewes which shall establish, control and regulate an Electric Light Plant, Water Works and a sewer system for said Town, prescribing the powers and duties of said Board, and providing for the election of their successors; being Chapter 196, Volume 22, Laws of Delaware, be and the same is hereby amended as follows, namely: By adding at the end of Section 1 of said Act the following:—No person shall be voted upon as a candidate for the office of a member of the Board of Public Works unless at least one week before the date set for the said election, he, or some freeholder for him, shall have filed with the Secretary of the Town Commissioners of Lewes, a letter or certificate endorsed by at least five substantial freeholders, setting forth his intentions to become a candidate for said office for the term relating to the same.

Approved April 1, 1929.

## CHAPTER 171

## CITIES AND TOWNS

**AN ACT to enable Commissioners of Lewes to acquire by purchase, or by condemnation, lands, buildings and other property for the purpose of establishing boulevards in the Town of Lewes.**

*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. For the purpose of beautifying the Town of Lewes and enhancing the comfort and convenience of the residents of said Town, Commissioners of Lewes are hereby authorized and empowered to purchase lands, buildings, leaseholds and other property, including buildings on the public lands vested in the Town of Lewes and the leaseholds or other interests in said public lands, for the purpose of building and maintaining ornamental boulevards upon and along the banks of Lewes River or Creek; and if said lands, buildings, leaseholds and other property cannot be acquired by purchase to condemn the same for the purpose aforesaid.

Section 2. Commissioners of Lewes are hereby authorized and empowered to make, construct and maintain ornamental boulevards along and upon the banks of Lewes River or Creek at such spaces as may be deemed proper and expedient, and to include therein such parts or portions of existing streets as may be necessary and proper.

Section 3. Whenever Commissioners of Lewes cannot agree with the owner of any land, building, leasehold or other property necessary to be taken or used in the construction and establishment of ornamental boulevards, said Commissioners of Lewes may apply to the Associate Judge of the State of Delaware resident in Sussex County, first giving to the other party or owner at least five days' notice in writing of the intended application, if such party or owner is within the State, and if said

## CITIES AND TOWNS

party or owner is unknown or without the State, or if under legal disability and having no legal representative in the State, then such notice shall be published in some newspaper in the County of Sussex at least ten days prior to the intended application, and such publication shall be sufficient notice; upon application being made as aforesaid, the said Judge shall appoint five judicious and impartial freeholders of said County of Sussex, two of whom shall be residents of said Town of Lewes to view the premises and to assess the damages which the owner of the property to be taken will sustain by reason of the establishment of said ornamental boulevards. The said Judge shall have power to fill any vacancy in the Commission. The freeholders shall be sworn or affirmed before some officer authorized to administer oaths and affirmations, before viewing the premises, faithfully and impartially to perform the duties assigned to them. They shall give ten days' notice in writing to the owner of the property proposed to be condemned or to the guardian thereof, if within the State, and to said Commissioners of Lewes of the time of their meeting to view the premises and to assess the damages; if the owner is unknown, or without the State, or under legal disability and having no legal representative in the State, publication of such last mentioned notice shall be made in some newspaper published in Sussex County at least ten days prior to said meeting, and such publication shall be sufficient notice thereof. The said Commissioners shall keep a record of their proceedings with their findings and awards and shall return the same to the Prothonotary of Sussex County, and shall certify their findings and awards to the owners of the property and to Commissioners of Lewes; if the said Commissioners of Lewes or any party in interest is dissatisfied with the finds and awards, it or he, may on application to said Prothonotary within fifteen days after such findings awards have been made and filed, sue out a writ of *ad quod damnum*, requiring the Sheriff of said County, in the usual form, to inquire of twelve impartial men of his bailiwick of the damages which will be sustained as aforesaid, and their report shall be final. The amount of damages being ascertained, Commissioners of Lewes may pay or tender the amount thereof within two months after the same shall have been ascertained to the

## CITIES AND TOWNS

person entitled thereto, or, if the person entitled refuses to accept the same, or residue out of the County, or is absent from the County during all or any part of the said two months, the same may be deposited to his credit in any Bank of said Town of Lewes, within said time, and thereupon the said property may be taken and used for the purpose for which it was condemned.

The expenses of the assessment by the said Commissioners of the damages aforesaid, shall be paid by the Commissioners of Lewes; and in the event of a writ of ad quod damnum being sued out by the owner of the land or property proposed to be condemned, if the damages shall be increased thereby, the costs shall be paid by the Commissioner of Lewes, otherwise the costs shall be paid by the person so suing out the said writ.

Whenever any property shall be acquired by said Commissioners of Lewes under the provisions of this Act, the title thereto shall be in Commissioners of Lewes for the purpose for which it was acquired.

Approved February 5, 1929.

## CHAPTER 172

## CITIES AND TOWNS

**AN ACT to amend Chapter 283, Volume 21, Laws of the State of Delaware, entitled "An Act to Incorporate the Town of Little Creek" by extending the boundaries 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 the members elected to each Branch concurring therein):*

Section 1. That Chapter 283 of Volume 21, Delaware Laws, entitled "An Act to Incorporate the Town of Little Creek" be and the same is hereby amended by striking out the first paragraph of Section 2 of said Chapter and substituting in lieu thereof the following new paragraph as follows:

The boundaries of the said town of Little Creek shall be as follows: Beginning at a point in Little Creek River where there is a bridge and thence along said River in a Westerly direction past the Canning Factory in the said Town of Little Creek, thence in a Northerly direction along the line of Wilson's field to a lane leading from the house now occupied by Robert Carson, thence along said lane in an Easterly direction to a fence, thence along said fence in a Northerly direction along the line of Wilson's Field to a lane leading from Collin's House to the Public Road, thence across the said lane in a Northerly direction to a point opposite the Mahon's Ditch Road, thence continued in a Northerly direction on the said line from said point opposite the said Mahon's Ditch Road, 600 feet, thence in an Easterly direction to the Public Road leading from Little Creek River to the Mahon's Ditch Road, thence along said Public Road Southerly to a gut on the Easterly side of said road, thence following the course of said gut in a Southerly direction until it comes back to the said Public Road in front of Lowe's Store, thence along the Eastern boundary of said Public Road Southerly to the aforesaid Bridge, the place of Beginning. And the Commissioners hereinafter provided for may at any time have the same surveyed, and a plot thereof made, and may have said plot recorded in the office of

## CITIES AND TOWNS

the Recorder in and for Kent County, and being so recorded, it or a duly certified copy thereof shall be evidence of what is therein properly set forth.

Approved May 9, 1929.

## CHAPTER 173

## CITIES AND TOWNS

**AN ACT authorizing the Town Council of the Town of Magnolia to borrow Eight Thousand Dollars and to issue Bonds therefor for the purpose of installing a Water Plant, the laying of Water Mains in the Town of Magnolia and the Equipment therefor.**

*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 Branch of the Legislature concurring therein):*

Section 1. That the Town Council of The Town of Magnolia is hereby authorized and empowered to borrow on the credit of the said Town a sum of money not exceeding Eight Thousand Dollars (\$8,000.00) to be used for the purpose of installing a water plant, the laying of water mains in the said The Town of Magnolia, and the equipment thereof.

Section 2. That the Town Council of the said The Town of Magnolia, for the purpose set forth in Section 1 of this Act, shall have full power and authority to issue bonds of the said The Town of Magnolia to be known as "Magnolia Water Improvement Bonds" to an amount not exceeding the said sum of Eight Thousand Dollars (\$8,000.00).

Section 3. The denomination of said Bonds shall be as determined by the said Council and shall be numbered consecutively, beginning with Number One, and shall bear interest at a rate not exceeding six per centum per annum, payable on the First days of January and July in each and every year at The First National Bank of Dover, at Dover, Delaware, on the presentation of the coupons attached to such Bonds, representing said semi-annual interest.

Section 4. Said Bonds shall bear date on the First day of July or the First day of January in the year in which the same

## CITIES AND TOWNS

the Recorder in and for Kent County, and being so recorded, it or a duly certified copy thereof shall be evidence of what is therein properly set forth.

Approved May 9, 1929.

## CHAPTER 173

## CITIES AND TOWNS

**AN ACT authorizing the Town Council of the Town of Magnolia to borrow Eight Thousand Dollars and to issue Bonds therefor for the purpose of installing a Water Plant, the laying of Water Mains in the Town of Magnolia and the Equipment therefor.**

*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 Branch of the Legislature concurring therein):*

Section 1. That the Town Council of The Town of Magnolia is hereby authorized and empowered to borrow on the credit of the said Town a sum of money not exceeding Eight Thousand Dollars (\$8,000.00) to be used for the purpose of installing a water plant, the laying of water mains in the said The Town of Magnolia, and the equipment thereof.

Section 2. That the Town Council of the said The Town of Magnolia, for the purpose set forth in Section 1 of this Act, shall have full power and authority to issue bonds of the said The Town of Magnolia to be known as "Magnolia Water Improvement Bonds" to an amount not exceeding the said sum of Eight Thousand Dollars (\$8,000.00).

Section 3. The denomination of said Bonds shall be as determined by the said Council and shall be numbered consecutively, beginning with Number One, and shall bear interest at a rate not exceeding six per centum per annum, payable on the First days of January and July in each and every year at The First National Bank of Dover, at Dover, Delaware, on the presentation of the coupons attached to such Bonds, representing said semi-annual interest.

Section 4. Said Bonds shall bear date on the First day of July or the First day of January in the year in which the same

## CITIES AND TOWNS

shall be issued, and the principal thereof shall be payable at The First National Bank of Dover, at Dover, Delaware, at the expiration of twenty years from their date, and the said Bonds, or any of them, may be redeemed at the option of the said Town Council, at par and accrued interest, at any interest period after the expiration of five years from the date of said Bonds; Provided, however, that if the Town Council shall, at any time, after the expiration of five years from the date of said Bonds, elect to redeem any of said Bonds, such redemption shall be made in pursuance of notice signed by the President of said Town Council and by the Treasurer thereof, published once a week for two consecutive weeks in a newspaper published in the Town of Dover, Delaware. Such notice shall indicate the Bonds called, and in making such calls the municipal corporation shall call Bonds according to their number, beginning with the lowest number, and the interest on any of the said Bonds shall cease from the date named in any of said calls for redemption.

Section 5. The Town Council of The Town of Magnolia 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, and all the moneys arising from such sale shall be applied to carry into effect the provisions of this Act.

Section 6. The form of said Bonds, with coupons thereto attached, shall be prescribed by the Town Council of The Town of Magnolia, and said Bonds shall be signed by the President of the Town Council of the Town of Magnolia, and by the Treasurer of said Town, and sealed with the corporate seal of the said corporation, and shall be exempt from State, County and municipal taxes. As said Bonds and coupons thereto attached shall be paid, the same shall be cancelled as the said Town Council shall direct.

Section 7. The said Town Council of the said The Town of Magnolia is hereby authorized and required to levy and raise, by taxation in each year upon all of the assessable real estate in said Town, a sum of money sufficient to pay all interest accru-

## CITIES AND TOWNS

ing on said Bonds or any of them whilst any of said Bonds shall remain unpaid; and the said Town Council is further authorized and empowered to levy and raise by taxation, from time to time such sum or sums as said Council shall deem proper to establish a sinking fund adequate for the redemption of said Bonds at or before their maturity, said taxes shall be in excess of, and in addition to the sum or amount authorized to be raised by the said Council by any other Act; and shall be levied and raised upon assessable real estate in said Town.

Section 8. The Bonds authorized by this Act may be issued at one time and in one series, or at different times and in different series as the Town Council of the said The Town of Magnolia 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 Eight Thousand Dollars (\$8,000.00).

Section 9. The faith and credit of the said The Town of Magnolia are hereby pledged for the payment of all of the Bonds that may be issued under the provisions of this Act.

Section 10. 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 a newspaper published in The Town of Dover, State of Delaware, and by posting notices in at least ten public places in The Town of Magnolia, at least ten days before 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 said money is to be borrowed. At said election every taxable paying Town Taxes in the said Town shall be entitled to vote and shall have one vote for each One Dollar, or fractional part of One Dollar of taxes paid by such taxable according to the last assessment in said Town and for the purpose 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

## CITIES AND TOWNS

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, and not exceeding in the aggregate Eight Thousand Dollars (\$8,000.00), 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 13, 1929.

## CHAPTER 174

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "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" being Chapter 142 of Vol. 30 of the Laws of Delaware, by striking out Section 3 thereof and by inserting a new Section 3 with provisions relative to the application and disposition of moneys received from any sale made under said Act.**

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

Section 1. That the Act entitled "An Act 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," being Chapter 142 of Vol. 30 of the Laws of Delaware, be and the same is hereby amended by striking out all of Section 3 of said Act and by inserting in lieu thereof a new Section 3 as follows—

Section 3. That the moneys received from any sale as aforesaid, or so much thereof as shall be necessary, shall be applied by the Town Council of Milford to the payment of outstanding bonds issued to borrow money for the Town of Milford and/or for the Light and Water Plant of said Town. Any residue of said moneys remaining after the payment of all of the outstanding bonds aforesaid shall be deemed and held to be a permanent trust fund for and upon the following trusts, that is to say—the said residue shall be invested by a commission hereby established and to be known as the Town of Milford Trust Fund Commission. The said Commission shall consist of four persons, the President of the Town Council of Milford, another member of the Town Council chosen by the Council, the President of The First National Bank & Trust Company, and the President of the Milford Trust Company, the said two trust companies being

## CITIES AND TOWNS

financial institutions operating in the Town of Milford aforesaid. The said Commission shall have full power and authority to change investments from time to time as they shall deem advisable. In selecting investments the Commission shall make the safety of the principal their first and primary object, but they shall not be restricted to the kind or character of investments prescribed by statute for the investment of trust funds, nor shall they be personally liable except for fraud. The members of said Commission shall not take or receive any salary or compensation of any kind for their services. If at any time the president or either of the two financial institutions aforesaid shall refuse or decline to be a member of the said Commission, the Town Council shall have the right to fill the vacancy by the selection of some person fitted by training or experience to select investments, and such person may or may not be a Councilman of the Town of Milford. The interest or income from the said trust fund shall be expended by the Town Council of Milford for the permanent improvement of the streets in the said Town, and for no other purpose. The principal of the said trust fund shall remain intact and shall not be subject to expenditure by the said Town Council.

Approved March 7, 1929.

## CHAPTER 175

## CITIES AND TOWNS

**AN ACT authorizing the Town Council of Milford to borrow Twenty-four Thousand Dollars (\$24,000.00) to pay certain indebtedness of said Town and to issue bonds for the amount so borrowed.**

*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 Town Council of Milford be, and it is hereby authorized and empowered to borrow on the faith and credit of the Town of Milford the sum of Twenty-four Thousand Dollars (\$24,000.00); the said sum to be used by said Council to pay the Twenty-four Thousand Dollars (\$24,000.00) of the indebtedness of the Town of Milford evidenced by demand notes held by the First National Bank and Trust Company of Milford and The Milford Trust Company of Milford.

Section 2. That the Town Council of Milford, for the purposes set forth in Section 1 of this Act, shall have full power and authority to issue bonds of the Town of Milford, said bonds to be denominated "Milford Refunding Bonds, Series of 1929" to an amount not exceeding in the aggregate the sum of Twenty-four Thousand Dollars (\$24,000.00).

The said bonds shall be issued in denominations of One Thousand Dollars (\$1,000.00) each, shall bear date the first day of July, 1929, shall be numbered consecutively beginning with number one, and shall bear interest at such rate per annum as said Town Council of Milford shall determine, not exceeding five per centum per annum, payable on the first days of January and July at the First National Bank of Milford. The principal of the said bonds shall also be payable at the First National Bank of Milford. It shall be the duty of said Council to pay the principal of one of said bonds each year beginning with the year 1930, and the bonds shall be framed to permit such payment. The said

## CITIES AND TOWNS

Town Council may also at their option reserve the right to call or redeem at par or at a specified premium all or any of the outstanding bonds on any interest date.

Section 3. That the Town Council of Milford shall direct and effect the preparation and sale of said bonds authorized by this Act, at such time or times and on such terms as the said Town Council of Milford may deem expedient, but all moneys, the proceeds of such sales, shall be applied to carrying into effect the provisions of this Act.

Section 4. That the form of said bonds shall be prescribed by the said Town Council of Milford, and the said bonds shall be signed by the President of the said Town Council of Milford and by the Treasurer thereof, and sealed with the corporate seal of said corporation, and shall be exempt from State, County and municipal taxation.

The bonds may or may not have coupons attached as the said Town Council may determine.

As the said bonds shall be paid the same shall be cancelled as the said Town Council of Milford shall direct; and the several notes paid by the money borrowed under the provisions of this Act shall be cancelled as the said Town Council shall direct.

Section 5. That the said Town Council of Milford is hereby authorized and required to levy and raise by taxation in each year a sum of money sufficient to pay the principal of one of the said bonds and also all interest accruing on said bonds whilst any of said bonds shall remain unpaid. The taxes for the said purpose shall be levied and collected as other taxes in said town are, and shall be assessed on the head and on property, and shall be in excess of, and in addition to the sums or amounts authorized to be raised by the said Council under all other acts.

The Treasurer of the Town may, if the Council deem proper, be required to give additional bond with sufficient surety for such sum as said Town Council shall determine and approve.

## CITIES AND TOWNS

Section 6. That the faith of the Town of Milford is hereby pledged for the payment of any bonds that may be issued under the provisions of this Act.

Section 7. 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 published in at least one issue of a newspaper published in the Town of Milford at least two weeks before the day of such election; and printed notices of the election shall be posted in at least ten public places in said Town at least two weeks before the holding of said election. The notices shall state the time and place of the election and the amount of the proposed bond issue. At said election every taxable paying town taxes in the said Town and not delinquent in such payment at the time of such election shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by such taxable according to the last assessment in the said Town, and residence in the said Town shall not be a qualification to voting at said election. 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 said election a majority of the votes cast be for the bond issue, then bonds to the amount stated in the notice aforesaid may be issued as in this Act provided, but if at such election the majority be against the bond issue, no bonds shall be issued under this Act.

A statement appearing in the bonds issued under the provisions of this Act to the effect that the bonds have been duly authorized shall be deemed and held to be conclusive evidence in favor of the holder of any of such bonds that all the terms and conditions of this Section and of all Sections under this Act have been fully met and complied with.

Approved March 13, 1929.

## CHAPTER 176

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Re-Incorporate the Town of Milford" approved March 9, 1907, being Chapter 210, Vol. 24, of the Laws of Delaware as amended.**

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

Section 1. That the Act entitled "An Act to Reincorporate the Town of Milford" approved March 9, A. D. 1907, being Chapter 210, Vol. 24 of the Laws of Delaware as amended, be and the same is hereby amended as provided in the subsequent Sections of this Act.

Section 2. That Section 2 of the Act aforesaid be amended by striking out the words "on the first Monday in January of each year thereafter" in the twenty-third and twenty-fourth lines of said Section 2 and by inserting in lieu thereof the words—"at the annual Town election."

Section 3. That Section 2 of the Act aforesaid be further amended by striking out the words "there shall also be elected on the first Monday in January of each year beginning with the year Nineteen Hundred and Eight, an alderman" in the thirty-second, thirty-third and thirty-fourth lines of said Section and by inserting in lieu of the words so stricken out the following—"There shall also be elected at the annual Town election."

Section 4. That Section 3 of the Act aforesaid be amended by striking out all of said Section between the word "aforesaid" in the first line of said Section 3 and the word "from" in the fifth line thereof, and by inserting in lieu of the words so stricken out the following—

"That there shall be an annual Town election which shall be held on the Monday following the third Friday in the month of January."

## CITIES AND TOWNS

Section 5. That Section 6 of the Act aforesaid be amended by striking out the words "his compensation shall be fixed by the Council not to exceed \$50.00 per annum" at the end of said Section 6 and by inserting in lieu of the words so stricken out the following—"His compensation shall be fixed by the Council at a sum not in excess of \$100.00 per annum, and the sum so fixed shall be deemed to include all services performed by him during the year, whether ordinary or extra-ordinary."

Section 6. That Section 10 of the Act aforesaid be amended by striking out all of said Section 10 between the words "so to do" in the sixty-fourth line of said Section and the words "If any lot or lots" in the seventy-first line of said Section 10, and by inserting in lieu of the words so stricken out the following—"The said owner or owners shall become and be liable for the tapping fee prescribed by any ordinance adopted by the Town Council precisely as if connection had in fact been made with the said water main and sewer main, and the amount of said tapping fee shall be forthwith recoverable from said owner or owners as a debt due the Town of Milford, and the said Council may also cause said mains to be tapped and connections made and may recover the costs of same as hereinbefore provided in the case of paving. The provisions in regard to notices shall be as prescribed in the case of paving."

Section 7. That the Act aforesaid be amended by striking out all of Section 13 and by inserting a new Section 13 as follows—

"Section 13. And be it further enacted as aforesaid that in the year 1929 and in every third year thereafter there shall be made a true, just and impartial valuation and assessment of all the real property within the said town and of all the personal property subject to County taxation within said Town, (except farm lands to the extent that they are exempted by the provisions of Section 1 of this Act) locating each parcel of real property by street and number or other description, and also an assessment of all the male and female residents in said Town above the age of twenty-one years, as well those owning as those not owning real property or personal property within its limits. The said

## CITIES AND TOWNS

valuation and assessment shall be made by an assessor or assessors who shall be elected by the Council by a majority vote thereof. Assessors shall be freeholders within the corporate limits of the Town of Milford. Before entering upon the duties of his office, the assessor shall be sworn or affirmed by a Justice of the Peace of the said Town to perform the duties of his office with fidelity and without favor or partiality.

The assessment as aforesaid made in the year 1929 shall be made prior to the thirty-first day of March in said year. In every third year thereafter the assessment as aforesaid shall be made prior to the thirty-first day of March in such year.

The assessment made in the year 1929 and in every third year thereafter shall be known as the general assessment. In each year (except the year 1929 and every third year thereafter) there shall be made a scrap assessment as hereinafter provided. The said scrap assessment shall be made by the assessor or assessors elected by the Council as aforesaid, and shall be made prior to the thirty-first day of March in such year.

The scrap assessment shall value and assess all taxable real property and personal property in the Town not already valued and assessed by the general assessment then in force and all improvements made since said general assessment, and all male and female residents of said Town above the age of twenty-one years and not already assessed, and dropping from the assessment the names of those who have removed from the said Town. In the year that a scrap assessment is made, the general assessment then in force as supplemented or modified by the scrap assessment shall constitute the assessment for the year.

The assessment shall be set down by the assessor or assessors in two or more copies as the Council shall direct, and shall be delivered to the Council as soon as made. The real property and personal property of the assessors shall be assessed by the Council. The Council, shall prior to the fifteenth day of April in the year 1929 and prior to the fifteenth day of April in each third year cause a copy of the general assessment to be hung up in two

## CITIES AND TOWNS

public places in the Town, there to remain for the space of ten days for public information. In each year that a scrap assessment is made as hereinbefore provided, the Council shall cause a copy of such scrap assessment to be hung up in two public places in the Town, there to remain for the space of ten days for public information. With the copies of the general assessment or of the scrap assessment, as the case may be, hung up as aforesaid, shall be a notice of the day, hour and place that the Council will sit as a board of revision and appeal. Notice of the hanging up, of the copies of the assessment, and of the day, hour and place when the Council will sit as a board of revision and appeal shall be published in at least one issue of the newspapers published in said Town. On the day and at the hour and place designated in the notice aforesaid, the Council shall sit as a board of revision and appeal to correct and revise the assessment hung up as aforesaid and to hear appeals concerning the same. They shall have full power and authority to alter, add to, deduct, and take from the said assessment. The decision of a majority of the Council shall be final and conclusive.

No Councilman shall sit on his own appeal.

The assessment as revised and adjusted by the Council as aforesaid shall be the basis for the levy and collection of taxes for the Town.

The said Town Council shall also have the right to levy and collect taxes upon all telephone, telegraph or trolley poles, or other erections of like character erected within the limits of said Town, together with the wires thereon strung, and to this end may at any time direct the same to be included in or added to the Town assessment. In case the owners or lessees of such poles or erections shall refuse or neglect to pay the taxes that may be levied thereon, the said Town Council shall have authority to cause the same to be removed and may institute suit to recover the amount of taxes so levied.

Nothing herein contained shall invalidate or in any wise

## CITIES AND TOWNS

affect any assessment made prior to the year 1929 or any tax levied thereunder."

Approved March 13, 1929.

## CHAPTER 177

## CITIES AND TOWNS

**AN ACT to amend Chapter 203, Volume 25, Laws of Delaware, by giving certain additional powers to "The Commissioners of Millsboro."**

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

Section 1. That Section 12 of Chapter 203, Volume 25, of the Laws of Delaware, shall be, and the same is hereby repealed, and the following Section, to be known as Section 12, is inserted in lieu thereof:

Section 12. The Commissioners shall at their second regular meeting after the General Election appoint an Alderman who is hereby constituted a conservator of the peace, within said Town, and is authorized and empowered to exercise, within said Town, all the authority which a Justice of the Peace may exercise under the Laws of this State, with full power to impose fines in amounts according to the State Law in all cases, and to impose sentences as fully as a Justice of the Peace might do, with power to commit persons guilty of a breach of the peace to the County Jail at Georgetown, or to such place as may, for that purpose, be provided by said Town. He may take recognizance for keeping the peace, for being of good behavior, or for appearance, or otherwise. The Alderman shall have jurisdiction of all offense which shall be committed within said Town against any of the Laws of the State. Laws, Ordinances, Regulations or Constitution of said Town which are or may hereafter be prescribed. He shall have jurisdiction and authority over the neglects, omissions or defaults of the Town Police, Treasurer, Assessor or any other person whose duty it may be to collect, receive, pay over or account for any money belonging to said Town, or to execute or obey any Law or Ordinance thereof. Provided, that he shall not impose any fine, under any Town Ordinance, exceeding One Hundred Dollars, nor have jurisdiction in any civil matter other than to carry out the

## CITIES AND TOWNS

provisions of this Act or the rules and regulations adopted for the government of said Town by proper authority. The fees of said Alderman shall be the same as are allowed Justices of the Peace for similar services under the Laws of this State. It shall be the duty of the Alderman to keep a book of record or docket in which all judicial proceedings before him shall be entered, and he shall upon the expiration of his term of office deliver over to his successor such book of record or docket within ten days after the election and qualification of such successor. Prosecution before the Alderman shall be by information without indictment by grand jury or trial by petit jury. Process issued by the Alderman may be directed to any County constable or to the sheriff of any County who shall execute the same in like manner, and be subject to the same penalties, as in other cases. In case of sickness or unavoidable absence, any Commissioner shall have, during such sickness or absence, the same power and authority as could under the circumstances, be exercised by the Alderman.

Section 2. That Section 4 of Chapter 203, Volume 25, Laws of Delaware, be and the same is hereby repealed, and the following Section, to be known as Section 4, inserted in lieu thereof:

Section 4. The said corporation shall also have power: To make and use a corporate seal and to change, alter and renew the same at pleasure;

To sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in all courts of Law and Equity, or in any other place whatsoever;

To have, take, purchase, possess, enjoy and retain, by lawful means, to it and its successors, within said Town or beyond the limits thereof, lands, tenements, hereditaments, goods, chattels and effects of what kind, nature and quality soever, necessary for municipal purposes and the same to sell, grant, demise, alien or dispose of at pleasure;

To receive devices, bequests, gifts and donations of all kinds of property within said Town and beyond the limits thereof for

## CITIES AND TOWNS

its own use and benefit or in trust for charitable, benevolent, educational or other public purposes, and do all that is necessary to carry out the purposes of such devices, bequests, gifts and donations;

To acquire or erect and maintain public buildings for municipal purposes and to regulate and control the management of the same;

To lay out, establish, maintain or vacate public parks and squares; to lay out, open, grade, extend, widen, improve or vacate streets and alleys, crossings and other highways; to construct, maintain or vacate sewers, drains, gutters and other works for the disposition of sewerage and the drainage of said Town, the jurisdiction and control over the squares, streets and alleys, sidewalks, crossings and other highways, to extend from building line to building line;

To provide for supplying said Town and its inhabitants with water, and for the protection of the water to be used from contamination; to provide for the acquisition or erection and maintenance of such works as may be necessary or convenient for supplying water and to fix, alter, regulate and control the price and use of water so supplied;

To provide for lighting the streets and all public places in said Town;

To fix, alter, establish and determine the lines beyond which no wharf, dock, pier or other construction shall be placed, constructed or maintained in the river fronting on said Town;

To grant to persons or corporations in such manner and upon such terms and conditions as it may prescribe, franchises and privileges to locate, construct, extend and operate any enterprise in, upon or through any public park, square, street or other highway; provided that such grant shall be subject to the right to repeal and revoke the same for the abuse, misuse or non-use of the franchises and privileges granted; and provided further that

## CITIES AND TOWNS

no ordinary granting any such franchise or privilege shall be passed unless it shall receive the affirmative votes of two-thirds of all the commissioners ;

To regulate and control the storage, within said Town, of gunpowder, or any other dangerously combustible matter, and any explosive oils or compounds ; to grant licenses or permits for any lawful purpose and to define the purposes for which licenses or permits shall be required ;

To make and enforce sanitary regulations ; to define, abate and remove nuisances injurious to the public health or dangerous to the inhabitants of said Town ; and to prevent the introduction of infectious or contagious diseases ; for which purpose its jurisdiction shall extend to any distance within one mile of the limits of said Town ;

To regulate and control the erection of buildings within said Town and to require licenses or permits to be taken out before the erection or repair of any buildings ;

To prohibit the going at large of any horse, cow, or other animal, except under regulations prescribed by it ; to lay and collect fines on the owner or harbinger of any horse, cow or other animal found going at large in violation of such regulation and to prohibit cruelty to any animal and provide for the punishment of same ;

To make and enforce within said Town such fire, police and other regulations as are deemed expedient to protect persons and property, maintain the public peace, prevent crimes and promote the public morals ;

To make general assessments of property in said Town and assess and collect taxes and other rates and charges thereon for municipal uses and purposes ; to make and collect special assessments on said property for cost of any local or general improvements and to enforce the payment of such taxes and other rates and charges and special assessments ;

## CITIES AND TOWNS

To borrow money for municipal purposes on the credit of the corporation and to issue bonds therefor in the manner and under the restrictions hereinafter provided;

To provide for the payment of the legitimate expenses of the corporation, and for the annual payment, through the medium of a sinking fund or otherwise, of a portion of its bonded indebtedness, now existing or hereafter to be created;

To prescribe the extent of steps, porches, cellar doors and other outlets to buildings; to regulate the construction and repair of chimneys;

To make the violation of its ordinances a misdemeanor in all proper cases, and to prescribe the punishment therefor by fine or imprisonment; provided that such fine shall not exceed One Hundred Dollars and such imprisonment shall not exceed a term of ninety days; provided that no sentence shall be for a term of imprisonment except in case of failure to pay the fine imposed.

To exercise all municipal powers necessary to the proper administration of the municipal government, and for the well-being of the inhabitants of said Town, whether such powers be expressly enumerated herein or not.

Approved March 13, 1929.

## CHAPTER 178

## CITIES AND TOWNS

**AN ACT to amend an Act entitled "An Act to Reincorporate the Town of Newark", passed at Dover, April 21, 1887, fixing the amount of money to be borrowed by the Council of Newark.**

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

Section 1. That Section 33, Chapter 175, Volume 18, Laws of Delaware, as amended, be hereby further amended by striking out in line three thereof, between the word "exceeding" and the word "in", the words "Twenty Thousand Dollars", and inserting in lieu thereof the words "Thirty Thousand Dollars."

Approved April 12, 1929.

## CHAPTER 179

## CITIES AND TOWNS

**AN ACT to provide for the collection of Taxes and Assessments for the Town of Newark, Delaware.**

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

Section 1. That in addition to all existing methods and authority for the collection of taxes, or sewer or other special assessments due to The Council of Newark, the following method and authority is hereby established:—

The Council of Newark may file, or cause to be filed, a Praecipe in the office of the Prothonotary of the Superior Court, in and for New Castle County and State of Delaware, which shall contain the name of the person against whom the taxes, sewer or other assessments sought to be collected were assessed and charged, and a copy of the bills showing the amount of taxes, or assessments for sewer or other assessments due, and the property against which the assessment was laid, and thereupon the said Prothonotary shall make a record of the same on the Judgment Records of the said Superior Court, against the person or corporation and the property named or described in said Praecipe. Thereafter, upon application by The Council of Newark, through any person authorized on its behalf to collect taxes, or sewer or other assessments due to the said The Council of Newark, a monition shall issue to the Sheriff of New Castle County, which monition shall briefly state the amount of taxes, sewer or other assessment due, and the year for which the taxes are due, or the year for which said sewer or other assessments were laid and charged, together with a brief description of the property upon which said taxes, sewer or other assessments are a lien, and a description of such property by street and number shall be a sufficient description. Said monition shall set forth substantially the following:

To all persons having or claiming to have any title, interest in or lien upon the within described premises take warning that

## CITIES AND TOWNS

unless the taxes, sewer or other assessment stated herein, are paid within twenty days from the date hereof, or within such period of twenty days evidence of the payment of the taxes, sewer or other assessments herein claimed, shall be filed in the office of the Prothonotary, which evidence shall be in the form of a receipted tax bill, a receipted bill for said sewer or other assessments, or a duplicate thereof, The Council of Newark may proceed to sell the property herein mentioned and deccribed, for the purpose of collecting the taxes, sewer or other assessment herein stated. Said monition, or a copy thereof, shall within ten days after its issuance be posted by the Sheriff upon some prominent place or part of the property against which said taxes or assessments are due, and the Sheriff shall make due and proper return of his proceedings under said monition within ten days after the meeting of said monition, as aforesaid. At any time after the expiration of twenty days after the return of the Sheriff upon said monition, unless before the expiration of said twenty days the said taxes, sewer or other assessment shall be paid, or evidence of the payment of the taxes, sewer or other assessments, consisting of receipted bills, or duplicate thereof, shall be filed in the office of said Prothonotary, upon application by The Council of Newark, through its Attorney or Solicitor, or any other person authorized on its behalf to collect taxes, sewer or other assessments due to the said The Council of Newark, a writ of Venditioni Exponas shall issue out of the office of the said Prothonotary, directed to the Sheriff, in the usual form of such writ, commanding the Sheriff to sell the property mentioned and described in said Praeipe, and make due return of his proceedings thereunder in the same manner as is now applicable with respect to writs of Venditioni Exponas in the said Superior Court.

Section 2. Any property sold under the provisions herein authorized shall vest in the purchase all of the right, title and interest of the person in whose name said property was assessed and/or all right, title and interest of the person who was the legal owner thereof at the time of the filing of said Praeipe in the office of the Prothonotary, and likewise freed and discharged from any dower or courtesy, whether absolute or inchoate, in or to said real estate. The owner of any property so sold, or his, her, their

## CITIES AND TOWNS

or its legal representatives may redeem the property at any time within one year from the date the sale is approved by the Court, and if the owner or his, her, their or its legal representative does not redeem such property within said period, any person having any interest in said property, or a lien upon said property, shall be entitled to redeem the same within eighteen months of the date of such approval by the Superior Court, by paying to the purchaser, or his legal representative, the amount of the purchase price, and fifteen per cent in addition thereto, and all costs, or if the purchaser or his legal representative shall refuse to receive the same, may pay said amount into the said Superior Court.

Section 3. Upon the return of the proceedings under such writ of Venditioni Exponas, the Superior Court may inquire into the regularity of the proceedings thereunder, and either approve the sale or set it aside.

Section 4. No proceedings shall be brought under this provision, unless the tax, sewer or other assessment sought to be collected hereunder shall, at the time of the filing of said Praeceptum in the office of the Prothonotary, be and constitute a lien against the property upon which the taxes, sewer or other assessments was assessed or levied.

Approved April 18, 1929.

## CHAPTER 180

## CITIES AND TOWNS

**AN ACT to authorize the State Treasurer to pay to the Council of Newark certain Sewer and Curbing Assessments.**

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

Section 1. That the Treasurer of The State of Delaware be, and he is hereby authorized and directed to pay to The Council of Newark, Delaware, on or before the First day of May, A. D. 1929, the sum of Three Thousand Nine Hundred and Sixty-three Dollars and Two Cents, being the cost assessed by The Council of Newark for the construction of a new sewer through and along property of The State of Delaware, in said Town of Newark, and the further sum of Three Thousand Nine Hundred and Sixty-six Dollars and Eighty-three Cents, being the cost of new curbing built and constructed along and in front of said property.

Approved April 18, 1929.

## CHAPTER 181

## CITIES AND TOWNS

**AN ACT to amend Chapter 121, Volume 32, Laws of Delaware, entitled "An Act to establish a Board of Water and Light Commissioners for the City of New Castle", by providing for salaries to the Commissioners.**

*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 Chapter 121, Volume 32, Laws of Delaware, being "An Act to establish a Board of Water and Light Commissioners for the City of New Castle", be and the same is hereby amended by adding a new Section thereto to be known as Section 11, and to follow Section 10 of said Chapter, as follows:

Section 11. Commencing April 1, 1929, the President of the Board shall receive an annual salary of One Hundred Dollars (\$100.00) and each member of the Board an annual salary of Sixty Dolars (\$60.00) for their services, payable quarterly out of the funds of the Board, and in addition to their necessary expenses in the performance of their duties. The provisions of Section 2 of said Act are changed to the extent provided by this Section.

Approved April 8, 1929.

## CHAPTER 182

## CITIES AND TOWNS

**AN ACT authorizing "The Council of Newark", Delaware, to borrow money and issue bonds therefor, for the purpose of redeeming certain bonds heretofore issued, and improve the streets of said Town.**

*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 thereof concurring therein):*

Section 1. That The Council of Newark, a municipal corporation of the State of Delaware, be and it is hereby authorized and empowered to borrow on the faith and credit of said Town of Newark, Delaware, a sum of money not exceeding Sixty-five Thousand Dollars, which shall be applied, apportioned and expended by it for the purpose of redeeming Forty-five Thousand Dollars face value of the Bonds of said Town, issued under the provisions of an Act of the General Assembly of the State of Delaware, approved April 28, 1920, and the balance of the money so to be borrowed to be applied, apportioned and expended for the improvement of the streets in said Town.

Section 2. The Council of Newark shall have the power and authority, and is hereby authorized and directed to issue the bonds of the said municipal corporation in such denomination as the Council of The Council of Newark shall deem best, bearing interest at a rate not exceeding five per centum per annum, payable on such days, semi-annually in each year, as the Council of The Council of Newark shall determine, at any Bank or Trust Company doing business in said Town of Newark. The principal of said Bonds shall be payable in twenty years from the date of the issue thereof, the said The Council of Newark reserving therein the power and authority of redeeming said Bonds, or any part thereof, after the expiration of five years from the date of the issue of the same, provided, that if the said The Council of Newark elect to redeem any of said Bonds after five years from the issue thereof, such election and redemption thereof shall

## CITIES AND TOWNS

and may be effected on any day on which the semi-annual interest is due thereon, and in pursuance to a notice to that effect published by the said The Council of Newark in at least one newspaper published in the Town of Newark, Delaware, and one newspaper published in the City of Wilmington, Delaware. In calling said Bonds for redemption and payment, they shall be called and paid consecutively, commencing with the lowest number of the issue of said Bonds then outstanding. The interest on said Bonds so called shall cease from the date fixed in said notice and advertisement for the redemption thereof, and the said Bonds, when paid, shall be cancelled in such manner as may be prescribed by The Council of Newark.

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 Council of Newark, if it deems 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 payment.

Section 3. That the Council of The Council of Newark shall direct and effectuate the preparation and printing of the Bonds authorized and issued under this Act, and shall also prescribe the form of said Bonds, which Bonds shall be signed by the Mayor of The Council of Newark, and countersigned by its Treasurer, shall be sealed with the corporate seal of the corporation, and shall be exempt from all State, County and Municipal taxation.

As the said Bonds and the coupons thereon are paid, the same shall be cancelled in such manner as the said The Council of The Council of Newark shall direct.

Section 4. That the said Council of The Council of Newark shall negotiate the sale and delivery of said Bonds issued under the authority of this Act, and shall apply and use the money derived from the sale of said Bonds for the purposes provided in this Act.

The Council of The Council of Newark shall advertise said

## CITIES AND TOWNS

Bonds for sale in such manner as it may prescribe, and may prescribe in said advertisements such provisions regulating the sale of said Bonds as it may deem advisable.

Section 5. That the Council of The Council of Newark be, and it is hereby directed 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 tax sufficient to pay all interest accruing on said Bonds, and the principal thereof, as and when the same shall become due and payable.

The said Council of The Council of Newark shall have power and is hereby authorized to establish such Sinking Fund, annually, as it may deem advisable to retire and pay the principal of said Bonds, as and when the same shall mature, and it is hereby 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 sufficient tax for the purpose of establishing such Sinking Fund for the redemption and payment of the principal of said Bonds, and may prescribe where the said Sinking Fund may be deposited or invested until such time as it may be needed for the redemption of any or all of said Bonds.

Section 6. The said Council of The Council of Newark and all of the officers and departments 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, but which may be necessary to do and perform in relation to the issue of the Bonds herein provided for, and the payment and redemption thereof, to make said Bonds issued under the authority hereof, as aforesaid, the good, valid and binding obligation of The Council of Newark.

Section 7. That before any bonds shall be issued under the provisions of this Act, a special election shall be held in said Town, in the same place and in the same manner as other Town elections are held in said Town. Notice of said election shall be given by advertisements in one or more of the nearest County

## CITIES AND TOWNS

newspapers 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 One Dollar or fractional part of a Dollar of Town taxes paid by him or her according to the last assessment in the said Town, and for the purpose of this election residence shall not be a qualification to vote in 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 29, 1929.

## CHAPTER 183

## CITIES AND TOWNS

**AN ACT to amend Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle", in relation to the officers of the City of New Castle.**

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

Section 1. That Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle", as amended, be and is hereby further amended by striking out the words "two years" appearing in the ninth line of Section 3 of said Chapter and substituting in lieu thereof the following two new words, "one year."

Approved March 13, 1929.

## CHAPTER 184

## CITIES AND TOWNS

**AN ACT to amend Chapter 121, Volume 35, Laws of Delaware, providing for the Construction of a System of Sewers and Disposal Works in and for the City of New Castle by providing Salaries for the Commissioners elected under said Act and ratifying the provisions of said Act and the Acts of the said Commissioners.**

*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 Chapter 121, Volume 35, Laws of Delaware, be amended by repealing all of Section 5 of said Chapter and substituting in lieu thereof a new Section to be known as Section 5, as follows:

Section 5. That under the conditions and limitations hereinafter set forth the Council of "The Mayor and Council of New Castle," and their successors in office, or the "Sewer Commission", appointed in manner and form as aforesaid as determined by the said election, be and it is hereby authorized and empowered to construct, purchase, pay for and operate a system of sewers and sewage disposal works, and other works necessarily connected therewith, for the City of New Castle, Delaware, and with full power and authority to do and perform any and all of the things herein provided, and such other things as are connected therewith, incidental thereto or necessary to carry out fully the purpose and intents of this Act. The members of the said Council or of the said Sewer Commission, as the case may be, shall each receive the sum of One Hundred Dollars (\$100.00) as full payment for their services as such Council or as such Sewer Commission, as the case may be; such sum to be paid out of the funds received under this Act, and any member of the Council or of the said Sewer Commission, as the case may be, may be reimbursed from the fund hereinafter created for any expenses incurred by him or her in carrying out the provisions of this Act, provided

## CITIES AND TOWNS

such expenses be either authorized or ratified by the said Council or the Sewer Commission, as the case may be.

Section 2. That Chapter 121, Volume 35, Laws of Delaware be and is hereby further amended by adding thereto a new Section to be known as Section 34 and to follow Section 33 of said Chapter as follows:

Section 34. That the said Chapter 121, Volume 35, Laws of Delaware, providing for the construction of a Sewer System in the City of New Castle and the election of Commissioners under said Act and the acts and things done and now being done by the Commissioners under said Act, are hereby ratified and confirmed.

Approved April 8, 1929.

## CHAPTER 185

## CITIES AND TOWNS

**AN ACT to authorize the Mayor and Council of the City of New Castle to sell and convey the Fire Engine House and Lot in the 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 to each House concurring therein):*

Section 1. The Mayor and Council of New Castle, a Municipal Corporation of the State of Delaware, is hereby authorized, by an Ordinance to be duly passed, to sell and convey in fee simple the present fire engine house and lot now belonging to the City of New Castle and located on the northeast side of South Street between Fifth and Sixth Streets at the north corner of South Street and a street or alley leading from South Street to Tremont Street. Such sale shall be for cash and may be by either private or public sale of the property. All arrangements for said sale shall be conducted by The Council of the said City of New Castle, and upon payment of the purchase price, the said Municipal Corporation is authorized to convey the said property in fee simple to the purchaser or purchasers by deed to be executed and acknowledged by the Mayor and the President of Council under the corporate seal of the City.

Section 2. The sale of said fire engine house and property shall not be made unless and until full arrangements have been made for a new fire engine house and property to be vested in said Municipal Corporation. The proceeds of such sale shall be used solely in the purchase or building of such new fire engine house and property.

Approved April 2, 1929.

## CHAPTER 186

## CITIES AND TOWNS

**AN ACT authorizing the Council of the City of New Castle to make changes in the line of Seventh Street.**

*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. The Council of the City of New Castle is hereby authorized and empowered to change the line of Seventh Street as now laid out in said City extending north from South Street, and all changes in said line so made by said Council are hereby ratified and approved. Such part of the present bed of said street as is not included in the bed of said street as so changed, is re-vested in the abutting owner, subject to his conveying to the City such part of the new bed of said street as is not now vested in the City.

Approved April 2, 1929.

## CHAPTER 187

## CITIES AND TOWNS

**AN ACT authorizing "The Mayor and Council of New Castle" to borrow money and issue bonds therefor, for the purpose of Street Improvement in the City of New Castle, appointing Commissioners to effect such improvement, and providing for Assessing part of the cost of the same against property affected.**

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

Section 1. For the purpose of further improving the streets and roads within the City of New Castle, as hereinafter provided, The Mayor and Council of New Castle, a Municipal Corporation of the State of Delaware, is authorized and empowered to borrow on the faith and credit of the said City a sum or sums of money not exceeding Forty Five Thousand Dollars, and for this purpose to issue bonds of the said Municipal Corporation.

The said money shall be borrowed and the bonds issued in such amounts and at such times as the Commissioners hereinafter appointed, or a majority of them, shall determine and shall certify to the Council of the said Municipal Corporation. The principal of said bonds shall be made payable at the expiration of twenty years from the date of the issue thereof.

The Council of the said Municipal Corporation shall prescribe the form of the said bonds and the denominations thereof, determine and fix the rate of interest thereon not exceeding five per centum per annum, and shall direct and effect the preparation and printing of and negotiate the sale and delivery of the said bonds. The said bonds shall bear date when issued and shall bear interest from date, payable semi-annually. They shall be signed by the Mayor, the President of Council and the Treasurer of said City of New Castle, and be sealed with the corporate seal of the Municipal Corporation, and shall be exempt from State, County and Municipal taxation.

## CITIES AND TOWNS

The moneys received from the sale of the said bonds shall be paid over to the Treasurer of the City of New Castle, and held by him as a special fund to the credit of the Commissioners under this Act, and to be drawn out and used by them as hereinafter provided. The Treasurer may be required to furnish additional bond to cover such fund.

Section 2. The Council of the said City is authorized and required to levy and collect annually by taxation such sum of money as shall be sufficient to pay the interest accruing on said bonds; and 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.

Section 3. John R. Lambson, Patrick McGrory, James E. White, Frank E. Bridgewater and the President of Council of the City of New Castle for the time being, and their successors as herein provided, are hereby appointed and named Commissioners for the purposes of this Act, to do and perform all matters and things herein provided for them to do. All acts and things to be done and performed by them as such Commissioners shall be done and performed by them, or a majority of them. They shall as soon as conveniently may be after the approval of this Act meet and organize by the election of one of their number as President and one of their number as Secretary, and they may elect such other officers and employ such other assistants as may be necessary and proper. Before entering upon the duties of their office, they shall each be sworn or affirmed to faithfully, impartially and honestly perform their duties as such Commissioners. Such oath or affirmation may be taken before the Mayor of the City of New Castle. Should any of the said Commissioners die, resign, become incapacitated or removed from the City, a majority of the remaining Commissioners shall have power to fill the vacancy so caused.

## CITIES AND TOWNS

Section 4. The said Commissioners shall have entire control, supervision and management of all work done and materials furnished and of all moneys expended within the contemplation and intent of this Act, and all moneys received for the purpose of this Act shall be paid out by the Treasurer of the City only on orders drawn upon him for the purpose and signed by the President and Secretary of the Commissioners. They shall make all expenditures in a judicious and economical manner. The Commissioners shall have the power, and it shall be their duty, to expend and apply the moneys received under the provisions of this Act, in and about the permanent improvement of the streets and roads within the City of New Castle, by building, paving, repairing, draining and curbing the same in such manner as a majority of the said Commissioners shall, in their judgment and discretion, determine and deem necessary, and they, or a majority of them, shall have power to determine what streets or roads within said City shall be improved and the nature of and manner of effecting such improvement, and they shall have the power to enter into all necessary contracts for carrying out the purposes of this Act.

Section 5. The said Commissioners shall have the power, when paving or otherwise permanently improving the bed of any street, to lay or repair gutters and drains along or under said street, and to fix, renew or reset curbs and curbstones.

The cost and expense of laying or repairing gutters and of fixing, renewing or resetting curbs and curbstones along any street, the bed of which has been paved or permanently improved by the said Commissioners, shall be assessed against the owner or owners of the property abutting thereon according to their respective frontage. The Commissioners shall prepare a list of the costs and expenses assessed against the several owners and shall present bills for the same to such owners for their respective proportions, and it shall be the duty of such owners to pay such costs and expenses. If any such owner shall not pay the same within thirty days after the presentation of the bill, the Commissioners shall certify the same to the Council of the City, and the Council shall cause suit to be brought in the name of the municipal corporation against such owner or owners for such

## CITIES AND TOWNS

costs and expenses, and judgment may be recovered and execution issued in the usual way provided by law for the collection of debts. When such judgment is recovered before a Justice of the Peace, a transcript of the same may be taken and entered in the Superior Court. The lien of such judgment shall relate back to the date of the completion of the work and shall be prior to all liens created or suffered by the owner. All moneys so paid to the Commissioners or recovered by suit less the necessary expenses of the same, shall be turned over to the Treasurer of the City to be held by him for the same purposes and uses as the moneys borrowed under this Act.

Section 6. Whenever the said Commissioners are preparing to pave any street or section thereof, they shall notify the Council of the said City, and it shall thereupon be the duty of the Council to see that any water main or sewer main in said street is connected with the curb line in front of each property abutting thereon, prior to the date when such paving is to be done; and the Council may make such rules, regulations and requirements as to the making of such connections as may be necessary and proper. In case such connections are not made by the person or persons whose duty it is to do so, after notice from the Council, the Council may cause such connections to be made and shall recover the costs thereof from such person or persons.

Section 7. The said Commissioners shall, when requested by the Council, make a report to it of their proceedings and expenditures, not, however, oftener than once a month. They shall also, at least once a year, publish a detailed statement of their proceedings and expenditures. They shall carefully preserve all vouchers, accounts, receipts, contracts and other papers relating to the performance of their duty under this Act, and when their duties have been fully performed and completed, they shall deliver the same to the Council to be safely kept among the public records of the City.

Section 8. Each of the said Commissioners shall receive for his entire services, the sum of One Hundred Dollars, and

## CITIES AND TOWNS

they may make such allowance to the Treasurer of the City for his services under this Act as they may deem proper, not exceeding the sum of One Hundred Dollars. These sums shall be paid out of the moneys borrowed under this Act.

All necessary expenses in and about the preparation, printing and sale of said bonds authorized by this Act, shall be paid out of the moneys herein authorized to be borrowed.

Should any surplus remain after the work contemplated by this Act has been accomplished, said surplus shall be held and applied toward the payment of the principal or interest of said bonds herein authorized.

Section 9. The Council shall not at any time have power to borrow money and issue bonds under the provisions of this Act until a special election has been called by the Council and held by three persons to be appointed by it, and a majority of the legal votes cast at such election has been ascertained to be in favor of the borrowing money and issuing bonds. Due notices of the time and place of such election shall be given by the Council by advertisements posted in at least ten public places in said City at least ten days prior to any election. The voting at such election shall be by ballot. Every resident of the City of New Castle, both male and female, of the age of twenty-one years, shall on personally appearing before the election officers, be entitled to one vote for every one hundred dollars of assessment assessed as personal or poll tax against him or her or against property which he or she may own at the time of such election, provided the City tax for the preceding year on such assessment has been paid, no fraction of one hundred dollars to be considered. The election officers shall take the same oath and be subject to the same duties and penalties as are hereinbefore provided for the biennial City election. The Council shall furnish the election officers with the last city assessment or a certified copy of the same.

Approved April 17, 1929.

## CHAPTER 188

## CITIES AND TOWNS

**AN ACT authorizing "The Commissioners of Rehoboth" to borrow money and issue bonds therefor, for the purpose of extending, enlarging, repairing and/or improving the Board Walk at the Town of Rehoboth.**

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

Section 1. For the purpose of extending, enlarging, repairing and/or improving the Board Walk at the Town of Rehoboth, "The Commissioners of Rehoboth", a municipal corporation of the State of Delaware, (hereinafter called Commissioners) is hereby authorized and empowered to borrow on the faith and credit of the Town, a sum of money not exceeding in the aggregate Twenty-five Thousand Dollars (\$25,000), and for this purpose to issue and sell coupon bonds of said municipal corporation, and said bonds shall be known as "Rehoboth Board Walk Bonds."

Section 2. Said coupon bonds shall be of the denominations of \$1,000 each, shall bear date either July 1st or January 1st of the year in which they or any of them are issued, as shall be determined by said Commissioners, shall bear interest payable semi-annually at a rate not exceeding five per centum per annum, shall be exempt from State, County, and Municipal taxation, shall not be sold at less than par and shall be classed, numbered, and shall fall due as hereinafter provided. The interest and principal of said bonds shall be payable at the office of the Treasurer of Rehoboth. Said Bonds may be issued at one time or at different times as the Commissioners shall determine and the authority to issue and sell any 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 Twenty-five Thousand Dollars (\$25,000). The Commissioners shall sell no bonds under this Act without properly advertising in at least one newspaper and receiving and publicly opening sealed bids.

## CITIES AND TOWNS

Said bonds shall be prepared under the supervision of said Commissioners, shall be signed by the President of "The Commissioners of Rehoboth" and the Secretary thereof and sealed with the corporate seal of the Town. It shall be the duty of said officers to execute said bonds, or any part thereof, from time to time, when directed by the said Commissioners so to do, and said Commissioners shall cause an accurate record of all of said bonds and their respective interest coupons to be kept. Said Commissioners shall direct and cause the preparation, printing and sale of said bonds or any of them at such time or times, and on such terms and conditions, not inconsistent with this Act as they may deem wise and expedient. The form of said bonds and the coupons attached thereto shall be as prescribed by said Commissioners.

Whenever the full principal and interest of any bond under this Act shall have been paid, said bond shall be forthwith delivered to the Commissioners, shall be marked, "Fully paid and cancelled" across the face and the date of payment shall also be marked or stamped thereon and it shall be preserved with the permanent records of the Town.

Section 3. Said bonds shall be divided into 11 classes and shall be paid at their face value as follows:

Class	Amount	Year of Maturity
1	\$1000	1931
2	1000	1932
3	2000	1933
4	2000	1934
5	2000	1935
6	2000	1936
7	3000	1937
8	3000	1938
9	3000	1939
10	3000	1940
11	3000	1941

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\$25000

The bonds shall also be numbered consecutively from 1 to 25 and shall be sold and issued consecutively beginning with No. 1.

## CITIES AND TOWNS

Section 4. The money arising from the sale of said bonds or any of them shall be used by the Commissioners for extending, enlarging, repairing, and/or improving the Board Walk at the Town of Rehoboth as said Commissioners shall deem wise and proper and no part of said money shall be used for any other purpose or purposes.

Section 5. Said Commissioners are hereby authorized and directed to raise by taxation in each year upon all assessable real estate in the said Town of Rehoboth, a sum of money sufficient to pay all interest accruing on said bonds or any of them whilst any of said bonds shall remain unpaid and also a sufficient additional sum of money to meet the payments of the principal of said bonds as said principal payments shall from time to time fall due according to the maturity dates of said bonds respectively. Said taxes shall be in excess of and in addition to the sum or amount authorized to be raised by said Commissioners by any other Act, and shall be levied and raised only by a tax upon assessable real estate in said Town. The faith and credit of said municipal corporation is hereby pledged for the punctual payment of the bonds or any of them that may be issued under the provision of this Act and of the interest thereon.

Section 6. Whenever said Commissioners, by a majority vote of all the seven Commissioners of the Town, shall by resolution determine that said Board Walk should be extended, enlarged, repaired, and/or improved, they shall pass a resolution defining and specifying the proposed extensions, enlargements, repairs, and/or improvements, and setting forth the total cost thereof and approving the issuance of bonds under this Act to defray said cost; whereupon said Commissioners shall cause the full text of said Resolution to be published, as soon as possible after it is adopted, in at least two consecutive issues of at least two newspapers having a circulation in the Town of Rehoboth and within ten days after the last publication has been issued by said newspapers, said Commissioners shall issue a call for a referendum or special election, designating the day, hour and place of such election by public notices posted in at least five public places in the Town of Rehoboth at least ten days before such special

## CITIES AND TOWNS

election or referendum. All persons who would be entitled to vote at a Town election, if such Town election were being held on the same day as said special election, shall be entitled to vote at such special election or referendum and all such persons who are non-residents of the Town of Rehoboth, shall have the right to vote either in person or by proxy, but no proxy shall be voted unless the same shall be in writing or printing, be duly signed by the voter and witnessed by at least two witnesses and the person acting under the proxy shall file the same with the election officers at the time he or she casts the vote or votes of his or her principal. The election officers, shall, after the close of the special election or referendum and after the ascertainment of the result, deliver said proxies and ballots, together with the certificate of the result of the election or referendum, to "The Commissioners of Rehoboth" and the said proxies and ballots and the certificate of result of such election shall be filed by said Commissioners with the other papers and records of the Town. Said special election or referendum shall be conducted by the regularly elected election officers of the Town. Each voter, unless his Town taxes are unpaid and in arrears over six months, shall be entitled to cast one vote for each and every dollar or fractional part thereof of annual Town tax assessed against him, her, or them. The Town tax collector shall be present during the entire special election or referendum with his books showing the number of votes each voter shall be entitled to cast. The polls shall remain open from one o'clock P. M. until six o'clock P. M. of the day appointed for said special election or referendum. The Commissioners shall prepare proper proxies under this Act and shall send by mail one proxy to every non-resident voter, addressing it to his, or her last known post office address and mailing it at least ten days before any such special election or referendum. The Commissioners shall also have printed two sets of ballots to be used at such special election or referendum; on one set of ballots the following words shall appear: "For the bonding of the Town for Board Walk purposes to the amount of                      thousand dollars", on the other set of ballots the following words shall appear, "Against the bonding of the Town for Board Walk purposes to the amount of                      thousand dollars". In each set of ballots the amount of the proposed bond issue, accord-

## CITIES AND TOWNS

ing to the resolution adopted by the Commissioners, shall be inserted.

If at said special election or referendum a majority of the votes cast shall have been in favor of the proposed bonding, then said Commissioners shall have authority to sell and issue the bonds called for by said resolution and contemplated by this Act and they shall also have authority to use the moneys and proceeds arising from the sale of said bonds as proposed in said resolution and not otherwise. If, on the contrary, a majority of the votes cast at said special election or referendum shall be against said bonding, then the said Commissioners shall have no authority to proceed to issue said bonds or any of them under said resolution.

The said Commissioners are hereby authorized to call, as aforesaid, a special election or referendum whenever a majority of the whole Town Board shall deem it wise from time to time to issue any bonds under this Act, but no bonds shall be issued hereunder until and unless they shall have been approved at a special election or referendum held as hereinbefore provided; provided, however, that no special election or referendum shall be held until six months shall have elapsed since the previous special election or referendum unless an emergency shall occur by wind or storm causing extraordinary destruction or damage to said Board Walk or any part thereof; in case of any such emergency the Commissioners may in their discretion call as aforesaid, a special election or referendum at any time.

If the bonds authorized under this Act shall be issued at different times they shall be issued consecutively according to their class and number, beginning with Class 1, No. 1.

Section 7. No moneys shall be spent under this Act for Board Walk purposes except under written contract or contracts accompanied by surety bond or bonds, satisfactory to the Commissioners, guaranteeing the faithful execution of the work according to definite specifications. The Commissioners before entering into any contract or contracts under this Act for Board Walk ex-

## CITIES AND TOWNS

tensions, enlargements, repairs, and/or improvements shall advertise for bids in at least two newspapers having a circulation in the Town of Rehoboth. All bids must be mailed to the Secretary of the Town in sealed envelopes and each bid must be accompanied by a certified check or money to the amount of at least ten per centum of the total amount of the bid or proposal. All bids shall be publicly opened by the Commissioners at a meeting duly and properly called for the purpose and held in the usual place for holding town meetings in the Town of Rehoboth, the day and hour to be specified in the advertisement and each and every bidder shall have the right and privilege of being present at such opening of bids either in person or by representative. No contract shall be awarded except to the lowest responsible bidder unless there shall appear to the Commissioners good and sufficient reasons to the contrary, which reasons must be entered at large in the regular minutes of the Town. The Commissioners shall accept no individual personal surety bond in connection with any contract under this Act, it being specifically provided that such bond or bonds must be those of a reliable surety Company or Companies. The Commissioners shall have the right in their discretion, to reject any and all bids or proposals.

Before any final payment shall be made upon any contract or contracts under this Act, the Commissioners shall inspect or cause to be inspected the work provided for in the contract or contracts and shall satisfy themselves that the plans and specifications and all other provisions of the contract have been faithfully and fully carried out before they shall have the right to make final settlement with the contractor or contractors. Before any such final settlement the inspector or inspectors must certify to the Commissioners under oath that all the conditions of the contract have been fully met and complied with.

Approved March 19, 1929.

## CHAPTER 189

## CITIES AND TOWNS

**AN ACT authorizing the Town of Seaford to borrow Thirty Thousand Dollars, and to issue Bonds to secure the payment thereof, for the purpose of extending the sewer system of Market and King Streets in said Town, to improve permanently Market Street, to provide for the redemption of and payment of interest on said Bonds, and to provide for the assessment of property owners on Market Street.**

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

Section 1. That the Council of the Town of Seaford is hereby authorized and empowered to build and repair sewers and conduits in Market Street and King Street in the Town of Seaford or such parts or portions of said Streets as may be deemed expedient, and to grade and re-grade Market Street, or parts or portions thereof and to construct a permanent roadway thereon; and to carry out the provisions of this Act the said Council is authorized to make and enter into all necessary contracts and agreements respecting the construction of the aforesaid sewers and streets.

Section 2. The Council of the Town of Seaford shall have authority and it is hereby directed, to assess against the property abutting on Market Street, or that portion of Market Street which may be improved, one-fifth of the whole cost of constructing the improved roadway thereon; and the balance of the costs of the construction of said permanent roadway shall be paid from the proceeds of the sale of bonds as hereinafter provided.

Section 3. When any improvement, made under the provisions of this Act, is completed, the 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

## CITIES AND TOWNS

improvement. Upon the completion of such list, a copy of the same shall be hung up for at least ten days in some public place in the Town of Seaford 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 posting written or printed notices in five of the most public places in the Town of Seaford for at least ten days before the time fixed for hearing objections thereto; said notices shall also state the time and place, when and where the said Council will hear any objections which may be made against any assessments as aforesaid.

The time of the meeting for the hearing of the objections as aforesaid, shall not be earlier than ten days, nor later than fifteen days from the date of the posting of said notices. The place of said meeting shall be in the Town Hall of the Town of Seaford, or some other convenient room in said town. The said Council shall sit to hear any objections to the assessment aforesaid, at the place advertised from one o'clock to four o'clock in the afternoon of the day designated, and may adjourn from day to day if necessary. At said session the Council shall make such alterations and corrections of the assessment as said Council shall deem proper and in accord with the provisions of this Act. The determinations of the 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 Council, be certified to the Collectór of Taxes of the Town of Seaford for collection, and from the date of such certification, the several amounts shown upon such lists as assessed against the property 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

## CITIES AND TOWNS

Recorder of Deeds for Sussex County is shown upon such assessment list.

Section 4. 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 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 certification by the Council to the Collector of Taxes of the Town of Seaford, as aforesaid, but shall not be collectable until the expiration of thirty days from said date. The payment of the amount of any assessment within the thirty days shall be accepted by the Collector of Taxes as 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 election to be expressed in writing, to the Council as 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 collectable at the expiration of three months from the date of certifying, as aforesaid, and thereafter one of said installments, with accrued interest, shall become due, payable and collectable 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 Seaford at such office or place in the Town of Seaford as he shall designate; the designation of such place or office to be given notice of by said Collector of Taxes by posting written or printed notices in ten of the most public places of the Town of Seaford for at least ten days, the date of such posting, as aforesaid, shall be at least ten days before the expiration of thirty days from the

## CITIES AND TOWNS

date of certifying of the assessments by the Council to the said Collector of Taxes, as hereinbefore set forth.

Section 5. 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 collectable. 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 shall be the duty of the Mayor of the Town of Seaford 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 costs thereon, upon the property affected by such assessment, which said property, or any part thereof, shall be sold by the said Collector of Taxes of the Town of Seaford at public auction after advertisement in two successive issues of some newspaper published in said town, and if there be none published in the Town of Seaford, then and in that case, in a newspaper published in the Town of Georgetown, in this State, and a deed from the Mayor of the Town of Seaford 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 the said Collector of Taxes of the Town of Seaford out of the purchase money of said property so sold as aforesaid, to pay all costs arising from said process and sale to the parties entitled thereto respectively, and to retain the amount of such assessment with accrued interest thereon as aforesaid. The residue of said purchase money shall be immediately deposited by the said Collector of Taxes of the Town of Seaford in one of the banks of the Town of Seaford, or any other re-

## CITIES AND TOWNS

sponsible bank in Sussex County, as the said Council shall hereafter determine, to the credit of the owner of the property so sold; provided, if any lands or tenements along Market Street aforesaid shall be held or owned by a widow as and for her dower, or by any life tenant, such cost and expense shall be paid by the owner of the reversion in fee simple; and if an owner of property on said street be a minor, the costs and expenses shall be paid by the guardian or agent acting for such minor and shall be allowed in the account of the guardian or agent; and if such guardian or agent shall refuse to pay the said cost and expense, the same shall remain at interest from the day of the presentation of the bill therefor, and shall be a lien against the lands and tenements until paid, provided that a certificate thereof shall be filed as provided in the Twentieth Section of the Charter of the Town of Seaford, being Chapter 153, Volume 29, Laws of Delaware.

Section 6. The Collector of Taxes of the Town of Seaford, shall render an accurate account of all moneys received or collected by him under the provisions of this Act to the Council aforesaid, at such times as the said Council shall require. All moneys received and collected, as aforesaid, shall be paid to the Treasurer of the Town of Seaford, at such times as the Council aforesaid shall direct. All payments made to the Treasurer of the Town of Seaford under the provisions of this Act, and all moneys raised by the Council of the Town of Seaford, by the issuance and sale of bonds under the provisions of this Act, shall be deposited in one of the banks of the Town of Seaford to be designated by the Town Council, to a special account, which shall be known as the Seaford Street and Sewer Improvement Account.

Section 7. The Council of the Town of Seaford is hereby authorized to require of both the Treasurer and the Collector of Taxes of said Town, bonds in addition to those prescribed by the Charter of said Town, which additional bonds shall be to the Town of Seaford, in penal sums to be fixed by said Council and with such sureties as such Council shall approve. The con-

## CITIES AND TOWNS

ditions of said additional bonds shall be prescribed by the said Council.

Section 8. For the purpose of providing the residue of the funds required for the improvements contemplated by this Act, over and above the aggregate of the assessments against the property affected thereby, the Council of the Town of Seaford is hereby authorized to borrow a sum of money not to exceed the sum of Thirty Thousand Dollars (\$30,000.00) and to secure the payment thereof. The said Council is hereby authorized and empowered to issue and sell bonds of the Town of Seaford, said bonds to be known as "Seaford Street and Sewer Improvement Bonds, Series C", which said bonds shall be in the denomination of One Thousand Dollars, shall be numbered consecutively beginning with number 1 and shall bear interest at such rate as Council shall determine, not exceeding six per centum per annum, payable semi-annually upon presentation of the coupons attached to said bonds representing the semi-annual interest. The Bonds shall be payable both as to principal and interest at such bank or trust company, or at the office of the Treasurer of the Town of Seaford, as the Council of said Town may prescribe.

Section 9. The principal of said bonds shall be payable as follows: Bond No. 1 shall be payable on the first day of July A. D. 1939, and thereafter annually one of said bonds shall be called in and paid on the first day of July until all of said bonds shall have been paid, the calling in and payment of the principal of said bonds to be made in the consecutive order of the numbers of said bonds.

Section 10. The Council of the Town of Seaford shall prescribe by ordinance the form of bond and of the interest coupon to be attached thereto, shall determine the date of the issue thereof, and rate of interest thereon, and shall direct and effect the preparation, printing, sale and delivery thereof upon such terms as they may deem most advantageous.

Section 11. The bonds shall be signed by the Mayor of Seaford and shall be countersigned by the Treasurer of the Town

## CITIES AND TOWNS

of Seaford, and shall be under the seal of said Town. The coupons shall bear the facsimile signature of said Mayor and Treasurer.

Section 12. For the purpose of providing for the payment of said bonds as they severally mature and the annual interest thereon, the Town of Seaford is authorized and directed to assess, levy and collect annually in the same manner as other town taxes are assessed, levied and collected in the Town of Seaford, such further sum of money, in addition to the amount authorized by any other Law, as shall be necessary and sufficient to pay the interest on said bonds accruing in each year, and to pay the principal thereof as the said bonds severally mature.

Section 13. The bonds issued under the provisions of this Act shall be exempt from all State, County and municipal taxation.

Section 14. The faith and credit of the Town of Seaford is hereby pledged for the due payment of the principal and interest of all the bonds issued under the provisions of this Act.

Section 15. 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. Within sixty days after the passage of this Act the Town Council of the said Town of Seaford, shall arrange for the holding of such election. Notice of said election shall be given by advertisements in a newspaper published in the Town of Seaford, State of Delaware, and by posting notices in at least ten public places in said Town, at least ten days before 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 said money is to be borrowed. At said election every taxable paying Town Taxes in the said Town of Seaford shall be entitled to vote and shall have one vote for each One Dollar, or fractional part of One Dollar of taxes paid by such taxable according to the last assessment in said Town and for the purpose of this election, residence shall not be a qualification to voting in

## CITIES AND TOWNS

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, and not exceeding in the aggregate Thirty Thousand Dollars (\$30,000.00) 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 February 5, 1929.

## CHAPTER 190

## CITIES AND TOWNS

**AN ACT to amend Chapter 153, Volume 29, Laws of Delaware, entitled "An Act to Reincorporate the Town of Seaford" by increasing the amount which may be raised yearly by taxation.**

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

Section 1. That Chapter 153, Volume 29, Laws of Delaware, be, and the same is hereby amended by striking out the word "six" appearing in the third line of Section 30 of said Act, and by substituting in lieu thereof the word "twelve."

Approved February 4, 1929.

## CHAPTER 191

## CITIES AND TOWNS

**AN ACT to authorize the Town of Smyrna to borrow Fifty Thousand Dollars (\$50,000.00) and to issue Bonds therefore.**

WHEREAS, various improvements and needs of the Town of Smyrna make it necessary that the said Town shall in the near future borrow money, and secure the same by the bonds of the said Town, 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 concurring therein):*

Section 1. That the said, the Town of Smyrna, is hereby authorized and empowered to borrow on the credit of the said Town, a sum or sums of money, not exceeding in the aggregate the sum of Fifty Thousand Dollars (\$50,000.00).

Section 2. That the said sum of money, or any part thereof, shall be borrowed whenever in the judgment of the Town Council of said Town it shall be necessary, and the Town Council of the Town of Smyrna shall have full power and authority to issue coupons bonds of the Town of Smyrna to an amount not exceeding the sum of Fifty Thousand Dollars (\$50,000.00) which bonds shall be known as "Town of Smyrna Improvement Bonds". The denominations of the said bonds shall be as determined by the said Council, and they shall be numbered consecutively beginning with number one, and shall bear interest at a rate not exceeding five (5%) per centum per annum, payable on the first days of April, and October in each and every year, at The Fruit Growers National Bank and Trust Company of Smyrna, at Smyrna, Delaware on the presentation of the coupons attached to said bonds, representing said semi-annual interest.

Section 3. Said bonds shall bear date on the First day of April, or the first day of October in the year in which the same shall be issued, and the principal thereof shall be payable at The Fruit Growers National Bank and Trust Company of Smyrna, at

## CITIES AND TOWNS

Smyrna, Delaware, at the expiration of thirty years from their date. The said bonds, or any of them, may be redeemed at the option of the said Town Council of The Town of Smyrna at par and accrued interest, at any interest period after the expiration of two years from the date of said bonds, provided, however, that if the Town Council aforesaid, shall at any time after the expiration of two years from the date of said bonds, elect to redeem any of said bonds, such redemption shall be made in pursuance of notice signed by the President of said Town Council, and by the Treasurer of the said Town, published once a week for two consecutive weeks in a newspaper published in said Town of Smyrna, if one, and in a newspaper published in the City of Wilmington, and a newspaper published in the Town of Dover. Such notice shall indicate the bonds called and such bonds shall be called according to their number, beginning with the lowest number, and the interest on the bonds so called shall cease from the date named for payment thereof.

Section 4. The Town Council of The Town of Smyrna shall direct and effect the preparation, printing and sale of said bonds at such time or times and on such terms as it may deem expedient.

Section 5. The form of said bonds and the coupons thereto attached shall be as prescribed by the Town Council of the Town of Smyrna, and said bonds shall be signed by the President of the Town Council of the Town of Smyrna, and by the Treasurer of said Town and sealed with the corporate seal of said corporation, and shall be exempt from State, County and Municipal Taxes.

Section 6. The said Town Council of the said The Town of Smyrna is hereby authorized and required to levy and raise by taxation in each year, upon all assessable real estate in said Town, a sum of money sufficient to pay all interest accruing on said bonds or any of them, whilst any of said bonds shall remain unpaid, and the said Town Council is further authorized and empowered to levy and raise by taxation from time to time such sum or sums as said Council shall deem proper, to establish a sinking fund adequate for the redemption of said bonds at or

## CITIES AND TOWNS

before their maturity. Said taxes shall be in excess of and in addition to the sum or amount authorized to be raised by the said Council by any other Act, and shall be levied and raised upon assessable real estate in said Town.

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 Town Council of the said The Town of Smyrna 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 Fifty Thousand Dollars (\$50,000.00).

Section 8. The faith and credit of the said The Town of Smyrna is hereby pledged for the payment of all of the bonds, and the interest thereon, that may be issued under the provisions of this Act.

Section 9. 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 in said Town, and said special election may be held, at the discretion of the said Town Council, at the same time as the annual election in the said Town is held, or at some other time. Notice of said election shall be given by advertisements published in at least one issue of a newspaper published in the Town of Smyrna at least one week before the day of such election, and public notice of such election shall be posted in at least ten public places in the said Town, at least one week before the holding of such election, which advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be authorized and the purposes for which the money is to be borrowed. At said election every taxable paying Town Taxes in said Town, and not delinquent in such payment at the time of such election, shall be entitled to vote, and shall have one vote for each dollar, or fractional part of One Dollar, of taxes paid by such taxable according to the last tax assessment in said Town, and for the purpose of this election, residence shall not be a qualification to voting in said Town and at said special election. At said election

## CITIES AND TOWNS

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 an amount not exceeding in the aggregate Fifty Thousand Dollars (\$50,000.00) may be issued as in this Act Provided, but if at such election the majority of the votes cast shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

A statement appearing in the bonds issued under the provisions of this Act to the effect that the bonds have been duly authorized, shall be deemed and held to be conclusive evidence in favor of the holder of any such bonds that the terms and conditions of this Section and of this Act as a whole have been fully met and complied with.

Approved February 18, 1929.

## CHAPTER 192

## CITIES AND TOWNS

**AN ACT to Reincorporate the Town of Smyrna.**

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

Section 1. Boundaries and Town Plot. That the limits and boundaries of The Town of Smyrna, in Kent County and State of Delaware, be and the same shall remain as now fixed and established by Law and as marked and defined by boundary stones. The Town Council of The Town of Smyrna may at any time hereafter cause a survey and plot to be made of the said Town, and the said plot, when so made and approved by the said Council, and signed by the President and Secretary of Council, and sealed with the Town Seal, and when recorded in the office of the Recorder of Deeds of the State of Delaware, in and for Kent County, at Dover, shall be deemed to be the true map and plot of the Town and of all the streets, boundaries, lanes and alleys thereof, and the same, or the record thereof, or a duly certified copy of said record, shall be evidence in all courts of Law and Equity in the State of Delaware.

Section 2. Body Corporate, Powers. The inhabitants of The Town of Smyrna, within the limits and boundaries referred to in Section 1 of this Act, or within the limits and boundaries hereafter established, shall be and they are hereby created a body politic and corporate in Law and Equity by the corporate name of "The Town of Smyrna", and under that name shall have perpetual succession; may have and use a corporate seal, which may be altered, changed or renewed at pleasure; may be able and capable to sue and be sued, plead and be impleaded in all courts of Law and Equity in the State of Delaware, and elsewhere, by said corporate name; may hold and acquire by purchase, gift, devise, lease or condemnation both real and personal property, within or without the boundaries of said Town, for any municipal purpose, in fee simple or lesser estate or interest, and may sell, grant, alien, lease, hold, manage and control such property as

## CITIES AND TOWNS

the interests of the said Town may require, subject, however, to other Sections of this Act. The enumeration of particular powers by this Act shall not be held or deemed to be exclusive, but, in addition to the powers enumerated herein, implied hereby or appropriate to the exercise hereof, The Town of Smyrna shall have and may exercise all powers which, under the Constitution of the State of Delaware, it would be competent for this charter specifically to enumerate. All powers of The Town of Smyrna, whether expressed or implied, shall be exercised in the manner prescribed by this Act, or if not prescribed herein, then in the manner provided by ordinance or resolution of the Town Council of said Town.

Section 3. Town Council, Qualifications, Term, Nomination and Election: The governing body of said Town shall be a Town Council composed of five members who shall be citizens of the said Town above the age of twenty-one years and the owners of real estate within the said Town in their own name, at the time of their nomination and election. The term of a Councilman shall be two years from the last Tuesday in February following his election, or until his successor has been duly elected and qualified.

At the annual Town election on the last Monday in February in the year 1930, there shall be elected two members of Council to succeed the two Councilmen whose present terms will then expire, and at the annual Town election on the last Monday in February in the year 1931, there shall be elected three members of Council to succeed the three Councilmen whose present terms will then expire, and thereafter the successors of members of Council, whose terms will expire at the election then held, shall be elected for the aforesaid term of two years. The members of Council and the incumbents of all other elective offices in said Town, who are duly elected and qualified at the time of the approval of this Act, shall continue in office until the present terms for which they were respectively elected have expired. Said members of Council shall be nominated and elected as follows, viz: at least ten days before the day of election, as hereinafter fixed, nominations shall be filed with the President or any member of Council. Such nominations shall be in writing, signed by the

## CITIES AND TOWNS

nominee or by five other citizens of the Town, at least two of whom shall be freeholders. Each nomination shall be presented to Council at a meeting to be held at the usual meeting place of Council, not later than 8:00 o'clock P. M. on the evening of the last day for filing such nominations. Council shall cause to be printed ballots, at least as many in number as the number of citizens in said Town entitled to vote at the election. Such ballots shall contain the names of all persons nominated under headings designating the offices for which nominated, and such ballots shall be delivered to the persons appointed or selected to hold the election at the opening of the polls, and every citizen calling for a ballot shall receive one from the persons holding the election. Voters may also prepare for themselves ballots, either printed or written, provided that such ballots do not contain a name or names other than those nominated as aforesaid. Every citizen of said Town of the age of twenty-one years, or upwards, who has within twelve months of said election paid a Town tax which has been assessed within said twelve months, shall have the right to vote, and persons arriving at the age of twenty-one years since the last Town assessment shall also have the right to vote. A voter shall not vote for more candidates than are to be elected at the election, and in voting shall cross out the names of all candidates which he or she does not desire to vote for. Such election shall be held on the last Monday in February in each year at the Town Hall in said Town, or at such other convenient place in said Town as shall be appointed by Council by a majority vote, and the polls shall be open from two o'clock P. M. until five o'clock P. M., standard time. In case such election is to be held at some place other than the Town Hall, notice thereof designating the place of election shall be posted on the front door or the front window of the Town Hall, at least ten days before the election. Every election shall be held under the superintendence of three qualified voters of said Town to be appointed for that purpose by Council at least two weeks before the election, but if at the opening of the election, there shall not be present the three qualified voters so appointed, or any one of them, in such case, the persons entitled to vote at such election and then present shall appoint, by viva voce vote, a qualified voter or voters to act. The three persons holding the election shall pass upon the qualifica-

## CITIES AND TOWNS

tions of voters and conduct the election, keeping a list of all voters voting and at the close of such election, canvass the vote and the candidates having the highest number of votes for each office shall be declared elected and certificates shall be made out and delivered to the persons or person so elected. In case of a tie, the three persons holding the election shall, by a majority vote, decide which of the candidates so tied shall be elected.

Section 4. Organization of Council. On the evening of the next day following the annual election, Council shall meet and organize by the election of a President, a Secretary and a Clerk, all of whom shall be members of Council. Before entering upon the duties of their office, the newly elected members of Council shall be sworn by a Notary Public, a Justice of the Peace or by a hold-over member of Council, to faithfully and impartially perform their duties.

## DUTIES AND POWERS OF PRESIDENT

The duties of the President of Council shall be to preside at all meetings of Council; to have general superintendence of municipal affairs, provided, however, that such general superintendency shall in all cases be subordinate to the authority of all committees, and appointees as selected by Council for the superintendency or conduct of any specified municipal activity; to receive complaints of nuisances and all complaints of violations of Laws or Ordinances and present the same to Council at its first meeting thereafter for action of Council and to cause such infractions or violations of the Law or Ordinances, as require immediate action, to be proceeded on before the Town Alderman. The President shall issue and sign all licenses for every exhibition within the Town, or licenses for any other purpose for which, under the Laws of Delaware, or the Ordinances of said Town, a license therefor is required.

The President shall sign all warrants on the Treasurer for the payment of any Town money and shall perform such other duties as may be prescribed by resolution or ordinance of Council. If the President be incapacitated from acting by reason of

## CITIES AND TOWNS

absence, or for any other cause whatsoever, then all the powers and duties conferred and imposed upon him by this Act, or any other Law, or any resolution or ordinance now or hereafter adopted or enacted by Council, shall be exercised and performed by the member of Council chosen by Council as acting President for the period of such incapacity.

The President shall have the same right as other Councilmen to vote on all matters and may at any time appoint another Councilman to preside if he desires to make a motion, move the adoption of a resolution, second either, or debate any question from the floor, and may thereafter immediately resume his duties as presiding officer.

## DUTIES OF SECRETARY

The duties of the Secretary shall be to keep a true and faithful record of all the proceedings of Council at all meetings and to do and perform such other matters and things as may be prescribed by this Act, or Law, or which Council may from time to time prescribe by resolution or ordinance.

## DUTIES OF CLERK

The duties of the Clerk of Council shall be such as are prescribed from time to time by resolution or ordinance of Council.

## ACTS OF MAJORITY OF COUNCIL

That in the general performance of their duties, the acts, doings and determinations of a majority of the entire Council shall be as good as the acts, doings and determinations of all of the members of Council, but if a less number be present at any regular or properly called special meeting, they may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance adopted by a majority of the entire Council. No ordinance, resolution, motion, order or other act of Council, except as immediately hereinabove provided for, shall be valid unless it receives the affirmative vote of a majority of all members elected to Council.

## CITIES AND TOWNS

## VACANCIES

In case of a vacancy or vacancies among the Councilmen, by death, resignation, removal from Town or otherwise, the remaining Councilmen shall elect other or others to serve for the residue of the term or terms.

## DISQUALIFICATION

If any Councilman shall, during his term of office, lose his residence in said Town, or his citizenship in the State of Delaware, or be found guilty of any crime or misdemeanor, he shall forthwith be disqualified to act as a member of Council, and his office shall be deemed vacant and shall be filled by Council, as aforesaid.

## CONTRACTS WITH MEMBERS

It shall be unlawful for the said Council to make or enter into any contract for materials, supplies, work or labor for the use and benefit of The Town of Smyrna with any member of the Council or with any partnership in which any member of Council is a partner, or with any corporation in which any member of Council is a director or stockholder or with any firm or company in which any member of Council is pecuniarily interested, except with the unanimous consent of the entire Council, and such contract shall be absolutely null and void without such unanimous consent.

Section 5. Regular Meetings of Council. The Town Council shall hold regular meetings on the second and fourth Fridays of each month at seven-thirty o'clock P. M., standard time, at the Fire House of Citizens Hose Company No. 1 of Smyrna, or at such other suitable place in said Town as the Council may select, but in the event of a temporary change in the place of meeting, public notice shall be posted at the usual place of meeting not later than 7:30 o'clock P. M. on the evening of the meeting, plainly stating the new place of meeting selected by Council, and the day and hour of such meeting.

## CITIES AND TOWNS

## SPECIAL MEETING, WAIVER OF NOTICE

Special meetings shall be called by the Secretary upon the written request of the President of Council, or upon the written request of any two members of Council, stating the day, hour and place of the special meeting requested and the subject or subjects proposed to be considered thereat. The Secretary shall thereupon give written notice to the President and to each member of Council of the day, hour and place of such special meeting and of the subject and subjects proposed to be considered thereat. Such notice of the Secretary must be deposited in the U. S. mail in the main post office in the Town of Smyrna at least forty-eight hours prior to the time set for such special meeting, provided, however, that a written waiver of such notice, signed by the President and all other members of Council prior to or immediately upon the convening of such special meeting, shall make such forty-eight hour written notice unnecessary and shall authorize and make valid the holding of a special meeting at any time named in such waiver, and the transaction of any business referred to in the waiver, or the transaction of any other business at the meeting, if the waiver so states. The Town Council of the Town of Smyrna shall have the same power and authority to enact all ordinances, adopt all resolutions, pass all motions, make all orders and transact all business at any such special meeting, called as aforesaid, as Council has at a regular meeting.

Section 6. Enumeration of Specific Powers of Council: The Town Council shall have power to enact ordinances to preserve the health of the Town and to prevent the introduction and spread of infectious or contagious diseases, for which purposes the jurisdiction of Council shall extend to any distance within one mile of the corporate limits of the Town; to define, prevent and abate nuisances; to ascertain and fix the boundaries of streets, squares, lanes, alleys and sidewalks; to repair and improve the same; to alter, extend or widen any street, square, lane, alley or sidewalk and to open, lay out, improve and repair new streets, squares, lanes, alleys and sidewalks, subject, however, to the provisions and restrictions in that behalf herein otherwise contained; to regulate and fix the ascents and descents of all

## CITIES AND TOWNS

streets, lanes, alleys and sidewalks and the drainage thereof; to direct and carry out the paving, repaving or improvement of foot pavements and to prescribe the width and materials thereof as hereinafter set forth; to regulate and provide for the improvement of existing and the construction of new gutters and curbs, subject, however, to the provisions and restrictions in that behalf herein otherwise contained; to prescribe the extent and nature of and to alter or remove steps, bay-windows, porches, awnings, drains, sheds, cellar-doors, posts and pillars and all inlets to lots and buildings; to regulate the construction of and repairs to chimneys and to provide for the keeping of the same cleaned and in a safe condition as to fire and other hazards; to regulate or prevent the storage of gasoline, naphtha, oil, gunpowder or any other inflammable, combustible or dangerous substance and materials; to define, investigate, prevent, abate and remove fire and explosion hazards, both within and without buildings in the said Town; to improve, extend, construct and maintain water mains, fire hydrants and other proper instruments for the prevention and combating of conflagrations and to expend through its own channels or through those of some fire company in said Town such sum or sums of money from the unappropriated funds of the Town, from time to time, as Council may deem necessary and expedient for the proper protection from fire of the lives and property of the inhabitants of the Town; to enact such ordinances, not in conflict with the Laws of the State of Delaware, as it may deem necessary and beneficial for the safety, regulation and control of pedestrian, automobile and animal-drawn traffic over the street, squares, lanes and alleys and other public places of the Town, including power to make and enforce any and all parking and non-parking regulations; to enact such ordinances and police regulations as it shall deem necessary and beneficial for the order, protection and good government of said Town; to enact ordinances in relation to the keeping of dogs, to provide for a registration fee therefor and to regulate or prevent their running at large; to enact ordinances to regulate or prevent the keeping of pigs and hogs in said Town or, in its judgment, in the more thickly populated parts of said Town; to employ from time to time skilled surveyors to make plots or maps showing the limits of said Town and ascents, descents and limits of all streets,

## CITIES AND TOWNS

lanes, alleys and sidewalks and the building lines upon the same, to show the location, depth and grade of all sewers and water mains and generally to do and perform all other matters of a cognate nature as may be deemed necessary by Council.

The Town Council shall have superintendence and oversight of all roads, streets, squares, lanes and alleys now opened, or hereafter to be opened, within the limits of the Town, and no overseer, or similar official, shall be appointed by the Levy Court of Kent County, but said Levy Court shall annually appropriate for the repairs and upkeep of the roads and streets in said Town the sums of money provided for by the Laws of the State of Delaware now in force or hereafter enacted and said Levy Court shall make orders for the payment therefor to the Treasurer of the Town for the use of said Town.

The Town Council shall have full power and authority to enact ordinances to prevent, suppress and regulate all bon-fires, the firing of firearms and the setting off and exploding of fire crackers, fire works, torpedoes and all explosives at any place in said Town.

The Town Council shall have power and authority to levy and collect license fees, annually, for such various amount or amounts as Council shall from time to time fix, from any individual, firm, association or corporation carrying on or practicing any business, profession or occupation within the limits of said Town, and shall have authority to levy and collect license fees upon the property of any person, firm, association or corporation carrying on business in said Town and supplying the inhabitants thereof with any form or manner of service for any valuable consideration; to regulate the operation of public utilities within the Town and the use of the streets in connection with the operation of public utilities outside of the Town, or the use of the streets by common carriers, either passenger or freight or both, and to require that licenses from the Town be secured and to determine the amount or amounts to be paid therefor, provided, that this power shall not be deemed to apply to steam utilities; to levy and collect taxes on gas and water mains, underground conduits, telephone, tele-

## CITIES AND TOWNS

graph, electric current or other poles or erections of like character in said Town, together with the wires thereon strung, and to this end may at any time direct the same to be included in or added to the Town assessment, with the authority in Council to cause such mains, conduits, poles and wires to be removed and suit to be instituted to collect the taxes so levied, in the event the owner or lessee thereof refuses or neglects to pay such taxes; Council shall have power to enact ordinances to prevent, abate or regulate electrical or other interferences with radio reception in said Town.

Council shall have the power to enact ordinances for fire protection and to this end may prohibit the use of building materials that Council deems would create a fire hazard in the section to be used and may zone or district the Town and make particular provisions for particular zones or districts with regard to buildings and building materials, and may forbid any building except for which a building permit therefor has been obtained as prescribed by Council. This provision shall be deemed to include new buildings, or rebuilding or additions to or alterations of existing structures of any kind. Council shall have power upon inspection to condemn any existing building or structure that it deems to be a fire menace and to cause the same to be torn down or removed.

The Town Council shall be vested with power and authority to prescribe fines, or penalties, or both, for violations of any of the provisions of this Act, or of the ordinances now in force, or which may hereafter be enacted in pursuance of any power hereof or of any power which may not be enumerated herein, provided, that no ordinance or other Act of Council shall provide any fine of more than One Hundred Dollars, exclusive of costs, nor any penalty by way of imprisonment, in excess of five days, but Council may provide for both fine and imprisonment, not in excess of said limits.

In the preparation and printing of any bonds and the interest coupons therefor now or hereafter authorized by Legislative enactment to be issued by The Town of Smyrna, where any

## CITIES AND TOWNS

such bond is signed by the President of the Town Council of The Town of Smyrna and by the Treasurer of The Town of Smyrna, and the Trustee's Certificate on said bond is signed by the Secretary on behalf of The Town Council of The Town of Smyrna, the signatures of the President of the Town Council and of the Treasurer of said Town on the interest coupons attached to and belonging with such bonds may be facsimiles, either engraved, printed or stamped on said coupons.

The enumeration of particular powers of The Town Council of The Town of Smyrna herein shall not be held or deemed to be exclusive, but in addition to the powers enumerated in this Act, implied hereby or appropriate to the exercise hereof, it is intended and enacted that the Town Council of The Town of Smyrna shall have and may exercise all other powers, which, under this Act and the Laws of the State of Delaware, it would be competent for this Act specifically to enumerate and which are necessary for the proper conduct of the government in said Town.

All powers of Council, whether expressed or implied, shall be exercised in the manner prescribed by this Act, or if not prescribed herein, then in the manner provided by ordinance or resolution of Council.

Section 7. Nomination and Election of Alderman and Town Collector: The said Town shall have an Alderman and Town Collector and one and the same person shall be nominated and elected to fill both offices. The qualifications of such Alderman and Town Collector shall be the same as members of Council. The term of the Alderman and Town Collector shall be one year from the last Tuesday in February following his election or until his successor has been duly elected and qualified. At the annual Town election in 1930 an Alderman and Town Collector shall be elected for said term, and his successor elected thereafter in each year at the annual Town election, provided, however, that the Alderman and Town Collector now appointed or to be appointed by Council to serve until the annual Town election in 1930 shall continue in office, or assume his office, as the case may be, with the same powers, remedies, authority, duties, requirements as

## CITIES AND TOWNS

to bonding and all other requisites and attributes of such offices as were provided for by the various Sections of the Act or Acts in force prior to the approval hereof, and until said annual election in 1930, and until his successor qualifies and gives bond.

The said Alderman and Town Collector shall be nominated in the same manner and elected by the same qualified voters, at the same Town elections and by the same rules as are prescribed in Section 3 hereof, for the nomination and election of members of Council.

Before entering upon the duties of his office, the Alderman shall be sworn or affirmed by the President, or acting President of Council, to perform his duties of office faithfully and honestly.

## DUTIES AND POWERS OF ALDERMAN

It shall be the duty of the Alderman to execute all Laws and ordinances enacted for the government of The Town of Smyrna and to carry into effect all proper orders and instructions of the Town Council made in pursuance of this Act or any Law of the State of Delaware, or in pursuance of any ordinance that Council may legally make and establish. He shall have all powers of a Justice of the Peace within the said Town and shall have jurisdiction and cognizance of all breaches of the peace or other offences in said Town so far as to arrest and hold to bail or fine or imprison offenders, or both; also of all forfeitures and penalties which may be prescribed by any Law of the State of Delaware or by any ordinance of Council duly passed and established for the government of said Town; and also of all neglect, omissions or defaults of any Town Constable, member of the Board of Assessment, Treasurer, Clerk or any other officer or person whose duty it may be to collect, receive, pay over or account for any money belonging to said Town or to execute or obey any Law or ordinance thereof; provided, however, that he shall not impose any fine exceeding One Hundred Dollars, exclusive of costs, and shall not impose any jail sentence of more than five days, and shall have no jurisdiction in civil matters exceeding Five Hundred Dollars, exclusive of costs. The fees of the Alderman for any

## CITIES AND TOWNS

service under this Section shall be the same as those established by Law for a Justice of the Peace for the like service and for any service or duty for which no fee may be provided by the Laws of Delaware, the fee may be established by ordinance or resolution of the Town Council. If the Alderman shall resign, remove from the said Town or be disqualified as herein otherwise provided or shall not be re-elected to office, he shall deliver to his successor in office, within two days after the appointment or election of such successor, all books, papers and other records belonging to his office and shall pay over to the Treasurer of the Town all moneys in his hands belonging to the Town within five days after his resignation, or removal from the Town, disqualification or end of his term, as the case may be. Upon his neglect or failure to deliver said books and records as aforesaid, or to pay over to the Treasurer of the Town all moneys belonging to the Town as aforesaid, or both, he shall be deemed guilty of a misdemeanor and, upon conviction thereof by indictment, shall be fined not less than Two Hundred Dollars, nor more than Two Thousand Dollars.

The Alderman shall, at the first regular meeting of Council in each month, report to Council all fines imposed by him during the preceding month and on the same day pay to the Treasurer of The Town of Smyrna all such fines, penalties and all money in his hands belonging to said Town, and received by him during said time, and upon default in making such report, or paying over such fines and penalties, for a period of twenty days after such report is to be made as aforesaid or such fines and penalties and other moneys belonging to said Town are to be paid as aforesaid, he shall be deemed guilty of a misdemeanor and, upon conviction thereof by indictment, shall be fined not less than Two Hundred Dollars nor more than Two Thousand Dollars.

## TOWN COLLECTOR

It shall be the duty of the Town Collector to collect all Town Taxes, water and sewer rents, charges for electric current and all other kinds of Town revenue and to pay the same to the Town Treasurer as herein otherwise provided.

## CITIES AND TOWNS

The Town Collector, before entering upon the duties of his office, shall give bond to The Town of Smyrna, with sufficient surety to be approved by Council, in the sum of Ten Thousand Dollars, conditioned for the faithful performance of the duties of his office and the payment to The Treasurer of said Town of all moneys collected by him belonging to said Town from taxes, sewer and water rents, electric current accounts and all other Town revenue and for the settlement of his accounts with the Treasurer of the Town at the end of each fiscal year, and oftener and at such other times as Council may require, to which bond and condition there shall be annexed the usual full warrant of attorney for confession of judgment for said penalty of Ten Thousand Dollars.

Section 8. Nomination, Election, Oath, Bond of Town Treasurer. The said Town shall have a Town Treasurer who shall have the same qualifications as members of Council. The term of the Town Treasurer shall be one year from the last Tuesday in February following his election, or until his successor has been duly elected and qualified. At the annual Town election in 1930 a Town Treasurer shall be elected for said term and his successor elected thereafter in each year at the annual Town election. The person being Town Treasurer at the time of the approval of this Act shall be Town Treasurer for and during the period he was elected to such office.

The Town Treasurer to be elected as aforesaid, shall be nominated in the same manner and be elected by the same qualified voters, at the same Town elections and by the same regulations as prescribed in Section 3 hereof for the nomination and election of members of Council.

The Town Treasurer, before entering upon the duties of his office, shall be sworn or affirmed to faithfully and honestly perform the duties of his office, which oath or affirmation shall be administered by the President, or acting President of Council.

The Town Treasurer, before entering upon the duties of his office, shall also give bond to The Town of Smyrna, with sufficient

## CITIES AND TOWNS

surety to be approved by Council, in the penal sum of Six Thousand Dollars (\$6,000.00), conditioned for the faithful discharge of the duties of his office and for the payment to his successor in office of all sums of money belonging to said Town which may remain in his hands upon the settlement of his accounts, to which bond and condition shall be annexed a warrant of attorney for the confession of judgment for said penalty.

The Treasurer shall pay all orders drawn on him by order of said Council and signed by the President and Secretary thereof, out of any monies in his hands belonging to said Town. He shall settle his accounts with said Council annually by the end of the fiscal year, and oftener and at such other times as Council may require.

Section 9. Assessment. The said Town shall have a Board of Assessment, the members of which shall have the same qualifications as members of Council. Beginning with the annual Town election in the year of 1930, the Board shall consist of three members who shall each be elected for one year from the last Tuesday in February following their election and each third year thereafter such Board of three members shall be elected for said term of one year each from the last Tuesday in February following their election in each of said third years. Beginning with the annual Town election in the year of 1931, the Board shall consist of one member only who shall be elected for one year from the last Tuesday in February following his election, and thereafter only one member shall be elected in each year except in said years when the Board is to consist of three members as above prescribed.

The person being Assessor at the time of the approval of this Act shall be the sole member of the Board for and during the period he was elected to such office.

The members of the Board of Assessment to be elected as aforesaid, shall be nominated in the same manner and shall be elected by the same qualified voters, at the same Town elections

## CITIES AND TOWNS

and by the same regulations as prescribed in Section 3 hereof for the nomination and election of members of Council.

It shall be the duty of the Board of Assessment, in the years when it is composed of three members as aforesaid, to make a personal inspection of all taxable real and personal property in said Town and to make a true, just and impartial valuation and assessment of all taxable real and personal property within said Town at the true market value thereof at the time the assessment is made and also an assessment or list of all persons, both male and female, residing in said Town, of the age of twenty-one years or upwards, including those owning real or personal property, or both, as well as those owning neither.

It shall be the duty of the Board of Assessment, in the years when it is composed of only one member, to make personal inspection only of such real or personal property as has undergone some change of condition since the last general inspection and assessment by the Board of three members and to make a true, just and impartial assessment of such taxable real and personal property as has undergone such change of condition at the true market value thereof at the time the assessment is made, and to make a true and correct copy according to the last general assessment of all other taxable real and personal property within said Town, and to make any changes therein found necessary by reason of changes of ownership, and also an assessment or list of all persons, both male and female, residing in said Town, of the age of twenty-one years or upwards, including those owning real or personal property or both, as well as those owning neither.

The Board of Assessment, in all years, shall make three copies of such assessment and return the same to Council within four weeks next after election of the Board to office.

The members of the Board of Assessment, before entering upon the duties of their office, shall be sworn or affirmed by the President or acting President of Council to faithfully and impartially perform the duties of their office.

## CITIES AND TOWNS

Section 10. Disqualification of Elective Officers. If the Town Treasurer, or any member of the Board of Assessment or the Alderman and Town Collector shall, during his respective term of office, lose his residence in said Town, his citizenship in the State of Delaware, or be found guilty of any crime or misdemeanor, he shall forthwith be disqualified to act as such Treasurer, member of said Board of Assessment or Alderman and Town Collector, and his office shall be deemed vacant and shall be filled by appointment of Council for the residue of his term, provided that the person appointed by Council to fill such vacancy or vacancies shall have the same qualifications as are required of a candidate for the office to be so filled and provided, further, that Council shall have the same powers and limitations of appointment in case of any vacancy in the aforesaid offices due to death or resignation of the incumbent or incumbents.

## COMPENSATION

The Town Treasurer, the members of the Board of Assessment, the Alderman and Town Collector, the Secretary and the Clerk of Council shall each receive a reasonable compensation for their services to be determined by Council.

The President and other members of Council shall each receive a reasonable compensation for their services, to be fixed by Council but not to exceed Fifty Dollars each in any year.

The President and members of Council shall be reimbursed for their actual and necessary expenses while out of the said Town on business of the Town which has been duly authorized by motion, resolution or order of Council.

Section 11. Removal of Appointed Officers. The Town Council shall have full power and authority, by a majority vote of all members, to remove at any time any of the officers or employees of said Town that are elected or appointed by said Council, when Council shall deem it proper so to do for cause except appointees of Council to fill unexpired terms of elective officers of said Town.

## CITIES AND TOWNS

No person appointed to office by Council shall be removed from his office during the term for which he was appointed except for cause, and in such event such officer shall have a copy of the charges at least one week before the meeting of Council to act upon such charges and at such meeting shall have the right to be heard in his own behalf, and may be represented by counsel, and Council shall hear such witnesses and evidence as he may desire to present relating to such charges, provided, however, that any such officer may be immediately suspended, with salary, pending such hearing and the final determination of the case by Council.

Section 12. Use of Town Money. The Town Council of said Town shall have full power and authority to use the money in the Treasury of said Town, or any portion thereof, from time to time, for the improvement, benefit, protection, ornament and best interests of the said Town, as Council may deem proper, and to use Town money to accomplish and carry into effect all acts and things which it has power to do by virtue of the Laws of Delaware, this Act and all lawful ordinances and resolutions of Council. In the general performance of its duties, and particularly in the expenditure of moneys of the said Town, the acts, doings and determinations of a majority of the entire Council shall be as entire Council. In case of the absence or other incapacity of entire Council. In case of the absence of other incapacity of Councilmen or in case of a vacancy or vacancies in Council, the remaining members, providing they constitute a majority of the entire Council. In case of the absence or other incapacity of authority as the entire Council, but no funds of the said Town shall be used for any purpose without the affirmative action of a majority of all members elected to Council.

Section 13. Fiscal Year, Annual Statement. The fiscal year of the said Town shall begin the first day of February in each year and shall end with the next succeeding thirty-first day of January. The Town Council shall cause a full and correct annual statement of the receipts and disbursements of all Town moneys for the fiscal year next preceding, to be published in a newspaper published in The Town of Smyrna, or if there be none, one pub-

## CITIES AND TOWNS

lished in Kent County, at least once not more than two weeks and not less than one week prior to the annual Town election.

Section 14. Taxation. The Town Council of The Town of Smyrna is hereby authorized and empowered to levy and collect from the taxables of said Town, according to the terms and provisions of this Act, and any other Acts not hereby repealed or made inconsistent hereby, such sum of money as may be deemed by Council necessary and proper for the general municipal needs of said Town, which sum shall in no year exceed Fifteen Thousand Dollars (\$15,000.00), clear of all delinquencies and expenses of collection.

Provided, however, that such limit of Fifteen Thousand Dollars (\$15,000.00) for general Town purposes shall not limit nor forbid the Council to levy and collect such further and additional taxes or sums of money in any year as may be necessary or expedient to pay the interest on the bonds of The Town of Smyrna now outstanding, or authorized to be issued, or on bonds of The Town of Smyrna hereafter authorized by Legislative enactment, and such sum or sums deemed by Council to be necessary or expedient to retire such bonds when and as they become due or before they become due, and also such sum or sums deemed by Council necessary or expedient to create an adequate sinking fund reserve for the retiring of Town bonds either before or at the time they become due, and the Town Council is hereby granted full power and authority to levy and collect such additional taxes or sums of money in any year as it deems necessary or expedient for the aforesaid payments of interest on bonds, for the creation of such sinking fund reserves and for the retiring of bonds of said Town, whether such bonds be now outstanding, now authorized but not issued, and/or may be authorized and issued in pursuance of Legislative enactment in the future.

## SPECIAL TAX BY TOWN MEETING

PROVIDED, further, that the citizens of The Town of Smyrna may assemble in Town Meeting on the evening of the last Monday in April in any year to determine whether any sum

## CITIES AND TOWNS

or sums additional to those hereinbefore mentioned shall be levied and collected for any specific purpose or purposes during that fiscal year; notice of which meeting, the day and place thereof and the special purpose and purposes for which additional sum or sums are desired to be raised having been published by Council, or by any taxable, or group of taxables of said Town, in a newspaper published in The Town of Smyrna, or if there be none such, in a newspaper published elsewhere in Kent County, in at least two issues preceding the time set for said Town meeting. At said meeting a resolution or resolutions in writing shall be offered, stating explicitly the additional sum or sums needed or desired, and the specific purpose or purposes to which the said sum or sums shall be applied. At said meeting every resident and non-resident taxable of said Town, having paid all taxes assessed to them and due and payable at the time of said Town meeting, shall be entitled to vote and shall have one vote of\* each dollar, or fractional part of a dollar of taxes paid by him or her according to the last assessment in said Town. It shall be the duty of the Town Collector to be present at the meeting with the tax and assessment records of his office and to inform the voters and the officers of the meeting the number of votes the respective voters are entitled to cast and his records in this respect shall be official and final. The qualified voters as aforesaid, present at the Town meeting, shall then proceed to vote "yes" or "no" by ballot, upon said resolution or resolutions and the result for or against the resolution or resolutions shall be certified to the Secretary of the Town Council within three days after the said Town Meeting by the persons chosen by the qualified voters present at the Town Meeting as chairman and Secretary of the Town Meeting and, if a majority of the votes cast at the Town Meeting shall be in favor of said resolution or resolutions, then the Town Council shall levy and collect said additional sum or sums and apply the same for the purpose or purposes specified in said resolution or resolutions, and if more is authorized to be levied and collected than is necessary for the purpose or purposes specified, the residue shall be carried into the general fund or Treasury of the Town for general Town purposes, but if a majority of the

\*So enrolled.

## CITIES AND TOWNS

votes cast at the Town Meeting be against the resolution or resolutions, the Town Council shall not levy and collect said proposed additional sum or sums. The authority for such additional taxes, as above provided for, shall only apply to and be effective for the fiscal year in which the Town meeting is held and the additional taxes are approved. The moneys arising from any additional taxes, approved and levied as aforesaid, need not all be expended by Council during the fiscal year they are authorized, if the purpose or purposes approved by the Town meeting have not been completed, but the Council must complete the specified work as soon as practicable.

## POLL TAX AND COURT OF APPEALS

The Town Council shall annually fix the sum to be assessed upon each and every citizen residing in said Town, of the age of twenty-one years or upwards, including those then owning, as well as those not owning, taxable real or personal property, or both, within the limits of said Town, but the sum so fixed shall be one and the same for every class and description of citizens. The Council shall, after receiving the three copies of assessment from the Board of Assessment as hereinbefore provided, and after assessing the real estate or personal property, or both, and the person, of the members of the Board of Assessment, cause two of the copies of the assessment to be hung up in two such public and convenient places, as Council shall designate in said Town, where they shall remain for at least ten days prior to the first Monday in May for public inspection and the Council shall, on the first Monday in May of each year hold a Court of Appeals, or Appeal Day, which shall continue open from one o'clock P. M. until five o'clock P. M. of said day at the Alderman's office in said Town, or at such other place as may be designated in the two copies of the assessment hung up as aforesaid, at which time and place Council shall hear and determine appeals from the said assessment and may make such corrections, authorize such additions to or alterations in said assessment as Council determines to be proper. Council may adjourn the Court of Appeals to the following day if all appeals cannot be heard on the regular Appeal Day above provided for. Notice of the hanging up of said two

## CITIES AND TOWNS

assessment lists, and also at the same time, notice of the time and place of hearing appeals, shall be given by posting notices in at least five public places in the Town of Smyrna at least ten days prior to the first Monday in May. The determination and decision of Council upon any appeal, or upon any matter relating to such assessment, shall be final and conclusive. No member of Council shall sit to hear his own appeal but such appeal shall be heard and determined by the other members of Council. After the said valuations and assessment shall be examined, adjudged and approved by Council as aforesaid, all taxes shall be levied, assessed and raised on taxable real estate and taxable personal property and persons thus valued and assessed, in just and equal proportions and rates.

The Town Council of said Town after having ascertained and determined the sum necessary and proper to be raised from the taxables of said Town, and after having apportioned the same on the assessment and valuation aforesaid, shall annually, not later than the fifteenth day of May in each year, cause to be delivered to the Town Collector a list or assessment containing the names of taxables, as well as the owners of real estate, or personal property, or both, as those not owning real estate or personal property, or either, and opposite the name of each taxable the amount of real estate, or amount of personal property, or both, and his or her poll and the taxes on the whole valuation and assessment and the rate per Hundred Dollars thereof, which list or assessment, with the warrant for collection of the taxes assessed, shall be approved by Council and shall be signed by the President and Secretary of Council. The Town Collector immediately after receiving said list and warrant, shall proceed to collect the taxes as written and contained in said list and in collecting the same shall have all of the powers conferred by Law on the Receiver of Taxes in Kent County by virtue of the Laws of the State of Delaware now in force or hereafter enacted. In the collection of said taxes, Council of said Town shall authorize and order the Town Collector to deduct six per centum from the amount of the tax assessed against the person or property of any taxable who will pay such tax by the first day of June, next following the assessment of the said tax, and to add to the amount of the tax assessed against the person or property of any taxable

## CITIES AND TOWNS

to be paid after the last day of September in the year in which the assessment and warrant shall be delivered to him, a penalty at the rate of one per centum per month until same shall be paid.

## ATTACHMENT FOR TAXES

That in addition to the powers hereunto given to the Collector for the collection of the said Town Taxes, it shall be and may be lawful for such Collector, on and after October first in each year and after demand made by him upon the person against whom the taxes may be assessed, either a poll tax or on real or personal property, or both, for the payment of the tax assessed, and the failure of said taxable to pay the same on said demand, to give written notice to any person or persons residing in Kent County, whom the Collector may believe to have in his, her or their possession any goods, chattels, rights, credits, moneys or wages belonging to or owing to said taxable, stating the amount of taxes due from said delinquent taxable, and if the person served with notice as aforesaid shall refuse or neglect for thirty days after such notice to file a statement with said Collector, giving in detail the goods, chattels, rights, credits, moneys or wages in his hands belonging to said delinquent taxable, or any he has, or had at the time of such notice, and to deliver the same to the Collector, or to pay into the hands of the Collector so much money as will satisfy said Town for taxes due and owing to said Town from said delinquent taxable, and all costs incurred in and about the collection of taxes due said Town from said delinquent taxable, the Collector may proceed by suit in the name of The Town of Smyrna, before any Justice of the Peace in the Town of Smyrna, or if there be none in said Town, a Justice of the Peace elsewhere in Kent County, against any person notified as aforesaid and failing as hereinbefore provided, and may recover against him, her or them a judgment for the amount of the Town Taxes due from said delinquent taxable and all costs. The costs shall be fixed by the Justice of the Peace hearing the case and shall conform, as nearly as may be, in amount to fees in cases now cognizable before a Justice of the Peace. The costs for serving the written notice shall be the same as now provided by Law in cases of attachment. The oath of the Collector shall be suffi-

## CITIES AND TOWNS

cient evidence of the demand on the taxable and the service of notice upon and refusal or neglect of the person, in whose hands were supposed to be goods, chattels, rights, credits, moneys or wages of such delinquent taxable.

Section 15. Exemption of Property from Taxation. The Town Council of said Town shall have power by an ordinance, or by a resolution, to relieve, release, exonerate and exempt the real or personal property, or both, of any person, firm, association or corporation used in any manufacturing business within the limits of said Town and employing not less than six persons; and the real, or personal property, or both, of any person, firm, association or corporation used in the manufacture or distribution or both, of water, gas, electric current or other service or commodity deemed desirable or necessary for the best interests of the inhabitants of said Town, and the real or personal property, or both, held, owned, leased, or employed by any person, firm, association or corporation with whom Council may now or in the future have a contract for the furnishing to said Town and its inhabitants of electric current, light, power, heat, water or any or all of them from any assessment of taxes for Town purposes or other taxes over which Council has power or authority and from the payment of the same. No property shall be exempt from taxation aforesaid until such an ordinance is enacted or such a special resolution adopted and the period of such exemption shall be only such as is set forth in said ordinance or resolution, and shall not be in excess of ten years, and shall only be revokable upon the breach of a condition contained in such ordinance or resolution.

Section 16. Obstructions, Nuisances and Unsanitary Conditions. The Town Council shall have power and authority to enact ordinances or adopt resolutions to define, prevent, abate and remove all obstructions, nuisances and unsanitary conditions at any time existing or deemed to be contemplated whether in the streets, squares, lanes or alleys, or on the sidewalks or in any other public or private place within the limits of said Town either on its own inspection, or upon the written complaint of any citizen of said Town, stating the character and location of the obstruction, nuisance or unsanitary condition, and signed by the citizen

## CITIES AND TOWNS

making the complaint. If a majority of Council, either upon inspection or upon such information, or both, shall determine that such obstruction, nuisance or unsanitary condition exists and ought to be removed or abated, as the case may be, Council shall enact an ordinance or adopt a resolution, or both, appropriate to the contemplated or existing condition and Council shall thereupon give notice in writing, signed by the President or acting President of Council to the person or persons contemplating or causing such obstruction, nuisance or unsanitary condition, or to the person or persons who are responsible for its existence or continuance, to remove or abate the same, and if such person or persons refuse or neglect for the space of two days after such notice is mailed to remove or abate the stated condition, Council shall have power and authority to cause such obstruction, nuisance or unsanitary condition to be removed or abated; and for this purpose Council may issue a warrant in the name of The Town of Smyrna, under the hand of its President, or acting President, and the seal of the Town, and directed to any Constable of the Town, commanding him forthwith to remove or abate such obstruction, nuisance or unsanitary condition, whereupon the Constable to whom said warrant may be delivered, shall forthwith proceed to remove or abate the same and for such purpose he shall have full power and authority to enter into and upon any lands and premises in said Town and to take with him such assistants, implements, horses, carts, wagons, automobiles, trucks, or other things, as may be necessary and proper, and to do and perform all matters and things right, proper and necessary to be done for the removal or abatement of such obstruction, nuisance or unsanitary condition. The costs of all the necessary work, labor and proceedings of the Town in the removal or abatement of such obstruction, nuisance or unsanitary condition shall be determined by Council upon the completion of the work, and if such amount be not paid to the Treasurer of said Town, for the use of the Town, by the person or persons causing or responsible for such obstruction, nuisance or unsanitary condition, within ten days after a bill stating the amount of such costs is presented or mailed to such person or persons at their last and best known post office address, then Council may proceed to collect the same out of the goods and chattels, lands and tenements of such per-

## CITIES AND TOWNS

son or persons and it shall be the duty of Council to issue a warrant in the name of The Town of Smyrna under the hand of the President of Council, or the acting President, and the seal of the Town, directed to the Alderman of the Town, commanding him that of the goods and chattels, lands and tenements of such person or persons he shall cause to be levied and made the amount of said bill, together with all costs. It shall be the duty of the Alderman, as soon as convenient thereafter, and after ten days written notice to such person or persons deposited in the mails and directed to such person or persons at his or their last and best known post office address, and after posting five or more notices of sale in at least five of the most public places in said Town at least ten days before the day of sale, to first sell the goods and chattels of such person or persons at public auction in said Town, or so much thereof as may be necessary to pay the amount of said bill with all costs. If no goods or chattels of such person or persons can be found in said Town, or the goods and chattels found and sold as aforesaid be not sufficient to satisfy the amount of said bill with all costs, then it shall be the duty of the said Alderman, after further notice of ten days, given to said person or persons in the same manner, as aforesaid for the sale of goods and chattels, and after posting five or more notices of sale in at least five of the most public places in said Town, for at least ten days before the day of sale, and after causing such notice of sale to be published once in a newspaper published in the Town of Smyrna, or if there be none such, in a newspaper published elsewhere in Kent County, to sell the lands and tenements of such person or persons, or so much thereof as may be sufficient to satisfy the amount of said bill and all costs, and a deed from the Alderman of said Town shall be made and shall convey to the purchaser or purchasers of such lands and tenements as full and complete title, in fee simple or lesser estate, as if the same were executed by the person or persons whose lands and tenements were sold as aforesaid. The claim for the expense of the Town in removing or abating such obstruction, nuisance or unsanitary condition, and all costs, shall be a lien on the premises where such obstruction, nuisance or unsanitary condition exists, and said lien shall relate back to the time when the first notice to remove or abate shall have been served upon such person or persons and

## CITIES AND TOWNS

shall have priority over any lien, encumbrance or conveyance suffered or made by such person or persons after the mailing of said notice. It shall be the duty of the Alderman, out of the purchase money from the sale of said goods and chattels, or lands and tenements, to pay all costs arising from said proceedings and sale to the parties entitled to such costs, to retain and pay to the Town Treasurer, for the use of the Town, the amount of the said bill to the Town, and the residue of said purchase money, if any, shall at once be deposited in some Bank in the Town of Smyrna to the credit of the owner or owners of said goods and chattels, or lands and tenements. The Alderman shall be entitled to receive ten dollars for every sale of personalty under this Section and twenty dollars for every sale of real estate under this Section, together with such additional sum as may be allowed by Council for the keeping and care of such personal property, for selling the same, and for said advertising, all of which shall be a part of the costs aforesaid to be paid out of the purchase money. Any notice required by this Section to one co-owner shall be notice to all, and in case no owner shall reside in said Town, said written notice deposited in the mail in a sealed envelope and addressed to such owner at his or her last and best known post office address shall be deemed proper notice. Council in addition to the provisions of this Section hereinbefore set forth shall have power and authority to enforce, by ordinance, all the requirements of this Section by imposing such fines and penalties as shall in the judgment of Council, be necessary and proper which shall be additional to the said expenses and costs of removal or abatement. For all the purposes of this Section, any property, whether dwelling storehouse, or both, or otherwise, which does not have proper connections with the sewer system of the said Town, if such sewer connections be available for such property, shall be deemed to be in an unsanitary condition under the meaning of this Section, at the discretion of the Council.

Section 17. Streets. The Town Council shall have power and authority to locate, lay out and open new streets and to widen and to alter existing streets or parts thereof, and to vacate or abandon streets or parts thereof, whenever they shall deem it for the best interests of the said Town. The procedure in every

## CITIES AND TOWNS

case as aforesaid shall be as follows: The said Council shall, by a majority vote, adopt a resolution favorable to the opening of the new street, or to the widening or altering of a street, or to the vacating or abandoning of a street, or any part thereof, as the case may be, and giving a general description of the street to be opened or widened, or altered, or of the street or part thereof to be vacated or abandoned, as the case may be. The said resolution shall also state the day, hour and place when the said Council will sit to hear objections and to award just and reasonable compensation to anyone who will be deprived of property. A copy of such resolution shall be posted in five or more public places in the said Town at least five days before the day fixed for the hearing aforesaid.

At the time and place fixed in the said resolution, said Council shall hear such residents of the Town or owners of the property affected as shall attend, and it shall at said meeting, or at a subsequent day, as it shall deem proper, adopt a resolution, by a majority vote, to proceed with, or to abandon, as it shall deem for the best interests of the said Town, the opening of the new street or streets, or the widening, altering, vacating or abandoning of the existing street or streets, or parts thereof, as the case may be, as contemplated in its prior resolution. And in case the determination of the said Council shall be to proceed with the plan contemplated by the resolution first aforesaid, Council shall award just and reasonable compensation to anyone who will be deprived of property in consequence thereof. Such compensation, if any be awarded, shall be paid by the Treasurer of the Town, on a warrant drawn on him by authority of the Council aforesaid upon delivery of a Deed in fee simple in favor of The Town of Smyrna, and clear of all liens and encumbrances. If anyone who will be deprived of property as aforesaid be dissatisfied with the compensation awarded by the Council aforesaid, he may, within five days after the award of the Council as aforesaid, appeal from such award by serving written notice to that effect on the Secretary or President of Council. In order to prosecute said appeal such appellant shall within five days, after the expiration of the five days allowed for the appeal as aforesaid, apply to the Judge of the Superior Court for the State of

## CITIES AND TOWNS

Delaware resident in Kent County, or in his absence at said time, to the Chief Justice of the said Court, for the appointment of free holders to hear and determine the matter of compensation to such appellant for any property of which he will be deprived as aforesaid, and thereupon the said Judge or Chief Justice, as the case may be, shall issue a commission under his hand directed to five impartial freeholders of Kent County, commanding them to determine and fix the damages which the said appellant will sustain by reason of being deprived of any property as aforesaid, taking into consideration the benefits or advantages that will enure to the said appellant from said new street or otherwise, and to make return of their findings to the said Judge or Chief Justice, as the case may be, at a time appointed in said commission. The said freeholders shall give notice of the day, hour and place when they will meet to view the premises and to assess the damages, if any, as aforesaid. Such notice shall be served upon the appellant personally, or by posting a copy on the premises affected at least five days before the day when they are to view the premises as aforesaid and a copy of such notice shall also be served on the Secretary or the President of Council at least five days before the day of such meeting.

The freeholders named in such commission being first sworn or affirmed on the day and at the hour and place stated in the notice aforesaid, shall view the premises and hear the appellant and his witnesses and the Council and its witnesses, and shall without delay, determine and fix the damages, if any, which the said appellant will sustain by reason of being deprived of any property as aforesaid. Thereupon and without delay the said freeholders shall make return in writing of their proceedings in the premises to the said Judge or Chief Justice, as the case may be, who shall cause the said return to be delivered to the said Secretary or President of Council and such return shall be final and conclusive. The said Judge or Chief Justice shall have power to fill any vacancy among the freeholders. The amount of damages being ascertained as aforesaid, the said Council may pay or tender the same to the person or persons entitled thereto, within one month after the same shall be finally ascertained, or may deposit the same to his or her credit in any Bank in the Town of

## CITIES AND TOWNS

Smyrna to the credit of the person or persons entitled thereto within the said period of one month, and thereupon the said Council may carry into effect the plan contemplated in their resolutions aforesaid. In the ascertainment and assessment of damages by the freeholders appointed by the Judge or Chief Justice aforesaid, if the damages shall be increased or if Council shall decide not to take said land, the costs of the appeal shall be paid by the Treasurer of the said Town out of any money in his hands belonging to the Town, but if said damages shall not be increased, the costs of the appeal shall be paid by the party appealing. The fees to the freeholders shall be five dollars per day to each, which shall be taxed as part of the costs. After the damages shall be fixed and ascertained by the freeholders as aforesaid, Council shall have the option of paying the damages assessed within the term aforesaid and proceed with the said improvements, or upon the payment of the costs only, may abandon the proposed improvements.

Whenever the land comprehended or included in any street, or part thereof, vacated or abandoned under this Section is owned by the said Town, the Council may, in its discretion, sell such land at public sale and for such consideration as the Council shall deem proper, and shall have the right and power to convey to the purchaser or purchasers thereof a good and sufficient title thereto for whatever estate the said Town may have therein.

The word "street" shall be deemed and held to comprehend and include sidewalks, lanes and alleys for all the purposes of this Section.

Section 18. Paving, Guttering, Curbing. The Council shall have the power to cause to be paved or repaved the sidewalks of the said Town, or any part or portion thereof, and shall have power to have existing curbs or gutters, or both, repaired or relaid, or new curbs or gutters, or both, constructed, or any part or portion thereof, in said Town, with such material or materials and of such width or size, and subject to such specifications as it shall determine. Before the exercise of said power in any particular instance, the Council shall adopt an ordinance or resolu-

## CITIES AND TOWNS

tion stating in effect that on a named day and at a named hour and place the Council will meet to consider the question of paving or repaving the sidewalks with a specified material or materials, or repairing existing curbs or gutters, or both, or altering existing curbs or gutters, or both, with any specified material or materials and according to the stated specifications on a named street in front of the property of named owners, and of assessing the cost thereof against such owners. The said ordinance or resolution shall be published at least one week prior to the meeting aforesaid in at least one issue of a newspaper published in the said Town, or in a newspaper published elsewhere in Kent County, if there be none published in said Town. The Council shall hold a meeting in said Town in accordance with said ordinance or resolution and thereat shall hear the aforesaid owners of property and other residents of the Town appearing on the questions referred to in the said ordinance or resolution.

After such hearing, the Council, either at said meeting or at a subsequent meeting, shall decide whether or not to proceed with the improvements referred to in the said ordinance or resolution, and if it shall decide to proceed, it shall determine whether the whole or some specified proportion of the cost of the improvements aforesaid in front of the real property of the owner or owners named in the aforesaid ordinance or resolution shall be borne by said owners. If said determination shall be that the whole or a specified proportion of said cost shall be borne by said owners, then and in such case the said owners shall be compelled to pay the whole or the specified proportion of the cost aforesaid, as the case may be, the amount to be paid by the owner of each parcel of property affected to be determined by the lineal frontage of the parcel on the sidewalk to be paved or repaved, or on the gutter to be repaired or laid, or on the curb to be repaired or constructed, or any or all of said improvements, as the case may be.

When the said paving or repaving, curbing or recurbing, guttering or reguttering, or any or all of them, have been done and the cost thereof ascertained, the Council shall ascertain the amount that the owner of each parcel of property aforesaid shall pay as hereinbefore stated, and shall give written notice thereof

## CITIES AND TOWNS

to such owner, or one of the co-owners, by mailing the same to his last known address. If any such owner shall fail to pay the specified amount within thirty days after the mailing of such notice, the same may be collected by the sale of his aforesaid real property. Such sale shall be made by the Alderman who shall advertise the parcel of real property for sale in at least two issues of a newspaper published in the Town of Smyrna, or in a newspaper published elsewhere in Kent County, if there is no such newspaper published in said Town, before the day of sale and shall post five such notices in said Town at least ten days before the day of sale. Such advertisements shall give such general description of the parcel to be sold as will identify it, and shall state the day, hour and place in the Town at which the sale will be held.

Unless a sum of money, for the payment of which the said parcel is to be sold as aforesaid, together with the cost of advertisements of the sale, shall be paid prior to the sale, the said parcel of real property shall be sold by the Alderman at public sale on the day and at the hour and place named in the advertisements for the sale to the highest and best bidder for the same.

Upon payment to the Alderman of the price for which the property is sold at such sale, a deed of the property sold shall be executed in the name of The Town of Smyrna by the President of Council and attested by the Secretary of Council and bearing an imprint of the corporate seal of The Town of Smyrna and delivered to the purchaser. Such deed shall vest in the purchaser the same estate or interest in the property sold as the owner or owners of the parcel at the time of the sale had therein or thereto, subject to the same liens and encumbrances of record against said property at the date of the first appearance of the newspaper advertisement of its sale as aforesaid.

The money paid to the Town Treasurer by the Alderman as the price of the property sold as aforesaid shall be dealt with by the Treasurer as follows:

The Town Treasurer shall first deduct the costs of the sale,

## CITIES AND TOWNS

which shall include the cost of the advertisements of the sale, the charges of an auctioneer, and all other expenses incident to the sale and also ten per centum of the amount that the owner of the property had failed to pay for the cost of the improvements as aforesaid, which ten per centum shall be paid to the Alderman as his fee for the sale.

The Town Treasurer shall then deduct the amount that the owner of the property had failed to pay to the Town as aforesaid, and shall pay the same so deducted into the Town Treasury.

Any balance remaining shall be paid by the Town Treasurer to the person or persons who were the owners of the property sold or if this be not possible for any reason, he shall deposit said balance to their credit in any Bank in said Town.

The term "Owner" as used in this Section shall be deemed to mean the person or persons who owned the property in question at the time of the adoption or passage of the ordinance or resolution first in this Section referred to, and any change of ownership thereafter shall not be deemed or held to affect any of the steps or proceedings mentioned in this Section.

The aforesaid deed of the property shall recite briefly the amount that the owner had failed to pay to the Town as aforesaid, the advertisements and notice of sale, the holding of the sale, the amount of the succesful bid, and the amount of the costs of the sale, provided that Council shall have power and authority to pave, repave, gutter or regutter, curb or recurb, or any or all of such improvements, in such parts of the Town and in front of such properties and in such manner and at such times, at the entire expense of the Town and may use Town money for such purposes, whenever it deems it wise so to do, and in such event no notice to property owners or others shall be required, provided, however, that where such entire cost is to be paid by the Town, Council shall adopt a resolution authorizing such improvements and particularly stating therein the specific reasons the Town is to bear the entire cost thereof.

## CITIES AND TOWNS

Section 19. Constructing, Paving, Repairing of Streets. The Town Council of The Town of Smyrna shall have full power and authority to regrade, redress and otherwise repair and rebuild all existing streets, lanes, alleys and other public thoroughfares in the Town of Smyrna and to construct, build, pave and in any manner improve all new and existing streets, lanes, alleys and other public thoroughfares now opened or to be hereafter opened for public use in said Town, and in so doing shall use such materials and substances and such methods of construction and shall employ such contractors, engineers, inspectors and others as the Council shall deem expedient and may use different materials and different methods of construction on different streets, or on different parts of the same street, as Council deems advisable. For the purpose of this Section, Council shall have full power and authority to expend such part or parts of the moneys of the said Town in the general fund of the Town not otherwise appropriated.

Section 20. Water System. The Town Council is hereby vested with full power and authority to provide for the Town of Smyrna an ample supply of pure water and to purchase, lease, erect, construct, maintain, operate and control wells, reservoirs, pumping stations, water mains, fire hydrants and all other instruments for the collection, storage, conveyance and distribution of water on, over, under or through the lands of any person. The Council shall have power to enact ordinances, rules and regulations in regard to the use for public or private purposes of water furnished by the Town, and the amounts to be paid by the users thereof, and to fix fines or penalties, or both, for any wilful or negligent injury or damage to, or interference with the water system of the Town. The Council may, at its option, furnish water from the Town system to places and properties outside the Town limits upon such special terms, charges and conditions as it shall deem wise.

The Council may, by condemnation proceedings, take private land, or the right to use private land, under, over or on the surface thereof, for the proper operation or extension of the water system. The proceedings by condemnation under this Section shall be the same as prescribed by Section 17 of this Act for the opening and

## CITIES AND TOWNS

laying out of new streets, and the resolutions referred to in said Section 17 shall be changed and modified to cover the cases contemplated by this present Section.

**Section 21. Sewer System.** The Town Council is hereby vested with full power and authority to provide, construct, extend, maintain, manage and control a sewer system for the health, sanitation and convenience of the inhabitants of the said Town on, over, under or through the lands of any person. The Council shall have power to enact ordinances, rules and regulations regarding the sewers and the sewer system of the Town and the use thereof, and the amounts to be paid by the users thereof, and to fix fines or penalties, or both, for any wilful or negligent injury or damage to or interference with the said sewers or sewer system of the Town. The Council may, at the option, furnish sewer facilities to places and properties outside of the Town limits upon such special terms, charges and conditions as it shall deem wise. The Council may require any property in the Town, for which there is an available sewer, to be connected with the sewer system and may compel the owner of such property to pay the cost of such connection and the tapping fee therefor, as provided in Section 16 of this Act.

The Council may, by condemnation proceedings, take private land, or the right to use private land, under, over or on the surface thereof, for the proper operation or extension of the sewers and sewer system of the Town. The proceedings by condemnation under this Section shall be the same as prescribed by Section 17 of this Act, for the opening and laying out of new streets, and the resolutions referred to in said Section 17 shall be changed and modified to cover the cases contemplated by this present Section.

**Section 22. Electric Current, Power Plant, Franchises.** The Town Council of the Town of Smyrna shall have full power and authority to erect, construct, equip, maintain and operate a plant or plants for the generating and manufacture of electric current for the use of the inhabitants of said Town and for lighting of streets, squares, lanes, alleys and public buildings of said Town and shall have full power and authority to construct, erect,

## CITIES AND TOWNS

maintain, improve, extend, equip and operate such transmission and distributing lines for said current as may be necessary to properly light said Town and to furnish proper connections for electric current to the properties of the inhabitants thereof who may desire the same. The Council shall have power to make contracts for the purchase of heat, light, sewer, water and electric current with any responsible persons, firms, or corporations and to distribute the same to users within or without the said Town with the same full powers as if such heat, light, power, water or electric current had been generated or manufactured by the said Town as herein expressly provided for by this Act. Council shall grant to all persons whoseever in said Town the privilege of using the electric current conveyed and distributed by said Town in such manner and on such terms and conditions and at such rates and for such amounts as to the Council may seem just and proper and shall enact such ordinances relating to electric current, its generation and distribution in said Town and the regulation of the connections thereof with the properties of individuals in said Town and its general management and control as to said Council shall from time to time seem most expedient. The Council may at its option transmit electric current from said Town to places and properties outside of the Town limits upon such terms, charges and conditions as it shall deem wise.

The Town Council shall also have full power and authority at any regular or special meeting, by a majority vote, to enact ordinances or adopt resolutions granting franchises to any responsible person, firm, association or corporation, and for such terms of years as shall seem wise to said Council, to use the present and future streets, squares, alleys and lanes of the said Town for purposes of furnishing light, heat, power, gas or water, or any or all of them, to said Town and to the persons, firms or corporations residing therein and for the purpose of transmitting light, heat, power, gas and water, or any or all of them, through, over, across or under said streets, squares, alleys and lanes to points outside of the limits of said Town; any such franchise or franchises to contain such restrictions, conditions and stipulations as shall to said Council seem wise, and said Council, by a majority vote, at any regular or special meeting, shall also have

## CITIES AND TOWNS

full power and authority to enter into contracts with any responsible persons, firms, associations or corporations for the furnishing of light, heat, power, gas or water or any or all of them, or for the furnishing of electric current, either at wholesale or retail, to said Town and to persons, firms and corporations residing therein, or adjacent thereto.

## SALE OF PROPERTY

The Council, by a majority vote, is hereby authorized and empowered in its discretion to sell and convey or lease to any responsible persons, firms, associations or corporations any or all real or personal property, or both, now or hereafter owned by said Town and used for generating or furnishing light, heat, power, water or electric current, or any or all of them, and to execute to the purchaser or purchasers thereof proper deeds or bills of sale or other legal assurance of title for the same. Provided, however, that before the Council shall sell or convey any of the real or personal property for any sum in excess of One Thousand Dollars now or hereafter owned by said Town and used for generating or furnishing light, heat, power, water or electric current, or any or all of them, a special election shall be held in the same place and in the same manner as other Town elections in said Town. Notice of said election shall be given by advertisements in a newspaper published in the Town of Smyrna, if there be one, and if not, in a newspaper published elsewhere in Kent County, at least ten days before said election, and by posting notices in at least ten public places in said Town at least ten days before said election, which said advertisement and notices shall state the time and place of the election and a general description of the property proposed to be sold. At said election every taxable 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 said taxable according to the last assessment in said Town. Residence shall not be a qualification to vote at said election.

Section 23. Drainage. The Town Council of said Town shall have the full jurisdiction and control within the limits of

## CITIES AND TOWNS

said Town of the drainage thereof, and the right to alter and change the course and direction of any of the natural water courses, runs or rivulets within the limits of the Town, and may pass ordinances for the opening of gutters, drains and sewers within said Town limits and the regulating and maintaining, cleaning and keeping the same and the natural water courses, runs and rivulets within the said Town limits open, clean and unobstructed, and for that purpose may authorize the entry upon private lands and take, condemn and occupy the same in the same manner and by the same condemnation proceedings as hereinbefore provided in case of the water and sewer systems of the said Town and as prescribed by Section 17 of this Act for the opening and laying out of new streets, and the resolutions referred to in said Section 17 shall be changed and modified to cover the cases contemplated by this present Section.

Section 24. Police and Jail. The Council of said Town may appoint such number of Town Constables as shall be deemed necessary from time to time who, with the Constable of Kent County residing in said Town, shall constitute the police force of said Town. The Council shall also have power and authority to remove from office any Town Constable so appointed by it, at any time for cause and in accordance with Section 11 of this Act.

It shall be the duty of the Constables of said Town to execute all warrants issued by the Alderman, and to enforce all proper Laws of the State of Delaware, all ordinances, resolutions and orders of the said Town and the Council thereof, now in force or hereafter put into force, which shall place any enforcement or other responsibility upon such Constables; to suppress all riotous, turbulent, disorderly, noisy or unauthorized or unlawful assemblages or gatherings of persons in or about any streets, lanes, alleys or other public or private places in said Town; to prevent and disperse all gatherings which may interfere with the free and unmolested use of any street, lane, alley or other public place in said Town and to do all such lawful things, which are in the scope of the usual authority of a Town Constable for the preservation of the good order, and the protection of the persons and property of all inhabitants of said Town.

## CITIES AND TOWNS

Any Constable may be summarily suspended from office and stripped of his badge and insignia of office as set forth in Section 11 of this Act.

If any Constable of the Town of Smyrna shall neglect or refuse to perform any of the duties required of him by this Act or the Laws of the State of Delaware, he shall be deemed guilty of a misdemeanor, and it shall be the duty of Council to present him to the Grand Jury of Kent County for indictment and upon conviction he shall be fined not less than Twenty-five Dollars nor more than Two Hundred Dollars, and/or may be imprisoned in the discretion of the Court, for any term not exceeding one year and upon such conviction he shall ipso facto forfeit his office.

The Town Council of said Town shall have full power and authority to build, acquire, improve, and maintain in said Town a suitable place as a prison or jail and any Justice of the Peace, or the Alderman of said Town, acting under the provisions of this Act, or carrying into execution any judgment or sentence pronounced under its authority, or the authority of any ordinance or resolution adopted by virtue of the powers herein conferred, may commit to said prison or jail, for any time not exceeding five days, and for want of such suitable prison or jail, or, in the event it is deemed best for any reason in the discretion of the Alderman or Justice of the Peace, to the common jail of Kent County at Dover, Council shall have power to pay and shall pay to the Sheriff of Kent County, or to the Levy Court of Kent County, or to such other person or body as is or may be hereafter named by Law to receive the same, such sums of money as is proper and lawful, for the keeping of such Town of Smyrna prisoners in said County jail.

Section 25. Contracts to be Advertised. All contracts for street improvements, repairs and extensions, for sewer repairs, improvements and extensions; for repairs, improvements and extensions to the water system and electric lighting system, when the sum to be expended amounts to more than Three Hundred Dollars, shall be let only to the lowest responsible bidder, upon and after competitive bidding has been asked by advertise-

## CITIES AND TOWNS

ments published for at least one issue in a newspaper published in the said Town, or in a newspaper published elsewhere in Kent County, if there be none published in said Town at the time. Council shall have at all times the right to reject any and all bids, for reasons which Council shall deem sufficient. Provided, that nothing in this Section or this Act shall require Council to submit to bidders nor to advertise any work or contract for labor or material, or both, desirable or necessary for the cleaning or maintenance of the sewer, water or electric systems or the streets of the Town, nor in reference to any legal, engineering or other professional services contracted for by said Council.

Section 26. Council to Borrow Money. The Town Council of the said Town shall have full power and authority to borrow, upon the faith and credit of The Town of Smyrna, a sum or sums of money not exceeding Ten Thousand Dollars in any one fiscal year, when in the opinion of the majority of Council the needs of the said Town demand it. Said Council may secure said sum or sums of money by promissory note or notes or certificates of indebtedness of The Town of Smyrna, duly authorized by resolution of Council, and signed by the President, or the acting President of Council, and by the Secretary, and either with or without the corporate seal of the Town affixed as is requested by the Bank or person advancing the money on said notes or certificates, and no officer nor member of Council shall be personally liable for the payment of such note or notes, because of his signature as an officer of Council, his membership in Council or his approval of the authorizing resolution. Provided, however, that any sum of money borrowed by the Council on the faith and credit of The Town of Smyrna as aforesaid, in any fiscal year, shall be repaid out of the general funds of the Town at the minimum rate of twenty-five per centum of the amount so borrowed, in each of the four consecutive fiscal years immediately following the fiscal year in which said money was borrowed, together with the interest thereon.

Section 27. That the Act entitled "An Act to reincorporate the Town of Smyrna" passed at Dover, April 7th, 1897, and the several Acts and parts of Acts therein and thereby repealed, all

## CITIES AND TOWNS

other Acts and parts of Acts inconsistent with or supplied by this Act, are hereby repealed and made null and void, saving and excepting, however, from the effect of such repeal all Acts and the parts of Acts relative to The Town of Smyrna, not inconsistent herewith or supplied hereby, and excepting, however, also from the effect of such repeal, and expressly declaring that all the ordinances of The Town of Smyrna, heretofore enacted or adopted, and now in force in pursuance of any Law of this State, shall continue in full force and effect until expressly repealed, altered or amended by the Council of said Town. That all Acts and doings of the Council of said Town, or of any officers of said Town, lawfully done or performed under the provisions of any Law of this State or of any ordinance of the Council of said Town, are hereby ratified and confirmed. That all debts, fines or penalties and forfeitures due to said The Town of Smyrna, and all debts due from The Town of Smyrna to any person or persons whomsoever, or to any firm, association or corporation, are hereby declared to be wholly unaffected and unimpaired by this repeal and all Laws of this State for the collection and enforcement thereof shall continue in full force until the same shall be fully paid and discharged according to the terms thereof. That all powers conferred by Law upon the Collector for the collection of all taxes in the said Town heretofore assessed and uncollected shall continue in full force and effect until all said taxes shall be fully collected and paid, and the official bonds of said Collector, and of all other bonded officers and employees of said Town, shall be unaffected and unimpaired by this repeal and they and their sureties therein shall continue liable for any breaches of any conditions of said bonds, and that all proceedings heretofore commenced for the collection of any penalty, fine, forfeiture or debt due to the said Town, under any Law or ordinance, shall not be affected or impaired by this repeal, but the same may be prosecuted to judgment and execution until the sum be fully paid, liquidated and discharged.

Section 28. If any part of this Act shall be held unconstitutional, such holding shall not in any wise invalidate the remaining provisions of this Act.

## CITIES AND TOWNS

Section 29. This Act shall be deemed and taken to be a public Act.

Approved April 8, 1929.

CHAPTER 193

CITIES AND TOWNS

**AN ACT to exempt from taxation certain property in the City of Delaware City.**

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

Section 1. That the real estate of any person or persons or body corporate within the limits of the City of Delaware City, not exceeding five acres, upon which any manufacturing or other industrial improvements for the employment of labor shall be erected after the passage of this Act, or any real estate upon which any buildings are already erected and which after the passage of this Act shall be used for any manufacturing or any industrial pursuit as aforesaid not before prosecuted or carried on there shall be exempt for a period of ten years, after the same shall be first assessable, from assessment or taxation for State, County or Municipal purposes.

Approved April 2, 1929.

## CHAPTER 194

## CITIES AND TOWNS

**AN ACT to reincorporate the 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 all the members of each Branch thereof concurring therein):*

Section 1. That the Councilmen constituted under the provisions of this Act and their successors in office be and they are hereby created a body politic and corporate in Law and the said Councilmen and their successors in office, shall be and they are hereby empowered to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of judicature whatsoever in this State by the corporate name of "The Mayor and Council of The Town of Harrington", and may have and use a common seal with such device or devices as they shall think proper, with power to alter or change the same as may be deemed expedient; to purchase, take, hold, receive and enjoy any messuages, lands, tenements, hereditaments in fee simple or otherwise, and also goods and chattels, rights, and credits, and to alien, grant, demise, sell and dispose of the same in such manner and form as they may deem expedient; they shall also have full power and authority to contract for the lighting of the streets of The Town of Harrington with gas, electricity or otherwise.

Section 2. That the corporate limits and bounds of The Town of Harrington shall be as follows:—Beginning at a point mid-way between the rails of the north bound track of the Delaware Railroad (said beginning point bears north six degrees east two thousand six hundred forty (2640) feet from a central point which central location point is mid-way between the rails of the said North bound track on a right angle line with the North side of the steel tower that supports the large water tank standing between the depot and freight house); thence running from said beginning at right angles with said railroad track north eighty-four degrees West two thousand six hundred forty (2640) feet to a corner for said corporation near a public road on lands

## CITIES AND TOWNS

now or late of F. P. Billings; thence running a line parallel with the said Delaware road South six degrees West five thousand two hundred eighty (5280) feet to a corner on lands known as the Fleming land; thence running South eighty-four degrees East four thousand nine hundred twenty-one (4921) feet to the West line of the State Highway leading from Delmar to Dover; thence running with the West line of the said State Highway North twelve and three-quarter degrees East four hundred nine (409) feet to an angle; thence still continuing with the West line of the said Highway North fifteen degrees and fifty-five minutes East four thousand nine hundred forty-nine (4949) feet to a corner in the West line of the said Highway; thence running North eighty-four degrees West three thousand one hundred seventy-four (3174) feet to the place of beginning.

Provided that no unimproved lots within the limits aforesaid which shall contain over six acres of land shall be taxed for Town or Municipal purposes, unless the same shall have been subdivided and offered for sale as building lots, and shall front or face on an improved street.

Section 3. The government of The Town of Harrington shall be vested in a Town Council consisting of five Councilmen, all of whom shall be residents of the said Town, and all of whom shall be seized of estates of freehold within the limits of the said Town. There shall also be an Alderman, one or more Assessors as hereinafter provided, a Collector of Taxes, and a Treasurer, all of whom shall also be residents of the said Town and all of whom shall be seized of estates of freehold within the limits of the said Town.

The regular Town election for the election of Councilmen, Alderman, Assessor or Assessors, Treasurer and other elective officers shall be held on the second Tuesday in January in each year beginning with the year 1930.

The said election shall be under the supervision and direction of the Councilmen whose term or terms of office shall not have expired. Notice of such election shall be given by the said Coun-

## CITIES AND TOWNS

cilmen holding such election at least five days prior to the holding of the said election by the posting of notices of said election in at least ten of the most public places within the corporate limits of the said The Town of Harrington.

The Commissioners serving as the Commissioners for The Town of Harrington at the time of the enactment hereof are hereby constituted Councilmen for the unexpired term for which they shall have been elected respectively as Commissioners for the said The Town of Harrington.

In case of any vacancy which may occur before the expiration of any term or terms of the members of the said Town Councilmen of Harrington such vacancy shall be filled by the remaining members of the said Town Council of Harrington; and the person or persons so elected by the said members of the said Town Council of Harrington shall serve for the unexpired portion of the term for which his predecessor in office shall have been elected.

Councilmen elected under the provisions of this Act shall serve for a period of two years or until their successors are duly elected and qualified. Councilmen from the first and third wards shall be elected on the same year and shall be elected on alternate years from the Councilmen from the second, fourth and fifth wards hereinafter designated, which Councilmen from the said second, fourth and fifth wards shall be elected in the same year.

At the annual election for the election of Councilmen there shall also be elected an Alderman, one or more Assessors as hereinafter provided, a Collector of Taxes, and a Treasurer each of whom shall serve for a term of one year or until their successor in office shall have been duly elected and qualified.

Section 4. The said The Town of Harrington shall be divided into five wards each of which said ward shall elect a Councilman to serve as a member of the said Town Council for the said The Town of Harrington. Each Councilman so selected and elected shall at the time of his election and qualification be a

## CITIES AND TOWNS

resident of the ward from which he was elected and no two Councilmen shall be elected to serve from any one ward.

The said wards shall be as follows:—

First. All of that part of the said Town of Harrington lying East of the Delaware Railroad.

Second. All of that part of the said Town of Harrington lying West of Dorman and Commerce, or Main Streets, of said Town.

Third. All of that part of the said Town of Harrington lying North of Liberty Street and bounded on the West by the main County road leading to Felton and on the East by the said Delaware Railroad.

Fourth. All of that part of the said Town of Harrington lying between Liberty Street on the North and Clark Street on the South, the Eastern boundary line running down the Delaware Railroad and out Commerce Street to its intersection with Dorman Street.

Fifth. All of that part of the said Town of Harrington South of Reese's Theatre between the Delaware Railroad and Main and Commerce Streets.

No Councilman who shall remove from the ward from which he was elected to any other part of the said Town shall lose his office by virtue of such removal.

Section 5. On the first Monday in May, A. D. 1929, the Councilmen constituting the Town Council for the Town of Harrington as provided for herein shall meet for the purpose of organizing the said The Town Council for the Town of Harrington. At such time there shall be elected from the members of the said The Town Council a Mayor for the Town of Harrington who shall also be the President of the said The Town Council for the Town of Harrington, and who shall serve until the second Tuesday in January, 1930. Beginning with the year 1930, and annually thereafter, there shall be elected a Mayor for the Town of Harrington who shall also be the President of the Town Coun-

## CITIES AND TOWNS

cil for the Town of Harrington and who shall be elected from and by the members of the said The Town Council for the Town of Harrington. Such election shall be held on the second Tuesday in January in the year 1930 and each year thereafter. At the same time there shall be selected by the members of the said Town Council of the said The Town of Harrington a Secretary who may or may not be a member of the said the Town Council for the Town of Harrington.

Section 6. It shall be the duty of the said Mayor and President of Council for the said The Town of Harrington to preside at all regular and special meetings of the said The Town Council for the Town of Harrington.

Section 7. At the annual election held for the purpose of electing any of the Town Council, Alderman, Assessors, Collector of Taxes, or Treasurer, every male or female resident of the said Town who shall be above the age of twenty-one years and who shall pay the Town Taxes assessed within the twelve months prior to the day of holding said election shall be entitled to vote. No person otherwise qualified to vote shall be permitted to vote at any Town election who has been declared delinquent for the year next preceding said election. All elections shall be under the direction of the members of the Town Council for the Town of Harrington whose terms of office shall not have expired and for whose successor in office the said election is about to be held. The said Councilmen holding said election shall choose two impartial and disinterested persons who shall receive the ballots, ascertain the results, and certify the same to The Town Council for the Town of Harrington.

The two persons chosen by the said Councilmen shall be the judges of the said election and shall decide on the legality of the votes offered, subject to the right of appeal, by any voter from the decision of the said persons chosen by the said Councilmen to the said Councilmen holding the said election.

Section 8. The person elected Alderman as hereinbefore provided shall have all the powers of a Justice of Peace within

## CITIES AND TOWNS

the limits of the Town so far as the jurisdiction and cognizance of breaches of the peace and other offenses of the said Town, to arrest and hold to bail, or fine and imprison such offenders, and of all fines, forfeitures and penalties which may be prescribed by any Law of the State or by any ordinance of the said The Town of Harrington, legally passed and established for the government of the said Town, and of all neglects, omissions or defaults of the Town police or other employees of the said The Town of Harrington, or of any person or persons within the limits of the said The Town of Harrington; provided, that he shall not impose any fine exceeding Two Hundred Dollars nor have jurisdiction in any civil matter other than to carry out the provisions of this Act or the rules and regulations adopted for the government of the said Town by the persons authorized to adopt the same under this Act. The fees of the said Alderman shall be the same as are allowed Justices of the Peace for similar services under the Laws of this State. It shall be the duty of the Alderman to keep a book of record or a docket to be called the Alderman's docket of the Town of Harrington, to be provided by the said The Town Council for the Town of Harrington, in which all of his official acts shall be entered, and he shall upon the expiration of his term of office deliver over to his successor all the books, papers, etc. pertaining to his office within ten days after the election and qualification of his successor, and in default of so doing he shall forfeit and pay for the use of said Town the sum of Twenty-five Dollars to be recovered before the succeeding Alderman or any Justice of the Peace residing in the said Town.

Section 9. At the first regular monthly meeting next succeeding the annual election for members of the Town Council for The Town of Harrington, the Councilmen so elected at said election, together with the Alderman, Assessors, Collector, and Treasurer shall before the President of the retiring Councilmen duly qualify by oath or affirmation to perform the duties of their respective offices to the best of their knowledge and ability respectively, and without favor or partiality.

Section 10. It shall be the duty of the Secretary to record all of the proceedings of the said The Town Council for the Town

## CITIES AND TOWNS

of Harrington and to keep a correct journal of the same in a book or books to be provided for that purpose, and also the papers relative to said Town, all of which are to be carefully kept and delivered to his successor in office. The compensation of the said Secretary shall be fixed by the said The Town Council for the Town of Harrington at a sum not to exceed One Hundred Fifty Dollars per year.

Section 11. The said the Town Council for the said Town of Harrington shall have the superintendence and control of all roads, streets, lanes, alleys, bridges and gutters now opened or hereafter to be opened and shall have power and authority to cause the streets, lanes, alleys, bridges, and gutters in said Town to be repaired, supported, regulated, removed, changed or mended in any manner that may be deemed most proper for the convenience and interest of the citizens of the said Town, and shall cause a fund to be raised by way of tax upon persons authorized to vote for Councilmen as provided in this Act, and upon all lands and tenements, and interests in such lands and tenements, within the limits of the said Town hereinbefore described. The said fund so raised is to be applied to discharge the expenses of repairing such streets, lanes, bridges and gutters and for any other purpose that will contribute to the safety, convenience and prosperity of said Town.

The said the Town Council for the Town of Harrington or a majority of them, shall have power and authority to lay out, locate and open new streets and to widen and to alter existing streets or parts thereof, and to vacate or abandon streets or parts thereof, whenever they shall deem it for the best interest of the Town of Harrington. The procedure in every case as aforesaid shall be as follows: The said the Town Council for the Town of Harrington shall, by a majority vote, adopt a resolution favorable to the opening of the new street, or to the widening or altering of a street, or to the vacating or abandoning of a street, or any part thereof, as the case may be, and giving a general description of the street to be opened or widened, or altered, or of the street or part thereof to be vacated or abandoned, as the case may be. The said resolution shall also state the day, hour and

## CITIES AND TOWNS

place when the said the Town Council for the Town of Harrington or a majority of them will sit to hear objections and to award just and reasonable compensation to anyone who will be deprived of property. A copy of such resolution shall be posted in five or more places in the Town of Harrington at least five days before the day fixed for the hearing aforesaid.

At the time and place fixed in the said resolution, the said Town Council for the Town of Harrington, or a majority of them, shall hear such residents of the Town or owners of the property affected as shall attend and shall at said meeting, or at a subsequent day, as they shall deem proper, adopt a resolution by a majority vote to proceed with or to abandon, as they shall deem for the best interest of the said Town, the opening of a new street or the widening, altering, vacating or abandoning of an existing street or part thereof, as the case may be, as contemplated in their prior resolution. And in case the determination of the said the Town Council for the Town of Harrington, or a majority of them, shall be to proceed with the plan contemplated by the resolution first aforesaid, they shall also award just and reasonable compensation to any one who will be deprived of property in consequence thereof. Such compensation, if any be awarded, shall be paid by the Treasurer of the Town of Harrington, out of moneys of said Town, on a warrant drawn on him by authority of the Town Council aforesaid. If anyone who will be deprived of property as aforesaid be dissatisfied with the compensation awarded by the Town Council aforesaid, he may, within five days after the award of the Town Council for the Town of Harrington as aforesaid, appeal from such award by serving written notice to that effect on the said Town Council or any one of them. In order to prosecute said appeal such appellant shall within five days after the expiration of the five days allowed for the appeal as aforesaid, apply to the Judge of the Superior Court for the State of Delaware, resident in Kent County, or in his absence at said time, to the Chief Justice of the said Court, for the appointment of freeholders to hear and determine the matter of compensation to such appellant for any property of which he will be deprived as aforesaid, and thereupon the said Judge or Chief Justice, as the case may be, shall issue a commission under

## CITIES AND TOWNS

his hand directed to five impartial freeholders of Kent County commanding them to determine and fix the damages which the said appellant will sustain by reason of being deprived of any property as aforesaid, taking into consideration the benefits or advantages that will enure to the said appellant, and to make return of their findings to the said Judge or Chief Justice, as the case may be, at a time therein appointed. The said freeholders shall give notice of the day, hour and place when they will meet to view the premises and to assess the damages, if any, as aforesaid. Such notice shall be served upon the appellant personally or by posting a copy on the premises affected at least five days before the day when they are to view the premises as aforesaid, and a copy of such notice shall also be served on the President of the Town Council of the Town of Harrington or their Secretary at least five days before the day of such meeting.

The freeholders named in such Commission being first sworn or affirmed on the day and at the hour and place stated in the notice aforesaid, shall view the premises and hear the appellant and his witnesses and the Town Council for the Town of Harrington and their witnesses, and shall without delay, determine and fix the damages, if any, which the said appellant will sustain by reason of being deprived of any property as aforesaid. Thereupon and without delay the said freeholders shall make return in writing of their proceedings in the premises to the said Judge or Chief Justice, as the case may be, who shall cause the said return to be delivered to the said the Town Council for the Town of Harrington, and such return shall be final and conclusive. The said Judge or Chief Justice shall have power to fill any vacancy among the freeholders. The amount of damages being ascertained as aforesaid, the said the Town Council for the Town of Harrington may pay or tender the same to the person or persons entitled thereto, within one month after the same shall be finally ascertained, or may deposit the same to his or her credit in any bank in the Town of Harrington to the credit of the person or persons entitled thereto within the said period of one month, and thereupon the said the Town Council for the Town of Harrington may carry into effect the plan contemplated in their resolutions aforesaid. In the ascertainment and assessment of

## CITIES AND TOWNS

damages by the freeholders appointed by the Judge or Chief Justice aforesaid, if the damages shall be increased, the costs of the appeal shall be paid by the Treasurer of the Town out of any money in his hands belonging to the Town, but if said damages shall not be increased the costs of the appeal shall be paid by the party appealing. The fees to the freeholders shall be two dollars per day to each, which shall be taxed as part of the costs.

Whenever the land comprehended or included in any street, or part thereof, vacated or abandoned under this Section is owned by the Town Council for the Town of Harrington, or by the Town of Harrington, the said the Town Council for the Town of Harrington or a majority of them may, in their discretion, sell such land either at private or public sale and for such consideration as the said the Town Council for the Town of Harrington shall deem proper, and shall have the right and power to convey to the purchaser or purchasers thereof a good and sufficient title thereto.

The word street shall be deemed and held to comprehend and include sidewalks, lanes and alleys.

Section 12. The President of the said the Town Council for the Town of Harrington at the regular monthly meeting next succeeding the annual election for the members of Council shall appoint from the members constituting the Town Council for the Town of Harrington the following commissions:

(1) Building Commission, consisting of three members, whose duty it shall be to supervise the erection of buildings within the limits of the said Town of Harrington and to formulate such suggestions and rules as shall seem advisable and submit the same for adoption to the said the Town Council for the Town of Harrington. After the adoption of any such rules or regulations it shall be the duty of the said Building Commission to see that the same are complied with. The Town Council may refer to said Commission such matters for investigation and report as it may find necessary from time to time.

## CITIES AND TOWNS

(2) Water Commission, consisting of three members, whose duty it shall be to supervise the laying and construction of water mains and attachments; to formulate water rates and submit the same to the said the Town Council for the Town of Harrington for its adoption. The Town Council may refer to said Commission such matters for investigation and report as it may find necessary from time to time.

(3) Sewer Commission, consisting of three members, whose duty it shall be to supervise the laying of any sewer or sewers; and to supervise the disposal of sewage within the limits of said Town. It shall also be the duty of this Commission to formulate and recommend to the said the Town Council for the Town of Harrington for adoption such regulations as may be deemed advisable. The Town Council may refer to said Commission such matters for investigation and report as it may find necessary from time to time.

The President shall have power to appoint such additional commissions as may from time to time be necessary.

Section 13. That the said the Town Council for the Town of Harrington, or a majority of them, be and they are hereby empowered upon the written petition of five or more freeholders of said Town to direct in writing the proprietor or proprietors of any house or land in Harrington, before or in front of which the said the Town Council for the Town of Harrington may deem proper that a pavement should be laid, to lay a pavement of concrete, smooth stones or of any other material which may be approved by said the Town Council for the Town of Harrington, and to curb the same. The length and width of such pavement shall be as prescribed by said the Town Council for the Town of Harrington. If such proprietor or proprietors shall neglect or refuse for the space of twenty days after being directed as aforesaid to lay such pavement and place a sufficient curb for the same, he, she or they shall forfeit and pay to the Town of Harrington for the use of said Town the sum of Five Dollars for each day thereafter during which said pavement and curb shall remain unlaied or placed as aforesaid; and also upon the neglect or refusal

## CITIES AND TOWNS

aforesaid it shall and may be lawful for the Town Council for the Town of Harrington and they or a majority of them are empowered to cause pavements to be laid with such a good and sufficient curb as they may deem proper and to recover the cost of the same, together with the penalty above prescribed by the distress and sale of any goods and chattels, lands and tenements, belonging to such proprietor or proprietors within the limits of the said Town. If any pavements or curbs already made shall at any time by the said the Town Council for the Town of Harrington or a majority of them be deemed insufficient, they or a majority of them shall have power and are hereby required to direct in writing the proprietor or proprietors thereof to make sufficient ones, and upon neglect or refusal so to do for the space of twenty days, the said the Town Council for the Town of Harrington or a majority of them shall cause the same to be done and recover the cost of the same, together with the same penalty above stated in like manner as above prescribed. If there be more than one owner of the premises affected by the paving, notice to one shall be deemed sufficient, and if there be no owner of said premises resident in the Town of Harrington, notice to the occupier thereof shall be deemed sufficient, but if there be no occupier, then the posting of said notice upon the premises shall be deemed sufficient. If such bill be not paid by the owner or owners of such lands within thirty days after demand therefor shall have been made by the Town Council for the Town of Harrington then it shall be the duty of the said the Town Council for the Town of Harrington to issue a warrant in the name of "The Mayor and Council of the Town of Harrington" under the hand of the President of the Board and the seal of the said corporation, directed to the Treasurer of the said Town, commanding him that of the goods and chattels, lands and tenements of such owner or owners he shall cause to be levied and made the amount of the said bill, together with all costs. It shall be the duty of the said Treasurer, as soon as convenient after the said warrant shall have been delivered to him, and after ten days notice to the owner or owners of said lands by letter or otherwise, after posting five or more notices of sale in at least five of the most public places of the Town of Harrington at least ten days before the day of sale, to sell the goods and chattels of such owner or owners at public auction, or so

## CITIES AND TOWNS

much thereof as may be necessary to pay the amount of such bill with all costs. If no goods or chattels of such owner or owners can be found within said Town sufficient to satisfy the amount of said bill with all costs, then it shall be the duty of the said Treasurer of the Town of Harrington after ten days' notice to such owner or owners as aforesaid, and after posting five or more notices of the sale in at least five of the most public places of the Town of Harrington and for at least ten days before the day of sale to sell the lands and tenements of such owner or owners in front of which such paving, curbing, etc. above provided for have been done, or so much of said lands and tenements as may be sufficient to satisfy the amount of said bill with all costs; and a deed from the Treasurer of the said Town of Harrington shall convey to the Purchaser of such lands and tenements as full and complete title in fee simple or otherwise as if the same were executed by the owner or owners thereof. The claim for paving and curbing shall be a lien on the premises in front of which the said work was done and said lien shall relate back to the time when the notice hereinbefore mentioned shall have been served upon the owner or owners or occupants of said premises, and shall have priority over any lien, encumbrance or conveyance, suffered or made by the owner or owners after the service of such notice. The said the Town Council for the Town of Harrington or a majority of them may cause any sidewalks or portions thereof unpaved, to be covered with gravel, sand, dirt or other suitable material if they deem them not proper to be paved. The expense thereof to be borne by the owner or owners of the property in front of which said sidewalks may be. In such case the cost incurred shall be a lien as above provided in case of paving and curbing and the notice, penalty and means of recovering costs and penalty shall be as above prescribed. The Town Council for the Town of Harrington shall also have the right to fix the grade of any of the streets, sidewalks, lanes or alleys in said Town.

The said the Town Council for the Town of Harrington may provide suitable crossings for the street of said Town, the expense thereof shall be defrayed out of the funds of the Town.

If any lot or lots on any of the said streets shall be held or

## CITIES AND TOWNS

owned by a widow or widows in right of dower, such expenses incurred under any of the provisions in this Section for the lot or lots so held shall be paid by the owner or owners of the reversion in fee simple, and if such owner or owners be minors at the time of such expenses being incurred, then to be paid by the guardian or agent acting for such minor or minors out of any money or effects of such minor or minors and a receipt thereof to such guardian or agent shall be a sufficient evidence of such payment, and be allowed in his or her guardian's or agent's account. And if not paid by the guardian or agent as aforesaid on the presentation of the bill, the same to remain on interest from day of presentation and be a lien against such lot and improvements till paid. All subsequent repairs named in this Act to be kept up at the expense of such holder in right of dower.

Section 14. That the said the Town Council for the Town of Harrington shall have authority to make regulations and ordinances for the government of the Town as they shall deem proper and necessary; and they are hereby authorized and required to provide sanitary measures for the health of the citizens; cause all obstructions and nuisances that may at any time be and exist in the limits of said Town, whether in the streets, lanes, alleys, or gutters, on the sidewalk, on private property or in any other place within the limits aforesaid to be removed or abated; if the said the Town Council for the Town of Harrington or a majority of them either of themselves, or upon such information, and upon view shall determine that an obstruction or nuisance exists, and ought to be removed, they shall give notice in writing to the person causing such obstruction or nuisance, or who is responsible for its existence or continuance, to remove or abate the same, or if such persons shall refuse or neglect for the space of two days after such notice to remove or abate said obstruction or nuisance he shall forfeit and pay the sum of ten dollars with costs, to be recovered by the said the Town Council for the Town of Harrington for the use of the Town in the same manner as debts of that amount are recoverable; and for every additional day the same shall remain unabated and removed, "he or she" shall forfeit the further sum of ten dollars to be recovered with costs in the same manner.

## CITIES AND TOWNS

Section 15. That it shall and may be lawful for the said the Town Council for the Town of Harrington to keep and maintain a suitable place as a lock up or jail for the use of said Town and the Alderman of said Town, or any Justice of the Peace acting under the provisions of this Act or carrying into execution any judgment or sentence pronounced under its authority, or the authority of any ordinance or regulation adopted by virtue of the power herein conferred, may commit to the said lock up or jail for any time not exceeding thirty days, and for want of said lock up or jail, or on account of its over-crowded, unhealthy or unsafe condition, to the common jail of the County in which the offense may be committed.

Section 16. For the purpose of this Act the three assessors elected at the regular Town election held in the year 1928 shall continue as said assessors until the expiration of the term for which they shall have been elected, provided that such assessors of their successors in office shall be and continue to be owners of a freehold estate in real property situated within the corporate limits of the Town of Harrington and shall have been such owner for the six months next preceding his or their election. At the regular Town election held in each year beginning with the year 1930 and excepting that held in each third year after the year 1928, there shall be elected one assessor (who must be the owner of a freehold estate in real property situated within the corporate limits of the Town of Harrington and must have been such owner for the six months next preceding his election) who shall hold office for the term of one year from the date of his election and until his successor has been duly elected and qualified.

Section 17. The Town Council for the Town of Harrington shall at the regular monthly meeting to be held in the month of January in each and every year after the passing of this Act shall determine the amount of taxes to be raised for the purpose of the said Town for the next ensuing calendar year not exceeding Fifteen Thousand Dollars exclusive of the dog tax. For the purpose of this Act the valuation and assessment of the real property within the said Town and of all the personal property within the said Town subject to County taxation (except personal prop-

## CITIES AND TOWNS

erty on any farm land in the corporate limits in the Town of Harrington actually used in the farming of such land), and also the assessment of all the male residents of the said Town above the age of twenty-one years, as well as those owning as those not owning real or personal property made in the year 1928 pursuant to Chapter 109, Volume 35, Laws of Delaware, approved April 29, 1927, shall be and remain in full force and effect until the year 1931, at which time and in each third year thereafter, there shall be made a similar valuation and assessment as hereinabove mentioned. Such valuation and assessment of the real property and of the personal property shall be according to the true market value thereof at the time the assessment is made. The assessment shall show the names of all the persons assessed and the amount of their assessment distinguishing the real, poll, and personal assessment of each.

Every dog in the corporate limits of the Town of Harrington may be assessed at fifty cents and the assessment shall show the names of such persons owning such dogs and the number of dogs owned by each.

At the regular Town Election held in the year 1931, and in every third year thereafter there shall be elected three assessors, who shall be owners of a freehold estate in real property situated within the corporate limits of the Town of Harrington and who shall have been such owner for the six months next preceding his or their election, whose duties it shall be to make a full and complete assessment of all real and personal property within the limits of said Town subject to Town Taxes, and also a list of all persons subject to the poll tax of said Town; which assessment shall be known as the Town of Harrington General Assessment, and shall be made as hereinafter provided.

At the regular Town election held in the intervening years between the regular assessment years as set forth in the preceding paragraph there shall be elected one assessor whose duty it shall be to prepare a scrap assessment as hereinafter set forth.

In the year 1931 and in every third year thereafter, the three

## CITIES AND TOWNS

assessors elected in such year shall between the day on which the regular monthly meeting for the month of January shall have been held and the day on which the regular monthly meeting for the month of February next thereafter shall have been held in such year make an assessment in accord with the foregoing provisions of this Section. In case any assessor shall be unable to act by reason of sickness, absence, change of residence from the Town of Harrington, or for any cause whatever, the Town Council for the Town of Harrington shall appoint an assessor or assessors in the place of the one or ones so unable to act as aforesaid. The acts and decisions of any two of the three assessors shall be as effective as if done or made by all three. Before acting, each assessor shall be sworn or affirmed to perform the duties of the office faithfully and impartially.

The assessment shall be made in duplicate and as soon as made shall be delivered with the duplicate to the Town Council for the Town of Harrington.

The said the Town Council for the Town of Harrington shall without delay cause the duplicate assessment to be hung up in some public place in the said Town, and there to remain for the period of five days thereafter for public information, together with a notice that on a day and time at a place stated in said notice the assessment will be revised and corrected and appeals heard. On the day and time and at the place designated in the said notice, the three assessors together with the President and the Secretary of the Town Council for the Town of Harrington, shall sit as a Board of Revision and Appeal. At such sitting, the said Board shall go over the assessment and shall hear appeals, and shall without necessary delay revise and correct the assessment. In making such revision and correction the said Board shall have full power and authority to alter, add to, deduct or take from the assessment as first made up. The decision of a majority of the said Board shall be final. The assessment as revised and corrected by the Board of Revision and Appeal in the year 1931 and in each third year thereafter shall be known as the Town of Harrington General Assessment. If at any sitting of the aforesaid Board of Revision and Appeal, any member of the said Board

## CITIES AND TOWNS

shall for any cause be unable to sit, the Town Council for the Town of Harrington shall appoint one or more of their own number to sit on the said Board of Revision and Appeal in place of the member or members of said Board unable to act as aforesaid.

The Town of Harrington General Assessment when made as aforesaid shall constitute the assessment for the Town of Harrington until a scrap assessment is made as hereinafter provided.

In each year (except the year 1931 and except also every third year after the year 1931) the assessor elected in such year shall make a scrap assessment between the day on which the regular monthly meeting for the month of January shall have been held and the day on which the regular monthly meeting for the month of February next thereafter shall have been held in such year assessing all improvements made since the assessment of the preceding year and all real and personal property inadvertently omitted from the prior assessment, and all male persons above the age of twenty-one years who have taken up their residence in the Town of Harrington since the assessment of the preceding year, and making such changes as to the number of dogs and owners thereof taxable under the provisions of this Act as shall accord with the facts.. The valuation and assessment of the improvements and of real and personal property as aforesaid shall be according to the true market value thereof at the time the scrap assessment is made. The assessor shall also make a duplicate of such scrap assessment. The assessor shall deliver the scrap assessment and the duplicate to the Town Council for the Town of Harrington on or before the eighth day of February in such year, and the said the Town Council for the Town of Harrington shall cause the said duplicate to be hung up in some public place in the said Town, and there to remain for the period of five days thereafter for public information, together with a notice that on a day and time and at a place stated in said notice, the scrap assessment will be revised and corrected and appeals heard by the Town Council for the Town of Harrington. On the day, and at the time and place designated in the said notice, the Town Council for the Town of Harrington shall

## CITIES AND TOWNS

sit to correct and revise the scrap assessment and to hear appeals from the scrap assessment. At such sitting the said the Town Council for the Town of Harrington shall go over the scrap assessment and shall hear appeals relating to the scrap assessment and shall without unnecessary delay revise and correct the said scrap assessment. In making such revision and correction, the said the Town Council for the Town of Harrington shall have full power and authority to alter, add to, deduct and take from the said scrap assessment as first made up. The decision of a majority of the said the Town Council for the Town of Harrington shall be final. The scrap assessment as revised as aforesaid together with the Town of Harrington General Assessment next preceding shall constitute the assessment for the Town of Harrington until a new scrap assessment or a new general assessment is made, as the case may be.

Before beginning his duties under this Section, the assessor shall be sworn or affirmed to perform the duties of the office faithfully and impartially.

In case the assessor elected at the Town election shall be unable to perform his duties by reason of sickness, absence, change of residence from the Town of Harrington, or for any cause whatever, the Town Council for the Town of Harrington shall appoint an assessor in his place.

All taxes for the Town of Harrington shall be levied and raised on the real property, personal property and persons according to the assessment then in force in just and reasonable proportions and rates.

The Town Council for the Town of Harrington shall in each year and as soon as practicable after the assessment or scrap assessment, as the case may be, has been revised and corrected, as hereinbefore provided, cause the assessment list to be transcribed, and the transcript to be delivered to the Collector, who shall thereupon collect from each taxable his proportion of the tax laid, and pay over the whole amount (deducting commissions and delinquencies allowed by the Town Council for the Town of

## CITIES AND TOWNS

Harrington), to the Treasurer by the first day of July following. The Collector shall have the same powers for the collection of the said tax as are conferred by Law on the Collectors of County taxes and of school taxes. The Collector, before entering on the duties of his office, shall give bond with sufficient surety in the penal sum of double the amount of money to be by him collected each year to "The Mayor and Council for the Town of Harrington" conditioned for the payment to the Treasurer of all moneys collected and for the settlement of his accounts with the Treasurer in the month of July for the year for which he is elected Collector, and at such other times as the Town Council for the Town of Harrington may require. The Treasurer shall in like manner, before entering upon the duties of his office, give bond with sufficient surety, in such amount as shall be determined by the Town Council for the Town of Harrington, conditioned in substance for the faithful discharge of his duties and for the just and true accounting and payment over of all moneys coming into his hands.

Each assessor making the general assessment shall be entitled to Seventy-five Dollars (\$75.00) for the faithful performance of his duties. The assessor making the scrap assessment shall be entitled to Fifty Dollars (\$50.00). The President and Secretary of the Town Council for the Town of Harrington (or the member or members filling their places) shall be paid Three Dollars (\$3.00) each for sitting on the Board of Revision and Appeal.

The Treasurer shall be paid the sum of Fifty Dollars (\$50.00) for the faithful performance of his duties.

The Collector and Treasurer of the said Town shall annually on or before the first Monday in November prepare a true and correct list of all uncollected taxes and furnish a true copy of the same to the said Town Council for the Town of Harrington at the first meeting thereafter, a copy of which list shall be posted in one or more public places within said Town.

Section 18. That the said the Town Council for the Town of Harrington are hereby authorized to appoint a police force

## CITIES AND TOWNS

composed of discreet and judicious citizens of Harrington. The said police shall have all the powers and authority within the limits of said Town, of a constable in and for Kent County, as to the cognizance of all breaches of the peace and other offenses within said Town and shall hold office subject to the option of the said the Town Council for the Town of Harrington. The emoluments of said police shall be fixed by the said the Town Council for the Town of Harrington. It shall be the duty of the aforesaid the Town Council for the Town of Harrington, Alderman and Police, or of any Justice of the Peace and constable of Kent County, residing in said Town to suppress all riotous, turbulent, disorderly or noisy conduct of any person or persons or disorderly or noisy assemblages, or gatherings of any person or persons in the streets, lanes, alleys, houses or any place or places in said Town; and for this purpose it shall be the duty of the said police or any constable upon view or upon the requisition of the Alderman or of any one of the said the Town Council for the Town of Harrington and without further warrant, forthwith to seize and arrest any such person or persons so offending and to carry him or them before the said Alderman, or any Justice of the Peace resident in said Town, and upon conviction before the said Alderman or Justice of the Peace as aforesaid, whose duty it shall be to hear (and determine the case) the said Alderman or Justice of the Peace, shall sentence any such person or persons so convicted to pay a fine not exceeding Two Hundred Dollars and commit the party to the lock up or jail, for any period not more than sixty days, or both, or until said fine and the costs are paid. It shall be the duty of said Alderman or Justice of the Peace upon complaint made before him of such riotous, turbulent, or disorderly conduct as aforesaid, or any noisy assemblages, to issue his warrant to the said police or constable, commanding him to bring any such person or persons so offending as aforesaid, before him for trial. That the said lock up or jail shall be in charge of the Town police, whose duty it shall be to provide for the maintenance of such persons as may from time to time be confined therein, the expenses to be defrayed by the Treasurer of the Town, upon a warrant drawn upon him by the Town Council for the Town of Harrington, for that purpose. They shall also have the power to appoint a supervisor of streets, whose

## CITIES AND TOWNS

duty it shall be to attend to the repairs of the streets, lanes, alleys, bridges and gutters of the Town, subject to the control and direction of the said the Town Council for the Town of Harrington. He shall receive such compensation for his services as the Town Council for the Town of Harrington may deem just and proper.

Section 19. That it shall be the duty of said the Town Council for the Town of Harrington, Alderman, Police or Justice of the Peace, to suppress, extinguish and prevent all bon fires in any of the streets, lanes, or alleys of the said Town, and to suppress or prevent the firing of guns, pistols or the letting off of fire works or making or throwing fire balls within the limits of said Town, that the said the Town Council for the Town of Harrington may enact and publish ordinances, with reasonable penalties for preventing the same and punishing persons guilty of their violation. Any fine imposed by any such ordinance may be collected before the said Alderman or Justice of the Peace of said Town, and in default of payment the said Alderman or Justice of the Peace may commit for any time not more than thirty days. All fines and forfeitures recovered under the provisions of this Act by the Alderman or Justice of the Peace, as aforesaid, shall be paid over to the Treasurer for the use of the Town. If any constable shall neglect or refuse to perform the duties above enjoined on him by this Act, he shall be deemed guilty of a misdemeanor in office, and it shall be the duty of the said the Town Council for the Town of Harrington to present him to the Grand Jury, and upon conviction, he shall in addition to the punishment imposed by the Court, forfeit his office.

Section 20. That it shall be the duty of the Alderman for the time being and he is required to appoint annually in the month of November two competent and suitable persons, who shall be residents and taxables of said Town of Harrington, auditors of the accounts of the Town Council for the Town of Harrington, whose duty it shall be to examine all the accounts of the Collector and Treasurer and of said the Town Council for the Town of Harrington for the current year and to audit the same. The said auditors shall on or before the fifth day of January next ensuing

## CITIES AND TOWNS

their appointment make a report of said accounts so examined and audited and post the same in some public place in the Town of Harrington. The said auditors for the purposes aforesaid shall have access to all records belonging to said the Town Council for the Town of Harrington.

Section 21. That no circus, menagerie, theatrical or minstrel company or any such exhibition of any kind shall be exhibited, or bills posted therefor or parade thereof on any of the streets, lanes or alleys of said Town, except at the discretion of the Town Council, and without first having obtained a license for so doing and paid the fee required by said Town for the use of said Town. Provided, that the foregoing shall not apply to the theatricals or other entertainments gotten up by the citizens of the Town. And the said the Town Council for the Town of Harrington shall further have power to designate the location of wagons for peddlers of beef or other fresh meats, fish, oysters or vegetables, and to grant license for the same for such sum and for such length of time, not exceeding one year, as said the Town Council for the Town of Harrington may deem proper, and that such peddlers shall be protected in and have the exclusive use of the location for which such license has been paid, and during its continuance. Provided, further, that nothing herein shall be construed to prevent farmers, truckers or other persons from selling such articles as are of their production, or to prevent persons driving through the streets and selling beef, or other fresh meats, fish, oysters and vegetables. And that the said the Town Council for the Town of Harrington shall not have the power to license any peddler aforesaid, or grant a stand before any place of business or where such stand or wagon would interfere with the convenience of public travel. Any circus, menagerie, theatrical or minstrel company or exhibition of any kind except as aforesaid, or any peddler of beef, or any fresh meats, fish, oysters and vegetables except as hereinbefore provided, who shall violate the provisions of this Act, shall forfeit and pay a fine not exceeding the sum of Twenty-five Dollars, at the discretion of the said the Town Council for the Town of Harrington, and for the use of the Town.

Section 22. That if any person or persons shall hereafter

## CITIES AND TOWNS

erect or set up a plant for the purpose of manufacturing therein, within the limits of said Town, the Town Council for the Town of Harrington shall have the power to remit all taxes that may be levied or imposed on said plant for Town purposes for a period not exceeding ten years, but such remission of taxes as aforesaid shall be at the discretion of the Town Council for the Town of Harrington.

Section 23. Beginning with the first Monday in May, 1929 and monthly thereafter on the first Monday in each month there shall be a meeting of the Town Council for the Town of Harrington for the purpose of considering such propositions, regulations or any other business affecting the management or direction of the said the Town of Harrington. Special meetings may be called at any time by the President of the said the Town Council, or in his absence or disability such meetings may be called by any Councilman. Regular or special meetings may be adjourned from time to time. At such meetings the said the Town Council for the Town of Harrington may pass all such ordinances or rules for the proper government of the said Town, the imposition of license taxes on telephone, telegraph or electric light poles, the improvements of the streets, the paving or other improvement of the sidewalks or streets, the planting and protection of ornamental trees, the repair and making of public pumps, and for all other matters relating to the said Town, its police, improvements, ornaments, and general welfare, as may be deemed proper; provided the same be not repugnant to the Constitution or Laws of this State. By such ordinances they may impose fines, penalties, and forfeitures and provide for their collection.

Section 24. The Town Council shall have authority to use and apply the moneys collected from taxes and any other source for the general improvement and benefit and ornament of the said Town as they may deem advisable for the purpose of carrying this Act into effect, and all moneys paid out by the Treasurer shall be paid upon the order of the said Town Council.

Section 25. The members of the Town Council for the said Town of Harrington shall receive the sum of Five Dollars (\$5.00)

## CITIES AND TOWNS

their appointment make a report of said accounts so examined and audited and post the same in some public place in the Town of Harrington. The said auditors for the purposes aforesaid shall have access to all records belonging to said the Town Council for the Town of Harrington.

Section 21. That no circus, menagerie, theatrical or minstrel company or any such exhibition of any kind shall be exhibited, or bills posted therefor or parade thereof on any of the streets, lanes or alleys of said Town, except at the discretion of the Town Council, and without first having obtained a license for so doing and paid the fee required by said Town for the use of said Town. Provided, that the foregoing shall not apply to the theatricals or other entertainments gotten up by the citizens of the Town. And the said the Town Council for the Town of Harrington shall further have power to designate the location of wagons for peddlers of beef or other fresh meats, fish, oysters or vegetables, and to grant license for the same for such sum and for such length of time, not exceeding one year, as said the Town Council for the Town of Harrington may deem proper, and that such peddlers shall be protected in and have the exclusive use of the location for which such license has been paid, and during its continuance. Provided, further, that nothing herein shall be construed to prevent farmers, truckers or other persons from selling such articles as are of their production, or to prevent persons driving through the streets and selling beef, or other fresh meats, fish, oysters and vegetables. And that the said the Town Council for the Town of Harrington shall not have the power to license any peddler aforesaid, or grant a stand before any place of business or where such stand or wagon would interfere with the convenience of public travel. Any circus, menagerie, theatrical or minstrel company or exhibition of any kind except as aforesaid, or any peddler of beef, or any fresh meats, fish, oysters and vegetables except as hereinbefore provided, who shall violate the provisions of this Act, shall forfeit and pay a fine not exceeding the sum of Twenty-five Dollars, at the discretion of the said the Town Council for the Town of Harrington, and for the use of the Town.

Section 22. That if any person or persons shall hereafter

## CITIES AND TOWNS

erect or set up a plant for the purpose of manufacturing therein, within the limits of said Town, the Town Council for the Town of Harrington shall have the power to remit all taxes that may be levied or imposed on said plant for Town purposes for a period not exceeding ten years, but such remission of taxes as aforesaid shall be at the discretion of the Town Council for the Town of Harrington.

Section 23. Beginning with the first Monday in May, 1929 and monthly thereafter on the first Monday in each month there shall be a meeting of the Town Council for the Town of Harrington for the purpose of considering such propositions, regulations or any other business affecting the management or direction of the said the Town of Harrington. Special meetings may be called at any time by the President of the said the Town Council, or in his absence or disability such meetings may be called by any Councilman. Regular or special meetings may be adjourned from time to time. At such meetings the said the Town Council for the Town of Harrington may pass all such ordinances or rules for the proper government of the said Town, the imposition of license taxes on telephone, telegraph or electric light poles, the improvements of the streets, the paving or other improvement of the sidewalks or streets, the planting and protection of ornamental trees, the repair and making of public pumps, and for all other matters relating to the said Town, its police, improvements, ornaments, and general welfare, as may be deemed proper; provided the same be not repugnant to the Constitution or Laws of this State. By such ordinances they may impose fines, penalties, and forfeitures and provide for their collection.

Section 24. The Town Council shall have authority to use and apply the moneys collected from taxes and any other source for the general improvement and benefit and ornament of the said Town as they may deem advisable for the purpose of carrying this Act into effect, and all moneys paid out by the Treasurer shall be paid upon the order of the said Town Council.

Section 25. The members of the Town Council for the said Town of Harrington shall receive the sum of Five Dollars (\$5.00)

## CITIES AND TOWNS

for their attendance at the regular monthly meetings of the said Town Council for the Town of Harrington and in no event shall any member of the said Town Council receive more than Sixty Dollars (\$60.00) in any one calendar year for his attendance at said meetings.

Section 26. Any member of the Town Council or any officer or employee or agent of the said the Town of Harrington who shall have the collection or disposition of any money or funds belonging to the said The Town of Harrington may be required to furnish a bond with an accepted Surety Company as surety thereon to the said The Town of Harrington for the faithful performance of his duties relative to the collection, disposition and accounting for said money or funds; the amount of bond in each case to be determined by the said The Town Council for the said Town of Harrington, but in no event to be of a greater amount than double the actual amount of money or funds held or about to be received into the keeping or disposition of or by the person or persons to be bonded. The premiums on the bonds above mentioned shall be paid out of the Treasury of the said Town.

Section 27. The Town Council for the said The Town of Harrington is hereby authorized to enact such ordinances as shall be necessary to regulate and control Sunday selling within the limits of the said Town.

The Town Council aforesaid is hereby authorized to define and regulate by proper ordinances all nuisances within the corporate limits of the said Town.

All ordinances of the said Town of Harrington heretofore enacted under the provisions of any previous charter of the said The Town of Harrington and which ordinance or ordinances are now in force are hereby expressly saved and excepted from repeal and are hereby declared to be in full force and effect save only and except such ordinance and ordinances as may be in direct conflict with the Constitution and Laws of the State of Delaware or with the provisions of this Act.

## CITIES AND TOWNS

That all the acts and doings of the Town Council for the Town of Harrington or any officers of said Town, lawfully done or performed under the provisions of any Law of this State, or of any ordinance of the Town Council for the Town of Harrington are hereby ratified and confirmed. That all debts, fines or penalties and forfeitures due to said Town of Harrington are also declared to be unaffected and unimpaired by this repeal, and all Laws of this State for the collection and enforcement thereof, shall continue in full force until the same shall be fully paid and discharged. That all the powers now conferred by Law upon the Collector for the collection and enforcement of all taxes in said Town heretofore assessed and uncollected shall continue in full force and effect until all said taxes shall be fully collected and paid. That the official bond of said collector shall be unaffected and unimpaired by this repeal, and that he and his sureties thereon shall continue liable for any breaches of any of the conditions of said bond, and that all proceedings heretofore commenced for the collection of any penalty, fine, forfeiture or debt due to said Town under any Law or ordinance shall not be affected or impaired by this repeal, but the same may be prosecuted to judgment and execution until the same be fully paid, liquidated and discharged. And that any right which may have accrued to the said the Town Council for the Town of Harrington to collect expenses laid out in laying down any pavement or sidewalk within the limits of said Town shall also be expressly preserved and shall not be affected or impaired by this repeal.

Section 28. The Town Council is hereby authorized to establish zoning ordinances for the prevention and regulation of fires; and for that purpose may create and designate districts within said Town and designate the type of buildings, building materials, proximity of buildings, and such other regulations as to carry such ordinances into effect.

Approved April 11, 1929.

# TITLE TEN

## Religious, Reformatory and Charitable Institutions

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### CHAPTER 195

#### DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

**AN ACT appropriating Thirty Five Thousand Dollars (\$35,000.00) for the erection of a new dormitory for Delaware Industrial School for Girls.**

WHEREAS, the present facilities of Delaware Industrial School for Girls are inadequate for the proper and sanitary housing of the individuals committed to that Institution by the Courts of this State,

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

Section 1. That the sum of Thirty Five Thousand Dollars (\$35,000.00) be and the same is hereby appropriated to be used for the erection of an additional dormitory upon the property of Delaware Industrial School for Girls in Brandywine Hundred, New Castle County.

Section 2. The moneys hereby appropriated shall be paid by the State Treasurer from time to time upon order signed by the President or Vice-President and Treasurer of Delaware Industrial School for Girls, accompanied by vouchers showing the expenditure of such amount.

Section 3. This Act shall be known as a Supplemental Appropriation Act and the moneys hereby appropriated shall be paid out of the general fund of the State Treasury.

Approved April 30, 1929.

CHAPTER 196

DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

**AN ACT to appropriate Sixty Five Thousand Seven Hundred and Sixty Eight Dollars (\$65,768) to 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 to each Branch concurring therein):*

Section 1. That the sum of Sixty Five Thousand Seven Hundred and Sixty-eight Dollars (\$65,768) be and the same is hereby appropriated, to be paid out of the general fund of the Treasury of the State of Delaware, to the Delaware Industrial School for Girls, for salaries and wages and for Operation.

Section 2. That the said sum of Sixty Five Thousand Seven Hundred and Sixty Eight Dollars (\$65,768) shall be paid to the said School, in two annual installments of Thirty Two Thousand Eight Hundred and Eighty Four Dollars (\$32,884) each, for the years 1930 and 1931.

Approved April 18, 1929.

## CHAPTER 197

## INDUSTRIAL SCHOOL FOR COLORED GIRLS

**AN ACT to appropriate certain money to the Industrial School for Colored Girls of Delaware, for the construction of a Dormitory and Heating Plant.**

*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 Sixty-five Thousand Dollars (\$65,000.) be and the same is hereby appropriated to the Industrial School for Colored Girls of Delaware, for the construction and equipment of a Dormitory and Heating Plant.

Section 2. That the said sum of Sixty-five Thousand Dollars (\$65,000.) shall be payable at any time to the said School upon its warrant or warrants, in accordance with the provisions of 474 Sec. 20 of Chapter 15 of the Revised Code of Delaware.

Section 3. That this Act shall be known as a Supplemental Appropriation Act, and the funds hereby appropriated shall be paid out of the general funds of the State Treasury.

Approved April 18, 1929.

CHAPTER 198

FERRIS INDUSTRIAL SCHOOL

**AN ACT to appropriate certain money to the Ferris Industrial School of Delaware for the construction of a Sewage Disposal Plant.**

WHEREAS, the sewage disposal plant at the Ferris Industrial School of Delaware is inadequate for the purposes of that institution; and

WHEREAS, the said disposal plant in its present condition constitutes a nuisance and a menace to public health; THEREFORE

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

Section 1. That the sum of Ten Thousand Dollars (\$10,000.00) be and the same is hereby appropriated to the Ferris Industrial School of Delaware for the repair of the existing sewage disposal system and the necessary extensions to the same.

Section 2. The said disposal plant shall be constructed in accordance with plans and specifications approved by the State Board of Health and shall be constructed under their supervision.

Section 3. That the said sum of Ten Thousand Dollars (\$10,000.00) shall be payable at any time to the said school upon its warrant or warrants, in accordance with the provisions of 474, Sec. 20 of Chapter 15 of the Revised Code of Delaware.

Section 4. This Act shall be known as a Supplementary Appropriation Act, and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury.

Approved May 1, 1929.

## CHAPTER 199

## INSTITUTION FOR FEEBLE MINDED

**AN ACT making an appropriation for the erection and equipment of certain buildings at the Institution for the Feeble Minded near Stockley.**

*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 for the erection of additional buildings in connection with the Institution for the Feeble Minded, near Stockley, and to provide for the equipping and furnishing of the same, the sum of Fifty Thousand Dollars (\$50,000.00) is hereby appropriated.

Section 2. The said sum of Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary, shall be applied and used as follows:

For the erection of a dormitory for white girls, Twenty-five Thousand Dollars (\$25,000.00), and for the equipping and furnishing of said building, Five Thousand Dollars (\$5,000.00);

For the erection of a building for general administration and school purposes, Fifteen Thousand Dollars (\$15,000.00), and for the equipping and furnishing of the said building, Five Thousand Dollars (\$5,000.00).

Section 3. That the said moneys shall be paid by the State Treasurer, upon warrants drawn by the State Auditor, from time to time upon vouchers, approved and submitted by the Chairman of the Commission for the Feeble Minded, and countersigned by the Treasurer of said Commission.

Section 4. This Act shall be known as a Supplementary Appropriation Act, and shall be paid out of the General Fund.

Approved April 29, 1929.

CHAPTER 200

OLD FOLKS' HOME

**AN ACT to appropriate Six Thousand Dollars to Ever-Ready Circle King's Daughters.**

*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 Six Thousand Dollars (\$6,000) be and the same is hereby appropriated, to be paid out of the general fund of the Treasury of the State of Delaware, to Ever-Ready Circle King's Daughters, a corporation of the State of Delaware, for the maintenance and support of the Old Folk's Home at Dover.

Section 2. That the said sum of Six Thousand Dollars (\$6,000.00) shall be paid in two annual installments of Three Thousand Dollars (\$3,000) each, for the years 1930 and 1931.

Approved April 18, 1929.

## CHAPTER 201

## LAYTON HOME FOR AGED COLORED PEOPLE

**AN ACT to appropriate Two Thousand Dollars to 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 Branch thereof concurring therein):*

Section 1. That the sum of Two Thousand Dollars (\$2,000) be and the same is hereby appropriated, to be paid out of the general fund of the Treasury of the State of Delaware, to the Layton Home for Aged Colored People, for operation expenses.

Section 2. That the said sum of Two Thousand Dollars (\$2,000) shall be paid to the said Home, in two annual installments of One Thousand Dollars (\$1,000) each, for the years 1930 and 1931.

Approved April 17, 1929.

CHAPTER 202

ST. MICHAEL'S DAY NURSERY

**AN ACT to appropriate Ten Thousand Dollars (\$10,000) to St. Michael's Day Nursery.**

*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 Ten Thousand Dollars (\$10,000) be and the same is hereby appropriated, to be paid out of the general fund of the Treasury of the State of Delaware, to the St. Michael's Day Nursery, for operation and for repairs and replacements.

Section 2. That the said sum of Ten Thousand Dollars (\$10,000) shall be paid to the said St. Michael's Day Nursery, in two annual installments of Five Thousand Dollars (\$5,000) each, for the years 1930 and 1931.

Approved April 18, 1929.

## CHAPTER 203

## DELAWARE CHILDREN'S HOME SOCIETY

**AN ACT to appropriate Five Thousand Dollars to Delaware Children's Home Society for operation Expenses.**

*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 Five Thousand Dollars (\$5,000) be and the same is hereby appropriated, to be paid out of the general fund of the Treasury of the State of Delaware, to the Delaware Children's Home Society to be used for operation expenses of said society.

Section 2. That the said sum of Five Thousand Dollars (\$5,000) shall be paid to the said society, in two annual installments of Twenty-five Hundred Dollars (\$2,500) each, for the 1930 and 1931.

Approved April 29, 1929.

CHAPTER 204

CHILDREN'S BUREAU

**AN ACT making an appropriation to Children's Bureau of Delaware for maintenance of children within the State of Delaware.**

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

Section 1. That the sum of Five Thousand Dollars (\$5,000) be and the same hereby is appropriated to Children's Bureau of Delaware for the maintenance of children within the State of Delaware.

That the said sum of Five Thousand Dollars (\$5,000.00) shall be paid in two equal annual installments of Twenty-five Hundred Dollars (\$2,500.00) each, payable respectively for the years 1929 and 1930.

Section 2. This Act shall be known as a Supplementary Appropriation Act, and the funds hereby appropriated shall be paid out of the general funds of the State Treasury.

Approved May 9, 1929.

## CHAPTER 205

## BRANDYWINE SANATORIUM

**AN ACT to provide for repairs to the Heating System and Laundry, and for replacing or procuring equipment for Brandywine Sanatorium and making an appropriation for the same.**

WHEREAS, the buildings at Brandywine Sanatorium are now heated by separate heating plants; and

WHEREAS, the present heating plants and laundry and other equipment are old and require replacement; **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 Fifteen Thousand Dollars (\$15,000) be and the same is hereby appropriated to the State Board of Health from any moneys in the hands of the Treasurer not otherwise appropriated for the purpose of effecting such repairs of relocating the laundry and of replacing such equipment in connection with the heating system and laundry of Brandywine as may be necessary.

Section 2. This Act shall be deemed to be a Supplementary Appropriation Act and the money hereby appropriated shall be paid from the General Fund of the State Treasurer.

Approved May 1, 1929.

# TITLE ELEVEN

## Education

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### CHAPTER 206

#### FREE SCHOOLS

**AN ACT to provide improved school buildings, school grounds and school equipment in the School Districts of this State, and relating to the cost thereof and making appropriation of certain State moneys in connection therewith.**

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

Section 1. That between the thirtieth day of June and the fourteenth day of July in the year nineteen hundred and twenty-nine, the State Treasurer shall ascertain the balance in the State Treasury as of the close of the thirtieth day of June, 1929, of moneys collected for the support of the public schools of this state after the payment of school accounts for the school year ending June 30, 1929. All of said balance, if not in excess of One Million Two Hundred Fifty Thousand Dollars, or so much thereof as shall equal the sum of One Million Two Hundred Fifty Thousand Dollars if the aforesaid balance be in excess of said sum, shall be set aside forthwith in a special account in the Farmers Bank of the State of Delaware to be known as the "State School Building Account."

That between the thirtieth day of June and the fourteenth day of July in the year nineteen hundred and thirty, the State Treasurer shall ascertain the balance in the State Treasury as of the close of the thirtieth day of June, 1930, of moneys collected for the support of the public schools of this State after the payment of school accounts for the school year ending June 30, 1930, and shall set aside between the thirtieth day of June and

## FREE SCHOOLS

the fourteenth day of July in the year 1930 in a special account in the Farmers Bank of the State of Delaware, to be known as the "State School Building Account", all or so much of the said balance, as together with the sum set aside to the said account in July of the year 1929, shall be not in excess of Two Million Five Hundred Thousand Dollars.

The State school building account shall be credited with interest when and to the same extent as the said Bank credits interest on deposits of other State Moneys in said Bank.

Two-fifths of the moneys deposited in the State School Building Account by the State Treasurer as aforesaid, together with interest as aforesaid, shall be devoted to school building improvements in the consolidated school districts in the City of Wilmington and the remainder, or so much thereof as may be necessary, shall be devoted to school building improvements in the districts in the State outside of the City of Wilmington and to the expense of carrying the provisions of this Act into effect.

The term "improvement" and the term "School building improvement" where used in this Act shall be deemed and construed to mean new school buildings, and, or school grounds, and, or additions to, alterations or remodeling of old school buildings, or additional grounds, and the furnishing and equipping thereof.

Section 2. The State Board of Education, shall as soon as practicable after the adoption of this Act, prepare a tentative program for school building improvements for such of the school districts and special school districts in this State, outside of the consolidated school districts in the City of Wilmington, wherein the existing school buildings, and, or school grounds are inadequate or unhygienic.

The State Board of Education shall submit to the Board of School Trustees or the Board of Education of each district included in the said program the general character and nature of the school building improvements proposed for such district and shall hear the comments and suggestions thereon of the members of such Board.

## FREE SCHOOLS

The State Board of Education shall submit to the School Building Commission (hereinafter in this Act created); of each particular district, its aforesaid school building program for such district. The said School Building Commission shall be composed of the State Board of Education and four members to be elected by the voters of each district at the same time as the bonds herein provided are authorized, said members to serve during the life of the said School Building Commission for said district. In case of the death or resignation of one of the members elected to said School Building Commission, the remaining members of said Commission shall appoint some suitable person to fill the vacancy thereby created.

The said four members elected as hereinafter provided, to the said School Building Commission, shall have equal authority and power to act in all respects as have the members of the State Board of Education who are hereby made members of the said School Building Commission.

Section 3. No school district or special school district in this State except the consolidated school districts in the City of Wilmington shall have any portion of the cost of any school building improvement in such district accomplished under the provisions of this Act paid for out of moneys in the State School Building Account aforesaid, unless such district shall contribute such sum of money toward the payment of the cost of such school building improvement as the State Board of Education shall assign as the contribution of said district. The amount to be contributed by a district as aforesaid shall be determined by the State Board of Education as follows: Where no school building improvements have been made in the district since the first day of January, 1900, the contribution of the district toward the cost of school building improvements under this Act shall be a sum equal to two per centum of the assessed value of the real and personal property in such district as shown by the county assessment in force during the year 1919. Where any school building improvements have been made in any district since January 1, 1900, the contribution of the district toward the cost of school building improvements shall be a sum equal to two per centum

## FREE SCHOOLS

of the assessed value of the real and personal property in such district as shown by the county assessment in force during the year 1919, less the aggregate amount of the bonds of the district issued since the year 1900 (without regard to whether any or all of the bonds have been paid). Provided, however, that no district shall have credit for bonds which have been paid by the State. Where school building improvements have been made aforesaid the State Board shall make the deductions as aforesaid and the remainder, if any, shall constitute the amount which the district must contribute toward the payment of the cost of the school building improvement in such district in order to obtain the benefit of the provisions of this Act. Provided that in any case where school building improvements have been made, as aforesaid, and the district bonded to an amount equal to two per centum of the assessment in force during the year 1919 (without regard to whether any of the bonds have since been paid) the entire costs of the school building improvement in such district shall be paid for out of moneys in the State School Building Account aforesaid.

Section 4. The State Board of Education shall, as soon as practicable, notify the Board of School Trustees or Board of Education of each district in the State (except the consolidated school districts in the City of Wilmington) wherein a school building improvement under the provisions of this Act is contemplated, of the probable cost of such improvement and of the amount of money, if any, that such district will be expected to contribute toward the cost thereof. Every such board shall, within one month thereafter adopt by a majority vote of said Board a resolution for or against the contemplated improvement in that district and shall forthwith transmit to the State Board of Education a copy of such resolution certified to by the Clerk or Secretary of the Board.

If the resolution adopted by any board as aforesaid be against the proposed school building improvement, the State Board of Education may, in its discretion, make and submit to such local Board a new or modified plan of the school building improvement in such district, and in such case the local board shall forthwith

## FREE SCHOOLS

adopt by a majority vote of the members thereof a resolution for or against such new or modified plan and shall immediately thereafter transmit a copy of such resolution to the State Board of Education. If the local board shall not adopt a resolution favorable to the school building improvement, whether as originally contemplated or as subsequently modified by the State Board of Education for such district, such improvement shall not be made under the provisions of this Act; provided, that if the local board shall be petitioned in writing by twenty-five of the voters of such district so to do, the matter shall be submitted to the voters of the district at a special election to be called, held and conducted as provided by Section 54 of Chapter 160, Volume 32, Laws of Delaware, as amended, except that in the advertisement and notices of the election, it shall be sufficient to state in substance that a referendum on the subject of a school building improvement in the district will be held on a specified day at a specified place between specified hours, and except also that the ballots at such special election shall be marked, "for the school building improvement" or "against the school building improvement", and if a majority of the ballots cast at such special election shall be for the school building improvement, the result of such election shall be equivalent to and have the same effect as a resolution of the local board of the district favorable to the school building improvement.

Section 5. In every case where the contemplated improvement involves an assumption by the district of any portion of the cost thereof, the Board of Education or the Board of School Trustees of the district shall as soon as practicable after the adoption of a resolution for the school building improvement, or after a referendum favorable to the improvement under Section 4 of this Act, proceed to raise the amount of money required as the district's share of the cost of the improvement aforesaid by the issue and sale of bonds precisely as specified in Section 53 of the Act entitled, "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools", approved March 31, 1921, as amended (the said local board having first taken the procedure specified in said Section 53 to authorize an issue of bonds) and all the provisions of said Sec-



## FREE SCHOOLS

interest when and to the same extent as the said bank credits interest on deposits of State moneys in said Bank. The moneys in the respective special accounts aforesaid shall be devoted to the cost of the school building improvements of the district for which the special account was opened. The moneys in the said special school building accounts of the several districts, shall be subject only to the check or order of the State Treasurer.

Section 7. On the application of the State Board of Education or the Board of Education or Board of School Trustees of a district, it shall be the duty of the Board of Assessment of the County in which a school building improvement is to be made, to cause to be made from the assessment records of the County or Counties in which the district is located, a list of all the taxables of the district, the property of each taxable and the assessed value thereof for the year 1919, and shall deliver the same to the State Board of Education or to the local board of the district; such list shall constitute the assessment list of such district for the purpose of this Act and on which the two per cent bond issue herein provided shall be based; provided that the Board of Assessment be furnished with a true and correct description of the boundaries of the district in question.

Section 8. There is hereby created a Commission to be known as "School building Commission" for each district in which such improvements are made under the provisions of this Act to be composed of eight members, four of whom shall be members of the State Board of Education and four of whom shall be elected in each district at the same election at which the bond issue in such district is authorized (as hereinbefore in this Act provided).

Provided, however, that in case a district shall have passed a referendum authorizing an issue of bonds for school improvement such as is contemplated in this Act and no additional referendum is required therefor, then and in that case a special election of the voters of the said district shall be held for the selection of four residents and legal voters of the said district, who shall constitute the local membership of the School Building Com-

## FREE SCHOOLS

mission of the district. Such election shall be held in accordance with the same provisions as those set up for the holding of a bond election as set forth in Section 5 of this Act, except that the ballots used shall have printed or written thereon the names of at least four candidates to serve as members of the said Commission. The four candidates who shall receive a majority of all votes cast at such election shall constitute the local membership of the Commission, as aforesaid.

Section 9. No act of the School Building Commission for any district shall be binding unless at least five members of the Commission herein provided shall concur therein.

The members of the said Commission in each of said districts shall receive no compensation for their services, but all members of the said School Building Commission, for any district, shall be paid their actual expenses incurred while engaged in the affairs of the Commission.

Section 10. Whenever it is desired by the State Board of Education the said School Building Commission in any district shall cause to be prepared such plans and details for the accomplishment of any improvements in the school building program of the State Board of Education as shall be necessary or proper for the construction thereof.

All plans and details prepared by or under the order of any School Building Commission for any district shall be approved by at least five members of said Commission before their adoption.

Before any School Building Commission shall undertake to carry out any particular school building improvement or to make any contract therefor, the said Commission shall ascertain the cost of such improvement. If the State Board of Education shall deem the cost of such improvement to be in excess of the amount which is or may be available under the provisions of this Act for such improvement, then the said School Building Commission may modify the proposed improvement, until plans and details

## FREE SCHOOLS

have been made for an improvement which will not be greater than the amount available as aforesaid.

Section 11. It shall be the province and duty of the School Building Commission for any particular district to cause the school building improvements authorized by the State Board of Education and approved by said School Building Commission under the provisions of this Act to be constructed.

The said Commission shall have power to make and enter into all contracts for the construction of the improvements aforesaid, and for labor, materials, supplies, instrumentalities, furniture and equipment required to accomplish any such improvement, provided that no improvement shall be made involving an expenditure of Five Hundred Dollars or more, unless the same shall be advertised and the contract given to the lowest and best bidder therefor, the said Commission reserving the right to reject any and all bids.

The School Building Commission in each district shall supervise or cause to be supervised by some one or more of its employees the work of the construction of any improvement as aforesaid.

Section 12. The Secretary of the State Board of Education shall be the general secretary of all the School Building Commissions that have in charge the construction or improvement of all the school buildings of the State under the provisions of this Act, except those in the consolidated school districts of the City of Wilmington, and as such secretary, he shall be the accountant of each Commission and the said Commission shall cause its secretary to inaugurate and maintain a system of accounting which shall show in detail the expenditures of each Commission, the cost of each school building improvement, and such other details as the State Board of Education from time to time may require.

The various School Building Commissions shall have power to employ an engineer or engineers and an architect or archi-

## FREE SCHOOLS

tects and such other employees as the various School Building Commissions shall deem essential to the proper and expeditious performance of its duties under this Act, and to fix their salaries and their length of service and to dismiss them for any cause which the various School Building Commissions shall deem sufficient. The School Building Commission in each district shall have power to do all things requisite or proper for the execution of the duties of said Building Commissions throughout the State.

Section 13. The said School Building Commissions may require bonds from any of their employees and from all persons contracting for the construction of school building improvements authorized by the said School Building Commissions under this Act and from all persons contracting for labor, or materials, supplies, instrumentalities, furniture and equipment in the accomplishment of any school building improvement under this Act.

Section 14. All bills for the expenses of the said School Building Commissions and for the salaries of their employees and for the cost of each school building improvement authorized under this Act must be marked "approved" and such approval signed by the Chairman or Vice-Chairman and attested by the Secretary or Acting Secretary of said Commissions.

Section 15. The School Building Commissions shall have no jurisdiction over nor any duties with regard to any school building improvement in the consolidated school districts in the City of Wilmington.

Section 16. Three-fifths of the moneys deposited in the State School Building Account by the State Treasurer provided in Section 1 of this Act, together with interest thereon as provided in Section 1 of this Act, (or so much thereof as may be necessary) are to be devoted to the following purposes and none other, namely, to the payment of the expenses of said School Building Commissions created by this Act and to the salaries and compensations of their employees (including their engineers and architects) and to the cost of the school building improvements authorized under the provisions of this Act.

## FREE SCHOOLS

The State Board of Education shall certify to the Auditor of Accounts and also to the State Treasurer the amount of money which the school building improvement in each district outside of the City of Wilmington will cost and what portion of said amount is to be paid out of the State School Building Account and what portion to be paid out of the special school building account of the district.

The School Building Commissions shall when and as funds are required (and not until then) for the payment of the expenses of said Commissions, its engineers, architects or other employees, or for the payment of the cost of school building improvements authorized under this Act draw warrants on the State Treasurer for the moneys required signed by the Chairman or Vice-Chairman and attested by the Secretary or Acting Secretary of said Commissions, and deliver the same to the Auditor of Accounts who shall thereupon deliver them to the State Treasurer, and the State Treasurer shall pay the same. In paying warrants as aforesaid, the State Treasurer shall be governed by the certificate of the State Board of Education hereinbefore provided as to the cost of the school building improvements in the respective districts included in the school building program of the State Board of Education and as to what portion of said cost shall be paid out of the State School Building Account and what portion thereof out of the special school building account of the district.

Section 17. Two-fifths of the moneys deposited in the State School Building Account by the State Treasurer as provided in Section 1 of this Act, together with interest thereon as provided in Section 1 of this Act (or so much thereof as may be necessary) shall be devoted to school building programs in the City of Wilmington as authorized by ordinance, approved by the Mayor and Council under date of February 18, 1926.

The construction of school building programs in the City of Wilmington shall be within the exclusive jurisdiction of the Board of Public Education in Wilmington. The said Board of Public Education is authorized and empowered to make all contracts and do all things necessary or proper to secure such pro-

## FREE SCHOOLS

grams in the City of Wilmington, provided that the cost thereof shall not exceed in the aggregate the aforesaid two-fifths of the moneys deposited in the State School Building Account by the State Treasurer as provided in Section 1 of this Act, together with interest thereon as provided in Section 1 of this Act.

The Board of Public Education in Wilmington shall when and as funds are required (and not until then) for the payment of the cost of school building programs in the City of Wilmington draw warrants on the State Treasurer for the moneys required signed by its President or Vice-President and attested by its Secretary or Acting Secretary and deliver the same to the Auditor of Accounts who shall thereupon deliver them to the State Treasurer, and the State Treasurer shall pay the same out of the State School Building Account aforesaid up to (and not in excess of) the proportion of the moneys in the said State School Building Account to be devoted to School Building programs in the City of Wilmington as hereinbefore stated.

The Board of Public Education in Wilmington shall keep accurate detailed accounts of the cost of each improvement made in the City of Wilmington under the provisions of this Act and of all moneys expended by said Board therefor. Such accounts shall be deemed to be public records.

Section 18. The State Board of Education is authorized and empowered, in its discretion, to extend the time in any case where a time limit is set in this Act.

Section 19. No money in the State School Building Account or in any of the special accounts for school building improvements in the various districts in this Act provided for shall revert by reason of lapse of time, provided that when the State Board of Education shall certify to the State Treasurer that the school building improvements contemplated by this Act have been accomplished, that then any money remaining in the State Building Account shall be withdrawn by the State Treasurer from such account and deposited in the school fund.

## FREE SCHOOLS

It shall be the duty of the State Board of Education and of the Board of Public Education in Wilmington to see that the school building improvements within their respective jurisdictions under this Act are carried out with all reasonable dispatch.

Section 20. Whenever land shall be required for the accomplishment of any improvement under this Act in the consolidated school districts in the City of Wilmington, the Board of Public Education in Wilmington is authorized to select and acquire such land. And whenever land shall be required for the accomplishment of any improvement under the Act in any school district outside of Wilmington, the School Building Commission of such special school district is authorized to select and acquire such land. And whenever land shall be required for the accomplishment of any improvement under this Act in any other school district in this State, the local "School Building Commission" is authorized to select and acquire such land.

Such land may be acquired by contract with the owner or owners thereof at a fair value by condemnation proceedings instituted by the appropriate official body.

The cost of such lands shall be deemed to be a part of the cost of the school building improvement and shall be paid for as hereinbefore directed with regard to the cost of school building improvements.

The title to any such lands acquired in any manner whatever shall be a fee simple title and shall be vested in the State Board of Education except that the title to lands so acquired in the City of Wilmington or any special school district shall be vested in the said City or the said special school district, as the case may be.

Condemnation proceedings to acquire land as aforesaid in any case where such land cannot for any reason be acquired by contract with the owner or owners thereof for a fair or reasonable consideration, may be instituted by the appropriate official body under the provisions of Section 52 of the Act entitled, "An

## FREE SCHOOLS

Act to provide for the establishment and maintenance of a general and efficient system of free public schools," approved March 31, 1921, as amended.

Approved April 10, 1929.

## CHAPTER 207

## FREE SCHOOLS

AN ACT to amend an Act entitled "An Act to Provide for the establishment and maintenance of a general and efficient system of Free Public Schools", being Chapter 160, Volume 32, Laws of Delaware, as amended by Chapter 158, Volume 35, Laws of Delaware, by repealing the tax on personal and real property now levied by the Levy Courts of the respective Counties for the maintenance and support of the Free Public Schools 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 Article XIII, Chapter 160, Volume 32, Laws of Delaware, as amended by Chapter 158, Volume 35, Laws of Delaware, be and the same is hereby further amended by striking out all of Section 58 of said Article XIII and by inserting in lieu thereof the following new Section to be known as Section 58.

Section 58. The free public schools of the State of Delaware shall be maintained and supported:

1. By all revenue derived from any personal income tax collected under the provisions of Article I, Chapter 9, Volume 32, Laws of Delaware;

2. (This paragraph stricken out.)

3. By all revenue derived from any franchise tax collected under the provisions of Article VIII, Chapter 6, Revised Code of Delaware;

4. By the revenue derived from the income of the State School Fund;

5. By such moneys as shall be appropriated from time to time as additional appropriations made by the General Assembly.

Section 2. That Article XIII of Chapter 160, Volume 32, Laws of Delaware, as amended by Chapter 158, Volume 35, Laws

## FREE SCHOOLS

of Delaware, be and the same is hereby further amended by striking out and repealing all of Section 59 of said Article XIII as amended as aforesaid.

Section 3. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

Approved April 3, 1929.

## CHAPTER 208

## FREE SCHOOLS

**AN ACT making an emergency appropriation for the maintenance of schools.**

WHEREAS, it appears that the school budget for the year 1928-29 is inadequate to enable the State Board of Education and the Boards of Education of certain Special School Districts to meet fully the salaries of teachers, in accordance with the salary schedule adopted in 1921; and

WHEREAS, it also appears that the said budget is inadequate to enable the State Board of Education to pay fully the costs of transportation of school children for the year 1928-29; now therefore

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

Section 1. That there is hereby appropriated out of the funds in the State Treasury derived from sources of taxation set up for the support of schools, not otherwise appropriated, One Hundred Eight Thousand Dollars (\$108,000.00) the same to be added to the budget of the State Board of Education for the school year 1928-29. Of the said sum Seventy-nine Thousand Dollars (\$79,000.00) or so much thereof as may be necessary, shall be applied to the payment of teachers' salaries and shall be distributed to the State Board of Education, the Special School Districts and the City of Wilmington as other school funds for the current year have been distributed. The remaining Twenty-nine Thousand Dollars (\$29,000.00) or so much thereof as may be necessary, shall be applied to the payment of the costs of transportation of school children.

Section 2. This shall be known as an "Emergency Appropriation."

Approved April 3, 1929.

## CHAPTER 209

## FREE SCHOOLS

**AN ACT authorizing the State Board of Education to Create a Service Bureau for Foreign-born Residents and to make an appropriation 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 Five Thousand Dollars per annum for each of the two years beginning July 1, 1929, and July 1, 1930, be and is hereby appropriated out of the school fund of the State, not otherwise appropriated, for the purpose of assisting the State Board of Education through its already established bureau to employ such methods, subject to existing Law, as will best serve the process of Americanizing the residents and citizens of the State of Delaware who are of foreign origin, and will tend to protect them from exploitation and injustice.

Section 2. This Act shall be known as a supplementary appropriation Act, to take effect on July 1, 1929.

Approved April 18, 1929.

## CHAPTER 210

## FREE SCHOOLS

**AN ACT providing an Emergency Fund for rebuilding Public School Buildings and replacing School Equipment destroyed by fire or other casualty.**

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

Section 1. That whenever a public school building and/or the equipment thereof is destroyed by fire or other casualty and the insurance paid therefor is insufficient for the appropriate rebuilding and replacement of such building and equipment, the State Board of Education, if the building or equipment is located in a school district outside of the City of Wilmington or the Board of Public Education in Wilmington, if the building or equipment is located in the consolidated school district in the City of Wilmington, as soon as may be, shall send to the Governor a written communication giving detailed information respecting said fire or other casualty stating, among other things, the name of the school district where the fire or other casualty occurred, a description of the building and equipment with the cost or approximate value thereof and the amount of insurance received on account of said loss.

Section 2. Upon receipt of said written communication from either the State Board of Education or the Board of Public Education in Wilmington as provided in Section 1 of this Act, the Governor is authorized and hereby is empowered to make a written demand or requisition upon the State Treasurer to set aside from the State School Fund in a special account to be known as State School Emergency Fund in the Farmers' Bank of the State of Delaware an amount which in the sole judgment and discretion of the Governor is appropriate for such rebuilding and replacement; provided, always, the Governor is satisfied that at the time he makes such written demand or requisition there is a surplus in the State School Fund available to meet the same.

Section 3. Upon receipt of such written demand or requi-

## FREE SCHOOLS

sition of the Governor as provided in Section 2 of this Act, it shall be the duty of the State Treasurer forthwith to set aside from the State School Fund the amount requested by the Governor in his written demand or requisition, in a special account in the Farmers' Bank of the State of Delaware, to be known as State School Emergency Fund, which shall be credited with interest when and to the same extent as the said Bank credits interest on deposits of other State moneys in said Bank. And it shall be the further duty of the State Treasurer to send a written communication to the State Board of Education or to the Board of Public Education in Wilmington, whichever Board is concerned in the particular instance, advising said Board of the amount deposited in the State School Emergency Fund upon the demand or requisition of the Governor for the rebuilding or replacement of a school building and/or equipment thereof in a particular school district.

Section 4. The State Board of Education is authorized and empowered to make all contracts and to do all things necessary or appropriate for the rebuilding of school buildings and the replacement of school equipment destroyed in whole or in part by fire or other casualty in school districts outside of the City of Wilmington, provided that no rebuilding or replacement shall be made involving an expenditure of Five Hundred Dollars (\$500.00) or more, unless the same shall be advertised and the contract given to the lowest and best bidder therefor, the said Board reserving the right to reject any or all bids. When funds are required for the payment of the cost of rebuilding said buildings and replacing said equipment destroyed as aforesaid, after deducting from said cost the amount of insurance received on account of said fire or other casualty the State Board of Education shall draw warrants on the State Treasurer for the moneys required signed by its President or Vice-President and attested by its Secretary and deliver the same to the State Auditor who shall thereupon deliver them to the State Treasurer and the State Treasurer shall pay the same out of said State School Emergency Fund provided said warrants shall not exceed in the aggregate the moneys available and on deposit in the State School Emergency Fund.

## FREE SCHOOLS

• The State Board of Education shall keep accurate detailed accounts of the cost of each rebuilding of school buildings and replacement of school equipment made in the school districts outside of the City of Wilmington under the provisions of this Act and of all moneys expended by said Board therefor.

Section 5. The Board of Public Education in Wilmington is authorized and empowered to make all contracts and to do all things necessary or appropriate for the rebuilding of School buildings and the replacement of school equipment destroyed in whole or in part by fire or other casualty in the consolidated school district in the City of Wilmington, provided that no rebuilding or replacement shall be made involving an expenditure of Five Hundred Dollars (\$500.00) or more unless the same shall be advertised and the contract given to the lowest and best bidder therefor, the said Board reserving the right to reject any or all bids. When funds are required for the payment of the cost of rebuilding said buildings and replacing said equipment destroyed as aforesaid, after deducting from said cost the amount of insurance received on account of said fire or other casualty, the Board of Public Education in Wilmington shall draw warrants on the State Treasurer for the moneys required, signed by its President or Vice-President and attested by its Secretary, and deliver the same to the State Auditor who shall thereupon deliver them to the State Treasurer and the State Treasurer shall pay the same out of said State School Emergency Fund, provided said warrants shall not exceed in the aggregate the moneys available and on deposit in the State School Emergency Fund.

The Board of Public Education in Wilmington shall keep accurate detailed accounts of the cost of each rebuilding of school buildings and replacement of school equipment made in the consolidated school district in the City of Wilmington under the provisions of this Act and of all moneys expended by said Board therefor.

Section 6. It shall be the duty of the State Board of Education and of the Board of Public Education in Wilmington to

## FREE SCHOOLS

see that the rebuilding of school buildings and the replacement of school equipment destroyed in whole or in part by fire or other casualty within their respective jurisdictions under this Act are carried out with all reasonable dispatch.

Approved April 10, 1929.

## CHAPTER 211

## FREE SCHOOLS

**AN ACT to amend an Act entitled "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools."**

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

Section 1. That the Act entitled, "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools", being Chapter 160, Volume 32, Laws of Delaware, be and the same is hereby amended by striking out after the word "which" in the twentieth line of Section 34 of said Act all the words down to and including the period after the word "District" in the twenty-eighth line of said Section 34, and inserting in lieu thereof the following words: "shall be of such number of grades as the State Board of Education shall decide after consultation with the Trustees of the district in which the school is situated."

Approved April 8, 1929.

## CHAPTER 212

## FREE SCHOOLS

**AN ACT to amend an Act entitled, "An Act to amend an Act entitled 'An Act to Provide for the establishment and maintenance of a general and efficient system of Free Public Schools.'"**

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

Section 1. That the Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools,' " being Chapter 169, Volume 33, Laws of Delaware, be and the same is hereby amended by striking out all of the seventh paragraph of Section 1 of said Act beginning with the word "Vacancies" and inserting in lieu thereof the following new paragraph:

"A vacancy on this Board for any cause, except failure to elect, shall be filled by the remaining members of the Board for the unexpired term. In case the voters of any Special School District shall fail to hold an election for a member of its Board of Education, the State Board of Education may appoint a member to fill the vacancy created by such failure to elect and the person so appointed shall hold office for the full term of three years."

Approved April 8, 1929.

## CHAPTER 213

## FREE SCHOOLS

**AN ACT to amend an Act entitled, "An Act to amend an Act entitled 'An Act to Provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools', approved March 26, 1923."**

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

Section 1. That the Act entitled, "An Act to Amend an Act entitled, 'An Act to Provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools', approved March 26, 1923," being Chapter 168, Volume 33, of the Laws of Delaware, and the amendment thereto contained in Section numbered "1" in Chapter 165, Volume 34, of the Laws of Delaware be and the same is hereby amended as follows:

By striking out all of Section 11 thereof and inserting in lieu thereof a new Section 11 as follows:

"Section 11. In each school district as at present constituted there shall be a Board of School Trustees who shall be representatives of the State Board of Education in said school district and shall exercise the powers granted to school trustees by this Act. The Board of School Trustees shall be composed of three members elected from the residents of the several school districts, by the qualified voters of that district at the annual school election, which shall be held on the first Saturday in May, between the hours of two and five o'clock in the afternoon. They shall serve 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.

At each annual school election a member of the Board of School Trustees shall be elected to succeed a member whose term then expires. Nominations shall not be required to be made in advance of such election. The election shall be by ballot which may either be printed or written. The officers in charge of such

## FREE SCHOOLS

election who may be the trustees, or persons designated by them, shall certify the results of said election to the State Board of Education on or before Thursday following the election. If no person voted for at the said election shall receive a plurality of the votes, a new election shall be held on the Saturday then next following, and all the provisions of Law respecting the annual school election shall apply to such new election except as to the day of holding the same.

Any vacancy on a Board, for any cause, except failure to elect, shall be filled by the remaining members of the Board for the unexpired term and until a successor qualifies. In case the voters of any school district shall fail to hold an election for any school trustee the State Board of Education shall appoint a member to fill the vacancy created by such failure to elect and the person so appointed shall hold office for the full term of three years. If, for any reason, it should be found impossible to provide any school district with a Board of School Trustees, the duties of the Board for the particular School District shall devolve upon the State Board of Education."

Approved April 11, 1929.

## CHAPTER 214

## FREE SCHOOLS

**AN ACT to amend an Act entitled, "An Act to Provide for the establishment and maintenance of a general and efficient system of Free Public Schools."**

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

Section 1. That the Act entitled "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools", being Chapter 160, Volume 32, Laws of Delaware, be and the same is hereby amended by adding to Section 54 of said Act an additional paragraph as follows:

"In addition to the powers in this Section conferred upon a Board of Education or a Board of School Trustees, the Board of Education of any Special School District or the Board of School Trustees of any School District which has for one year levied a local tax under the provisions of this Section, is authorized to continue annually, without a further referendum, to levy such local tax not exceeding in amount the tax originally authorized by referendum. Provided, that in any year not less than two months before the date of the regular school election a number of voters, not less than twenty-five per centum of the number of qualified voters of this district, may petition over their signatures that a referendum be held. In which case the Board of Education or the Board of School Trustees shall proceed to hold an election as heretofore provided in this Section and the result of such election shall be binding until another referendum."

Approved April 17, 1929.

## CHAPTER 215 -

## FREE SCHOOLS

**AN ACT to amend an Act entitled, "An Act to Provide for the establishment and maintenance of a General and Efficient System of Free Public Schools."**

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

Section 1. That the Act entitled "An Act to Provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools", being Chapter 160, Volume 32, Laws of Delaware, be and the same is hereby amended by striking out the period after the word "Board" in the sixth line of the seventh paragraph of Section 54 of said Act and inserting in lieu thereof a "comma" and the following new clause: "and shall at the same time send a copy of said list to the Auditor of Accounts at Dover."

Section 2. Further amend said Act by adding at the end of Section 54 of said Act the following new paragraph:

"The Collector appointed by the Board shall on the first day of each month make a report, to the Board for which he is collecting taxes, on forms to be supplied by the Auditor of Accounts, of all taxes collected in the previous month and said Board shall within thirty days thereafter forward said report to the Auditor of Accounts at Dover."

Section 3. If a collector appointed by any Board of School Trustees or Board of Education, or any member or members of any Board of School Trustees or Board of Education shall fail, neglect or refuse to perform all or any of the duties imposed upon him or them by this Act, he or they shall be deemed guilty of a misdemeanor and upon conviction thereof before a Justice of the Peace shall be fined not less than Ten Dollars and not more than One Hundred Dollars.

Approved April 17, 1929.

## CHAPTER 216

## FREE SCHOOLS

**AN ACT to amend an Act entitled "An Act to amend an Act entitled 'An Act to Provide for the establishment and maintenance of a General and Efficient System of Free Public Schools.'"**

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

Section 1. That the Act entitled "An Act to Amend an Act entitled, 'An Act to Provide for the Establishment and Maintenance of a General and Efficient System of Free Public Schools' ", being Chapter 173, Volume 34, Laws of Delaware, be and the same is hereby amended by inserting after the period in the twenty-seventh line of the seventh paragraph of Section 1 of said Act the following additional sentence: "The said Board shall at the same time send a copy of the said list to the Auditor of Accounts at Dover."

Section 2. Further amend said Act by inserting between the seventh and eighth paragraphs of Section 1 of said Act the following new paragraph:

"The officials collecting the taxes herein provided and designated, except those officials known by the title of "County Treasurer" or "County Treasurer and Receiver of Taxes", shall on the first day of each month make reports, to the respective Boards of Education or Boards of School Trustees for whom they are collecting taxes, on forms to be supplied by the Auditor of Accounts, of all taxes collected in the previous month and said Boards shall within thirty days thereafter forward such reports to the Auditor of Accounts at Dover."

Section 3. Further amend said Act by striking out in the thirtieth line of the seventh paragraph of Section 1 of said Act the word "school".

Section 4. If a collector appointed by any Board of School

## FREE SCHOOLS

Trustees or Board of Education, or any member or members of any Board of School Trustees or Board of Education shall fail, neglect or refuse to perform all or any of the duties imposed upon him or them by this Act, he or they shall be deemed guilty of a misdemeanor and upon conviction thereof before a Justice of the Peace shall be fined not less than Ten Dollars and not more than One Hundred Dollars.

Approved April 17, 1929.

## CHAPTER 217

## FREE SCHOOLS

**AN ACT to amend Chapter 160, Volume 32, Laws of Delaware, by providing for the Instruction of Pupils of all Public Elementary Schools and all Public High Schools of this State in Physiology and Hygiene with Special Reference to the Effects of Alcoholic Drinks, Stimulants and Narcotics upon the Human System.**

Section 1. That Section 8 of Chapter 160, Volume 32, Laws of Delaware be and the same is hereby amended by striking out numbered paragraph 5 of said Section 8 and inserting in lieu thereof the following:

"5. Determining the minimum courses of study for all public elementary schools and all public high schools of the State. Provided, that among the rules and regulations adopted they shall prescribe that all elementary school subjects shall be taught in the English language in all schools in the State. Provided, further, they shall require that all pupils of all public elementary schools and all public high schools of the State be instructed in physiology and hygiene with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system.

Approved March 22, 1929.

## CHAPTER 218

## FREE SCHOOLS

**AN ACT appropriating One Hundred and Twenty-five Thousand Dollars (\$125,000) for the purpose of erecting an addition and making alterations to the School Building at Richardson Park, District No. 20, in New Castle County.**

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

Section 1. That the sum of One Hundred and Twenty-five Thousand Dollars (\$125,000) be and the same is hereby appropriated to be used in the erection and the furnishing and equipment of an addition to and making alterations to the School Building at Richardson Park, District No. 20, in New Castle County.

Section 2. That the addition to, and the alterations to, the said School Building as herein provided for, and all work in connection therewith, shall be done and performed in accordance with the School Building Program Act as contained in Chapter 154, Volume 35, Laws of Delaware, and the moneys hereby appropriated shall be paid by the State Treasurer from time to time in accordance with the provisions of said Act.

Section 3. That the said work as provided for in this Act shall be commenced at once, or as soon as possible after the approval of this Act, and shall be completed in time for the opening of the school in September, 1929.

Section 4. This Act shall be taken to be a supplementary appropriation Act, and the funds hereby appropriated shall be paid out of the moneys appropriated and set aside between the thirtieth day of June and the fourteenth day of July, in the year Nineteen Hundred and Twenty-nine in a special account in the Farmers' Bank of the State of Delaware, to be known as the "State School Building Account."

Section 5. That all Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed only to the extent of such inconsistency.

Approved April 22, 1929.

## CHAPTER 219

## FREE SCHOOLS

**AN ACT authorizing Smyrna Special School District to borrow Fifty Thousand Dollars (\$50,000) to redeem certain bonds issued and outstanding under the authority of Chapter 48, Volume 31, Laws of Delaware.**

WHEREAS, the Smyrna Special School District has heretofore issued Sixty-five Thousand Dollars (\$65,000) of bonds under and by virtue of the authority of an Act of the General Assembly of the State of Delaware entitled "School Laws of the State of Delaware" approved June 24th, A. D. 1920, being Chapter 48, Volume 31, of the Laws of Delaware, which bonds are by their terms redeemable at the option of the said Smyrna Special School District on the fifteenth day of June, A. D. 1922, or upon any date thereafter when the interest payment shall be due; and

WHEREAS, there are also outstanding Seven Thousand Dollars (\$7,000) of bonds issued prior to 1920 for the purpose of paying for improvements and additions to the old school building; and

WHEREAS, said bonds bear interest at the rate of Six per centum per annum and it is desirable to redeem said bonds and to refund the debt evidenced thereby at a lower rate of interest, but there are no funds available for the redemption of said bonds,  
**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 of the members elected to each Branch of the Legislature concurring therein):*

Section 1. That the Board of Education of the Smyrna Special School District be and it is hereby authorized and empowered to borrow on the faith and credit of the Smyrna Special School District, the sum of Fifty Thousand Dollars (\$50,000), or so much thereof as may be necessary to carry out the provisions and purposes of this Act.

## FREE SCHOOLS

Section 2. That the said Board of Education of the said Smyrna Special School District is hereby authorized and directed to call the Sixty-five Thousand Dollars (\$65,000) of bonds issued under the authority of Chapter 48, Volume 31, Laws of Delaware, or so much thereof as shall be outstanding on June 15, 1929, for redemption during the year 1929, or any interest date thereafter, according to the option reserved in the Smyrna Special School District by the terms of the said bonds, and also to call the Seven Thousand Dollars (\$7,000) of bonds issued prior to 1920, and to pay the said bonds with the money secured under the provisions of this Act.

Section 3. That the Board of Education of the Smyrna Special School District, for the purpose set forth in Section 1 of this Act, shall have full power and authority to issue bonds of the Smyrna Special School District, said bonds to be denominated "Smyrna Special School District Refunding Bonds, Series of 1929" to an amount not exceeding in the aggregate the sum of Fifty Thousand Dollars (\$50,000).

The said bonds shall be issued in such denomination or denominations as the Board of Education of the Smyrna Special School District shall determine, shall bear date June 15, 1929, shall be numbered consecutively beginning with number one, and shall bear interest at such rate per annum as the said Board of Education shall determine, not exceeding five per centum per annum, payable on the fifteenth days of June and December at the Farmers' Bank of the State of Delaware at Dover. The principal of the said bonds shall also be payable at the Farmers' Bank of the State of Delaware at Dover.

Section 4. That the Board of Education of the Smyrna Special School District shall direct and effect the preparation and sale of said bonds authorized by this Act, at such time or times and on such terms as the said Board of Education may deem expedient, the proceeds of such sales, shall be applied to carrying into effect the provisions of this Act.

Section 5. That the form of said bonds shall be prescribed

## FREE SCHOOLS

by the Board of Education of the said Smyrna Special School District, and the said bonds shall be signed by the President and by one of the members of the Board of Education of said Smyrna Special School District, and sealed with the corporate seal of said district, and shall be exempt from State, County and Municipal taxation.

The bonds may or may not have coupons attached as the said Board of Education of Smyrna Special School District shall determine.

As the said bonds shall be paid the same shall be cancelled as the said Board of Education of the Smyrna Special School District shall direct.

Section 6. That the Board of Education of the Smyrna Special School District is hereby authorized and required to levy and raise by taxation in each year, a sum of money sufficient to pay all interest accruing on said bonds whilst any of said bonds shall remain unpaid. Said Board of Education shall also levy and raise by taxation in each year, a sum of money sufficient to pay at least Two Thousand Five Hundred Dollars (\$2,500) on the principal of said bonds, and shall retire bonds of the value of at least Two Thousand Five Hundred Dollars (\$2,500) in each and every year so long as any bonds remain outstanding. The bonds to be retired shall be ascertained each year by lot and when called for redemption shall be surrendered by the holders thereof on the date fixed for redemption. Interest on said bonds so called for redemption shall cease on the date fixed for redemption. The taxes for the said purpose shall be levied and collected as other taxes in said Special School District are, and shall be assessed on the head and on the property and shall be in excess of, and in addition to the sum or amount heretofore authorized to be raised by the said Smyrna Special School District.

Section 7. That the faith of the Smyrna Special School District is hereby pledged for the payment of any bonds that may be issued under the provisions of this Act.

## FREE SCHOOLS

Section 8. The bonds to be paid by the moneys arising from the sale of bonds issued under the provisions of this Act shall be cancelled when so paid by writing distinctly on the face of each bond the words "cancelled and paid" with the date of payment and signed by the President and Secretary of the said Smyrna Special School District and the bonds so cancelled shall be preserved by the Treasurer or Secretary of the Smyrna Special School District.

Section 9. This Act shall be deemed and taken to be a Public Act.

Approved April 17, 1929.

## CHAPTER 220

## FREE SCHOOLS

**AN ACT authorizing the Board of School Trustees of Consolidated School District No. 125 to borrow the sum of One Thousand Dollars for the purpose of paying certain citizens of said District for moneys advanced by them for the completion of a Public School Building in said District.**

WHEREAS, in pursuance of Chapter 154, Volume 35, Laws of Delaware, the State Board of Education, allotted to Consolidated School District No. 125 of Ellendale, Sussex County, State of Delaware, the sum of Twenty One Thousand Four Hundred Forty Four Dollars (\$21,444.00) for school building improvements in said district for the year 1927; and

WHEREAS, after the said allotment was made the Board of School Trustees of said district found that an additional sum of One Thousand Dollars (\$1,000.00) was needed for the purpose of carrying out the school building program then contemplated and needed for the requirements of said District and for taking care of certain emergencies which had arisen; and

WHEREAS, before proceeding with said improvements at said additional cost the Board of School Trustees of said District called a meeting of the taxpayers of said District and after full discussion it was the opinion at said meeting that the program contemplated should be carried out and a number of the citizens agreed to advance and did advance said sum of One Thousand Dollars (\$1,000.00); and

WHEREAS, the said sum advanced as aforesaid, should now be refunded and paid off; NOW, THEREFORE,

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

Section 1. That the Board of School Trustees of Consolidated School District No. 125 of Ellendale, Sussex County, State of Delaware, be and it is hereby authorized and empowered to

## FREE SCHOOLS

borrow on the faith and credit of Consolidated School District No. 125, the sum of One Thousand Dollars (\$1,000.00), in order to carry out the provisions and purposes of this Act.

Section 2. That the said Board of School Trustees of said Consolidated School District No. 125 is hereby authorized and directed to refund and pay, with the money secured under the provisions of this Act, the sum of One Thousand Dollars (\$1,000.00) advanced as aforesaid.

Section 3. That the Board of School Trustees of Consolidated School District No. 125, for the purpose set forth in Section 1 of this Act, shall have full power and authority to issue bonds of Consolidated School District No. 125, said bonds to be denominated "Consolidated School District No. 125, Refunding Bonds, Series of 1929" to an amount not exceeding in the aggregate the sum of One Thousand Dollars (\$1,000.00).

The said bonds shall be issued in such denomination or denominations as the Board of School Trustees of Consolidated School District No. 125 shall determine, shall bear date July 1, 1929, shall be numbered consecutively beginning with number one, and shall bear interest at such rate per annum as the said Board of School Trustees shall determine, not exceeding five per centum per annum, payable on the first days of January and July at the Farmers Bank of the State of Delaware at Georgetown. The principal of the said bonds shall also be payable at the Farmers Bank of the State of Delaware at Georgetown.

Section 4. That the Board of School Trustees of Consolidated School District No. 125 shall direct and effect the preparation and sale of said bonds authorized by this Act, at such time or times and on such terms as the said Board of School Trustees may deem expedient, the proceeds of such sales, shall be applied to carrying into effect the provisions of this Act.

Section 5. That the form of said bonds shall be prescribed by the Board of School Trustees of said Consolidated School District No. 125, and the said bonds shall be signed by the President

## FREE SCHOOLS

and by one of the Members of the Board of School Trustees of said Consolidated School District No. 125, and sealed with the corporate seal of said district, and shall be exempt from State, County and Municipal taxation.

The bonds may or may not have coupons attached as the said Board of School Trustees of said Consolidated School District No. 125 shall determine.

Section 6. That the Board of School Trustees of Consolidated School District No. 125 is hereby authorized and required to levy and raise by taxation in each year, a sum of money sufficient to pay all interest accruing on said bonds whilst any of said bonds shall remain unpaid.

Section 7. That the faith of Consolidated School District No. 125 is hereby pledged for the payment of any bonds that may be issued under the provisions of this Act.

Section 8. That before the provisions of this Act shall go into effect, or the said Board of School Trustees of said Consolidated School District No. 125 of Ellendale, Sussex County, State of Delaware shall have authority to issue any bonds, under the provisions of this Act, the question of borrowing the sum of money, as herein provided for, shall be submitted to the voters of said Incorporated Consolidated School District No. 125 at an election to be held within sixty days after the approval of this Act by the Governor, said election to be called by the said Board of School Trustees of said Consolidated School District No. 125, and at least ten days notice of said election to be given to the taxables of said Incorporated Consolidated School District No. 125, by written or printed advertisements posted in at least ten public and conspicuous places within the limits of said Incorporated Consolidated School District No. 125. Said election shall be held at the place where annual school elections in said Incorporated Consolidated School District No. 125 are usually held, and in the same manner in which said annual school elections are held. At such election every taxable who resides within the limits of said Incorporated Consolidated School District No. 125 and every

## FREE SCHOOLS

Corporation within the limits of said Incorporated Consolidated School District No. 125, which is taxed for school purposes therein, shall have the right to cast one vote. And if at the said election a majority of the votes cast shall be in favor of bonding said Incorporated Consolidated School District No. 125 as herein provided, then this Act and all the provisions thereof shall be deemed and taken to be immediately effective, and the said Board of School Trustees of said Consolidated School District No. 125 shall immediately be vested with all the rights, powers and duties herein provided. But if at said election a majority of the votes cast shall be against bonding said Incorporated Consolidated School District No. 125, it shall and may be lawful for the said Board of School Trustees of said Consolidated School District No. 125 to call another election in the same manner as herein provided at any time after the expiration of six months from the date of the first election to be held under the provisions of this Act; and if at such subsequent election a majority of the votes cast shall be in favor of bonding said Incorporated Consolidated School District No. 125 for the purposes herein provided, the said Board of School Trustees of said Consolidated School District No. 125 shall have all the rights and powers and shall be clothed with all the duties provided in this Act as they would if a majority of the voters had so voted at the first election held under the provisions of this Act.

Approved March 19, 1929.

## CHAPTER 221

## FREE SCHOOLS

**AN ACT authorizing Consolidated School District No. 1 to borrow the sum of Fifteen Thousand Dollars (\$15,000.00) for the purpose of paying certain citizens of said District for moneys advanced by them.**

WHEREAS, in pursuance of Chapter 154, Volume 35, Laws of Delaware, the State Board of Education, allotted to Consolidated School District No. 1 the sum of Thirty-two Thousand Dollars (\$32,000.00) for school building improvements in said district for the year 1927; and

WHEREAS, after the said allotment was made the Board of Education of said district found that an additional sum of Fifteen Thousand Dollars (\$15,000.00) was needed for the purpose of carrying out the school building program then contemplated and needed for the requirements of said District and for taking care of certain emergencies which had arisen; and

WHEREAS, before proceeding with said improvements at said additional cost the Board of Education of said District called a meeting of the taxpayers of said District and after full discussion it was the opinion at said meeting that the program contemplated should be carried out and a number of the citizens agreed to advance and did advance said sum of Fifteen Thousand Dollars (\$15,000.00); and

WHEREAS, the said sum advanced as aforesaid should now be refunded and paid off. NOW, THEREFORE,

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

Section 1. That the Board of Education of Consolidated School District No. 1 be and it is hereby authorized and empowered to borrow on the faith and credit of Consolidated School District No. 1, the sum of Fifteen Thousand Dollars (\$15,000.00), in order to carry out the provisions and purposes of this Act.

## FREE SCHOOLS

Section 2. That the said Board of Education of said Consolidated School District No. 1 is hereby authorized and directed to refund and pay, with the money secured under the provisions of this Act, the sum of Fifteen Thousand Dollars (\$15,000.00) advanced as aforesaid.

Section 3. That the Board of Education of Consolidated School District No. 1, for the purpose set forth in Section 1 of this Act, shall have full power and authority to issue bonds of Consolidated School District No. 1, said bonds to be denominated "Consolidated School District No. 1, Refunding Bonds, Series of 1929" to an amount not exceeding in the aggregate the sum of Fifteen Thousand Dollars (\$15,000.00).

The said bonds shall be issued in such denomination or denominations as the Board of Education of Consolidated School District No. 1 shall determine, shall bear date July 1, 1929, shall be numbered consecutively beginning with number one, and shall bear interest at such rate per annum as the said Board of Education shall determine, not exceeding five per centum per annum, payable on the first days of January and July at the Farmers Bank of the State of Delaware at Dover.

The principal of the said bonds shall also be payable at the Farmers Bank of the State of Delaware at Dover.

Section 4. That the Board of Education of Consolidated School District No. 1 shall direct and effect the preparation and sale of said bonds authorized by this Act, at such time or times and on such terms as the said Board of Education may deem expedient, the proceeds of such sales, shall be applied to carry into effect the provisions of this Act.

Section 5. That the form of said bonds shall be prescribed by the Board of Education of said Consolidated School District No. 1, and the said bonds shall be signed by the President and by one of the Members of the Board of Education of said Consolidated School District No. 1, and sealed with the corporate seal of said district, and shall be exempt from State, County and municipal taxation.

## FREE SCHOOLS

The bonds may or may not have coupons attached as the said Consolidated School District No. 1 shall determine.

Section 6. That the Board of Education of Consolidated School District No. 1 is hereby authorized and required to levy and raise by taxation in each year, a sum of money sufficient to pay all interest accruing on said bonds whilst any of said bonds shall remain unpaid. Said Board of Education shall also levy and raise by taxation in each year, a sum of money sufficient to pay at least One Thousand Dollars (\$1,000.00) on the principal of said bonds, and shall retire bonds of the value of at least One Thousand Dollars (\$1,000.00) in each and every year so long as any bonds remain outstanding. The bonds to be retired shall be ascertained each year by lot and when called for redemption shall be surrendered by the holders thereof on the date fixed for redemption. Interest on said bonds so called for redemption shall cease on the date fixed for redemption. The taxes for the said purpose shall be levied and collected as other taxes in said Special School District are, and shall be assessed on the head and on the property and shall be in excess of, and in addition to the sum or amount heretofore authorized to be raised by the said Consolidated School District No. 1.

As the said bonds shall be paid, the same shall be cancelled as the Board of Education of Consolidated School District No. 1 shall direct.

Section 7. That the faith of Consolidated School District No. 1 is hereby pledged for the payment of any bonds that may be issued under the provisions of this Act.

Section 8. Before any bond shall be issued under the provisions of this Act a special election shall be held in the usual place and in the same manner as other school elections are held, of which notice shall be given by advertisements setting out the purpose of said election published in at least one newspaper in the County at least once a week for at least two weeks before the day of said election, and by notices being posted on the door of the voting place where such election is to be held. In all of

## FREE SCHOOLS

said advertisements and notices the amount of bonds proposed to be issued and the purposes therefor shall be set forth plainly. At said election every person qualified to vote at a general election shall be entitled to vote. At said election, at the voting place there shall be provided a sufficient number of ballots on which shall be written or printed the words "for the bond issue", and an equal number of ballots on which shall be written or printed the words "against the bond issue", and each voter shall be entitled to receive both of said ballots, one of which the voter may deposit as his or her ballot but any voter may prepare his or her own ballot and deposit it in lieu of the ballot provided as aforesaid. The polls for said election shall open at one o'clock P. M. of the day advertised for the said election and remain open until five o'clock P. M. of the said day, and said election shall be held by such persons as shall be designated by the Board of Education of said District. If at said election a majority of the votes be cast for the bond issue, then bonds to the amount stated in the notice aforesaid may be issued as in this Act provided, but if at such election the majority be against the bond issue, no bonds shall be issued under this Act.

A statement appearing in the bonds issued, under the provisions of this Act, to the effect that the bonds have been duly authorized, shall be deemed and held to be conclusive evidence in favor of the holder of any such bonds that all the terms and conditions of this Section and of all Sections under this Act have been fully met and complied with.

Approved March 19, 1929.

## CHAPTER 222

## FREE SCHOOLS

**AN ACT to amend Chapter 160, Volume 32, Laws of Delaware, entitled "AN ACT to provide for the establishment and maintenance of a General and Efficient System of Free 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 160 of Volume 32, Laws of Delaware, be and the same is hereby amended by repealing all of Section 34 thereof, and substituting in lieu thereof a new Section 34.

Section 34. The State Board of Education is authorized, empowered, directed and required to maintain a uniform, equal and effective system of public schools throughout the State, 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 for 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 shall be numbered and the schools for colored children shall be numbered as numbered prior to the year 1919. The State Board of Education may establish schools for children of people called Moors, which schools shall be free to all such children between the ages of six and twenty-one years, inclusive. No white or colored child shall be permitted to attend such a school without the permission of the State Board of Education. The public schools of the State shall include elementary schools which may be: one-teacher ungraded schools; one-teacher graded schools, grades one to six inclusive; standard two-teacher schools, grades one to eight inclusive; standard three-teacher schools, grades one to nine, inclusive; and such other standard schools as the State Board of Education may establish. Provided, that a one-teacher ungraded school, for pupils under the ninth

## FREE SCHOOLS

grade, shall be provided when required by the Board of School Trustees in any School District. The Public Schools of the School Districts shall also include such standard high schools as the State Board of Education shall establish, under the rules and regulations of the State Board of Education. The State Board of Education may establish kindergartens and playgrounds and such other types of schools, as in its judgment will promote the educational interests of the State. The school year in all school Districts shall begin July first and shall end on June thirtieth of the succeeding year, and the school year in Special School Districts shall be as now provided, or as hereafter may be provided by the Board of Education of a Special School District. The school term shall begin on the first Tuesday after the first Monday in September unless otherwise provided by the State Board of Education, and shall be in session not less than one hundred and sixty days. Provided, however, that the Board of School Trustees of any School District shall have power, if in its judgment such step be expedient, to change the school terms in such School District; provided, however, that the schools in said School District shall be in session the minimum number of days throughout the year specified by this Act.

Approved April 3, 1929.

## CHAPTER 223

## UNIVERSITY OF DELAWARE

**AN ACT appropriating money for the completion of the Engineering Building and Constructing a Heating Plant at the University of Delaware.**

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

Section 1. For the purpose of completing the Engineering Building now being erected on the grounds of the University of Delaware, at Newark, Delaware, under the provisions of an Act of the General Assembly of the State of Delaware, approved April 25, 1927, and the equipment of said building, and as a part of the cost of erecting a heating plant for the University of Delaware, the sum of One Hundred and Ten Thousand Dollars is hereby appropriated out of any moneys in the Treasury of the State of Delaware, to be paid by the State Treasurer to the Trustees of the University of Delaware, on the first day of June, A. D. one thousand nine hundred and twenty-nine.

Approved April 17, 1929.

## CHAPTER 224

## UNIVERSITY OF DELAWARE

**AN ACT appropriating money for the erection of a Gymnasium at the Women's College of the University of Delaware.**

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

Section 1. For the purpose of erecting and equipping a building on the grounds of the Women's College of the University of Delaware, at Newark, Delaware, to be used as a Gymnasium, the sum of One Hundred and Fifty Thousand Dollars is hereby appropriated out of any moneys in the Treasury of the State of Delaware to be paid by the State Treasurer to the Trustees of the University of Delaware, on the First day of July, A. D. one thousand nine hundred and twenty-nine.

Approved April 17, 1929.

CHAPTER 225

UNIVERSITY OF DELAWARE

**AN ACT appropriating Five Hundred Dollars annually to the School of Agriculture, University of Delaware, for the purpose of payment of Scholarships to 4-H Boys' and Girls' Clubs, and maintenance of the Junior Short Course at the University 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 sum of Five Hundred Dollars (\$500.00) be and the same is hereby appropriated annually to the School of Agriculture, University of Delaware, for the purpose of payment of scholarships to 4-H Boys' and Girls' Clubs, and for maintenance of the Junior Short Course at the University of Delaware.

Section 2. This Act shall be known as a Supplementary Appropriation Act, and the funds appropriated shall be paid from the general funds of the State Treasury.

Approved April 17, 1929.

## CHAPTER 226

## EDUCATION

**AN ACT to appropriate the sum of Three Hundred Dollars annually until 1942, or so much thereof as may be necessary under this Act for the use and benefit of the Children, not under Sixteen nor over Twenty-one Years of Age and who have for twelve months had their domicile in the State of Delaware, of those who were killed in action or who died from other cause while serving in the Army, Navy or Marine Corps, of the United States, during the World War, from April 6, 1917, to July 2, 1921; which said Children are attending or who may hereafter attend a State Educational or Training Institution of a Secondary or College grade; for the purpose of providing and paying for said Children; Tuition and Matriculation fees; Board and Room rent; and books and supplies, and for no other purposes.**

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

Section 1. There is hereby appropriated the sum of Three Hundred Dollars (\$300.00) for the calendar year 1930 and annually thereafter until 1942, or so much thereof as may be necessary under this Act, for the use and benefit of the children, not under sixteen (16) nor over twenty-one (21) years of age and who have for twelve (12) months had their domicile in the State of Delaware, of those who were killed in action or died from other cause in the World War, from April 6, 1917 to July 2, 1921, while serving in the Army, Navy or Marine Corps of the United States; which said children are attending or may hereafter attend a State educational or training institution of a secondary or college grade; for the purpose of providing and paying for said children; tuition and matriculation fees; board and room rent; and books and supplies, and for no other purposes.

Section 2. Be it further enacted by the authority aforesaid that not more than One Hundred Fifty Dollars (\$150.00) shall be paid under the provisions of this Act to any one child for any one year.

## FREE SCHOOLS

Section 3. Be it further enacted by the authority aforesaid that the amounts that may be or become due to any such educational or training institution, not in excess of the amount specified in Section 2 hereof shall be payable to said institution as herein mentioned from the fund hereby created on vouchers approved by the Director of the State Board for Vocational Education. And it is hereby made the duty of said Director to ascertain and pass on the eligibility of the children who may make application for the benefits provided for in this Act; to satisfy himself of the attendance of such children at any such institution as is herein specified, and of the accuracy of the charge or charges submitted to said Director by the authorities of any such institution, on account of the attendance thereat of any such children as is herein provided for; Provided, that said Director shall not receive any salary, pay or emoluments, for said duties, other than that paid him for his services as such Director.

Section 4. Be it further enacted by the authority aforesaid that the fund created by this Act shall be available immediately upon the passage of this Act.

Section 5. The above shall be known as a "Supplementary Appropriation Bill". All Acts and parts of Acts inconsistent herewith are hereby repealed insofar as the inconsistency may occur only.

Approved May 1, 1929.

## CHAPTER 227

## STATE COLLEGE FOR COLORED STUDENTS

**AN ACT appropriating money for the Erection and Equipping of Buildings at State College for Colored Students.**

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

Section 1. That the sum of Fifteen Thousand (\$15,000.00) Dollars is hereby appropriated for the erection, construction and equipping of a cow barn, and for the erection, construction and equipping of a cottage or residence for teachers at State College for Colored Students.

Section 2. That the moneys hereby appropriated shall be paid by the State Treasurer, upon warrants drawn by the State Auditor, from time to time upon vouchers, approved and submitted by the President and Secretary of the Board of Trustees of State College for Colored Students.

Section 3. This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the general funds in the State Treasury, not otherwise appropriated.

Approved May 15, 1929.

# TITLE TWELVE

## Fish, Oysters and Game

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### CHAPTER 228

#### FISH, OYSTERS AND GAME

**AN ACT to amend Chapter 74, of the Revised Code of the State of Delaware relating to Fish, Oysters and Game, by increasing the Salaries of the Members of the Board of Game and Fish Commissioners from One Hundred and Fifty Dollars a Year to Three Hundred Dollars a Year.**

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

Section 1. That Section 1 of Chapter 74, being Section 2358, of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out said Section and inserting in lieu thereof the following:

2358 Section 1. Board of Game and Fish Commissioners: Establishment; Appointment; Number; Terms of Office; Vacancies; Compensation; Expenditures; How Paid:—The Board of Game and Fish Commissioners of the State of Delaware is established and shall be known and termed as such. Said Board shall be appointed by the Governor and consist of three Commissioners, one from each of the Counties of this State, not more than two of whom, serving at the same time, shall be from one political party. The three Commissioners first appointed under this Section shall be appointed and commissioned for terms of two, four and six years, respectively, and their successors shall be appointed and commissioned for terms of six years. Any vacancy on said Board shall be filled by the Governor by appointment and commission for the unexpired term in which the vacancy occurs. The members of said Board shall receive Three Hundred Dollars

## FISH, OYSTERS AND GAME

(\$300) a year for their services on said Board, also their expenses incurred in attending to their duties on said Board; said salaries and all expenditures to be made by said Board shall be paid only out of funds received by it from the sale of hunting and fishing licenses and from fines and forfeitures imposed and received for violations of the game and fish Laws of this State.

Approved May 15, 1929.

## CHAPTER 229

## FISH, OYSTERS AND GAME

**AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware by making a closed Season for Ring Necked Pheasant.**

*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 amended by adding after 2376 Section 19 thereof a new Section to be styled 2376 A Section 19 A, as follows:

2376 A Section 19 A. That from and after the passage of this Act until November 15, 1931, it shall be unlawful for any person in this State to hunt, kill, take or destroy, sell or expose for sale, or have in his possession after the same has been killed, any Ring Necked Pheasant, except for scientific or propogating purposes.

If any person shall be found within the State hunting, wilfully killing, taking or destroying, selling or exposing for sale, or having in his possession after the same has been killed, any Ring Necked Pheasant, except for scientific or propogating purposes, such person shall be deemed guilty of a common nuisance, and shall be fined Twenty-five Dollars and costs for each offense, and, failing to pay forthwith any fine imposed under the provisions of this Section, together with the costs of prosecution, unless an appeal be taken, such person shall be committed to the County Jail or Workhouse of the County in which such offense was committed, for thirty days, unless said fine and costs be sooner paid.

The Justices of the Peace shall have plenary jurisdiction of all offenses against the provisions of this Section.

Approved March 27, 1929.

## CHAPTER 230

## LICENSING OF DOGS

**AN ACT to further amend Chapter 74, of the Revised Code of the State of Delaware, by increasing the kennel license for Dogs as provided therein.**

*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, as amended by Chapter 185, Volume 34, Laws of Delaware, be further amended by repealing all of the second paragraph of 2406 A Section 49 A, and substituting in lieu thereof the following:

PROVIDED, that any person who maintains a kennel wherein dogs are kept for the purposes of breeding, training, sale or show purposes, may pay a kennel tax of Ten Dollars and Fifty Cents (\$10.50), which shall entitle him to keep therein not more than twelve dogs belonging to himself or in training for others, or he may pay a kennel tax of Fifteen Dollars and Fifty Cents, which shall entitle him to keep therein not more than twenty-five dogs belonging to himself or in training for others, or he may pay a kennel tax of Twenty-five Dollars and Fifty Cents, which shall entitle him to keep therein not more than fifty dogs, belonging to himself or in training for others, or he may pay a kennel tax of Fifty Dollars and Fifty Cents, which shall entitle him to keep in said kennel as many dogs belonging to himself or in training for others as he may desire. Such kennel dogs to be at all times kept confined unless accompanied by the owner or his agent, except in case of dogs when in a chase or returning from a chase.

Approved April 1, 1929.

CHAPTER 231

FISH, OYSTERS AND GAME

**AN ACT to further amend Chapter 74 of the Revised Code of the State of Delaware by relieving the Board of Game and Fish Commissioners from the responsibility of paying for the killing or injuring of any wild Ducks or wild Geese used for Decoys or for sale.**

*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, as amended by Chapter 176, Volume 30, Laws of Delaware, and further amended by Chapter 185, Volume 34, Laws of Delaware, be and the same is hereby further amended by adding at end of the first paragraph of 2406 J Section 49 J, the following:

**"AND PROVIDED FURTHER** that no payment shall be made or authorized by said Board for any damages suffered on account of the injury to or the killing of any wild ducks or wild geese which may have been kept for use as decoys or for sale."

Approved March 27, 1929.

## CHAPTER 232

## FISH, OYSTERS AND GAME

**AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware relative to Fish, Oysters and Game, by increasing the cost of non-resident Hunter's license from Ten Dollars and Fifty Cents to Fifteen Dollars and Fifty Cents.**

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

Section 1. That Section 54 of Chapter 74, being Section 2411 of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out said Section and inserting in lieu thereof the following:

2411 Section 54. Hunting License for Non-Residents; Fee:—Every non-resident of this State must obtain a license to hunt game birds or animals in this State, for which he shall pay Fifteen Dollars and Fifty Cents (\$15.50) every year to the Board of Game and Fish Commissioners of the State of Delaware.

Approved March 21, 1929.

CHAPTER 233

FISH, OYSTERS AND GAME

**AN ACT to further amend Chapter 74 of the Revised Code of the State of Delaware as amended by making it lawful to shoot wild Duck, wild Geese, Brant and Snipe on public lands bordering on the Delaware Bay, Atlantic Ocean, Rehoboth Bay, Indian River and Assawaman 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, as amended by Chapter 176 of Volume 30, Laws of Delaware, be further amended by adding a new paragraph at the end of 2417 A Section 60 A as follows:

It shall be lawful, however, to shoot and kill during the open season for same, wild duck, wild geese, brant and snipe on all State lands bordering on the Delaware Bay, Atlantic Ocean, Indian River and Assawaman Bay.

Approved March 18, 1929.

## CHAPTER 234

## FISH, OYSTERS AND GAME

**AN ACT to further amend Chapter 74 of the Revised Code of the State of Delaware, in reference to Oyster Planting and the Leasing of Oyster Bottom in Indian River, Rehoboth Bay and Assawaman 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, as amended by Chapter 191 of Volume 33, Laws of Delaware, be further amended by repealing 2479 Section 122 and 2480 Section 123, and inserting in lieu thereof new Sections to be styled 2479 Section 122 and 2480 Section 123:

2479 Section 122. Persons May Plant in Indian River or Rehoboth or Assawaman Bays; Fees; Plantations How Marked; Oysters Property of Planter:—It shall be unlawful for any non-resident of the State of Delaware to lay out or plant oysters in any of the waters of Indian River or Rehoboth Bay or Assawaman Bay. It shall be lawful for any resident of the State of Delaware to lay out or plant oysters in said water and anyone so doing shall pay to the Commissioner hereinafter in this Article provided for, annually, the sum of Fifty Cents for each acre as rent for the ground so held by him or her, the first payment of the said tax to be made within one month after he shall stake off the area aforesaid. The said area shall be marked or designated by stakes as provided in the following Section of this Article, and the oysters deposited within said stakes, and their increase, shall be the private property of the said planter, and shall be protected as is hereinafter in this Article provided.

2480 Section 123. Persons May appropriate Acres in Indian River or Rehoboth Bay or Assawaman Bay for Oyster Planting; Oysters Property; Staking; Plot to be Filed:—Any resident of the State of Delaware may appropriate to his own use a part of the bottom of Indian River or Rehoboth Bay or Assawaman Bay, not in excess of five acres, for planting oysters, which part

## FISH, OYSTERS AND GAME

he shall designate by corner stakes to show at least two feet above the ordinary high water mark and not to be obstructive of navigation. It shall be the possession of the planter or planters, and the oysters to be deposited therein and their increase shall be his or their private property. Provided that any such person so intending to appropriate any part of the bottom of said Indian River or Rehoboth Bay or Assawaman Bay shall, within thirty days after he has so as aforesaid staked off the area which he intends to use for planting oysters, file with the Commissioner hereinafter in this Article provided for, a sufficient plot and description of said area whereby the same may be known and located, reference being made in plot and description to natural objects, or to artificial boundaries erected or fixed on the shore or shores of said Indian River or Rehoboth Bay or Assawaman Bay. Said plot or description shall be recorded in the office aforesaid. If the planter shall fail to file a plot and description within the time aforesaid or shall fail to pay his or her ground rent within thirty days after the same shall become due and payable, he or she shall forfeit all right, title and claim to the area aforesaid, and the same may be appropriated for the purposes aforesaid by any other person.

Approved March 6, 1929.

## CHAPTER 235

## FISH, OYSTERS AND GAME

**AN ACT to further amend Chapter 74 of the Revised Code of the State of Delaware as amended by Chapter 206, Volume 28, Laws of Delaware, by making it unlawful to have Bass in one's possession under six inches in length.**

*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, as amended by Chapter 206, Volume 28, Laws of Delaware, be amended by repealing all of 2528 Section 171 thereof and substituting in lieu thereof a new Section to be styled 2528 Section 171.

2528 Section 171. Fish; Size Unlawful to Have in Possession:—It shall be unlawful to have in possession any large mouth bass, small mouth bass, pike, pickerel or wall-eyed pike, or pike-perch under the length of ten inches; any black perch, rainbow, brown or brook trout under the length of six inches; any sturgeon under the length of four and one-half feet; any eel under the length of twelve inches. Any fish taken which is under the length prescribed for the respective species named in this Section shall be returned to the water with wet hands as quickly as possible and with the least possible injury.

All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved March 21, 1929.

## CHAPTER 236

## FISH, OYSTERS AND GAME

**AN ACT to further amend Chapter 74 of the Revised Code of the State of Delaware, as amended, by further fixing a daily limit on certain Game Fish.**

*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 2534 Section 177 of said Chapter and by substituting in lieu thereof the following to be styled 2534 Section 177.

2534 Section 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 bass, small mouth bass or black bass .....	6
Rainbow, brown, brook or speckled trout .....	6
Pike-perch, pike, pickerel and wall eyed pike .....	6
Crappies, calico bass, strawberry bass, goggle-eye sunfish, sunfish or yellow neds .....	12

All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 11, 1929.

## CHAPTER 237

## FISH, OYSTERS AND GAME

**AN ACT authorizing the Board of Game and Fish Commissioners to sell a certain Boat now in its custody which is the Property of the State of Delaware and directing that money received from said Sale be expended under the provisions of an Act creating said Board of Game and Fish Commissioners.**

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

Section 1. The Board of Game and Fish Commissioners is hereby authorized, empowered and directed to sell at private or public sale a certain boat purchased by them under authority vested in them by Chapter 194 of Volume 33, Laws of Delaware, the proceeds of said sale to be applied by said Board of Game and Fish Commissioners in securing a suitable power boat to be used exclusively in enforcing the Laws of the State of Delaware.

All Acts or parts of Acts inconsistent herewith are hereby repealed insofar as the inconsistency may occur only.

Approved March 27, 1929.

CHAPTER 238

FISH, OYSTERS AND GAME

**AN ACT to amend Chapter 178 of Volume 35, Laws of Delaware, by changing the Open Season for catching Eels in Pots or Fyke Nets.**

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

Section 1. That Section 14 of Chapter 178, Volume 35, Laws of Delaware, be and the same is hereby repealed and the following new Section inserted in lieu thereof:

Section 14. Eels:—It shall be unlawful to use eel pots and fyke nets each without wings, in Kent County, from November 30th to September 15th next following, both dates inclusive, provided, that the entrance of said eel pot and fyke net shall not be more than six inches in diameter and the outside diameter not more than thirty inches. Any person violating any of the provisions of this Section shall on conviction thereof be subject to a fine of Twenty Dollars (\$20.00) together with a forfeiture of all nets, boats and other appliances used.

All Acts and parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved March 22, 1929.

# TITLE THIRTEEN

## Deaf, Dumb, Blind and Insane

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### CHAPTER 239

#### DELAWARE STATE HOSPITAL

**AN ACT appropriating monies for the Construction of Permanent Improvements at 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. For the purpose of constructing a portion of the first group of the proposed development plan of the State Board of Trustees of the Delaware State Hospital at Farnhurst, there is hereby appropriated to the said State Board of Trustees, to be paid out of the Treasury of this State, the following sums:

(a) For the construction of Psychiatric Observation Clinic the sum of One Hundred and Sixty-five Thousand Dollars.

(b) For the construction of a building for "Female Continued Treatment Group" (60 beds) the sum of One Hundred and Forty Thousand Dollars.

(c) For the construction of a portion of the Home for Nurses the sum of One Hundred Thousand Dollars.

(d) For the construction of an addition to the dining rooms for personnel the sum of Eight Thousand Dollars.

(e) For the construction of sewers, drains and water mains the sum of Forty Thousand Dollars.

(f) For the construction of tunnels and temporary transmission lines the sum of Twenty Thousand Dollars.

## DELAWARE STATE HOSPITAL

(g) For grading and partial landscaping the sum of Five Thousand Dollars.

Section 2. The said construction shall be done under the supervision of the said State Board of Trustees and the said State Board of Trustees shall cause plans and specifications for said construction to be prepared and the contract for the construction of such buildings, or any of them, in accordance with said plans and specifications shall be awarded to the lowest responsible bidder, who shall submit such bid upon a public offering by the said State Board of Trustees. The State Board of Trustees shall have power in submitting said construction work to public bid, to divide the same into such units or groups as it shall deem advisable. The said State Board of Trustees shall have power to reject any and all bids submitted to them. The expenditure of the monies by the said State Board shall be made in accordance with and subject to the provisions of Section 21, Chapter 15, of the Revised Code of Delaware.

Approved April 30, 1929.

## CHAPTER 240

## DELAWARE STATE HOSPITAL

**AN ACT to appropriate monies for the maintenance, equipment and operation 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. For the purpose of providing for the maintenance equipment and operation of the extensions and improvements at the Delaware State Hospital at Farnhurst, there is hereby appropriated to the State Board of Trustees of the Delaware State Hospital at Farnhurst, to be paid out of the Treasury of this State, the following sums:

(a) For Superintendent's Medical Staff, assistants, office force, Occupational Therapy Department, Nursing Department, Housekeeping Department, and Mechanical Department, the sum of Thirteen Thousand Five Hundred Dollars (\$13,500.00).

(b) For necessary requirements for new offices the sum of Two Hundred Dollars (\$200.00).

(c) For traveling expenses the sum of One Hundred and Forty Dollars (\$140.00).

(d) For the operation of the new Psychiatric Observation Clinic the additional sum of Four Thousand Dollars (\$4,000.00).

(e) For repairs of new buildings the sum of One Hundred Sixty Dollars (\$160.00).

(f) For additional furniture and fixtures to equip new buildings and for additional machinery, office equipment, medical and surgical apparatus and transportation facilities the sum of Fifty-four Thousand Dollars (\$54,000.00).

Approved May 1, 1929.

## CHAPTER 241

## DELAWARE STATE HOSPITAL

**AN ACT to authorize the establishment of a Mental Hygiene Clinic under the direction and control of 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. The State Board of Trustees of The Delaware State Hospital at Farnhurst is hereby authorized and empowered to establish a Mental Hygiene Clinic, to be composed of such professional assistants as may be recommended by the Superintendent of the said State Hospital. The Superintendent of the said Hospital shall be the directing head of said Clinic and he is hereby constituted State Psychiatrist and Criminologist. It shall be the duty of the said Clinic to examine all children within the State, attending any public or private schools, who are two or more years retarded, when so requested by the Superintendent or other Executive head of such School. The said Mental Hygiene Clinic shall likewise undertake and carry on a continuous survey and examination of all feeble minded. The said Clinic shall have power to observe, examine, study and treat the inmates of any institution supported in whole or in part by the State of Delaware, or any County thereof, and shall likewise have power to observe, examine, study and treat any person charged with any offense in, or subject to the provision of, any Court within the State, when requested so to do by the Judge or Judges thereof. The said Clinic shall likewise have power, when requested, to extend its psychiatric services to all social agencies of the State, general hospitals and all institutions for the feeble minded for the purpose of the discovery and treatment of mental disorders.

Section 2. The said Mental Hygiene Clinic shall have power through the State Psychiatrist and Criminologist to apply for the commitment of any person to the Delaware State Hospital at Farnhurst under any existing or future Laws of the State of Delaware relating to such commitments.

Approved April 8, 1929.

## CHAPTER 242

## DELAWARE STATE HOSPITAL

**AN ACT authorizing the establishment of a Psychiatric Observation Clinic at 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. The State Board of Trustees of The Delaware State Hospital at Farnhurst are hereby authorized to establish under the direction and supervision of the said State Hospital a psychiatric observation clinic for the observation, study, psychiatric diagnosis and treatment of persons suffering from mental and nervous diseases. Any physician licensed to practice medicine within this State may, upon compliance with the rules and regulations of the said State Board of Trustees made from time to time, cause any patient under his care or treatment, who is suffering from mental or nervous disease, to be admitted to said Clinic for a period not to exceed four weeks at any one time for observation, study, diagnosis and treatment. Any patient so admitted shall remain in said Clinic for a further period or periods not to exceed four weeks duration each, upon the request of the physician upon whose application such patient was admitted to said Clinic and with the approval of the said State Board of Trustees. Any person who shall be admitted into such Clinic shall not be allowed to depart therefrom prior to the expiration of such four weeks period, or any extension thereof, in case any such extension shall have been made, without the consent of the Superintendent of The Delaware State Hospital.

Approved April 8, 1929.

## CHAPTER 243

## DELAWARE STATE HOSPITAL

**AN ACT to amend Section 6 of Article 1, Chapter 76 of the Revised Code of Delaware relating to admissions 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 Section 2598 of the Revised Code of Delaware, being Section 6 of Article 1 of Chapter 76 of the Revised Code of Delaware, be and the same is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

2598 Section 6. Insane Persons; How Admitted:—No person shall be received as a patient for permanent detention in the Delaware State Hospital at Farnhurst, except as follows: a 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 person, which said certificate shall be filed with the Superintendent of said Hospital. Said certificate shall be made within one week after the examination of such person and within two weeks of the time of the filing of the same with the said superintendent. Such certificate shall be signed by said physicians, who shall also make affidavit to the truth of the facts and statements therein contained, which affidavit may be made before any officer authorized to administer oaths within the State of Delaware.

Upon the filing of such application it shall be the duty of the Psychiatric Observation Clinic of The Delaware State Hospital to observe and study the person mentioned in said certificate and report its findings to the State Board of Trustees of the said Hospital. If the report of the said Clinic shall be that the said supposed insane person should be admitted to The said Hospital because of mental disease, the said State Board of Trustees are hereby authorized, empowered and directed to summon a jury of six responsible persons to determine whether such person is suf-

## DELAWARE STATE HOSPITAL

fering from mental disease and should be admitted to the said Hospital, if such jury shall be requested by any person related or connected with such supposed insane person by blood or marriage. If such jury shall not be requested, the State Board of Trustees shall appoint a commission consisting of two qualified and licensed physicians, who shall determine whether such supposed insane person is suffering from mental disease and should be admitted into said State Hospital. The said Jury or the said Commission, as the case may be, shall report their findings to the said State Board of Trustees and if the report shall be that such supposed insane person is suffering from mental disease and should be admitted into said hospital, such report shall be sufficient for the commitment of such person, subject to the right of appeal hereinafter provided. No investigation by the said Jury or Commission shall be had except in the presence of the said supposed insane person and the said jury or commission shall have power to take testimony and administer oaths.

The said supposed insane person or any person related to or connected with him by blood or marriage, shall have the right of an appeal from the findings of said jury or commission to the Chancellor of the State of Delaware within ten days from the filing of the report of such jury or commission with the said State Board of Trustees. The members of said jury or commission shall receive such compensation as shall be fixed by general rule by the said State Board of Trustees. This Section shall not apply to or be construed to embrace commitments to said hospital made by any Court of this State, as provided by Law.

Approved April 8, 1929.

## CHAPTER 244

## INSANE

**AN ACT to amend Chapter 76 of the Revised Code of 1915 of the State of Delaware relating to Trustees for Insane Persons.**

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

Section 1. That Chapter 76 of the Revised Code of 1915 of the State of Delaware, be and the same is hereby amended by repealing all of 2614, Section 22 of said Chapter and substituting a new Section to be known as 2614 Section 22, as follows:

2614 Section 22. Trustees for Insane Persons; Chancellor May Appoint; Inquisition; Appointment Without Inquisition; When; Rules: The Court of Chancery shall have the care of insane persons above the age of twenty-one years, so far as to appoint trustees for such persons to take charge of them and manage their estates.

Before such appointment, the Chancellor shall issue a writ to inquire by a jury and determine whether the person named is insane.

Where, however, the person named is at the time of making the application an inmate of the Delaware State Hospital at Farnhurst, or of an institution for the care of the feeble minded maintained by The Delaware Commission for the Feeble Minded, the Chancellor may in his discretion appoint a trustee or trustees for such person without issuing a writ to so inquire by a jury and determine whether the person named is insane; provided, however, that in any case the person alleged to be insane, or any person related to such person within the third degree of consanguinity, may at any time, before the appointment of such trustee, require that a writ issue to inquire by a jury and determine whether the person named is insane. The Chancellor shall have authority to make rules for carrying into effect the provisions of this Section.

Approved April 29, 1929.

## CHAPTER 245

## DELAWARE STATE HOSPITAL

**AN ACT to amend an Act entitled "An Act to Provide for the Sterilization of certain Mental Defectives", being Chapter 62, Volume 33, Laws of Delaware.**

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

Section 1. That Chapter 62, Volume 33, Laws of Delaware, approved April 28, A. D. 1923, entitled "An Act to Provide for the Sterilization of certain Mental Defectives" be and the same is hereby amended by adding thereto a new Section, to be known as Section 4, as follows:

Section 4. Upon the report and recommendation of the Mental Hygiene Clinic of the Delaware State Hospital at Farnhurst or the Superintendent of the said The Delaware State Hospital that any person who is confined in any institution within the State, which is supported in whole or in part by the State, or by any County thereof, or who is at large, is feeble minded, epileptic or is a chronic or recurrent insane person, the Board of Trustees or other governing body of the Institution in which such person is confined, or the State Board of Trustees of The Delaware State Hospital, if such person is at large, are hereby empowered to make written application to the State Board of Charities for the sterilization of such person; and upon receipt of such application, accompanied by a copy of the report and recommendation of the said Mental Hygiene Clinic or the said Superintendent, the State Board of Charities are hereby authorized to proceed with the sterilization of such person, in accordance with the provisions of Section 1 hereof; Provided, however, that where any mental defective, coming within the provisions of this Section, is at large the examining commission to be appointed by the State Board of Charities as provided in Section 1 of this Act shall consist of two physicians, and one alienist of recognized ability.

Section 2. In case this Act or any part thereof should be

DELAWARE STATE HOSPITAL

declared to be unconstitutional, such declaration of unconstitutionality shall not affect the Act aforesaid, hereby amended.

Approved April 10, 1929.

## CHAPTER 246

## DELAWARE STATE HOSPITAL

**AN ACT to amend an Act entitled "An Act to Provide for the Sterilization of Certain Mental Defectives."**

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

Section 1. That the Act entitled "An Act to Provide for the sterilization of certain Mental Defectives", being Chapter 62, Volume 33, Laws of Delaware, be and the same is hereby amended by adding thereto a new Section, to be known as Section 5, as follows:

Section 5. All habitual or confined criminals who have been convicted of at least three felonies by any Court of this State, or of the United States, or of any other State, shall be subject to observation and examination by the Mental Hygiene Clinic, or the Superintendent of The Delaware State Hospital at Farnhurst. If the said Mental Hygiene Clinic or the said Superintendent shall, after observation and examination, find that any such person's criminality is caused by mental abnormality or mental disease, a report and recommendation shall be made to the Board of Trustees or other governing body of the institution in which such person may be confined or to the State Board of Trustees of the Delaware State Hospital, if such person shall be at large; and thereupon such Board of Trustees or governing body, as the case may be, is authorized to apply to the State Board of Charities for the sterilization of such person, in conformity with the provisions of Section 1 hereof; provided, however, that where any mental defective, coming within the provisions of this Section is at large the examining commission to be appointed by the State Board of Charities as provided in Section 1 of this Act shall consist of two physicians, and one alienist of recognized ability.

Section 2. In case this Act or any part thereof should be declared to be unconstitutional, such declaration of unconstitutionality shall not affect the Act aforesaid, hereby amended.

Approved April 10, 1929.

# TITLE FOURTEEN

## Regulations Concerning Trade

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### CHAPTER 247

#### LEGAL HOLIDAYS

**AN ACT to amend Chapter 78 of the Revised Code of the State of Delaware in Relation to Legal Holidays.**

*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 further amended by the insertion therein of the following Section to be styled and known as 2841C, Section 197C:—

2841C, Section 197C. Nothing in any Law of this State shall in any manner whatsoever affect the validity of, or render void or voidable, the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this State, because done or performed on any Saturday between twelve o'clock noon and midnight, provided such payment, certification, acceptance, or other transaction would be valid if done or performed before twelve o'clock noon on such Saturday; provided further that nothing herein shall be so construed as to make it compulsory upon any bank or trust company in this State, which by Law or custom is entitled to close at twelve o'clock noon on any Saturday, to keep open for the transaction of business or to perform any of the acts or transactions aforesaid, on any Saturday after such hour except at its own option.

Approved May 6, 1929.

## CHAPTER 248

## AIRCRAFT

**AN ACT for the regulation of Aerial Navigation and Providing rules regulating the Operation of Aircraft within the State of Delaware and providing Penalties for the Violation Thereof.**

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

Section 1. In this Act, "Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment. "Operating aircraft" means performing the services of aircraft pilot.

Section 2. Operators or pilots of aircraft in flight shall observe the following rules:

(a) Aircraft flying in established civil airways, when it is safe and practicable, shall keep to the right side of such airways:

(b) Aircraft shall give way to each other in the following order:

1. Airplanes.
2. Airships.
3. Balloons, fixed or free.

An airship not under control is classed as a free balloon. Aircraft required to give way shall keep a safe distance, having regard to the circumstances of the case but a distance of less than three hundred feet shall be considered prima facie a violation of this sub-Section. Aircraft required to give way shall avoid crossing ahead of the other. The aircraft having the right of way may maintain its course and speed, but no engine-driven craft may pursue its course if it would come within 300

## AIRCRAFT

feet of another craft, 300 feet being the minimum distance within which aircraft, other than military aircraft of the United States engaged in military maneuvers and commercial aircraft engaged in local industrial operations, may come within proximity of each other in flight.

(c) When two engine-driven aircraft are on crossing courses, the aircraft which has the other on its right side shall keep out of the way.

(d) When two engine-driven aircraft are approaching head-on, or approximately so, and there is risk of collision, each shall alter its course to the right, so that each may pass on the left side of the other. This rule does not apply to cases where aircraft will, if each keeps on its respective course, pass more than 300 feet from each other.

(e) An overtaking aircraft is one approaching another directly from behind or within 70° of that position, and no subsequent alteration of the bearing between the two shall make the overtaking aircraft a crossing aircraft within the meaning of these rules or relieve it of the duty of keeping clear of the overtaken craft until it is finally past and clear. In case of doubt as to whether an aircraft is forward or aft, such position it shall be assumed that it is an overtaking aircraft and keep out of the way. The overtaking aircraft shall keep out of the way of the overtaken aircraft by altering its own course to the right, and not in the vertical plane.

(f) Exclusive of taking off from or landing on an established landing field, airport, or on property designated for that purpose by the owner, and except as otherwise permitted by Section 8, aircraft shall not be flown—

(1) Over the congested parts of cities, towns, or settlements, except at a height sufficient to permit of a reasonably safe emergency landing, which in no case shall be less than 1,000 feet.

2. Elsewhere at height less than 500 feet, except where indispensable to an industrial flying operation.

## AIRCRAFT

(g) No flight under 1,000 feet in height shall be made over any open-air assembly of persons, provided, however, that the provisions of this sub-Section shall not apply to flying operations conducted under the authority of or under a permit granted by the Secretary of Commerce of the United States.

(h) Acrobatic flying means intentional maneuvers not necessary to air navigation. No person shall acrobatically fly an aircraft—

1. Over a congested area of any city, town, or settlement.
2. Over any open-air assembly of persons or below 2,000 feet in height over any established civil airway, or at any height over any established airport or landing field, or within 1,000 feet horizontally thereof.
3. Any acrobatic maneuvers performed over any other place shall be concluded at a height greater than 1,500 feet.
4. No person shall acrobatically fly any airplane carrying passengers for hire.

(i) Seaplanes on the water shall maneuver according to the Laws and regulations of the United States governing the navigation of water craft, except as otherwise provided herein.

(j) The transporting of any explosives other than that necessary for signaling or fuel for such aircraft while in flight or materials for industrial and agricultural spraying (dusting) is prohibited, provided, however, that the provisions of this sub-Section shall not apply to any flying operations conducted under the authority of or under a permit granted by the Secretary of Commerce of the United States.

Section 3. Take-offs and landings shall be made upwind when practicable. The take-off shall not be commenced until there is no risk of collision with landing aircraft and until preceding aircraft are clear of the field. Aircraft when taking off or landing shall observe the traffic lanes indicated by the field rules or signals. No take-off or landing shall be made from or on a public street or highway without the consent of the local governing authority.

## AIRCRAFT

(a) If practicable, when within 1,000 feet horizontally of the leeward side of the landing field, the airplane shall maintain a direct course toward the landing zone.

(b) A landing plane has the right of way over planes moving on the ground or taking off.

(c) When landing and maneuvering in preparation to land the airplane at the greater height shall be responsible for avoiding the airplane at the lower height and shall, as regards landing, observe the rules governing overtaking aircraft.

(d) An aircraft in distress shall be given free way in attempting to land.

Section 4. The angular limits laid down in these rules will be determined as when the aircraft is in normal flying position.

(a) Between one-half hour after sunset and one-half hour before sunrise, airplanes in flight must show the following lights:

1. On the right side a green light and on the left side a red light, each showing unbroken light between two vertical planes whose dihedral angle is  $110^{\circ}$  when measured to the left and right respectively, from dead ahead. These lights shall be visible at least two miles.

2. At the rear and as far aft as possible, a white light shining rearward, visible in a dihedral angle of  $140^{\circ}$  bisected by a vertical plane through the line of flight and visible at least three miles.

(b) Between one-half hour after sunset and one-half hour before sunrise, airships shall carry and display the same lights that are prescribed for airplanes, excepting the side lights shall be doubled horizontally in a fore-and-aft position, and the rear light shall be doubled vertically. Lights in a pair shall be at least seven feet apart.

(c) A free balloon, between one-half hour after sunset and one-half hour before sunrise, shall display one white light not less than twenty feet below the car, visible for at least two miles. A fixed balloon, or airship, shall carry three lights—red, white and

## AIRCRAFT

red—in a vertical line, one over the other, visible at least two miles. The top red light shall be not less than twenty feet below the car, and the lights shall be not less than seven nor more than ten feet apart.

(d) Between one-half hour after sunset and one-half hour before sunrise, all aircraft which are on the surface of water and not under control, or which are moored or anchored in navigation lanes, shall show a white light visible for at least two miles in all directions. Balloon and airship mooring cables between one-half hour after sunset and one-half hour before sunrise shall show groups of three red lights at intervals of at least every one hundred feet, measured from the basket, the first light in the first group to be approximately twenty feet from the lower red balloon light. The object to which the balloon is moored on the ground shall have a similar group of lights to mark its position.

Section 5. The following signals, separately or together, shall, where practicable, be used in case of distress:

1. The international signal, S O S, by radio.
2. The international-code flag signal of distress.
3. A square flag having either above or below it a ball, or anything resembling a ball.

(a) When an aircraft is forced to land at night at a lighted airport, it shall signal its forced landing by making a series of short flashes with its navigation lights if practicable to do so.

(b) In fog, mist, or heavy weather, an aircraft on the water in navigation lanes, when its engines are not running, shall signal its presence by a sound device emitting a signal for about five seconds in two-minute intervals.

Section 6. Aircraft flying over large bodies of water shall be provided with an adequate supply of food and potable water and if engaged in carrying passengers for hire, must be equipped with a Very's pistol or a signal device the equivalent thereof,

and life preservers or other flotation devices of the nature and character approved by the Secretary of Commerce of the United States.

Section 7. The air traffic rules contained in the foregoing Sections may be deviated from when special circumstances so require to avoid immediate danger or because of stress of weather conditions or other unavoidable cause, but in any prosecution for the violation of any of the provisions of this Act a deviation from the air traffic rules above defined, because of such special circumstances, shall be solely a matter of defense and the State shall not be required in any such prosecution to plead or to prove in its case in chief the absence of such special circumstances.

Section 8. Any person or persons who shall violate any of the provisions of the foregoing Sections shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) or imprisoned not more than six months, or both, for the first offense, and for any subsequent offense shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one year, or both, at the discretion of the Court. Any Justice of the Peace of the State or the Judge of the Municipal Court of the City of Wilmington shall have power and jurisdiction to hear and determine offenses created by this Act, with the right of appeal to the Court of General Sessions of the State of Delaware as provided by Law. Upon the conviction of any person or persons for an offense under this Act, where no appeal is taken within the time required by Law, it shall be the duty of the Justice of the Peace or the Clerk of the Municipal Court of the City of Wilmington to certify the facts and records in the case to the Secretary of Commerce of the United States, and if after an appeal there shall be a conviction in the Court of General Sessions of the State of Delaware, it shall be the duty of the clerk of the Peace for the County in which said cause is heard to certify the facts and records therein to the Secretary of Commerce of the United States.

Section 9. All Acts or parts of Acts which are inconsistent with this Act are hereby repealed.

Approved April 2, 1929.

## CHAPTER 249

## AIRCRAFT

**AN ACT concerning the licensing of Airmen and Aircraft, to make Uniform the Law with reference thereto, and to prescribe penalties for the Violation thereof.**

*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 "Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment. "Operating aircraft" means performing the services of aircraft pilot.

Section 2. (AIRCRAFT; CONSTRUCTION, DESIGN, AND AIRWORTHINESS; FEDERAL LICENSE) The Public Safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within this State should conform with respect to design, construction, and airworthiness to the standards prescribed by the United States Government with respect to navigation of aircraft subject to its jurisdiction, it shall be unlawful for any person to navigate an aircraft within the State unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States Government then in force.

Section 3. (QUALIFICATIONS OF OPERATORS; FEDERAL LICENSE) The public safety requiring and the advantages of uniform regulations making it desirable in the interest of aeronautical progress that a person engaging within this State in navigating the aircraft described in Section 2 hereof in any form of navigation for which license to operate such aircraft would be required by the United States Government shall have the qualifications necessary for obtaining and holding the class of license required by the United States Government, it shall be unlawful for any person to engage in operating such aircraft

## AIRCRAFT

within this State in any form of navigation unless he have such a license.

Section 4. (POSSESSION AND DISPLAY OF LICENSE) The certificate of the license herein required shall be kept in the personal possession of the licensee when he is operating aircraft within this State and must be presented for inspection upon the demand of any passenger, any peace officer of this State, or any official, manager, or person in charge of any airport or landing field in this State upon which he shall land.

Section 5. (PENALTIES) A person who violates any provision of this article shall be guilty of a misdemeanor and punishable by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ninety (90) days, or both: Provided, however, that acts or omissions made unlawful by this Article shall not be deemed to include any act or omission which violates the laws or lawful regulations of the United States; but it shall not be necessary to allege or prove, as part of the case for the State, that the defendant is not amenable, on account of the alleged violation, to prosecution under laws of the United States. That he is amenable to such prosecution shall be matter of defense, unless it affirmatively appear from the evidence adduced by the State.

Approved April 2, 1929.

## CHAPTER 250

## WEIGHTS AND MEASURES

**AN ACT to amend Chapter 82 of the Revised Code of the State of Delaware as amended relating to Weights and Measures.**

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

Section 1. That Chapter 82 of the Revised Code of the State of Delaware as amended by Chapter 216, Volume 28, Laws of Delaware, and as further amended by Chapter 180, Volume 32, Laws of Delaware, be and the same is hereby amended by adding thereto following 2934 Sec. 21, new Sections to be known as 2934A Sec. 21A, 2934B Sec. 21B, and 2934C Sec. 21C, as follows:

2934A Sec. 21A. It shall be the duty of the regulator of weights and measures for each County to inspect at least once in every three months the scales used by every dealer in coal, coke or charcoal maintaining a place of business in the County and to make periodical inspections and tests of the weight of deliveries of coal, coke or charcoal of each dealer therein delivering coal, coke or charcoal to a purchaser or purchasers within the County, provided, however, that the said regulator of weights and measures, in testing a load of or other quantity of coal, coke or charcoal shall not compel such dealer or the dealer's agent or employee to go an unreasonable distance to a testing scale but shall use the nearest platform scales that are available and equipped for that purpose.

2934B Sec. 21B. In all tests or inspections of the weight of coal, coke or charcoal for delivery, a tolerance of two per centum of the weight thereof shall be permitted to allow for variations in scales and conditions not within the control of the dealer, provided, however, that such tolerance shall in no case exceed one hundred and twenty-five pounds for any load of coal, coke or charcoal.

2934C Sec. 21C. It shall be unlawful to sell or offer for sale any coal, coke or charcoal in any manner other than by weight

## WEIGHTS AND MEASURES

and for all sales and deliveries of coal, coke or charcoal in excess of five hundred pounds in any lot, the seller shall give or cause to be given to the purchaser or the purchaser's representative or agent a delivery ticket showing the following:

- (a) The date of sale
- (b) The name of the seller
- (c) The name of the purchaser
- (d) The net weight or weights of coal, coke or charcoal comprising the delivery

Provided, however, that this provision shall not apply to sales of coal, coke or charcoal in bags or packages of not over twenty-five pounds in weight each. The violation of any of the provisions of this Section by any seller or dealer in coal, coke or charcoal shall constitute a misdemeanor and subject the offender to the same punishment provided in 2934 Sec. 21.

Approved April 8, 1929.

# TITLE FIFTEEN

## Domestic Relations

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### CHAPTER 251

#### MOTHERS PENSION

**AN ACT to amend Chapter 88 of the Revised Code of the State of Delaware relating to Parents and Children, as amended, by increasing the age limit of a Child or Children mentioned in the Mothers Pension Law, from 14 to 16.**

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

Section 1. That 3071 A, Section 11 A. Chapter 88 of the Revised Code of the State of Delaware as amended by Chapter 183, Volume 32, Laws of Delaware, be and the same is hereby further amended by striking out the word "fourteen" as it appears in the second and last lines of paragraph 4, and the second line of paragraph 6 (a) of said 3071 A Section 11 A, and inserting in lieu thereof the word "sixteen" in each instance.

Approved April 18, 1929.

## CHAPTER 252

## WORKMEN'S COMPENSATION

**AN ACT to extent The Delaware Workmen's Compensation Law of 1917.**

*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 Article V, Chapter 90 of the Revised Code of the State of Delaware, known as "The Delaware Workmen's Compensation Law of 1917", as amended, is hereby extended to apply to the employees of the Board of Public Education in Wilmington, a corporation of the State of Delaware, except as to the members of the Board and its executive officers. In all matters or proceedings under said Statute, the said Board of Public Education in Wilmington shall act through the proper officers of The Mayor and Council of Wilmington and the said The Mayor and Council of Wilmington shall at all times apply for a certificate of self insurance for and on account of the said Board of Public Education in Wilmington.

Approved March 6, 1929.

## CHAPTER 253

## WORKMEN'S COMPENSATION

**AN ACT to amend Article V, Chapter 90, Revised Code of Delaware, called and cited as The Delaware Workmen's Compensation Law of 1917.**

*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 3193 V.V. Section 141 be repealed and a new section be created to be known and cited as 3193 V.V. Section 141 as follows:

3193V.V. Section 141. This Article shall not apply to the employer and employee in any employment in which less than five employees are engaged; nor to farm laborers and domestic servants, nor to their respective employers, nor to officers and servants of the State of Delaware, nor any governmental agency created by it, excepting officers and servants of the State of Delaware who shall have been neither elected for a term of office of fixed and definite duration or to complete the unexpired portion of any such term; and excepting officers and servants of the County of New Castle who shall have been neither elected for a term of office of fixed and definite duration or to complete the unexpired portion of any such term; and excepting officers and servants of the Mayor and Council of Wilmington, a municipal corporation of the State of Delaware, who shall have been neither elected for a term of office for a fixed and definite duration or to complete the unexpired portion of any such term, provided, however, that the said The Mayor and Council of Wilmington shall at all times apply to the Industrial Accident Board for a certificate for self insurance; and excepting officers and employees of the Town of Dover or The City of Dover, a municipal corporation of the State of Delaware, by whichever title the same may be known, who shall have been neither elected for a term of office for a fixed and definite duration or to complete the unexpired portion of any such term.

## WORKMEN'S COMPENSATION

The election of the State of Delaware to be bound by the compensatory provisions of this Article shall be made by and be under the control of the Governor; said election by the County of New Castle shall be made by and be under the control of the Levy Court of the said County; said election by the Mayor and Council of Wilmington shall be by and be under the control of said Mayor and Council; and election by the Town of Dover or The City of Dover shall be by and be under the control of the Town or City Council.

Approved March 28, 1929.

## CHAPTER 254

## WORKMEN'S COMPENSATION

## HIGHWAY POLICE

**AN ACT providing for permanent disability compensation to persons employed as Policemen by the State Highway Department, and for compensation to the widow or dependents of such persons.**

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

Section 1. To every person who is now or shall hereafter become employed as a policeman by the State Highway Department, and who, while so employed, shall sustain such permanent disability arising out of or in the course of performance of his official duties as results in total disability for work of such employee, there shall be paid compensation at the rate of one-half of the salary received by such policeman at the time such permanent disability arose.

Section 2. In case any such police employee of the State Highway Department shall die as the result of injuries received or sustained by him in line of duty, compensation at the rate of one-half of the salary received by such deceased employee at the time said injuries were sustained shall be paid to the widow of such deceased employee, if he leaves a widow, or to such dependents of such deceased employee as the State Highway Department shall certify to the State Treasurer to be entitled to such compensation.

Section 3. The fact of permanent disability shall be determined in each case by the State Highway Department, who shall certify to the State Treasurer in each case that the permanent disability exists and that the policeman is entitled to permanent disability compensation as provided for herein.

Section 4. Compensation hereunder to any widow shall be paid only after certification by the State Highway Department to

## WORKMEN'S COMPENSATION

the State Treasurer of the death of such employee as the result of injuries received or sustained in line of duty, and that such deceased employee left a widow surviving him, naming such widow, and such compensation shall be paid to such widow so long as she continues to be the widow of such deceased employee. After the death or remarriage of such widow and/or in case such deceased employee shall leave no widow him surviving, but leaves a dependent minor child or children under the age of sixteen years and/or other person or persons dependent principally upon such deceased employee and receiving their principal support from him at the time of his death, such compensation payments shall thereafter be made to or for the benefit of such dependent minor children under the age of sixteen years as the State Highway Department shall certify to the State Treasurer to be entitled to receive the same, and/or to such other dependents of said deceased employee as the State Highway Department shall so certify, and in the proportions certified by the State Highway Department, such payments to continue until the State Highway Department shall certify to the State Treasurer that the same should cease.

Section 5. All compensation payments herein provided for shall be made in monthly installments and out of the same funds and in the same manner as salaries of the police employees of the State Highway Departments are paid.

Section 6. If at any time after certifying as aforesaid, the State Highway Department shall discover that an error has been made in certifying to the permanent disability of any person, or that a supposed permanent disability previously certified no longer exists, it shall be the duty of the State Highway Department to certify to the State Treasurer that such error was made or that such supposed permanent disability no longer exists and thereupon no further permanent disability payments shall be made to the person in respect to whom the State Highway Department may certify as in this Section provided.

Section 7. In case compensation is paid to any police employee of the State Highway Department for a permanent disa-

## WORKMEN'S COMPENSATION

bility arising out of or in the course of his official duties in accordance with the provisions of this Act, such compensation payments shall not begin or become due until the expiration of the period during which compensation is payable for permanent injuries under the provisions of sub-section (a) of 3193j, Section 103 of Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 203, Volume 30, Laws of Delaware.

Section 8. In case any police employee of the State Highway Department shall die as the result of injuries received or sustained by him in line of duty, such compensation payments as are to be paid in accordance with the provisions of this Act to a widow, minor children, or other dependents as certified to by said Department shall not begin or become due until the expiration of the period during which compensation is payable to a widow or other dependents (children excepted), viz: two hundred and eighty-five weeks, in the case of the death of an employee under the provisions of 3193k. Section 104 of Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 203, Volume 30, Laws of Delaware.

Approved May 9, 1929.

# TITLE SIXTEEN

## Titles to Real Property

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### CHAPTER 255

#### CONVEYANCES

**AN ACT to amend Chapter 92 of the Revised Code of the State of Delaware in relation to the Satisfaction of Mortgages.**

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

Section 1. That Chapter 92 of the Revised Code be and the same is hereby amended by repealing 3228, Section 32 of said Chapter, and substituting in lieu thereof a new section to be known as 3228, Section 32, as follows:

3228, Section 32. Satisfaction of Mortgages; Within What Time; How Entered; By Whom: Whenever the debt or duty secured by a mortgage or conveyance in the nature of a mortgage is satisfied or performed, the legal holder of such mortgage or conveyance at the time of the satisfaction or performance completed, shall, within sixty days after satisfaction or performance completed, cause an entry of such satisfaction or performance to be made upon the record of such mortgage or conveyance. Such entry shall be signed by the holder of such mortgage or conveyance, or his Attorney duly constituted; or, when a corporation is the holder, by the Cashier, or Treasurer, or Assistant Treasurer, or the Attorney of said corporation duly constituted; and attested by the Recorder.

Approved March 15, 1929.

## CHAPTER 256

## DEEDS HAVING DEFECTIVE ACKNOWLEDGMENTS

**AN ACT to make valid the Record of Certain Deeds having Defective Acknowledgments.**

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

Section 1. That the record of any deed dated prior to the first day of January, A. D. 1929, and which was duly signed and sealed by the parties therein named as grantors, notwithstanding said deed had not been acknowledged before an officer authorized by the Laws of Delaware to take acknowledgments, or otherwise had not been properly acknowledged, or the private examination of any married woman, party thereto, or the said acknowledgment or private examination had not been taken and certified in conformity with the requirements of the Laws of this State in force at the time of its execution, shall be and the same is hereby made valid and effectual in law as if said deed had been correctly acknowledged and certified, and the said record, the original deed, or any office copy thereof, shall be admitted as evidence in all Courts of this State, and shall be valid and conclusive evidence, as if said deed had been in all respects acknowledged and the acknowledgment certified in accordance with the then existing law.

Approved April 2, 1929.

## CHAPTER 257

## TITLE TO CERTAIN REAL ESTATE

**AN ACT to authorize First and Central Presbyterian Church of Wilmington, Delaware, Inc., to convey certain Real Estate.**

WHEREAS, Timothy Stidham, by Indenture bearing date the 30th day of December, A. D. 1737, and recorded in the office for the Recording of Deeds, &c., in and for New Castle County and State of Delaware, at Wilmington, in Deed Record M, Vol. 1, Page 111 &c., did convey to James Chalmers, James Hutchinson, William Kirkpatrick and Archibald Biard and their successors, Trustees, Overseers and Elders of the First Presbyterian Church, certain real estate now in the City of Wilmington, New Castle County and State of Delaware, and bounded on three sides by Market, Tenth and King Streets and more particularly described in said Indenture under and subject to the uses and trusts as set forth in said Indenture, viz: "for the use of a meeting house, burying ground and such other pious uses forever" as said Trustees, Overseers and Elders of the Said Presbyterian Church or a majority of them should "at any time hereafter see most fitting and convenient and to no other use, intent or purpose whatsoever."

AND WHEREAS by sundry subsequent conveyances First and Central Presbyterian Church of Wilmington, Delaware, Inc., a religious corporation of the State of Delaware, became and is now seised and possessed of a certain piece, part and parcel of said real estate, under and subject to the said uses and trusts as set forth in said indenture of Timothy Stidham, dated the thirtieth day of December, A. D. 1737, hereinbefore recited, which said piece, part and parcel of said real estate is more particularly described as follows:

ALL that certain lot or parcel of land situate in the City of Wilmington, New Castle County and State of Delaware, more particularly described and bounded according to a recent survey made by the City Engineer of the City of Wilmington, as follows, to wit:

BEGINNING at a point on the Easterly side of Market Street (at 65 ft. 6 in. wide) at the distance of ninety feet

## TITLE TO CERTAIN REAL ESTATE

Southerly from the Southerly side of Tenth Street, a corner of land of The Mayor and Council of Wilmington, occupied by the Wilmington Public Library; thence Easterly and parallel with Tenth Street and along line of said land of The Mayor and Council of Wilmington two hundred and ten feet six inches to the Westerly side of King Street; thence Southerly along said side of King Street one hundred forty-five feet and one fourth of an inch to a point, a corner of land of Delaware Title Insurance Company; thence Westerly, along the line of said land of Delaware Title Insurance Company two hundred ten feet six inches to a point on the Easterly side of Market Street (said point being distant seventy-three feet five inches Northerly from the Northerly side of Ninth Street); and thence Northerly along said Easterly side of Market Street one hundred forty-five feet one inch to the place of BEGINNING. Be the contents thereof what they may.

AND WHEREAS, the said First and Central Presbyterian Church of Wilmington, Delaware, Inc., is now desirous of selling the said above piece, part or parcel of said real estate above particularly described;

AND WHEREAS, due to the great lapse of time since the execution of the said indenture of Timothy Stidham dated December 30, 1737, the conditions affecting the location of said real estate have greatly changed;

AND WHEREAS, it is to the interest of the said First and Central Presbyterian Church of Wilmington, Delaware, Inc., and to the interest of the congregation thereof, and in furtherance of the general purpose and intent expressed in the said indenture of Timothy Stidham and for the better administration of the said uses and trusts that the said First and Central Presbyterian Church of Wilmington, Delaware, Inc., should be authorized to sell said real estate, free and discharged of and from the said uses and trusts, the proceeds of such sale thereafter to be held, owned and subject to said uses and trusts; 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 said First and Central Presbyterian

## TITLE TO CERTAIN REAL ESTATE

Church of Wilmington, Delaware, Inc., a religious 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, free and discharged of and from said uses and trusts as set forth in said indenture of Timothy Stidham, and from any and all other uses and trusts, all that certain piece, part and parcel of said real estate hereinabove particularly described; together with the buildings, improvements, privileges, hereditaments and appurtenances whatsoever thereunto belonging or any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and to convey the same in fee simple, to the purchaser or purchasers thereof, by good and sufficient deed or deeds of conveyance, free and discharged of and from any and all uses and trusts, and without any liability on the part of such purchaser or purchasers for the application, non-application or mis-application of the purchase money. The net proceeds of said sale or sales, after paying any liens of record against said real estate, particularly bounded and described as above, shall be held by the said First and Central Presbyterian Church of Wilmington, Delaware, Inc., under and subject to the same uses and trusts as are set forth and provided in the said indenture executed by Timothy Stidham, bearing date the thirtieth day of December, A. D. 1737 and recorded as aforesaid.

Section 2. This Act shall be deemed and taken to be a public act.

Approved February 11, 1929.

## CHAPTER 258

## TITLE TO CERTAIN REAL ESTATE

**AN ACT to ratify and confirm the Title of Wilmington Steamboat Company to certain Land, and to authorize the Secretary of State to Execute a Deed therefor.**

Whereas, McCullough Iron Company was created a corporation of the State of Maryland, by Act of the General Assembly of said State of February 8, 1865; and

Whereas, McCullough Iron Company was created a corporation of the State of Delaware, by Act of the General Assembly of the State of Delaware passed March 17, 1865, being Chapter 568 of Volume 12, Laws of Delaware; and

Whereas, by virtue of the Act of the General Assembly of the State of Delaware of March 14, 1883, being Chapter 147 of Volume 17, Laws of Delaware, the period of existence of all corporations theretofore created, including, inter alia, McCullough Iron Company, was limited to twenty years; and

Whereas, afterwards, by Act of the General Assembly of the State of Delaware passed April 3, 1891, the existence of said McCullough Iron Company was continued for a period of twenty years next succeeding the passage of said last mentioned Act, and thereafter, by proceedings duly and legally had, the existence of said McCullough Iron Company was duly continued up and until December 23, 1921, when the said McCullough Iron Company was duly dissolved; and

Whereas, in the year 1872, after the creation of said McCullough Iron Company by the General Assembly of the State of Delaware, the said McCullough Iron Company became lawfully seised and possessed of two certain parcels of real estate, the one whereof was conveyed to said McCullough Iron Company by deed of George S. Capelle et al., dated December 4, 1872, and of record in the Recorder's Office of New Castle County in Deed Record U, Volume 9, p. 127, the description of which said parcel is as follows:

## TITLE TO CERTAIN REAL ESTATE

No. 1 BEGINNING at a point on the Easterly side of the Philadelphia, Wilmington and Baltimore Railroad, a corner of land of Charles Moore and others; thence along a line of said land South five and three quarters degrees East, four hundred and ninety-five feet to the highwater line of Christiana River; thence along the same South eighty eight degrees and fifty minutes East two hundred and fourteen feet and ten inches to land of the "Lobdell Car Wheel Company"; thence along said land North two and one half degrees East six hundred and ninety-one feet and four inches to the aforesaid side of said Railroad; and thence along the same South fifty-seven degrees West three hundred and sixty seven feet to the place of beginning. Be the contents thereof what they may. Together with the free, uninterrupted use, privilege and right of way, forever, of a certain street or passage way leading from Seventh Street along the Easterly wall of The Old Swede Church Cemetery, to the aforesaid Railroad.

and the other of which said parcels of land was conveyed to said McCullough Iron Company by deed of Lobdell Car Wheel Company, dated December 17, 1872, and of record in the Recorder's Office of New Castle County in Deed Record T, Volume 9, p. 414, the description of which said parcel is as follows:

No. 2: BEGINNING at a stake in the Southerly side of Seventh Street, extended, a corner for land of the "Jackson and Sharp Company"; thence with the Southerly side of Seventh Street extended North sixty-one degrees West three hundred and eighty-nine and seventy-five hundredths feet to the intersection thereof with the Easterly side of the land of the Philadelphia, Wilmington and Baltimore Railroad Company; thence South fifty-eight degrees thirty minutes West with the said Easterly side of the land of said Philadelphia, Wilmington and Baltimore Railroad Company sixty feet to a point, a corner for other land of the said "The McCullough Iron Company"; thence with the line of said lands of "The McCullough Iron Company" South four degrees and fifteen minutes West, seven hundred and forty-five and forty-five hundredths feet to the wharf line on the Christiana River; thence with the said wharf line Easterly two hundred and forty-eight, and fifty-six hundredths feet to a corner for land of the "Jackson and Sharp Company" aforesaid; and thence therewith North twenty-three degrees fifteen minutes East five hundred and seventy and forty-seven hundredths feet to the place of beginning. Be the contents thereof what they

## TITLE TO CERTAIN REAL ESTATE

may. With muds, flats, ducts, wharves, landings, appurtenances thereunto belonging.

And Whereas, by sundry deeds of conveyance the said lands and premises were subsequently conveyed to Wilmington Steamboat Company, a corporation of the State of New Jersey; and

Whereas, it appears that said McCullough Iron Company and said Wilmington Steamboat Company have successively and continuously occupied, enjoyed, held and possessed said lands and premises and exercised the rights and privileges of ownership over the same, adversely to the interest or title of any other person whomsoever, for upwards of fifty years last past, but that doubt has arisen upon the sufficiency of the title of said Wilmington Steamboat Company by reason of the supposed escheat to the State of Delaware of said lands and premises upon the expiration of the period of twenty years from the date of incorporation of said McCullough Iron Company, it appearing that the charter of said company was not renewed until March 14, 1883; and

Whereas, it is now desired to ratify and confirm, against the State of Delaware, the title of said Wilmington Steamboat Company in and to said described lands and premises; 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 title of said Wilmington Steamboat Company, as against the State of Delaware, is hereby ratified and confirmed, and that the Secretary of State of the State of Delaware be and he is hereby authorized and directed to execute, under his hand and the seal of his office, and deliver to said Wilmington Steamboat Company a deed of conveyance in usual form, conveying to said Wilmington Steamboat Company, its successors and assigns, in fee simple, all the right, title and interest of any kind of the State of Delaware in and to said described lands and premises, which deed, when so executed, sealed and

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TITLE TO CERTAIN REAL ESTATE

delivered, shall vest in said Wilmington Steamboat Company, its successors and assigns, in fee simple, all such right, title and interest of the State of Delaware in and to said described lands and premises.

Section 2. This Act shall be deemed and taken to be a public Act.

Approved February 21, 1929.

# TITLE SEVENTEEN

## Administration of Estates

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### CHAPTER 259

#### SETTLEMENT OF PERSONAL ESTATES

**AN ACT to amend Chapter 98 of the Revised Code of Delaware (1915) relating to the Settlement of Personal Estates.**

*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 Delaware (1915) relating to the settlement of personal estates be and the same is hereby amended by striking out all of the second paragraph of 3389, Section 56 thereof and substituting in lieu thereof the following:

No devise or legacy in favor of a brother or sister or children of a brother or sister of any Testator dying after the fifteenth day of March, A. D. 1909, such testator not leaving a lineal descendant, shall be deemed or held to lapse or become void by reason of the decease of such devisee or legatee in the lifetime of the Testator if such devisee or legatee shall leave issue surviving the Testator; but such devise or legacy shall be good and available in favor of such surviving issue with like effect as if such devisee or legatee had survived the Testator, saving always to every Testator the right to direct otherwise.

Approved April 26, 1929.

# TITLE EIGHTEEN

## The General Police

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### CHAPTER 260

#### SMALL LOANS

**AN ACT to amend Chapter 100 of the Revised Code of Delaware and providing for the Regulation of Small Loans.**

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

Section 1. That Chapter 100 of the Revised Code of Delaware, as amended, be and the same is hereby further amended by striking out and repealing all of 3554 Sec. 119 to 3560 Sec. 125 inclusive, of Article 29 of said Chapter and inserting in lieu thereof the following new Sections:

3554. Sec. 119. The State Bank Commissioner shall grant Certificates of Registration under his hand and the seal of his office to persons, associations, firms, partnerships, corporations, trustees, trustee systems, or combinations of persons whatsoever, which or who transact or attempt to transact the business of making small loans or loaning money as hereinafter provided. Each applicant for such a certificate shall pay to the State Bank Commissioner a registration fee of Five Dollars. Every applicant for such Certificate of Registration shall have in this State a definite office and place of business. Every application for such Certificate shall be in writing on such form and containing such information as the State Bank Commissioner shall provide; and every such certificate shall state the place of business as contained in the application for the same and shall authorize the transaction of such business only at such place of business as shall be so contained in the application and certificate. For any just cause the State Bank Commissioner may refuse to issue

## SMALL LOANS

such certificate to an applicant and also for any violations of the provisions of this Chapter the State Bank Commissioner may cancel any such certificate theretofore issued by him.

3555. Sec. 120. The State Bank Commissioner shall keep a complete record of all applications received and of all certificates of registration granted by him, which record shall contain the name and address of every person to whom such certificate is granted; and if such certificate shall be granted to an association, firm, partnership, trustee or trustee system, or to any other association or combination of persons not incorporated, said record shall contain the names and addresses of the individuals composing the same; and if such certificate shall be granted to a corporation, said record shall contain the names and addresses of the President, Secretary and Treasurer of such corporation; and said record, or a certified copy thereof, shall be competent evidence in any Court where the fact of such registration, or any other fact therein contained, may be in question.

3556. Sec. 121. Every person, association, firm, partnership, corporation, trustee, trustee system, association, or combination of persons, which or who, having and maintaining a definite and known place of business in this State, desiring to transact such business as provided for in this Act, after receiving from the State Bank Commissioner such certificate as aforesaid, and not before, shall be entitled to make loans on personal property or otherwise, where the same is to be paid in weekly or monthly installments, not exceeding the sum of Five Hundred Dollars, and shall be entitled to charge as interest, in addition to the legal rate of interest, an additional sum at the rate of five per centum per annum on the amount loaned; and no additional interest, commission or charge of any kind shall be made.

3557. Sec. 122. Any person, association, firm, partnership, corporation, trustee, or trustee system, or combination of persons whatever, making a loan and charging said additional interest or any interest, commission or charge, in excess of the legal rate of interest, on any sum repayable in weekly or monthly installments not exceeding Five Hundred Dollars as aforesaid,

## SMALL LOANS

shall give to the borrower a correct copy of any mortgage, bond, note, or any instrument of writing by which said loan is evidenced or secured; and on failure or refusal to furnish, on request of the borrower, a copy of said mortgage, bond, note or other instrument or obligation evidencing or securing said loan, shall be guilty of a misdemeanor, and on conviction thereof shall for each offense be fined a sum not less than Twenty nor more than One Hundred Dollars, or imprisoned for a term not exceeding one month or both in the discretion of the Court.

3558. Sec. 123. If any person, association, firm, partnership, corporation, trustee or trustee system, or combination of persons whatever, not first having taken out a certificate of registration as aforesaid, shall exact require or demand, from any person or persons, a rate of interest upon sums of Five Hundred Dollars or under where the same are repayable in weekly or monthly installments, in excess of six per centum per annum whether the same is stated to be either interest or for services rendered or expenses incurred, or if any person or persons, firm, company, or corporation having taken out a certificate of registration as aforesaid, shall exact, require, or demand from any person or persons, interest upon sums of Five Hundred Dollars or under in excess of the legal rate of interest as now provided by Law in this State together with an additional sum at the rate of five per centum on the amount of loan per annum as hereinbefore provided, whether said additional sum be in the form of interest or for services rendered or expenses incurred, shall be guilty of a misdemeanor and on conviction thereof shall be fined a sum not less than Twenty nor more than One Hundred Dollars for each offense, or imprisoned for a term not exceeding one month, or both, in the discretion of the Court.

3559. Sec. 124. In case of the violations of any of the provisions of Section 119 to 126, inclusive, of this Chapter, by any association, firm, partnership, trustee system or combination of persons not incorporated, or by any corporation, any member of said association, firm, partnership, trustee system or combination of persons not incorporated, and the President, Secretary or Treasurer, or any person or persons acting as agent or agents

## SMALL LOANS

of said association, firm, partnership, trustee system or combination of persons not incorporated, or corporation may be proceeded against as principals, and if found guilty of violating any of the provisions of said Sections, shall be punished in accordance with the provisions thereof.

3560. Sec. 125. It is expressly provided that nothing in Sections 119 to 126, inclusive, of this Chapter shall be construed to modify or repeal the usury Laws of this State, or to authorize the loaning of money in sums of more than Five Hundred Dollars where the same are repayable in weekly or monthly installments, at a greater rate of interest than that of six per centum per annum; but the said Laws shall be and remain in full force and virtue and the penalties provided for the violation of the provisions of said Sections shall be in addition to the penalties provided by the said usury Laws of this State. And it is also expressly provided that nothing in Sections 119 to 126, inclusive, of this Chapter shall be construed to modify or repeal any part of 3562. Sec. 127 of this Chapter, as contained in and supplied by Chapter 208 of Volume 35, of the Laws of Delaware; but the said Section shall remain in full force and virtue and the penalties provided for the violations of the provisions of said Sections shall be in addition to the penalties provided by the said 3562. Sec. 127 of this Chapter, as contained in and supplied by said Chapter 208, of Volume 35, of the Laws of Delaware, as aforesaid.

Approved March 26, 1929.

## CHAPTER 261

## GAMBLING

**AN ACT to amend Chapter 100 of the Revised Code of the State of Delaware relating to General Provisions Respecting the Police.**

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

Section 1. That Chapter 100 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 3568, Section 133 of said Chapter, and inserting in lieu thereof of the following new Section to be known as 3568, Section 133:

"3568. Section 133. Keeping or Being Concerned in Interest in Keeping Gaming Table or Device, A Misdemeanor; Penalty; Gambling Device and Property Concerned, Forfeited; How Disposed Of:—Whoever shall keep or exhibit a gaming table, faro bank, sweat cloth, roulette table, or other device under any denomination, at which cards, dice or any other game of chance is played for money, or other thing of value, or other gambling device of any kind whatsoever, or whoever shall, with intent that it shall be kept or exhibited for use by the public, buy, sell, or distribute such table, bank, sweat cloth, or other gambling device, or whoever shall be a partner or concerned in interest in the keeping or exhibiting such table, bank, sweat cloth, or other device, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than One Hundred nor more than One Thousand Dollars, and in default of the payment thereof, shall be imprisoned for a term of not less than one month or more than twelve months. Any such table, bank, sweat cloth, or other device may be seized by order of any Court, or under a warrant from any Justice of the Peace, and immediately destroyed; and all the money and everything of value staked or exhibited upon or at such table, sweat cloth, bank or other device, may also be seized under such order or warrant by any Sheriff, deputy Sheriff, constable, coroner, or deputy coroner, and the money so seized, after deducting forty per centum thereof for the ser-

## GAMBLING

vices of such officers for said seizure, shall be deposited by such officer to the credit of the Treasurer of the Poor of the County in which such seizure may be made in the Farmers' Bank in said County.

The Municipal Court of the City of Wilmington shall have concurrent jurisdiction of all violations of this Section committed within the corporate limits of the City of Wilmington."

Section 2. No offense committed and no penalty or forfeiture incurred under any of the provisions of said Section, and before the time when this Act shall take effect, shall be affected by this Act; and the provisions of said Section, as heretofore existing, shall be continued in full force and effect as to all such offenses, penalties and forfeitures.

Approved April 18, 1929.

## CHAPTER 262

## JAILS AND WORKHOUSES

**AN ACT to amend Chapter 101 of the Revised Code of this State as amended by Chapter 208, Volume 34, Laws of Delaware, entitled "An Act to amend Chapter 101 of the Revised Code of the State of Delaware, by providing for an increase in the cost of the Maintenance of the Prisoners so committed to the custody of the Board of Trustees of the New Castle County Workhouse."**

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

Section 1. That Chapter 101 of the Revised Code of the State of Delaware as amended by Chapter 208, Volume 34, Laws of Delaware, entitled "An Act to amend Chapter 101 of the Revised Code of the State of Delaware, by providing for an increase in the cost of the maintenance of the prisoners so committed to the custody of the Board of Trustees of the New Castle County Workhouse", be and the same is hereby amended by the repeal of 3612 Section 16 and by the substitution in lieu thereof the following to be known as 3612 Section 16.

3612 Section 16. All persons convicted of any crime and committed to the custody of said Trustees shall be compelled to labor at some suitable employment, eight hours each secular day, unless physically disabled. For all overwork each prisoner shall receive credit and be paid. The money earned by overwork may, at the option of the prisoner, be sent to his family, be expended for such articles as he may have in prison under the rules, or may accumulate and be paid to him in lump at the time he is discharged. The cost of the maintenance of the prisoner so committed to the custody of said Trustees, shall be paid by each of the Counties, New Castle, Kent and Sussex, from which said prisoner is committed, at a rate not to exceed sixty cents daily per capita. This Act shall become effective at once, and the above stated rate of sixty cents shall continue in force until the First day of July, A. D. 1933, after which time the rate shall be forty cents daily per capita, until the Workhouse Loan is liquidated,

## JAILS AND WORKHOUSES

and thereafter such amount only as shall pay the actual cost of maintenance. The Trustees shall, on or before the First day of February in each year, submit to the Levy Courts of New Castle, Kent and Sussex Counties, an estimate of the amount necessary for the Workhouse for that year. The said Levy Courts are clothed with full power to levy such amount in the taxes and provide for the payment of the same to the trustees, and shall so pay the same to them, on or before the thirtieth day of May in each year next succeeding the levy, in installments as required and needed by the said trustees. Out of the money so received from the Levy Court the trustees shall provide for the payment of the expenses of running the Workhouse; they shall then pay the interest on said loan as it falls due.

Approved March 29, 1929.

## CHAPTER 263

## JAILS AND WORKHOUSES

**AN ACT to compel the Incarceration of all Prisoners Arrested by Private Detectives or Private Detective Agencies on State, County and Municipal Warrants or in any other Manner, in a place provided by the State, County, or Municipality; making it Unlawful to Detain Prisoners Elsewhere.**

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

Section 1. That all prisoners arrested by private detectives or private detective agencies on State, County and Municipal Warrants, or in any other manner, shall be incarcerated either before a hearing or arraignment or after such hearing or arraignment in jails or places provided by State, County or Municipality for the incarceration of prisoners. It shall be unlawful for any private detective or detective agency to detain or incarcerate any prisoner arrested in the manner aforesaid elsewhere than as provided in this Act, and any such private detective who violates the provisions of this Act shall be guilty of a misdemeanor and shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or in default of the payment of such fine shall be imprisoned for not less than six months nor more than one year.

Approved May 6, 1929.

## CHAPTER 264

## NAMES OF STREAMS

**AN ACT to change the names of the Streams or Water Courses now commonly known as "White's Creek", "Collins' Creek", "Vine Creek", "Pepper Creek", and "Burton Cove", and situated in Baltimore and Dagsboro Hundreds, 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 stream or water course heretofore commonly known as and called by the name of "White's Creek", and situated in Baltimore Hundred, Sussex County, shall be hereafter known as and called by the name of "Wyniaco Creek"; that the stream or water course heretofore commonly known as and called by the name of "Collins' Creek", and situated in Baltimore Hundred, Sussex County, shall be hereafter known as and called by the name of "Tonquaton Creek"; that the stream or water course heretofore commonly known as and called by the name of "Vine Creek", and situated partly in Dagsboro Hundred and partly in Baltimore Hundred, Sussex County, shall be hereafter known as and called by the name of "Knuconum Creek"; that the stream or water course heretofore commonly known as and called by the name of "Pepper Creek", and situated in Dagsboro Hundred, Sussex County, shall be hereafter known as and called by the name of "Tekoa Creek"; that the stream or water course heretofore commonly known as and called by the name of "Burton Cove" and situated in Baltimore Hundred, Sussex County, shall be hereafter known as and called by the name of "Wiccomoc Cove".

Approved April 2, 1929.

## CHAPTER 265

## DITCHES

**AN ACT to provide for the opening and reopening and maintenance of Ditches and Drains along public roads 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 the road overseers, supervisors or any other persons who are or may be hereafter entrusted with the improvement and maintenance of the roads under the jurisdiction of the Levy Court of Sussex County, are hereby authorized, empowered and required to expend such portion of the money allotted to the district, unincorporated or incorporated town or village, as shall be necessary to open or improve the ditch, ditches or drains adjacent to the roads in the district under the supervision of the supervisor or other official to whom has been entrusted the improvement and maintenance of the roads under the jurisdiction of the Sussex County Levy Court.

Provided, the one-half of the actual expense of the opening or improving of the said ditches or drains shall be borne by the property owner or owners whose property is bounded by the ditch or drain.

The county official empowered to direct this work shall give ten (10) days notice in writing to any and all property owners whose real estate is adjacent to the ditch or drain about to be opened or improved and it shall be the privilege of the owner or owners, so notified, to provide any and all assistance that is possible and, should the assistance so rendered exceed the proportionate expense allotted to them, such excess assistance shall be compensated at the same wage and in the same manner, as the workmen under the county official in charge of the work.

In the event that any person or persons do not render the assistance herein mentioned, the official directing such work shall keep a true and accurate account of the work done by those in his

## DITCHES

service and shall present a bill to the amount of one-half of the amount of the cost of such work to each and every one of the owner or owners affected by the work. The bill so rendered shall be payable only to the Sussex County Levy Court, and upon receipt of the amount the said Court shall issue a receipt signed by all members of the said Court. All moneys so received shall be paid over to the road funds and shall be used for no other purpose.

Provided, that if any owner or owners affected by the provisions of this Act shall fail to pay the amount of the bill rendered as aforesaid, within six (6) months after the work on the ditch or drain has been finally completed, then the Attorney for the Sussex County Levy Court is hereby fully empowered and directed to collect the amount so due in an action of debt, in the name of the said Court against the said person or persons so failing to pay as aforesaid.

Provided, further, that no individual property owner, trustee or estate shall be required, under the provisions of this Act, to assume obligations for the opening or improving of more than one-half mile of ditch or drain as his, her or their proportionate amount of expense during any one calendar year and any ditch or drain so improved for the one-half mile limit, shall not be improved or opened again during a period of three years from the final date of last improvement or opening, except where emergency demands immediate action.

Nothing contained in this Act shall be taken to conflict in any way with chartered or incorporated ditch or drain companies, now caring for the maintenance of any ditch or drain, or any chartered or incorporated ditch or drain companies that may hereafter be instituted or incorporated in the aforesaid county of this State; provided, that not more than three (3) years are allowed to pass without improvement being made. At the expiration of three years, should the occasion be deemed necessary, the official in charge of such work shall proceed with the work in the same manner as hereinbefore provided and shall collect

DITCHES

(if necessary) in like manner from the company or corporation as herein provided.

Should the charter or incorporated rights of the company so affected be defunct, charges for the work shall be made in proportion to the amount of taxes levied by such company against any individual owner or owners, trustee or trustees, estate or estates affected by the provisions of this Act.

Approved April 3, 1929.

## CHAPTER 266

## INSIGNIA REGULATION

**AN ACT to provide for the registration and protection of the Names, Badges, Mottoes, Buttons, Decorations, Charms, Emblems, Rosettes, and other insignia of Associations, Lodges, Orders, Fraternal Societies, Beneficial Societies, or Fraternal and Beneficial Societies or Associations, Historical, Military, or Veterans' Organizations, Labor Union, Foundation, Federation, or any other Society, Organization, or Association, Degree, Branch, Subordinate Lodge, or Auxiliary thereof; to Prohibit the wearing, exhibition, display, or use of the same, by any person not entitled to wear, exhibit, display or use the same; and fixing a penalty for the violation of this Act.**

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

Section 1. That any association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization or association, degree, branch, subordinate lodge, or auxiliary thereof, whether incorporated or unincorporated, the principles and activities of which are not repugnant to the Constitution and Laws of the United States or this State, may register, in the office of the Secretary of State, a facsimile, duplicate, or description of its name, badge, motto, button, decoration, charm, emblem, rosette or other insignia, and may, by re-registration alter or cancel the same.

Section 2. Application for such registration, alteration, or cancellation, shall be made by the chief officer or officers of said association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof, upon blanks to be provided by the Secretary of State; and such registration

## INSIGNIA REGULATIONS

shall be for the use, benefit, and on behalf of all associations, degrees, branches, subordinate lodges, and auxiliaries of said association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof, and the individual members and those hereafter to become members thereof, throughout this State.

Section 3. The Secretary of State shall keep a properly indexed record of the registration provided for by this Act, which record shall also show any altered or cancelled registration.

Section 4. No registration shall be granted or alteration permitted to any association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof, having a name, badge, motto, button, decoration, charm, emblem, rosette, or other insignia, similar to, imitating, or so nearly resembling as to be calculated to deceive, any other name, badge, button, decoration, charm, emblem, rosette, or other insignia whatsoever, already registered pursuant to the provisions of this Act.

Section 5. Upon granting registration as aforesaid, the Secretary of State shall issue his certificate to the petitioners, setting forth the fact of such registration.

Section 6. Any person who shall wilfully wear, exhibit, display, print, or use, for any purpose, the badge, motto, button, decoration, charm, emblem, rosette, or other insignia of any such association or organization, herein mentioned, duly registered hereunder, unless he or she shall be entitled to use and wear the same under the constitution and by-laws, rules and regulations of such association and organization, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a

## INSIGNIA REGULATIONS

fine not exceeding One Hundred (\$100.00) Dollars, and, in default of payment, committed to jail for a period of not to exceed sixty (60) days.

Section 7. The fees of the Secretary of State for registration, alteration, cancellation, searches made by him, and certificates issued by him, pursuant to this Act, shall be the same as provided by Law for similar services. The fees collected under this Act shall be paid by the Secretary of State into the State Treasury.

Section 8. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved April 11, 1929.

# TITLE NINETEEN

## Courts

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### CHAPTER 267

#### JUVENILE COURT

**AN ACT to amend Chapter 116 of the Revised Code of Delaware as published in 1915, Section 18 relating to Probation Officers of the Juvenile Court; Compensation; Appointment; Chief Probation Officer; Appointment; Compensation; How Paid; Powers; Duties; and Providing for a Probation Officer in New Castle County outside of the City of Wilmington.**

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

Section 1. That Chapter 116 of the Revised Code of the State of Delaware, as published in 1915, as amended by Chapter 223, Volume 30, of the Laws of Delaware, as published in 1919, and later amended by Chapter 209, Volume 32, of the Laws of Delaware, as published in 1921, shall be, and the same is hereby amended, by repealing 3833, Section 18, as amended, and substituting in lieu thereof the following Section to be known and styled as 3833, Section 18.

3833, Section 18. Probation Officers; Compensation; Appointment; Chief Probation Officer; Appointment; Compensation; How Paid; Powers; Duties:—The Judge of the Juvenile Court shall have authority to appoint or designate one or more discreet, persons, men or women, of good moral character, to serve as Volunteer Probation Officers during the pleasure of the Court. Said Probation Officers shall receive no compensation for their services.

The Judges of the Superior Court shall appoint upon the

## JUVENILE COURT

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 not to exceed Two Thousand Dollars per annum, payable semi-monthly; and his or her necessary expenses may be allowed such officer to an amount not exceeding Two Hundred Dollars per annum, payable monthly, in the discretion of the Juvenile Court Judge. Said salary and 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 directly under the control of the Chief Probation Officer.

The Judge of the Juvenile Court shall have authority to appoint or designate four Probation Officers, who shall be persons of good moral character. One of said Probation Officers, shall be known as Assistant to the Chief Probation Officer, and shall receive a salary not to exceed One Thousand Two Hundred Dollars per annum. Two other Probation Officers, shall each receive a salary not to exceed One Thousand One Hundred Dollars per annum and their necessary expenses to an amount not exceeding One Hundred Seventy-five Dollars per annum. The fourth Probation Officer authorized under this Section shall be a resident of rural New Castle County and he shall receive a salary of Fifteen Hundred Dollars a year and expenses not to exceed Two Hundred Dollars per annum. The aforesaid salaries shall be paid semi-monthly and the expenses shall be paid 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. All paid Probation Officers shall be invested with all the duties and powers set forth in Sections 12 to 26, inclusive, of this Chapter, and shall possess all power and authority of a Sheriff to make arrests and shall have authority to go into the home of any delinquent, neglected or dependent child.

When any child is brought before the Court, it shall be the duty of a Probation Officer to make an investigation of such case

JUVENILE COURT

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.

Section 2. That Chapter 116 of the Revised Code of the State of Delaware, as published in 1915, as amended by Chapter 223, Volume 30, of the Laws of Delaware, as published in 1919, shall be, and the same is hereby amended by striking out and repealing the Section named and styled as 3833 A, Section 18 A.

Section 3. This Act shall become operative on the First day of July, A. D. 1929.

Approved May 8, 1929.

## CHAPTER 268

## COURT OF CHANCERY

**AN ACT to amend Chapter 117 of the Revised Code of the State of Delaware relating to the Court of Chancery.**

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

Section 1. That Section 7 of Chapter 117 of the Revised Code of the State of Delaware, being Section 3850 of the said Revised Code, as the same was amended by Chapter 217, Volume 35, Laws of Delaware, be and the same is further amended by striking out said Section and inserting in lieu thereof the following:

3850, Sec. 7. Orders for Appearance; Upon Failure of Service and Affidavit; Publication of; Upon Default; Decree Pro Confesso; Enforcement by Seizure or Delivery of Property Demanded; Payment Upon Security for Restitution; Proceedings if Security Not Given; Foreign Attachment:—If, after subpoena or other process issued, any defendant therein named shall not appear in obedience to said process and according to the rules of the Court, the Court may, on affidavit that such defendant is out of the State, or cannot be found to be served with process and that there is just ground to believe that he intentionally avoids such service, make an order for his appearance on a certain day and publish such order as the Chancellor shall direct not less than once a week for three consecutive weeks. And if the defendant shall not appear, after such publication, according to such order, the Court may order the plaintiff's bill to be taken pro confesso, and may thereupon issue process to compel the performance either by seizure of the real and personal property of such defendant or part thereof, sufficient to satisfy the plaintiff's demand, or by causing possession of the estate, or effects, demanded by the bill, to be delivered to the plaintiff, or otherwise, as the case requires. And the Court may also order the plaintiff to be paid his demand out of any property so seized, upon his giving approved security, in a sufficient sum, to abide any order of the Court for the restitution thereof upon the defendant's appearing

## COURT OF CHANCERY

to defend the suit, and paying such costs as the Court shall order. If such security be not given, the property seized, or whereof possession shall be decreed to be delivered, shall remain under the direction of the Court in the hands of a receiver or otherwise, until the defendant's appearance, or until such order shall be made therein as the Court shall think just.

If it shall appear in the bill of complaint that the defendant or any one or more of the defendants is a non-resident of the State of Delaware, it shall be lawful for the Chancellor to make an order directing such non-resident defendant or defendants to appear by a day certain to be designated. Such order shall be served on such non-resident defendant or defendants by mail or otherwise, if practicable, and shall be published in such manner as the Chancellor may direct, not less than once a week for three consecutive weeks. The Chancellor shall have power to compel the appearance of the defendant by the seizure of all or any part of his property, which property may be sold under the order of the Chancellor to pay the demand of the complainant, if the defendant shall not appear, or shall otherwise default. Such property shall remain subject to said seizure and may be sold to satisfy any decree made in the cause, unless security sufficient to the Chancellor shall be given to secure the release thereof. The Chancellor shall have power to make all necessary rules respecting the form of process, the manner of issuance and return thereof, the release of such property from seizure and for the sale of the property so seized, and may require the plaintiff to give approved security to abide any order of the Chancellor respecting the said property. Any transfer or assignment of the property so seized as aforesaid after the seizure thereof shall be void and after the sale of said property is made and confirmed, the purchaser shall be entitled to and have all the right, title and interest of the defendant in and to the property so seized and sold and such sale and confirmation shall transfer to the said purchaser all the right, title and interest of the defendant in and to said property as fully as if the defendant had transferred the same to the purchaser in accordance with Law.

Section 2. That Section 13 of Chapter 117 of the Revised

## COURT OF CHANCERY

Code of the State of Delaware, being Section 3856 of said Revised Code, be and the same hereby is repealed.

Approved April 29, 1929.

# TITLE TWENTY-ONE

## Civil Actions, Pleading & Practice

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### CHAPTER 269

#### EXECUTIONS

**AN ACT to amend Chapter 133 of the Revised Code of Delaware (1915) entitled Executions.**

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

Section 1. That Chapter 133 of the Revised Code of Delaware (1915) be and the same is hereby amended by striking out 4320, Section 1 thereof, and inserting in lieu thereof the following:

"4320. Section 1. Real Estate, When: Lands, tenements and hereditaments and all right of dower and courtesy therein when no sufficient personal estate can be found may be seized and sold upon judgment and execution obtained."

Section 2. That Chapter 133 of the Revised Code of Delaware (1915) be and the same is hereby further amended by striking out all of 4373, Section 54 thereof, and inserting in lieu thereof the following:

"4373. Section 54. Discharge of Liens Upon Execution Sale; Exceptions with Respect to Mortgages; to what Extent Discharged:—Real Estate sold by virtue of execution process shall be discharged from all liens thereon against the defendant, or against one or more of the defendants (if there be more than one), whose property such real estate is, except such liens as have been created by mortgage or mortgages prior to any general liens; and with respect to such, the sale shall be a discharge to

## EXECUTIONS

the extent to which the proceeds thereof may be legally applicable to a judgment or judgments obtained for the debt, to secure the payment of which the mortgage or mortgages respectively (if there be more than one) appear to have been given, and said real estate shall also be discharged from all right of dower and courtesy therein of any defendant in said execution.

Approved April 11, 1929.

CHAPTER 270

LIABILITY EXEMPTION

**AN ACT relieving the operator or owner of a motor vehicle from any Liability whatsoever for injuries suffered or sustained by any person while riding with said operator or in said owner's car free of charge.**

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

Section 1. That the operator or owner of a motor vehicle shall be relieved from any liability whatsoever for injuries suffered or sustained by any person while riding with said operator or in said owner's car free of charge.

Section 2. The provisions of this Act shall in no wise be construed to apply to operators or owners of motor vehicles carrying passengers for hire.

Section 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed in so far as such inconsistency does occur.

Approved April 1, 1929.

# TITLE TWENTY-TWO

## Proceedings in Special Cases

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### CHAPTER 271

#### LANDLORD AND TENANT

**AN ACT to amend Chapter 142 of the Revised Code of the State of Delaware in relation to Landlord and Tenant.**

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

Section 1. That Chapter 142 of the Revised Code of the State of Delaware, Article 1, be and the same is hereby amended by striking out all of 4533, Sec. 2, and inserting in lieu thereof the following, which shall be styled 4533, Sec. 2.

4533. Sec. 2. Term of Demise, When Not Expressly Limited:—Where no term is expressly limited, a demise shall be construed to be for a year, except of houses and lots usually let for a less time, and also excepting properties located in the City of Wilmington, Delaware.

Section 2. That Chapter 142 of the Revised Code of the State of Delaware, Article 1, be and the same is hereby further amended by striking out all of 4535, Sec. 4, and inserting in lieu thereof the following, which shall be styled 4535, Sec. 4.

4535. Sec. 4. Term Extended for Another Year in Default of Notice to Quit; Time of Notice to Quit upon Letting for Less Than One Year; Proviso as to Certain Properties in the City of Wilmington, Delaware:—If there be a demise for a term of one or more years, and three months, or upwards, before the end of the term, either the landlord do not give notice in writing to the tenant in possession to remove, or the tenant do not give like

## LANDLORD AND TENANT

notice to the landlord of his intention to remove from the demised premises, the lease shall be extended for another year, for which the tenant shall pay the rent, and all the stipulations of the demise shall continue in force, provided that if there be a demise for a term of one or more years of real estate, situate in the City of Wilmington, Delaware, and three months or upwards before the end of the term either the landlord do not give notice in writing to the tenant in possession to remove, or the tenant do not give like notice to the landlord of his intention to remove from the demised premises, the lease shall be extended, and after the end of the term, unless the lease provides otherwise, it shall be a lease by the month for which the tenant shall pay the rent, and all of the stipulations of the lease shall continue in force except those specifying the length of the term and the notice required to terminate the same. This Section shall not be taken or held to prescribe any time as to notice when the letting is for a less time than a year except that when letting is by the month, a month's notice to quit shall be sufficient; and when it is by the week, a week's notice shall be sufficient.

Section 3. That Chapter 142 of the Revised Code of the State of Delaware, Article 1, be and the same is hereby further amended by striking out all of 4536, Sec. 5, and inserting in lieu thereof the following, which shall be styled 4536, Sec. 5.

4536. Sec. 5. Leases in the City of Wilmington, Delaware; Term Not Expressly Limited Shall be by the Month:—Every lease or demise of real estate situate in the City of Wilmington, Delaware, in which lease or demise no term is expressly limited, shall be deemed and construed to be a lease by the month, and a month's notice to quit shall be sufficient to terminate such lease or demise.

Section 4. That Chapter 142 of the Revised Code of the State of Delaware, Article 1, be and the same is hereby amended by repealing 4536A, Sec. 5A. The portion hereby repealed constitutes all of Chapter 260 of Volume 29, of the Laws of Delaware.

## LANDLORD AND TENANT

Section 5. That Chapter 142, Article 1, of the Revised Code of the State of Delaware be, and the same is hereby further amended by inserting a new paragraph to be known as 4537A, Sec. 6A, as follows:

4537A. Sec. 6A. The notice required by the foregoing Sections of this Article shall be served either personally upon the tenant or the landlord, or upon the tenant by leaving a copy thereof, in the presence of an adult person, upon the leased premises, and upon the landlord by leaving a copy thereof, in the presence of an adult person, at his or her last known place of abode. If the landlord shall be a corporation, firm or unincorporated association, service of the notice required by this Article may be made by leaving a copy thereof, in the presence of an adult person, at the last known office or place of business of such corporation, firm or unincorporated association.

In lieu of personal service or service by copy, of the notice required by this Article, a copy of such notice may be sent by registered mail, postpaid, addressed to the tenant, at the leased premises, or to the landlord at his or her last known place of abode; or, if the latter be a corporation, firm, or unincorporated association, at the last known office or place of business thereof. The return registry receipt, in case of a notice sent by registered mail, shall be held and considered as prima facie evidence of the service of such notice.

Approved March 29, 1929.

CHAPTER 272

LANDLORD AND TENANT

**AN ACT to amend Chapter 215, of Volume 32, Laws of Delaware, entitled "An Act in relation to Landlord and Tenant and making it unlawful to refuse to rent on account of Children in Tenant's Family."**

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

Section 1. That Chapter 215, of Volume 32, Laws of Delaware, be and the same is hereby amended by striking out of said Chapter 215, all of Section 1 thereof, and by inserting in lieu thereof, the following new Section to be known as Section 1.

Section 1. It shall be unlawful for any person, owner or agent of any real estate, house, apartment or other premises to refuse or decline to rent, sub-rent, or cancel any existing lease to or of any tenant or any person because said tenant or person has a child or children in his or her family. It shall also be unlawful for any person to demand or receive a greater sum as rent for the use and occupancy of any premises because the person renting or desiring to rent the said premises, has a child or children in his or her family.

Approved April 5, 1929.

# TITLE TWENTY-FOUR

## Crimes and Punishments

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### CHAPTER 273

#### OFFENSES AGAINST PRIVATE PROPERTY

#### ARSON

**AN ACT to amend Chapter 150 of the Revised Code of the State of Delaware relating to Offenses against Private Property.**

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

Section 1. That Chapter 150 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 4721, Section 1, and by substituting in lieu thereof the following to be known as 4721, Section 1.

4721, Section 1. Arson in the first degree; Penalty; In the Second Degree; Penalty:—Whoever shall wilfully and maliciously burn, or set on fire, or shall cause to be burned or who aids, procures or counsels the burning of any dwelling-house, whether it be his own or that of another, in which there shall be at the time some human being, or any store, or other building, adjoining to, or parcel of a dwelling-house, whether it be his own or that of another, in which there shall be at the time some human being, shall be deemed guilty of arson of the first degree and felony, and shall be imprisoned for a term not less than two nor more than twenty years.

If any person shall wilfully and maliciously burn or set fire, or shall cause to be burned or who aids, procures or counsels the burning of any dwelling-house, whether it be his own or that of another, in which there shall not be at the time some human

## OFFENSES AGAINST PRIVATE PROPERTY

being, such person shall be deemed guilty of arson in the second degree and felony, and shall be fined not less than Five Hundred Dollars nor more than Five Thousand Dollars, and shall be imprisoned for a term not less than two nor more than ten years.

Section 2. That Chapter 150 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 4723, Section 3, and substituting in lieu thereof the following to be known as 4723, Section 3.

4723 Section 3. Burning Vessel, Mill, Granary, Church, Schoolhouse, Etc., Penalty:—Whoever shall wilfully and maliciously burn, set on fire, or shall cause to be burned or who aids, procures or counsels the burning of any ship, or other vessel, any mill, any building part of a manufacturing establishment, or used in carrying on any manufacture or trade, any granary, warehouse, store, shop, barn, stable, or out-house, the property of another (other than, and except such houses as are embraced in the preceding Sections) or shall wilfully and maliciously burn, or cause to be burned, or who aids, procures or counsels the burning of any magazine, church, chapel, meeting-house, academy, or school-house, shall be deemed guilty of felony, and shall be fined not less than One Hundred nor more than Five Hundred Dollars, and in case of the destruction of private property, shall be whipped with not more than twenty lashes and shall be imprisoned for not more than ten years.

Section 3. That Chapter 150 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 4724, Section 4, and substituting in lieu thereof the following to be known as 4724, Section 4.

4724, Section 4. Burning to Defraud Underwriters; Penalty:—Any person who wilfully or maliciously and with intent to injure or defraud the insurer sets fire to or burns or causes to be burned or who aids, counsels or procures the burning of any goods, wares, merchandise or other chattels or personal property of any kind, the property of himself or of another, which shall at the time be insured by any person or corporation against

## OFFENSES AGAINST PRIVATE PROPERTY

loss or damage by fire; shall upon conviction thereof, be sentenced to the penitentiary for not less than one nor more than five years.

Section 4. That Chapter 150 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 4725, Section 5, and substituting in lieu thereof the following to be known as 4725, Section 5.

4725 Section 5. Burning Grain, Lumber, Coal, Etc., Penalty; Fire Spreading:—Whoever shall wilfully and maliciously burn, or shall cause to be burned or who aids, procures or counsels the burning of any wheat, or other grain, hay, corn fodder, or straw, any boards, shingles, or other lumber or any other personal property of another, not herein mentioned, of the value of Twenty-five Dollars or more, shall be deemed guilty of a misdemeanor and shall be fined not exceeding One Thousand Dollars, shall be imprisoned not exceeding one year, and in case of the destruction of private property shall restore and pay to the owner thereof two-fold the value thereof.

And if a fire, so set to such wheat, grain, or other property, or to any building, ship, or vessel, shall spread, the person so setting the same on fire shall be deemed guilty of burning, or setting on fire every dwelling-house, ship, vessel, building, or other property to which such fire shall extend.

Section 5. That Chapter 150 of the Revised Code of the State of Delaware be and the same is hereby further amended by repealing 4726, Section 6, and substituting in lieu thereof the following to be known as 4726, Section 6.

4726, Section 6. Any person who wilfully and maliciously attempts to set fire to or attempts to burn or to aid, counsel or procure the burning of any of the buildings or property mentioned in the foregoing Sections, or who commits any act preliminary thereto, or in furtherance thereof, shall upon conviction thereof, be sentenced to the penitentiary for not less than one nor more than two years, or fined not to exceed One Thousand Dollars.

## OFFENSES AGAINST PRIVATE PROPERTY

The placing or distributing of any inflammable, explosive or combustible material or substance, or any device in any building or property mentioned in the foregoing Sections in an arrangement or preparation with intent to eventually wilfully and maliciously set fire to or burn same, or to procure the setting fire to or burning of same shall, for the purposes of this Act constitute an attempt to burn such building or property.

The above Sections of the Revised Code of the State of Delaware, which are repealed by this Act, shall remain in force, in so far as any crime or crimes committed before the passage of this Act and which are punishable under said Sections, or any of them, are concerned.

Approved April 5, 1929.

# TITLE TWENTY-FIVE

## Fees of Public Officers

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### CHAPTER 274

#### ORPHANS' COURT

**AN ACT to amend Chapter 156 of the Revised Code of the State of Delaware, relating to Fees of Public Officers by changing the Fees of the Office of the Clerk of the Orphans' Court.**

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

Section 1. That 4857, Section 10 of Chapter 156 of the Revised Code of the State of Delaware, be and the same is hereby amended by the repeal of said paragraph 4857, Section 10, and the insertion in lieu thereof another paragraph, which shall be styled 4857, Section 10, and shall be read as follows:

4857. Section 10. Clerk of the Orphans' Court:—The Following Fees Shall Be Charged by the Clerk of the Orphans' Court:

#### Causes in Partition

For filing petition, order for constructive service, order for sale, return of trustee, decree in distribution and any other paper or order filed in any cause in partition	\$ .50
For recording any of the above mentioned papers, directed by the court to be recorded, per page	.50
For recording all plots or drafts a sum to be fixed by the Court,	
For issuing summons in partition	2.00
For entering Sheriff's return	.50
For issuing commissions in partition	3.00

## ORPHANS' COURT

For issuing rule to show cause .....	2.00
For certificate under seal .....	.50
For issuing order for sale .....	2.50
For furnishing form of and approving advertisement ..	2.00
For noting and entering continuance .....	1.00
For determining appraised value of dower, curtesy or life estate .....	1.00
For filing and recording certificate of deposit .....	1.00
For adjusting decree in distribution:	
If total amount of sale does not exceed \$500.00 .....	5.00
If total amount of sale exceeds \$500.00, but does not ex- ceed \$1,000.00 .....	10.00
For each additional \$1,000.00 or fractional part thereof, by which the total amount of sale exceeds the first \$1,000.00 .....	.50
For drawing each check in payment of distributive share and costs .....	.50
Sale of Lands to Pay Debts of Decedent	
For furnishing each notice to heirs or interested parties of application to sell lands .....	.50
For posting notices for non-residents, each .....	1.00
For filing petition, order of sale, return or any other paper or order filed in connection with the sale of lands to pay debts of decedent .....	.50
For taking bond of executor or administrator .....	2.00
For recording any of the above mentioned papers di- rected by the Court to be recorded, per page .....	.50
For recording all plots, or drafts, a sum to be fixed by the Court,	
For issuing order for sale to executor or administrator ..	2.50
For furnishing form of and approving advertisement ..	2.00
For noting and entering continuance .....	1.00
For taking affidavit of executor or administrator .....	.50
For drawing each check in payment of costs .....	.50
For furnishing each deed .....	2.00
For filing and recording release of Power of Attorney, with one acknowledgment .....	1.00
For each additional acknowledgment .....	.50

## ORPHANS' COURT

## Guardians and Wards

For filing petition, order of sale of Real Estate, return, account of guardian, acquittance or any other paper or order necessary to be filed, transactions between guardians and wards . . . . .	.50
For recording any of the above mentioned papers directed by the Court to be recorded, per page . . . . .	.50
For taking bond of guardian . . . . .	2.00
For issuing order to appraise minors' rents . . . . .	1.00
For issuing order to appraise minors' real estate . . . . .	1.00
Entering approval of Court . . . . .	.50
For issuing Order for Sale of Minors' real estate . . . . .	2.50
Furnishing form of and approving advertisements . . . . .	2.00
For drawing each check in connection therewith, including costs . . . . .	.50
For furnishing each deed . . . . .	2.00
For issuing commission to freeholders to appraise interest of child born after making will of deceased parent . . . . .	2.50
For filing account of Guardian . . . . .	.50
For stating, comparing, adjusting and indexing account of Guardian:	
If total amount of principal and income is not over \$300 . . . . .	3.00
If over \$300.00 and less than \$500.00 . . . . .	5.00
If over \$500.00 and less than \$800.00 . . . . .	7.00
If over \$800.00 and less than \$1,000.00 . . . . .	8.00
For each \$1,000.00 over the first \$1,000.00 . . . . .	.50
For furnishing copy of account, each page after 1st 2 pages . . . . .	.50
Exceptions to Account of Executors or Administrators	
For filing exceptions, exhibit, answer, or any other paper . . . . .	.50
For making entry of exceptions upon record . . . . .	2.00
For granting and noting continuance . . . . .	1.00
For noting final disposition of exceptions . . . . .	2.00
For correcting account according to final decree and returning same to Register of Wills with Certificate . . . . .	1.50
Miscellaneous	
For filing any paper filed in the Orphans' Court . . . . .	.50

## ORPHANS' COURT

For recording any paper filed in the Orphans' Court directed by the Court to be recorded, per page . . . . .	.50
For taking any bond other than that of Guardian, Executors or Administrators . . . . .	3.00
For exemplified copy of record . . . . .	2.50
For each additional page over three . . . . .	.50
For entering approval of Court . . . . .	.50
For taking affidavit . . . . .	.50
For drawing mortgage to secure investment . . . . .	5.00
For entering final decree, in case of allowance of any exception or any correction in account, fifty cents per page and . . . . .	1.00
For certifying abstract under seal, fifty cents per page and . . . . .	.50
For issuing attachment or sequestration . . . . .	2.00
For entering and certifying recognizance . . . . .	1.00
For recording and indexing same . . . . .	1.00
For entering satisfaction of same . . . . .	.50
For issuing certificate of adoption . . . . .	5.00
For making search of records . . . . .	1.00
For furnishing Sheriff list of liens or encumbrances . . . . .	1.00
For furnishing copy or abstract of any record or paper, per page . . . . .	.50
For furnishing copy of plot or draft, a sum to be fixed by the Court . . . . .	
For advertising causes on trial list, each . . . . .	.50
Issuing subpoena or citation to give evidence . . . . .	1.00
Filing interrogatories, giving notice, and making entry of filing and notice . . . . .	1.00
Furnishing copy of same, per page . . . . .	.50
For issuing commission to take depositions . . . . .	3.50
For publishing return of same, and making proper entries . . . . .	1.00
For issuing commission to freeholders to assign widow's dower . . . . .	2.50

The word "page" where used as a measure of computation shall mean a page of the record not less than fifty lines, eight words to the line, except in reference to account, when a page

## ORPHANS' COURT

of the record shall be used for each page of the account. Fractional parts of a page shall be considered a page when the recording does not make full pages.

Approved May 8, 1929.

## CHAPTER 275

## REGISTER OF WILLS

**AN ACT to amend Chapter 156 of the Revised Code relating to Fees of the Register of Wills in and for 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 156 of the Revised Code of the State of Delaware be and it is hereby amended by repealing 4860 Sec. 13 thereof, and by substituting in lieu thereof the following Section, to be styled: "4860. Sec. 13."

4860. Sec. 13. Register of Wills in New Castle County:—	
For filing petition for granting of letters of administration or testamentary .....	\$ .50
For granting letters of administration under seal, taking bond and making registry thereof and appointing appraisers, if the estate does not exceed \$100 .....	1.25
Over \$100. and not exceeding \$500. ....	2.00
Over \$500. and not exceeding \$2000. ....	3.00
Over \$2000. and not exceeding \$5000. ....	4.00
Over \$5000. and not exceeding \$10,000. ....	7.00
Over \$10,000. and not exceeding \$20,000. ....	10.00
Over \$20,000. and not exceeding \$50,000. ....	12.00
Over \$50,000. and not exceeding \$75,000. ....	15.00
Over \$75,000. and not exceeding \$100,000. ....	20.00
Over \$100,000. ....	25.00
Taking and registering probate of will .....	2.00
For granting letters testamentary under seal, same as for letters of administration	
Copy of will annexed to letters testamentary, one and one-half 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

## REGISTER OF WILLS

Filing list of debts	.25
Taking affidavit	.25
Filing, adjusting and settling account, certifying such settlement, if the sum of debts and credits inclusive of interest calculated shall not exceed \$100	1.00
Over \$100. and not exceeding \$500.	2.00
Over \$500. and not exceeding \$1000	3.00
Over \$1000. and not exceeding \$5000.	5.00
Over \$5000. and not exceeding \$10,000.	8.00
Over \$10,000. and not exceeding \$15,000.	10.00
Over \$15,000. and not exceeding \$20,000.	12.00
Over \$20,000. and not exceeding \$30,000.	15.00
Over \$30,000. and not exceeding \$40,000.	17.50
Over \$40,000. one-fourth of one per cent, not exceeding in any case, however, the sum of \$20,000.00	
For copy of account fifty cents per page, provided that each page of the account as stated shall constitute a page.	
For recording and indexing, direct and indirect, accounts and settlements, where the total estate does not exceed \$100.00	1.00
Over \$100.00 and not exceeding \$500.00	2.00
Over \$500.00 and not exceeding \$1000.00	3.00
And for every additional \$500.00 or fractional part thereof, in excess of \$1,000.00, twenty-five cents, not exceeding, however, in any case the sum of \$1,500.00	
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 cause	.50
Entering sentence or decree upon the actual litigation of a cause	1.00

## REGISTER OF WILLS

Filing any petition, exception or other paper .....	.50
Fee for sitting in trial of cause, per day .....	5.00
For recording release, acquittance or receipt .....	1.00
And for each additional acknowledgment or certificate ..	.25
Fee for acknowledging an acquittance, or any paper necessary to have acknowledgment thereto .....	.50
For recording will and probate, or any other writing proper to be recorded, and not otherwise provided for, one and one-half cents per line of eight words	
Certifying an extract, two cents per line of eight words	
Affixing seal of office to any writing not hereinbefore mentioned, and for which no other fee is allowed	.50
Making search .....	.25
Copy for exemplification of a record under seal not before provided for, one and one-half cents per line of eight words.	

In recording any will or paper or in giving any copy or exemplification of any paper, account or record which does not make one full page of the record the same shall be considered as a full page.

Section 2. The provisions of this Act shall become operative forthwith upon its approval by the Governor of the State and shall be applicable to all estates in which no final account shall have been settled and passed at the time of said approval.

Approved April 11, 1929.

# Resolutions

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## CHAPTER 276

**SENATE JOINT RESOLUTION** authorizing the State Board of Supplies to have printed the School Laws of the State of Delaware.

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

That the Board of State Supplies is hereby directed to have printed in pamphlet form, with a proper index thereto, two thousand copies of the School Laws of the State of Delaware, as amended, for distribution among the people of the State.

Approved February 5, 1929.

## RESOLUTIONS

## CHAPTER 277

## SENATE JOINT RESOLUTION

**A RESOLUTION** authorizing the Attorney General to take such action as is necessary to protect the rights of the State of Delaware in the Disputed Area of the Delaware River and Bay.

WHEREAS, A Commission of the State of Delaware was created by a House Joint Resolution, Chapter 243, Volume 35, Laws of Delaware, to confer with a like Commission representing the State of New Jersey, for the purpose of forming a compact or agreement between the said States and legislation consequent thereon, to be submitted to the Legislatures of said two States for action thereon, looking to the final adjustment of all controversies relating to the boundary line between said States and to their respective rights in the Delaware River and Bay; and

WHEREAS, because of death of members on the Commissions, and other numerous reasons, no satisfactory results have been obtained during the past two years; and

WHEREAS, the Commission representing the State of Delaware is desirous of accomplishing the purpose for which it was created, on or before the first day of April, A. D. 1929; now therefor

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

Section 1. That the Attorney General of the State of Delaware be and he is hereby authorized and directed to take such steps as he may deem necessary to bring this matter before any court having jurisdiction thereof, in the event of a necessity arising therefor because of the failure of the two Commissions to arrive at a satisfactory agreement, or for the purpose of protecting the rights of the State of Delaware in the disputed area of the Delaware River and Bay, or for any other reason.

Approved February 11, 1929.

## RESOLUTIONS

## CHAPTER 278

## SENATE JOINT RESOLUTION

WHEREAS, the place of honor being accorded to the State of Delaware at all national assemblages in recognition of its being the first State to adopt the Federal Constitution, it would seem to be required that proper representation be had at the Inaugural ceremony of the President-elect Hoover to be held on March 4, 1929, at the National Capitol; and

WHEREAS, a precedent having been set by the General Assemblies of the State of Delaware during the past twenty years, it would appear to be most fitting that a continuance of this precedent be had at this time when all sections of the country are enjoying an era of good feeling in regard to this coming national event. THEREFORE

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

In order that the State of Delaware may be appropriately represented at the Inaugural ceremonies of the Honorable Herbert Hoover as President of the United States, the sum of Five Thousand Dollars be and the same is hereby appropriated out of any moneys of the State not otherwise appropriated for the purpose of defraying the expenses of a military escort to the Governor of this State and his Staff and of such other persons whom the Inaugural Committee of the One Hundred and Second General Assembly shall select. Such moneys shall be paid by the State Treasurer upon proper warrants signed by the Chairman and Secretary of the Legislative Inaugural Committee.

Approved February 18, 1929.

RESOLUTIONS

CHAPTER 279

SENATE JOINT RESOLUTION

**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., J. Edward Goslee 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 March 18, 1929.

## RESOLUTIONS

## CHAPTER 280

## SENATE JOINT RESOLUTION

**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:*

Cornelius B. Hope, William D. Denney and Albert S. Moore, be and they are hereby appointed Directors, on the part of the State, of the Farmers' Bank of the State of Delaware at Dover.

Approved March 18, 1929.

RESOLUTIONS

CHAPTER 281

SENATE JOINT RESOLUTION

**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 Aaron Finger, Leland Lyon and William Coyne, 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 March 18, 1929.

## RESOLUTIONS

## CHAPTER 282

**SENATE JOINT RESOLUTION authorizing the State Bank Commissioner to have printed all Laws relating to Banks and Building and Loan Associations.**

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

That the State Bank Commissioner is hereby authorized to have printed in pamphlet form, in one volume, with a proper index thereto, fifteen hundred copies of all Laws relating to banks and building and loan associations.

The preparation and supervision thereof shall be done by the State Bank Commissioner, and the printing shall be done upon the authority of the State Board of Supplies, as other State printing is done.

Approved March 18, 1929.

## RESOLUTIONS

## CHAPTER 283

## SENATE JOINT RESOLUTION

**A RESOLUTION appropriating certain amounts out of the State Treasury to pay certain claims against the State.**

BE IT RESOLVED by the Senate of the State of Delaware, the House of Representatives concurring therein, that the following amounts be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the payment of certain claims against the State of Delaware:

Charles E. Rittenhouse .....	\$204.16
H. B. Hickman .....	258.50
David DuBois .....	5.50
The Index Publishing Company .....	7.50
The Delaware State News .....	100.00
J. H. Sipple .....	8.10
Thomas W. Killen .....	76.00
Edgar W. Frazier .....	32.00
Carroll B. Massey .....	6.00
Ulysses G. L. Kichline .....	14.00
J. A. Larramore .....	32.00
William H. Waters .....	6.00
The Diamond State Telephone Co. ....	78.11

Approved May 6, 1929.

**RESOLUTIONS****CHAPTER 284****HOUSE JOINT RESOLUTION.**

BE IT RESOLVED by the House of Representatives the Senate Concurring therein, that Thomas W. Records be and is hereby selected and authorized to act and to serve as Bill Clerk of the House of Representatives, and Verner Van Fleet be and is hereby selected and authorized to act and to serve as Bill Clerk of the Senate during the sessions of the One Hundred and Second General Assembly of the State of Delaware.

Approved January 9, 1929.

RESOLUTIONS

CHAPTER 285

**HOUSE JOINT RESOLUTION** authorizing the President Pro Tempore of the Senate and the Speaker of the House of Representatives to appoint a Committee to Investigate Needs of Addition to State House.

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

That the President Pro Tempore of the Senate appoint three members of the Senate and the Speaker of the House of Representatives appoint three members of the House, which said members so appointed, together with the President Pro Tempore of the Senate and the Speaker of the House of Representatives, shall serve as a committee to investigate the congestion existing in certain State Departments and report the committee's suggestions, for relieving such congestion, to this General Assembly on or before February 11, 1929, and

**BE IT FURTHER RESOLVED** that said committee be authorized and directed to invite the Secretary of State and the Mayor of Dover to participate in its deliberations.

Approved February 5, 1929.

## RESOLUTIONS

## CHAPTER 286

**HOUSE JOINT RESOLUTION creating a Commission for the Purpose of Making an Exchange of Public Lands of the State of Delaware, for lands of William P. Short, and defining the powers of said Commission.**

WHEREAS, the State of Delaware now owns and holds title to a certain lot, piece or parcel of land situate in Sussex County, which lies between Bethany Beach and the Indian River, and borders on the Atlantic Ocean; and

WHEREAS, said lot, piece or parcel of land is held by the State of Delaware for the use and benefit of the State and is under the general supervision of the Public Lands Commission, with power together with the Governor, to execute and deliver good and sufficient deed for any part of the said public lands, being fifty (50) acres or less in extent, whenever the said Commission and the Governor shall deem it advisable to sell any part or all of the said lands; and

WHEREAS, the State of Delaware has secured ninety-eight (98) acres for a camp site, but it now becomes necessary to obtain more land for a rifle range; and

WHEREAS, five desirable lots, pieces or parcels of land owned by one William P. Short, consisting of one hundred and twenty-two acres (122), extending northward to and adjoining other lands of William P. Short, can be secured for such rifle range in exchange for a part of said public land, said five lots being described as follows:

Parcel No. 1. ALL that certain tract, piece or parcel of land situated in Baltimore Hundred, Sussex County, State of Delaware, lying north of the Bethany Beach Canal, and containing approximately five acres of land, more or less, and BEING that portion of a larger tract of land acquired by said William P. Short by deed of Capt. William Melson and wife in 1926, which deed is duly recorded at Georgetown, Delaware.

## RESOLUTIONS

Parcels No. 2, 3, 4 and 5. ALL that certain tract, piece or parcel of land situated in said Hundred, County and State and more fully described as follows, to-wit:

BEGINNING at a cedar post in the Salt Pond, corner for lands this day conveyed to the State of Delaware by said William P. Short and wife; thence N 25°, E 1117 feet to Cedar Post, corner for the Hall land; thence N 26° E 556 feet to a cedar post, corner for the West land; thence N 23½° E 367 feet to a cedar post; thence due East 1862 feet to a cedar post at the high water mark of the Atlantic Ocean; thence along and with the Atlantic Ocean at high water mark S 2¾° W 1515 feet to a cedar post; then S 15 minutes E 485 feet to a cedar post; then leaving the Atlantic Ocean due West 820 feet to a cedar post; thence S 15 minutes E 449½ feet to a cedar post corner for lands this day conveyed to "The State of Delaware" by said Short and wife; thence along with one line of said lines N 71½° W 1938 feet home to the place of BEGINNING. Containing 117 acres of land, be the same more or less; THEREFORE

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

Section 1. That a commission consisting of the Governor, and Adjutant General and the Secretary of the Public Lands Commission, be and is hereby created and is authorized and empowered to enter into and make an agreement with the said William P. Short, which the said Commission herein created may determine to be advisable and proper, for the conveyance of any part of the said lot, piece or parcel of public land belonging to the State of Delaware, between Bethany Beach and the Indian River and bordering on the Atlantic Ocean, in consideration for the conveyance to the State of Delaware, by the said William P. Short of the certain lots, pieces or parcels of land consisting of One Hundred Twenty-two (122) acres and extending northward to and adjoining other lands of the said William P. Short.

Section 2. That the Governor and the Secretary of State of the State of Delaware are hereby authorized and empowered

## RESOLUTIONS

to execute in the name of and under the Great Seal of the State of Delaware, a deed conveying unto the said William P. Short, his heirs and assigns, any lot, piece or parcel of land belonging to the State of Delaware as hereinbefore described, which the said commission as herein created may agree to convey as a consideration for the lots, pieces or parcels of land to be conveyed by the said William P. Short to the said State of Delaware.

Approved March 13, 1929.

## RESOLUTIONS

## CHAPTER 287

## HOUSE JOINT RESOLUTION

**A JOINT RESOLUTION providing for the assent of the State of Delaware to the provisions and requirements of an Act of Congress, entitled "An Act to Provide for the Further Development of Agricultural extension work between the Agricultural Colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands of the several States and Territories which may provide colleges for the benefit of Agriculture and the Mechanic Arts' approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture."**

WHEREAS, the 70th Congress of the United States has passed an Act approved by the President, May 22, 1928, designated as H. B. 9495 and entitled "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands of the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts' approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture," and

WHEREAS, it is provided in Section 1 of the Act aforesaid, that the grants of money authorized by this Act shall be paid annually "to each State which shall by action of its legislature assent to the provisions of this Act; THEREFORE,

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

That the assent of the State of Delaware be and is hereby given to the provisions and requirements of said Act, and that the trustees of the University of Delaware be and they are hereby authorized and empowered to receive the grants of money appropriated under said Act, and to organize and conduct agricultural

## RESOLUTIONS

extension work which shall be carried on in connection with the college of agriculture of said university in accordance with the terms and conditions expressed in the Act of Congress aforesaid.

AND BE IT FURTHER RESOLVED that two certified copies of the Resolution be forwarded by the Governor of this State to the Secretary of Agriculture at Washington, D. C.

Approved March 13, 1929.

RESOLUTIONS

CHAPTER 288

HOUSE JOINT RESOLUTION

**AUTHORIZING AND DIRECTING the Secretary of State to have printed the General Corporation Law, as amended.**

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

That the Secretary of State be, and he is hereby authorized and directed to have printed in pamphlet form with a proper index thereto, five thousand (5,000) copies, or as many as will meet the requirements of the office of the Secretary of State, of the General Corporation Laws of the State of Delaware, as amended, at the close of this Session of the One Hundred and Second General Assembly, for public distribution, in order to further the interests of this State.

Approved April 29, 1929.

## RESOLUTIONS

## CHAPTER 289

## HOUSE JOINT RESOLUTION

**AUTHORIZING AND DIRECTING** the Secretary of State to have printed 3,000 copies of the Supplementary Addition to the Election and Registration Laws of the State of Delaware, as amended.

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

That the Secretary of State be, and he is hereby authorized and directed to have printed in pamphlet form with a proper index thereto, three thousand (3,000) copies of the supplementary addition to the Election and Registration Laws of the State of Delaware, as amended, at the close of this Session of the One Hundred and Second General Assembly of the State of Delaware, for the information and guidance of the citizens of the State who are entitled to be registered and to vote, and those officials who are authorized to conduct such registration.

Approved April 29, 1929.

## RESOLUTIONS

## CHAPTER 290

## HOUSE CONCURRENT RESOLUTION

WHEREAS, pursuant to House Concurrent Resolution No. 2, arrangements have been made by the members of the One Hundred and Second General Assembly for the visiting of Institutions supported wholly or in part by the State of Delaware, on Thursday and Friday, February 14th and 15th respectively, and

WHEREAS, the expenses incident to the hiring of conveyances will of necessity have to be met immediately thereafter;

THEREFORE, BE IT RESOLVED, that the sum of ONE HUNDRED DOLLARS, or so much thereof as may be necessary, be and the same is hereby appropriated for said purpose out of any moneys in the State Treasury not otherwise appropriated, and the State Treasurer is hereby authorized and directed to pay said expenses not exceeding the sum of ONE HUNDRED DOLLARS, upon the presentation of a voucher signed by a majority of the members of the said Committee appointed pursuant to House Concurrent Resolution No. 2.

Approved February 27, 1929.

## RESOLUTIONS

## CHAPTER 291

## HOUSE CONCURRENT RESOLUTION

WHEREAS, in the death of I. Pusey Wickersham, the State of Delaware has lost a useful and valued citizen, whose public service as The Adjutant General of this State, and whose war record as Colonel of the First Delaware Regiment during the Spanish American War, have been above reproach; and

WHEREAS, it is fitting that this General Assembly give public expression of its appreciation and offer its sympathy to his widow and family in their bereavement; NOW THEREFORE,

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

That this General Assembly, in its humble way, recognize the forty-five years of public service of Brigadier General I. Pusey Wickersham, and that we extend to his bereaved widow and family the sincere sympathy of this General Assembly;

That a copy of these resolutions be spread upon the Journal, a copy delivered to the press, and a copy sent to Mrs. Wickersham.

Approved April 29, 1929.

# TITLES OF PRIVATE ACTS

## Excluded From Publication

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### Chapter 292

**AN ACT to incorporate the "Seaford Trust Company."**

Approved February 1, 1929.

### CHAPTER 293

**AN ACT to incorporate "First Bank and Trust Company."**

Approved February 1, 1929.

### CHAPTER 294

**AN ACT to Incorporate the "Provident Savings and Loan Association."**

Approved February 5, 1929.

### CHAPTER 295

**AN ACT to amend an Act entitled "An Act to Incorporate 'The Equitable Guarantee and Trust Company'", passed at Dover, April 23, 1889, as amended, by authorizing said corporation to operate branches and by granting to said corporation the same powers, rights and privileges as are conferred upon corporations organized under the General Incorporation Law of this State.**

Approved February 11, 1929.

## TITLES OF PRIVATE ACTS

## CHAPTER 296

**AN ACT to further amend an Act entitled "An Act to Incorporate the Clayton Bank" approved February 25, 1913, as amended by "An Act to amend an Act entitled "An Act to Incorporate the Clayton Bank" and conferring additional powers upon said corporation" approved March 26, 1917, by changing the name of said corporation to "The Clayton Bank and Trust Company."**

Approved February 11, 1929.

## CHAPTER 297

**AN ACT to amend an Act entitled "An Act to Incorporate the 'Fidelity Trust and Savings Bank,'" approved at Dover, March 6, 1915, by changing the name of said Corporation to "Lewes Trust Company."**

Approved March 6, 1929.

## CHAPTER 298

**AN ACT to amend an Act entitled "An Act to Incorporate the Wilmington Savings Fund Society", passed at Dover, January 11, 1832, as amended, by authorizing said corporation to establish and operate branches or branch offices.**

Approved March 15, 1929.

## CHAPTER 299

**AN ACT to Incorporate "Georgetown Trust Company."**

Approved March 18, 1929.

TITLES OF PRIVATE ACTS

CHAPTER 300

**AN ACT to amend an Act entitled "An Act to Establish a Bank and Incorporate a Company under the name of the Farmers' Bank of the State of Delaware" passed at Dover, February 4, 1807, as amended.**

Approved March 18, 1929.

CHAPTER 301

**AN ACT to amend an Act passed at Dover, January 22, 1813, and entitled "An Additional Supplement to the Act entitled "An Act to establish a Bank and to Incorporate a Company under the name of The Farmers' Bank of the State of Delaware."**

Approved March 18, 1929.

CHAPTER 302

**AN ACT to amend an Act entitled "An Act to Incorporate the Rehoboth Trust Company", approved at Dover, April 20, 1927, by increasing the number of Directors.**

Approved March 19, 1929.

CHAPTER 303

**AN ACT to amend an Act entitled "An Act to Incorporate the St. Georges Trust Company", approved at Dover, March 9th, 1927.**

Approved March 19, 1929.

CHAPTER 304

**AN ACT to Confer Additional Powers upon Delaware Trust Company.**

Approved March 21, 1929.

## TITLES OF PRIVATE ACTS

## CHAPTER 305

**AN ACT to Incorporate "Fourth Street Trust Company."**

Approved March 26, 1929.

## CHAPTER 306

**AN ACT to amend an Act entitled "An Act to Incorporate the St. Georges Trust Company", approved at Dover, March 9th, 1927.**

Approved March 26, 1929.

## CHAPTER 307

**AN ACT to amend an Act to Incorporate the "Brandywine Trust and Savings Bank" approved at Dover April 11, 1921.**

Approved April 2, 1929.

# PROCLAMATIONS OF THE GOVERNOR

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## PROCLAMATION

EXECUTIVE DEPARTMENT.

DOVER, DELAWARE

WHEREAS, the future of the Nation rests to a very great extent on the health of our children, and

WHEREAS, Delaware is not only anxious to improve the health of her children, but is making every effort to do so, and

WHEREAS, For the past two years, MAY DAY has been set aside as Child Health Day. May our interest in Child Health not only be keen on MAY DAY but continue throughout the year,

NOW, THEREFORE, I, Robt. P. Robinson, Governor of the State of Delaware, hereby proclaim

### MAY DAY

Sunday, May first, as Child Health Day for the State of Delaware, and do hereby urge all people to participate in the celebration and to encourage health activities throughout the State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the Great Seal of the said State at Dover, this twenty-ninth day of April, in the year of our Lord one thousand nine hundred and twenty-seven.

(Great Seal)

By the Governor:

ROBT. P. ROBINSON.

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## EXECUTIVE DEPARTMENT.

## DOVER, DELAWARE

WHEREAS, The year 1927 marks the Sesquicentennial of the adoption of the Flag of the United States, the Emblem of our political faith, the symbol of all we are, all we hope to be, and

WHEREAS, So many of our men and women have suffered untold hardships and made sacrifices without number, even of their lives, in defense of the ideals, principles, and institutions for which that Flag stands, and

WHEREAS, The people of this State as well as those of all other States of the Union are ever ready to express their love for the Flag of our Country and their devotion of all that it represents,

NOW THEREFORE, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby designate the week of June 8-14, 1927, as

## FLAG WEEK

and do proclaim Tuesday, June 14 as

## FLAG DAY

and do earnestly suggest and request that every day during Flag Week the Flag be displayed from public buildings, places of business, and homes; that during this week the school children be instructed in the correct ways of displaying and respecting our National Emblem and the ideals and principles symbolized by the Flag be explained and emphasized to them; that on Sunday, June 12, the ministers of all creeds and denominations direct the thoughts of their congregations to the Flag of the United States and the things it represents; and that on Flag Day, Tuesday, June 14, special patriotic exercises be held in every community, in this manner fittingly commemorating the Sesquicentennial of the adoption of the Flag of the United States and re-

PROCLAMATIONS

dedicating ourselves to the ideals, traditions, principles and institutions for which that Flag stands.

IN TESTIMONY WHEREOF I have hereto set my hand and affixed the Great Seal of the State of Delaware at Dover this second day of May in the year of our Lord One Thousand Nine Hundred and Twenty-seven.

(Great Seal)

Governor:  
ROBT. P. ROBINSON.

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

## PROCLAMATION

WHEREAS, the Eleventh Annual Roll Call of the American National Red Cross will be conducted from Armistice Day, November 11th, to Thanksgiving, November 24th; and

WHEREAS, this period has been set aside to give every one an opportunity to enroll or renew his membership in the American National Red Cross; and

WHEREAS, the President of the United States, as President of the American National Red Cross, has issued a proclamation calling upon the people to enroll as members in this legation of mercy; and

WHEREAS, the American National Red Cross, national and world-wide instrumentality in scope of service to relieve and serve wherever destruction, devastation or desolation is visited upon mankind, elemental or otherwise, and its activity in helping to solve the problem of public health and its interest in all other humanitarian projects, offers, through membership, the medium by which the more fortunate may assist the afflicted in time of disaster.

NOW, THEREFORE, I, Robt. P. Robinson, Governor of the State of Delaware, urge the citizens of our State to respond wholeheartedly to the Eleventh Annual Roll Call by enrolling their names under the banner of the American National Red Cross, and suggest that the work of this organization be especially emphasized in all places of worship and at all public gatherings so that this humanitarian service may continue and enlarge in scope.

IN TESTIMONY WHEREOF, I have hereunto set my hand  
and caused the Great Seal of the State of Delaware to be affixed this twenty-sixth day of Oc-

PROCLAMATIONS

tober, in the year of our Lord, one thousand  
nine hundred and twenty-seven.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## THANKSGIVING DAY

## PROCLAMATION

WHEREAS, In deep gratitude to a Merciful Father, from whom cometh every good and perfect gift; for goodness that hath created us; bounty that hath sustained us; Fatherly discipline that hath chastened and corrected us; patience that hath borne with us; love that hath redeemed us, we, the individual citizens of Delaware return thanks, and as a State, duly conscious of our many benefits at the hand of a Gracious Father, for friendly relations existing between us and our neighbors and for bountiful harvests, we are truly thankful. And

WHEREAS, It seems eminently proper that we should set apart one day in each year, as has been our custom, and repair to our respective houses of worship and there render thanks to God for the bounteous blessings which He has bestowed upon us.

NOW THEREFORE, In accordance with the Proclamation of the President of the United States, I, Robt. P. Robinson Governor of the State of Delaware, do designate

THURSDAY

NOVEMBER TWENTY-FOURTH

AS

THANKSGIVING DAY

and do call upon the people of our State to lay aside their usual duties and take time to give thanks unto Almighty God for his many blessings and ask for strength to meet the problems of the coming year.

IN TESTIMONY WHEREOF, I, Robt. P. Robinson, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the State of Delaware to be affixed at Dover this fourth day of November, in the year of our Lord one thousand nine hundred and twenty-seven, and in the

PROCLAMATIONS

year of the Independence of the United States  
of America, the one hundred and fifty-second.

By the Governor:  
ROBT. P. ROBINSON.

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

## PROCLAMATION

ROBT. P. ROBINSON, Governor of said State,

To all persons to whom these presents shall come, Greetings:

WHEREAS, Henry L. Ash, a citizen of the City of Wilmington, New Castle County, in this State, was found dead on the morning of December 15th, 1927, in the City of Wilmington aforesaid; and

WHEREAS, There are reasonable grounds for the belief that the Laws of this State have been violated and it is necessary, for the purpose of securing the arrest of the person or persons offending, that a reward should be offered for the arrest and conviction of such person or persons.

NOW, THEREFORE, I, Robt. P. Robinson, Governor of the State of Delaware, in accordance with the provisions of Section 6 of Chapter 13 of the Revised Statutes of the State of Delaware, do hereby offer a Reward of

## FIVE HUNDRED DOLLARS

for the arrest and conviction of the person, or persons, who committed the crime aforesaid, said reward to be paid to such person or persons as the Attorney General of this State shall certify to be entitled thereto.

IN TESTIMONY WHEREOF, I, Robt. P. Robinson, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of this State to be hereunto affixed this sixth day of January in the year of our Lord one thousand nine hundred and twenty-eight and of the independence of the United States of America the one hundred and fifty-second.

By the Governor:

ROBT. P. ROBINSON.

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

## PROCLAMATION

WHEREAS, Howard M. Ward, 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, Robt. P. Robinson, 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 corporation, reported as aforesaid is repealed:

A. C. Blumenthal Realty & Finance Corporation, Absolene Company, A. C. Vanderpoel Company, Inc., The, Abbott Furniture Corporation, A. L. Glaser Sons, Inc., A. Nackle & Sons, Incorporated, Abbott Oil Company, Aarons Pharmacy, Inc., A. & P. Shoe Stores, Inc., A. R. Webb Co., A. S. Terrill Bond & Mortgage Company, A. S. Foster, Inc., Abbott Spark Plug Corporation, The, Acme Cloak Co., The, Acme Chimney Co., Acme Coal and Stone Company, The, Accessory Dealers Syndicate, Acme Exporting Co., Inc., Acme Electric Fuse Corporation, Acorn Floor Co., Acceptance and Finance Corporation, Acme Jewelry and Novelty Company, Acme Lumber Co., Acme Process Asphalt Grouting Company, Inc., Acorn Products Corporation, Acme Pipe Machine Company, Acme Royalty & Producing Company, Acme Utilities Co., Inc., Advance Amusement Company, Advergraph Corporation of New York, The, Adams Production Company, The, Adjustable Ringless Piston Corporation, Adrienne Studios, Inc., Adamant Sales Company, Ajello Aeroplane Corporation, Airplane Advertising Corporation, Aetna Brake Lining & Mfg. Co. of America, Inc., Air Circulator Company, Inc., Agricultural Finance Corporation, Aircraft Fireproofing Corporation, Ajax Industrial Chemical Company, Ajax Oil Company, The, Aeronautical Operators Corpo-

## PROCLAMATIONS

ration, Air Spring Corporation of America, Aetna Safety Appliance & Metal Finishing Co., Agawmat Tours, Inc., Alaska Consolidated Fisheries, Inc., Aliano Cream of Olives Co., Inc., Alfred Campbell, Inc., Alabama Ford Auto Safety Brake Company, Inc., The, Alcam Gas & Oil Company, Albert Granich & Company, Aldam Heights Development Company, Alemite Lubricator Company of New England, The, Aldamas Oil Company, Alchemy Products Corporation, Allegheny & Butler Reaming Corporation, Allen Coal Company, All-Lite Manufacturing Company, All Metal Screen Company, Inc., The, Allen & Moore Canning Company, Alliance Oil Company, Allied Oil Corporation, Allied Process Corporation, Alliance Transportation Company, Inc., Allen Window Company of America, Allegheny Window Glass Company, Altoona Glass Products Corporation, Alta, Inc., "Always Ready" Battery Solution of the Pittsburgh District, Inc., Alvord Telephone Co., Inc., Alsop Triple Ignition Corporation, Ambery Gear, Inc., Amalgamated Lead-Zinc Smelters Corporation, Amalgamated Manufacturing Co., Ammex Oil Corporation, Amco Oil Company, Amazon Petroleum Company, Amfot Pipe Line Corporation, Amiss Realty Company, Inc., Ambassador Restaurant Company, Inc., Amex Tropical Woods Corporation, Amalgamated Tire Stores Corporation, Amerital Warehouse Corporation, American Automobile Registration Company, American Automotive Service, Inc., American Academy of Letters Departmental, Inc., American Automatic Ice Machine Company, American Auto Accessories Co. of Pennsylvania, American Armor Corporation, American Baltic Corporation, American Battery Products Corporation, American Builders, Inc., American Brick Company, American Batteries Sales Corporation, American Brick & Clay Co., American Batteries, Inc., American Bottle Cap Co. of New York, Inc., American Bank Alarm Company, American Coal and Commerce Corporation, American Coal and Realty Company, American Commercial Products Company, Inc., American Chocolate Confectioners Machinery Corporation, American Code Machine Company, American Crude Oil Company, American Casket Co. of Pittsburgh, Pennsylvania, American Concrete Products Corporation, The, American Coal and By Products Coke Company, American Dental Products Co., Inc., American Diesel Engine Company, Inc., American Electric & Mfg. Co., American Electric

## PROCLAMATIONS

Company, American Economy Food Corporation, America-Europe Exchange Corporation, American Fire Extinguishing Co., American Finance and Credit Corporation, American Gate & Appliance Corporation, American Guiana Company, American Grain Shocking Co., Americas Holding Corporation, American Hansa Corporation, American Industrial & Trading Corporation, American Industrial Chemical Co., American Levant Steamship Company, Inc., American Mortgage and Holding Company, American Minerals Corporation, American Manufacturers Distributing Company, American Maid Products Corporation, American Mineral-Bond Products Corporation, American Mining and Concentrating Co., The, American Manicopy Typewriter Company, American Metal Products Company, American National Petroleum Co., Inc., American Oil Engineering Corporation, American Publicity Bureau, Inc., American Potato Waffles, Inc., American Pickling Company, American Resurfacing Co., American Railway Equipment, Incorporated, American Romanite Corporation, American Rolling Stores Company, The, American Range & Foundry Company, American Router and Manufacturing Company, American Sulphur Mines Corporation, American Spanish Amusement Corporation, American Sectional Pavement Light Company, American Safety Device Company, Inc., American Steel Export Company (China), American Ship Sealing Corporation, American Safety Tire Corporation, American Thrift Fraternity, Inc., American Theatres, Inc., American Tire Corporation, The, American Transatlantic Company, American Vitalizer Corporation, American Woman's Silks, Inc., The, American Wood Products Corporation, American Worsted Spinning Company, American Willite Company, American X-Ray Corporation, Anhydrous Food Products Company, The, Analytical Laboratories, Incorporated, Anaheim Metal Industries, Inc., Anglo-American Company, Inc., Anglo-American Development Corporation, Anglo-American Bond & Security Company, Animated Billboard Company, Inc., Anglo-Cuban-American Sugar Refineries, Incorporated, Anthracite Coalette Company, Angelus Mortgage Corporation, Antigua Mining Company of Mexico, Anderson-Stehley Co., Inc., Andrew Snyder & Company, Anderson Tire Manufacturing Company, Appraisal Company of America, Appalachian Engineering & Service Corporation, Apex Oil and Gas Company, Art and Bag Frame

## PROCLAMATIONS

Co., Inc., The, Art Craft Manufacturing Company, The, Arkayem Corporation, The, Arlington Cash Market, Inc., Arkansas Development Company, Arapashon Gold Dredging Company, Articles of Merit Mfg. Co., Inc., Arcadia Oil and Development Company, Arrendale Oil Company, Arte Popolares Italiana, Inc., Arrow Pencil Co., Arkansas Pipe Line & Navigation Company, Arcadia Productions, Inc., Armitage, Price & Clelland, Inc., Arkansas River Oil and Gas Company, The, Arlington Security Company, Artisans Supply Corporation, Associated Authors, Incorporated, Associated Bankers' Mortgage Corporation, Astor & Company, Asia Fire Insurance Underwriters, Inc., Associated Fruit Co., Associated Golf Club of America, Inc., Associated Industries, Inc., Associated Magazines, Inc., Associated Physicians Society, Inc., Atlantic Auto Supply and Garage Company, Atlantic Brokerage Company, Inc., Atlantic City Medical Research Laboratory, Inc., Atlantic Candy Corporation, Atlas Distributing Company, The, Atlas Film Producing Corporation, Atlantic Fuel Corporation, Atlas Oil Burner Corporation, Atlantic Orchard Corporation, Atlantic-Seattle Steamship Corporation, Atlantic Trading Corporation, Automatic Bearing Machine Co., Auditore Co., Inc., Automatic Clutch & Transmission Company, The, Automotive Efficiency Corporation, Automatic Electro Cooking Machine Company, Automatic Engraving Company, Auto Lock Corp., Automatic Mail-Wrapping Machine Company, Automobile Owners Association, Auricle Publishing Company, The, Automat Pump Company, Auto Resilience Manufacturing Company, Automatic Radio Corporation of America, Auto Rim Lever Lock Corporation, Auto Service Stations, Inc., Auto Safety Lite Corporation, Auto Safety Corporation, Auto Superservice Co., Automobile Security Corporation, Automatic Shoe Polishing Company, Automobile Spring Wheel Company, The, Auto Service Company, Automatic Safety Traffic Signal Company, Augusta-Texas Oil Company, Auto Utilities, Incorporated, Automobile Vigilante Association of America, Automobile Vapor Fuel Corporation.

B. & B. Enterprises, Inc., B. Franklin Miller & Co., B. & H. Engine Company, Bab Hat Company, Inc., The, B. & M. Rubber Company, Inc., B. & O. Reflex Company, Bagdad Oil and Gas Company, B.-P. Construction Company, Bailey Development

## PROCLAMATIONS

Company, Bailey Development Co. of Texas, Baker Brothers, Inc., Ball Bearing Skate Company, Balard Bond & Mortgage Company, Inc., Balcones Development Corporation, Bald Eagle Sand and Supply Company, Baltimore Mortgage Company, Inc., Baldwin Provision & Packing Company, Balboa Theatres Company, Baltimore, Wilmington & Philadelphia Steamship Company, Banta-Blitz Company, Bankers Credit Company, Banner Damp Wash Laundry, Inc., Bankers' Holding Corporation, Bankers Ink Corporation, Bankers Mortgage & Investment Corporation, Bauer Manufacturing Company, Inc., Bankers Mortgage and Loan Company, Bangor Silk Company, Inc., Bang Securities Corporation, Barbour County Gas and Oil Company, Barlow Motors Corporation, Barco Petroleum Corporation, Barney Coal Company, Barnes Finance Company, Barnett Lead and Zinc Mining Company, Barrer Railway Supply Company, Barnett and Wilson Investment Company, Barrett Iron Stand Company, The, Barrick Kentuck Oil & Gas Co., Barrett Lumber Company, Bass Chemical Engineering Co., Bayer Petroleum Company, Baxter Vacuum Street Cleaner Corporation, Beaver Coin Lock Company, Beam Engineering Corporation, Beaver Glass Manufacturing Company, Beauty, Incorporated, Bearden Investment Co., Inc., Beal Institute For Dietetic Research, Inc., Beaver Lake Company, Beacon Products Company, Inc., Becks Mill and Lumber Company, Behles Blue Front Store System, Inc., Beeson Coal Company, Beeson Machinery Company, The, Bell Auction Company, Belmont Film Company, Beloil Lease & Drilling Co., Beltsville Motor Company, Bell Motor Sales Corporation, Belmont Oil Corporation, Bell Oil Refining Company, Bell Register Corporation, Bennett Automotive Company, Benjamin Banaker Productions Company of America, Benach's Beauty Parlors, Inc., Bennett and Barston Publishing Company, The, Benjamin Chemical Co., Ben Franklin Mortgage Company, Bengal Oil Company, The, Bengall Products Company, Bennings Stables, Incorporated, Benz Products Corporation, Bergougnan Tire and Rubber Co. of N. J., Inc., Bernicella College of Beauty Culture, Inc., Bethlehem Bumper Company, Inc., The, Betts Electric & Manufacturing Corporation, Betty Jeane Corporation, Bess Oil and Gas Company, The, Better Oil Company, The, Better Things, Incorporated, Bessemer Truck Company, New Haven, Conn., Betz Toy and Novelty Company, Inc., Big Barren

## PROCLAMATIONS

River Oil and Development Company, Big Four Refining Company, Billy Green Oil & Refining Co., The, Big-I-Go Candy Mfg. Co., Inc., Big Sandy Pipe Line Company, Big Sandy Development Company, Bird Coal & Iron Company, Bishop, Edwards & Co., Bird and Jefferson, Inc., Binger Manufacturing Company, Blair-Allen Coal Company, Black Hills-Fremont Mines Co., Blackstone Hotels Company, Inc., The, Bluridge Mica Corporation, Blandford Paper Box Corporation, Black River Power and Light Company, Bleuell Automatic Spring Co., Bloomington Brick & Tire Company, Blue Bird Floral Shops, Inc., Blue Bird Cab Co., Blue Bell Lime & Stone Co., Inc., Blue Hen Lumber Company, Block-O-Type Company, Blue-Ridge Coal Company, Blount Spring Development Corp., The, Blue and White Wet Wash Laundry Co., Bocoshe Coal Company, Bob-Lo Coal and Sales Company, Booker Aeroplane Corporation, Bongiovauni Company, The, Boone Consolidated Oil Corporation, Bono, Incorporated, Booklovers League of America, Inc., Bond & Mortgage Trust Company, Bonded Radio Products, Inc., Bonom Steam Turbine Corporation, Booker T. Washington Hotel Corporation, Boston Fincastle Oil Company, Bosse-Ford Corporation, Borgetti Oil & Refining Company, Boulder Smelting Company, Bradley Company, The, Bradley Engineering Company, The, Bradley Hotels System, Inc., Branciforti Chemical Casket Corporation, Brazil Company, Inc., Brazilian General Products Company, Brentwood Products Corporation, Bridesburg Foundry & Engineering Co., Bridgeton Hearse & Ambulance Corporation, Bridgeport-New York Steamship Co., British American Holding and Development Company, Britton Corporation, The, Brinkman Pennant Glare Screen Corporation, Brinton Serpentine Green Stone Co., The, Brome Vinegar & Chemical Co., Bronx Building and Realty Corporation, Brookwood Investment Company, Bryden-Hall Corporation, Brumby & Jacobs, Inc., Buckeye Clay Products Company, Buckner Publishing Company, Inc., The, Buckeye Securities Corporation, Builders Corporation, Buffalo Gold Seal Denture Company, The, Buffalo Newspaper Corporation, Bulk Oil Bonded Storage Corporation, Budd Publishing Company, Inc., Bullseye Vending Corporation, Burger Chapman & Company, Bureau Fuel Service Corporation, Burghard Sales Corporation, Burkle Corporation, The, Burke & Watson, Inc., Burn-All Incinerator Corporation, Burns Company, The, Burnall Furnace & Boiler Company, Burpie-Johnson Products Co., Bush Aero-

## PROCLAMATIONS

nautical Company, Business Finance Service, Incorporated, Bush Lee Fountain Lunch Company, Bussey Process Co., Inc.

Callaghan, Atkinson & Company, Inc., C. B. F. Industries, Inc., C. B. Bunte Company, California Burt Sales Co., C. C. Ulrich & Company, Inc., California Citrus Pectin Company, Calo Corporation, C. C. McCarthy & Company, California Chemical Company, C. E. Dobbins & Company, (Inc.), C. E. Gould Cracker & Candy Company, C. F. Stuart, Inc., C. F. Piehl Engineering Corporation, California Fruit Dispatch, Inc., Caloroil Fuel Company, C. F. Hamilton, Incorporated, California Gypsum Corporation of Delaware, California Holding Company, Inc., California Hospital Holding Company, C. J. Potter Music Publishing Co., Inc., C. L. Anderson & Company, Inc., Calaveras Mining Company, C. P. Stumpf Company, C. P. Baker Manufacturing Company, The, C. Pianisoni, Inc., C. R. Cream Company, Inc., C. R. Wilson Body Company, Calehuff & Sonenfeld, Inc., California Securities and Finance Company, California State Finance Company, California Sales Agency, Inc., C. V. Hirsch Threshing Machine Company, The, Camel Battery Company, Cameo Mines, Inc., Campbell Refining Corporation, Canadian-American Securities Co., Inc., Canadian-American Finance Corporation, Capital Bankers Corp., Capital Builders Supply Co., Inc., Canyon Coal Company, Inc., Cape Cod Camps Corp., Cannady & Company, Inc., Canoe Creek Coal Company, Capital City Building and Market Company, Capon Distributors Company, Canadian Electric Screens, Inc., Capital Fibre Corporation, Capital Ice Cream and Ice Manufacturing Corporation, Cannon Motor Company, Capehart Oil Company, The, Cane Products Corporation, Canyon Royalty Corporation, Capital Realty Co., Inc., The, Capital Tire and Rubber Company, The, Capicua Trading Corporation, The, Carcicle Corporation, The, Carbureting Devices Company, Inc., Carlton Furniture Co., Carnahan Industrial Engineering Corporation, Caroco Laboratories, Inc., Carbondale Lackawanna Coal Mining Company, Carmen Mines Company, Carlisle Nash Motor Company, Cardinal Oil Corporation, Carnahan Steel Wheel Corporation of Washington, D. C., Carnahan Steel Wheel Corporation of Roselle, Carter Advertising Service, Inc., Carter's Tested Seeds, Incorporated, Central American Shipping & Trading Co., Inc., Central American Fruit Corporation, Cause-

## PROCLAMATIONS

way Auto Mart, Incorporated, Central American Transport Company, Central Adjusting Office, Inc., Cement Board & Construction Company, Cemoilastic Company, Central Coal and Coke Company, Central Cigar Manufactory, Incorporated, Century Guarantee Charters Company, Century Hy-Pressure Concrete Company of California, Central Hospital Association, The, Century Homes Corporation, Cast Iron Brazing & Machine Company, Catchlite, Inc., Catskill Mountain Fur Farm, Incorporated, Central Manufacturing Company, Catskill Mt. Silver Black Fox Corporation, The, Caxton Press, Inc., Cedar Products Corp., Cayuga Seed and Produce Co., Inc., Central Service Co., Inc. of Pa., Champoton-Campeche Oil Royalty Company, Challenger Motor Corporation, Charles Beadenkopf Company, Charles Einhorn Company, Charles E. Glasser & Co., Charlson House Furnishing Company, Chappoqua Lodge, Inc., Chase Bond & Mortgage Co., Chesapeake Bay Products Corporation, Cherry and Company, Inc., Chevy Chase Food Products Co., Inc., Chauncy Company, Inc. The, Chehalis Discount Company, Chesterfield Estates, Inc., Cherry Garden Inn, Inc. The, Chase Gillman & Co., Checkerboard Oil Corporation, Chester Pipe Company, Inc., Chattanooga Realty & Building Company, Chayes System Laboratories, Inc., Chinese-American Underwriters, Inc., Chinese-American Underwriters, Inc., Chilean-American Steamboat Company, Chippewa Coal and Enterprises Corporation, Chiapas Development Co., Chicago Electric Steel Company, Chicago Midway Petroleum Company, Chicago Sonora Mining Co., The, Chicago Timber Corporation, China Trade Bureau, Inc., Christiana Brick Company, City Bus Line Company, Christiana Construction Company, Citra Development Company, Inc., Citizens Finance Corporation of California, City Furniture Company, Citizens Mortgage Loan Company, Citrus Pharmacal Co., Inc., City Paving Company, Citizens' Protective Association, Inc., Chrystal Sulphur Refining & Fertilizer Co., Christiana Sand Company, Claiborne Oil Company, Clark Brothers & Company, Clay County, Alabama Gold and Mica Co., Clayolin Company, Clarksdale Cotton Oil Company, Clarke Minute Icing Corporation, Clarke-Moore Corporation, Clark Oil & Gas Corporation, Clay Products Import Company, Clark Production Company, Cleansit Chemical Corporation, The, Cleveland Landscape Service, Inc., Cler Site Company, The, Clothing Manufactur-

## PROCLAMATIONS

ing Company, Club Madrid, Clover Specialty C. Inc. The, Coastal Oil and Sulphur Company, Cobbel Products Company, Cod Liver Products Company, Coins Card Company, The, Cohune Corporation, Coleman Boiler Appliance Company, Coleman Oil Corporation, Collier Battis and Company, Collins Development Corporation, Collier Kenworthy & Co., Inc., Collier Motor Patents Corporation, Collins Products Company, Columbia Arms Corporation, Colonial Amusement Company, Colonial Burial Association, Colonial Bond & Investment Company, Colonial Candy Company, Colwell Cigar Machine Co. (Inc.), Colonial Debentures Corporation, Columbus Drilling Company, Columbia Graphophone Manufacturing Company, Colonial Ink Company, Colorado Kentucky Oil Company, Columbus Loan & Mortgage Company, Columbus Mining Company of Coeur D'Alene, Colorado Metal Mines Corporation, Colonial Motor Coach Corporation, Colonial Motor Lines, Inc., Colonial Manufacturing Company, Colonial Power Company, Columbia Refining Company, The, Colorado Smelter & Mines Corporation, Columbia Stores, Inc., The, Columbus Taxi and Bus Corporation, Commercial Body and Bus Corporation, Community Coffee Shops, Incorporated, Commercial Encyclopaedia of Mexico, Inc., Comique Film Company, Commercial Finance Service Corporation, The, Commercial Finance and Trust Company, Commercial Finance Corporation, Community Hotel Corporation of Lankershim, Compton Mortgage & Bond Company, Commercial Mortgage & Bond Corporation, Combustion Oil Burner Co., Commercial Orchards of Delaware, Incorporated, Commonwealth Oil Co., of Wisconsin, Composers Printing Corporation, Commonwealth Royalties Corporation, Commercial Security Cycle Co., Community Theatres Corporation, Concrete Metal Molds Sales Company, Conemaugh Products Company, Connecticut Motor Sales Company, Inc., Connecticut Rubber Company, Consumers Battery Corporation, Consolidated Bond and Mortgage Corp., Consolidated Collateral Trust and Guaranty Co., Consolidated Citrus Corporation, Consolidated Centro-America Corporation, Conservation Engineering Company, Inc., Consolidated Finance Corporation, Consolidated Garages, Inc., Consolidated Hotels Corporation, Consolidated Laundries, Inc., Consolidated Lumber Company, Conshohocken Millwork Company, Inc., Consolidated Molybdenum Steel Corporation, Consumers Oil Company, Con-

## PROCLAMATIONS

struction Supply & Development Co., Inc., Consolidated Stockyards Company of St. Louis, Consolidated Service Company, Inc., Continental Automobile Accident Corporation, Continuous Automatic Centrifugal Co., Continental Coal and Enterprise Corporation, Continental Carbon Company, Inc., Continental Laboratories, Inc., Continental Petroleum & Gas Company, Inc., Conway Productions, Inc., Continental Sales Company, Co-Operative Builders Asso., Co-Operative Buyers Corp., Co-Operative Coal Mining Company of Nebo, The, Co-Operative Diversified Securities Corporation, Co-Operative Oil Land Leasing Company, Co-Operative Underwriters of America, Inc., Copeland Co-Operative Playhouses, Inc., Copley Courts, Inc., Copia Syndicate, Ltd., Cornell Box Corporation, Corona Damp Wash, Inc., Corkran & Knotts, Inc., Corliss Oil Corporation, Cordell Petroleum Company, Corporation Securities Company, Corporation Title & Guaranty Co., Cosby Oil and Gas Company, Corry Petroleum Company, Corrugated Rubber Corporation, Cottage Bake Shops, Inc., Cotton Belt Oil Corporation, Coulter Manufacturing Co., Inc., Cottrell & Thomas Co., Incorporated, Cotton Warehouses, Inc., Craig Brothers & Company, Craig Medicine Company, Craig Oil Company, Crescent Coal & Supplies Corporation, Crescent Drilling Co., Credit Finance Company of Baltimore, Credit Finance Company of Baltimore, Incorporated, Crescent Laboratories, Inc., Crescent Oil Company, Cresheim Realty & Finance Co., Credit Reserve Corporation, Crescent Shoe Store, Inc., Crosskey Protection System, Incorporated, Crouch & Fitzgerald Company, Crystoclear Ice Corporation, Crown Lunch Rooms, Inc., Crown-Lite Manufacturing Co., Crystal Mica Corporation, The, Crude Oil Company of Delaware, Crude Oil Refining Company, Cuba-American Milling Co., Inc., Cuban-American Land and Lumber Corporation, Cubinola Chemical, Inc., Cumberland Coal & Iron Company, Cumberland Improvement Company, Cumberland-Kentucky Oil Syndicate, Cuba Lumber Company, Cumberland Mining Co., Curtiss Engineering Corporation, Curran Mining Company, The, Curran-McDevitt Motor Co., Inc., Curtiss Metropolitan Airplane Co., Inc., Custom Drug Company, Cyclops Mining Company, Cusi-Minerva Mining Company of Mexico, Cushion Radius Rod Company, Custom Tire and Rubber Company.

## PROCLAMATIONS

D. Bendheim & Sons, Inc., Dac Corporation, D. D. & B. Manufacturing Co., Inc., Daily Dispatch Publishing Co., D. H. Schall Auto Brake Mfg. Co., The, Daisy Maid Milk Products Corporation, D. P. Jones Mercantile Agency of Wilmington, Del., Incorporated, Dando Company, The, Danish Dumplet Machine Corporation, "Das" Emergency Lamp Corporation, The, Daniel McCaffrey's Sons Co., Inc., Darwin Mercantile Company, Daniels-Parish Motor Company, Darwin Silver Company, Davis Malcona Company, Davis & Younger Oil Company, Daynix Engineering and Power Company, Day Industrial Laboratories, Inc., The, Day & Night Auto Safety Signal Co., Dayton Portable Typewriter Company, Dayglos Varnish Co., De-Lon Corp., The, De Luxe Fruite Market, Inc., De Luxe Laundry Company, Deauville Shirt Company, Incorporated, The, De Witt Hosiery Mills, Inc., Dee-Bellport Company, DeKoma Development Company, Decatur Oil Company of Delaware, Decorating Service Co., Inc., Dello Ink Corporation of Pennsylvania, Del-Marvia Confection Company, Delight Manufacturing Company, Delmarvia Pile and Lumber Company, Delta Petroleum Company, Delaware Apple Company, Delaware Bowling & Amusement Co., Delaware Breakwater Terminal Corporation, Delaware Farms Products Co., Delaware Fidelity Union, Delaware Fruit Co., Inc., Delaware Metal Refinery, Inc., Delaware River Finance Company, Inc., Delaware Registrar and Charter Company, Delaware Registry and Finance Company, Delaware State Fair, Incorporated, Delaware Tire and Rubber Company, Deosan Corporation, Denman Cord Tire Co., Dentrifice Company of America, Incorporated, The, Denby Motor Truck Company, Dental Products Laboratories, Inc., Derodrying Corporation, The, Derby Oil Corporation, Detroit Pump Company, Diem and Bowers, Inc., Dick B. Williams, Inc., Diana Gold Mines Company, Diamond "G" Ranch, Inc., Diamond Loan & Brokerage Company, Diamond-Monarch Oil and Gas Company, Dinger Corporation, Direct Coupon Corporation, Dixie Drug Stores, Norfolk, Inc., Dilks Reinforced Film Corporation, Dinowitz Realty, Incorporated, Dixie Spring Company, Dodson Fuel & Commerce Corporation, Dod & Restory, Inc., Domex Floor and Wall Tile Company, Dolphin Mining & Milling Company, Dominion Mining Organization, Incorporated, Donald Chemical Corporation, Donnora Oil Corporation, Donnafred Oil Corporation, Double Chance Oil and

## PROCLAMATIONS

Gas Company, The, Dosch Chemical Company, Dover Hardware Company, Dorsett Shoe Company, Downes-Flint Motors, Inc., Downey Shipbuilding Corporation, Dr. Clark's Chemical Laboratories, Incorporated, Drilling Corporation of America, Dreton Company, The, Dreyer Hat Company, The, Drink it, Inc., Drew Realty Company, Dr. Smith Remedy Co., Dr. Watson's Laboratories, Inc., Duesenberg Automobile & Motors Co., Inc., Du Bois Dry Goods Co., Dubois and Depollier Company, Inc., DuPont Oil and Refining Corporation, Dugan's Real Estate and Insurance Corporation, Dudley Watch Company, Duntile Building Products, Inc., Dunbar Coal & Coke Co., Dunlop Pyorrhea Machine Manufacturing Company, Dunn's Contracting and Discount Company, Inc., Dumbarton Holding Corporation, Duplex Motion Picture Industries, Inc., Duplex Oil Heating Corporation, Duplex Road Machinery Co., Duplex Window Cleaner Corporation, Dushayne & Company, Dural Corporation, Durand Development Corporation, The, Dutch Guiana Gold Company, The, Durax Granite Company, The, Dx Instrument Company, Dyer Steamship Co., Inc.

Eastern Auto Products Corporation, East Bay Construction Co., Inc., Eagle Brick & Tile Company, East Baltic Line, Inc., The, Eastern Cities Oil Company, Eastern Commercial Company, Eagle Co., The, E. E. Hardy Roller Skate Manufacturing Corporation, Eastern Engineering Corporation, The, Eastern Finance Company, Eastern Importing & Trading Company, The, Eastern Inter-Transit Company, E. K. Ladd Construction Company, East Liberty Catering Company, E. L. Stock & Company, Earhart Mfg. Co., Eastman Marble Company, Eastern Oil Land Syndicate, Eagle Picture Corporation, Eastern Pennsylvania Oil and Gas Company, E. Roy Lewis & Co., Inc., East Suburban Country Club, Eastern Sand-Lime Brick Co., Inc., Eastern Steel Products Corporation, E. S. Tyler Drug Co., East Texas Gas Co., Eastern Vending Machine Co., E. W. McCarrroll Company, E. W. Martself Company, Earle W. Jones Corporation, East Wellington Coal Company, Economy Advertising Corporation of America, Ecuadorean American Transportation Company, Inc., Ecuadorean American Engineering Co., Inc., Economy Cigar and Tobacco Company, Economy Fountain Company, The, Economy Fuel Grate Co., Inc., Economy Grate and Equipment Company, Inc., Ecuador Interna-

## PROCLAMATIONS

tional Corporation, Ebensburg Meat & Provision Company, Eclipse Products Corporation, Eclipse Phonograph Corporation, Economy Rail Joint Company, Economy Refrigerating Co., Eclipse Storage Battery Company, Edwards Company, The, Edgewood Corporation, The, Edgar & Co., Inc., Edward E. Rhoads Company of New York, Efficiency Engineering Corporation, Edwards, Inc., Efficiency Industrial Engineers, Inc., Egyptian Restaurant Corporation, Educational Radio Corporation, Edward Strohecker, Inc., Ederheimer-Stein Company, Eiseman Cigar Company, Electric Appliance Corporation of America, El Blanco Mining Company, Electric Can Washer and Sterilizer Company, Electrolytic Corporation, The, Electric Company of Delaware, The, Electric Coal Mining Machinery Company, Electric Drive Machinery Co., Electrical Engineering Corporation, Elkland Mill & Elevator Company, El Peten Timber Company, El Peten Timber fruit and Transportation Company, Electrical Research Corporation, Elk River Heat, Light and Power Company, The, Electric Sales Corporation, Elcar Sales Company, Elizabeth Tellingers Essence of Youth Manufacturing Company, Inc., Elmer G. Smith Company, Elton Mills, Inc., Ellis Motor Company, Inc., Ellis Owens & Company, Enterprise Auto Co., Inc., Employment Bureau Company, Empire Construction Company, The, Embosograf Display Co., Inc., Empire Electric Products Corporation, Emergency Finance Co., Emley Freight Rates Corporation, Enders Laboratories, Inc., Empire Musical Instruments, Inc., Enochs Manufacturing Company, Emerich Oil Company, Equity Petroleum Corporation, Empire Rubber Products Corporation, Empire Shipping Corporation, Era Corporation, Erler Food Mfg. Co., Inc., Erie Iron & Metal Company, Erie Live Stock Corporation, European Automobile Tours, Inc., Eureka Chemical and Engineering Company, Esda Corporation, Etowah Coal and Iron Company, Eureka Coal & Mining Company, Eureka-Cinema Corporation, Ethicus Laboratories, Inc., Essanjay Manufacturing Corporation, Eureka Producing & Refining Co., Eureka Petroleum Corporation, Eureka Riding Academy, Inc., Eureka Remedies Company, Estates Realty Company, Eskimo Syrup Company, Eureka Safety Fender Corporation, Eureka White Marble Quarries, Inc., Everett Brush Company, Export Fibre Corporation, Excelsior-Henderson Sales Co., Evans Moving Picture Theatre Company, Extensio Rack

## PROCLAMATIONS

Gas Company, The, Dosch Chemical Company, Dover Hardware Company, Dorsett Shoe Company, Downes-Flint Motors, Inc., Downey Shipbuilding Corporation, Dr. Clark's Chemical Laboratories, Incorporated, Drilling Corporation of America, Dreton Company, The, Dreyer Hat Company, The, Drink it, Inc., Drew Realty Company, Dr. Smith Remedy Co., Dr. Watson's Laboratories, Inc., Duesenberg Automobile & Motors Co., Inc., Du Bois Dry Goods Co., Dubois and Depollier Company, Inc., DuPont Oil and Refining Corporation, Dugan's Real Estate and Insurance Corporation, Dudley Watch Company, Duntile Building Products, Inc., Dunbar Coal & Coke Co., Dunlop Pyorrhea Machine Manufacturing Company, Dunn's Contracting and Discount Company, Inc., Dumbarton Holding Corporation, Duplex Motion Picture Industries, Inc., Duplex Oil Heating Corporation, Duplex Road Machinery Co., Duplex Window Cleaner Corporation, Dushayne & Company, Dural Corporation, Durand Development Corporation, The, Dutch Guiana Gold Company, The, Durax Granite Company, The, Dx Instrument Company, Dyer Steamship Co., Inc.

Eastern Auto Products Corporation, East Bay Construction Co., Inc., Eagle Brick & Tile Company, East Baltic Line, Inc., The, Eastern Cities Oil Company, Eastern Commercial Company, Eagle Co., The, E. E. Hardy Roller Skate Manufacturing Corporation, Eastern Engineering Corporation, The, Eastern Finance Company, Eastern Importing & Trading Company, The, Eastern Inter-Transit Company, E. K. Ladd Construction Company, East Liberty Catering Company, E. L. Stock & Company, Earhart Mfg. Co., Eastman Marble Company, Eastern Oil Land Syndicate, Eagle Picture Corporation, Eastern Pennsylvania Oil and Gas Company, E. Roy Lewis & Co., Inc., East Suburban Country Club, Eastern Sand-Lime Brick Co., Inc., Eastern Steel Products Corporation, E. S. Tyler Drug Co., East Texas Gas Co., Eastern Vending Machine Co., E. W. McCarroll Company, E. W. Martsof Company, Earle W. Jones Corporation, East Wellington Coal Company, Economy Advertising Corporation of America, Ecuadorean American Transportation Company, Inc., Ecuadorean American Engineering Co., Inc., Economy Cigar and Tobacco Company, Economy Fountain Company, The, Economy Fuel Grate Co., Inc., Economy Grate and Equipment Company, Inc., Ecuador Interna-

## PROCLAMATIONS

tional Corporation, Ebensburg Meat & Provision Company, Eclipse Products Corporation, Eclipse Phonograph Corporation, Economy Rail Joint Company, Economy Refrigerating Co., Eclipse Storage Battery Company, Edwards Company, The, Edgewood Corporation, The, Edgar & Co., Inc., Edward E. Rhoads Company of New York, Efficiency Engineering Corporation, Edwards, Inc., Efficiency Industrial Engineers, Inc., Egyptian Restaurant Corporation, Educational Radio Corporation, Edward Strohecker, Inc., Ederheimer-Stein Company, Eiseman Cigar Company, Electric Appliance Corporation of America, El Blanco Mining Company, Electric Can Washer and Sterilizer Company, Electrolytic Corporation, The, Electric Company of Delaware, The, Electric Coal Mining Machinery Company, Electric Drive Machinery Co., Electrical Engineering Corporation, Elkland Mill & Elevator Company, El Peten Timber Company, El Peten Timber fruit and Transportation Company, Electrical Research Corporation, Elk River Heat, Light and Power Company, The, Electric Sales Corporation, Elcar Sales Company, Elizabeth Tellingers Essence of Youth Manufacturing Company, Inc., Elmer G. Smith Company, Elton Mills, Inc., Ellis Motor Company, Inc., Ellis Owens & Company, Enterprise Auto Co., Inc., Employment Bureau Company, Empire Construction Company, The, Embosograf Display Co., Inc., Empire Electric Products Corporation, Emergency Finance Co., Emley Freight Rates Corporation, Enders Laboratories, Inc., Empire Musical Instruments, Inc., Enochs Manufacturing Company, Emerich Oil Company, Equity Petroleum Corporation, Empire Rubber Products Corporation, Empire Shipping Corporation, Era Corporation, Erler Food Mfg. Co., Inc., Erie Iron & Metal Company, Erie Live Stock Corporation, European Automobile Tours, Inc., Eureka Chemical and Engineering Company, Esda Corporation, Etowah Coal and Iron Company, Eureka Coal & Mining Company, Eureka-Cinema Corporation, Ethicus Laboratories, Inc., Essanjay Manufacturing Corporation, Eureka Producing & Refining Co., Eureka Petroleum Corporation, Eureka Riding Academy, Inc., Eureka Remedies Company, Estates Realty Company, Eskimo Syrup Company, Eureka Safety Fender Corporation, Eureka White Marble Quarries, Inc., Everett Brush Company, Export Fibre Corporation, Excelsior-Henderson Sales Co., Evans Moving Picture Theatre Company, Extensio Rack

## PROCLAMATIONS

Corporation, Ever Ruff Tile & Flooring Company, Ever-Ready Manufacturing Co., Inc., The, Export Sales Association of The Americas, Inc.

Famous Authors Productions, Inc., F. B. Hill Company, Famous Fits-Hugh, Incorporated, F. G. Lieneman Co., Fairway Hills, Inc., F. R. Hale Leather Goods Co., Inc., Fairmount Radio Studios, Inc., F. R. A. G. Corporation, Fairmount Stone Quarries, Inc., Fairton Silica-Kaolin Products Co., Falk Systems, Incorporated, F. S. Oil and Gas Company, The, Famous Textile Mills, Inc., F. Wm. Laux & Sons, Inc., Faraday Corporation, The, Farm Cities Corporation of America, Farmers Exchange of Harrington, Inc., The, Farmers' Oil Company, Farley Packing Corporation, Fayette Finance Corporation, Fayette Lunch Rooms, Inc., Felix Claro & Co., Federal Cigar Corporation, Federal Contracting Company, Federal Finance and Securities Corporation, Ferncliff Golf and Country Club, Inc., Fenner-Harriman-Leitheiser Corporation, Femigloria Laboratories, Inc., Federal Manufacturing and Chemical Company, Federal-Mexican Company, Federal Paint Products, Inc., Federal Petroleum Products Company, Fenimore Realty Corporation, Federal Refrigerating Machinery Co., Federal Service Corporation, Ferguson Furnace Company, Film City Enterprise Company, Inc., Film Distributing Co., Fifty Finance Company, Film Finance Company, Fidelity Securities Company of Scranton, Fidelity Zinc and Lead Company, Firm Finance Company, Inc., First Mortgage Bond Corporation of America, First National Industrial Company, Inc., First National Finance & Bulding Corporation, The, First National Petroleum Co., Fiscal Agents & Underwriters, Inc., Fishburn Oil Co., Flexo Film and Chemical Company, The, Flexite No-Air Tire Company, Florida Biltmore Hotel & Realty Corporation, Florida Citrus & Food Products Company, Florala Development Corporation, Florida East Coast Supply Company, Florida Farm, Orchard and Development Company, Florida General Phosphate Co., Inc., Florida Gulf Coast Land Company, Flints Investment Corporation, Florida Mutual Syndicate, Incorporated, The, Fluf-O-Products Co., Inc., Flowers Products Co., The, Florida West Indies Corporation, Food and Life Institute, Inc., Food Products Importing Corporation, Food Products Corporation of America, Food Specialty Company,

## PROCLAMATIONS

Inc., Footwear Service Corporation, Foreign Bussey Process Corporation, Forests Corporation, Ford Corporation, The, Fox-Conners Motor Company, Fort Dearborn Lumber Yard, Incorporated, Four Forty-Four West Thirty-fourth Street Corporation, Forty-first Street Garage and Holding Company, Forest Films Manufacturing Co., Inc., Forward Garage, Inc., Foundation Holding Company, Inc., Fowler Mortgage Corporation, Foundation Mortgage Company, Inc., Ford-Rennie Leather Company, Forster Shoe Company, Foreign States Oil Corporation, Franklin Automobile League, Inc., Franco-American Petroleum Corporation, Francis G. Stewart, Inc., Frank J. Mayer & Co., Frank J. Mayer Real Estate Co., Free Masons Clubs of America, Frankford-Oakland, Inc., Franklin Provisions Company, Franks Pure Products, Inc., Franklin Picture Corporation, Franklin Paper Bag Mfg. Co., Franklin Realty Company, Franklin Corporation of America, Frank S. Muller Greenhouses, Inc., Franco-Utah Oil Company, Fred Cox, Inc., French Creek Country Club, Freeman Electric Co., French-Italian Distributing Company, Frederick Investment and Realty Corporation, French Quicksilver Mining Corporation, Frederick R. Gerry Company, Frederick S. Dickinson & Co., Inc., Fred Wiehl Productions, Inc., Fruit-C' Real Company, Friendly City Improvement Company, Inc., Fruit Frost Corporation, The, Frontenac Motors Corporation, Fulol Burner Sales Corporation, Fuld Brothers & Nesbitt, Inc.

G. Bettim, Incorporated, G. Bauer & Co., G. Boissonnault Company, Gallatin County Coal Company, Inc., G. Freud, Incorporated, G. M. C. Metallic Grease Co., G. M. Johnson Mfg. Co., Gaiety Mountain Gold Mines Company of Warren, Idaho, G. T. Young, Inc., Garden Craft Company, The, Gaseohaler Corporation, Gates Candies, Incorporated, Garfield & E. E. Band, Inc., Garber Galleries, Incorporated, Garrod-Hill Chemical Corporation, Garbeil Manufacturing Company, Gasifier Manufacturing Company, The, Gas Producer Corporation, Garage Properties Corporation, Garden Pier Theatre Company, Gasoline Securities Corporation, Gearlock Appliance Corporation, General American Radio Corporation, General Bankers Corporation, Gentry Brothers and James Patterson's Circus, Incorporated, George Bassett, Inc., Georgiades-Clifford Corporation, George C. Wilt & Son, Inc., Georgia Coal

## PROCLAMATIONS

Mining Company, Genesse Concrete Company, Inc., The, General Clay Products Manufacturing Corporation, Georgia Copper Corporation, Genro Corporation, General Cleaner Products Co., Inc., General Chinaware Corporation, General Distributing Corporation, General Furnace Company, German Fast Dye Import Company, Georgian Gables Corporation, Georgetown Garage and Supply Company, General Glass, Inc., Georgia Hardware and Implement Company, George Hall Corporation of Delaware, General Knitting Company, George L. Sexton Co., Inc., General Laboratories Corporation, General Lumber Company, Incorporated, George M. Price Company, Inc., General Manufacturing Company of Pittsburgh, General Management Corporation, General Minerals Corporation, General Metals Mining Company, Gem Motors Corporation, General Mechanical Company, General Office Service Bureau, Incorporated, General Oil Service Corporation, General Overseas Transportation Co., General Pharmacal Company, Gelatine Products Corporation, The, Gem Phonograph Co., General Russian Petroleum Corporation, General Stores Syndicate, Gear Service Company, George S. Cochran & Co., Inc., Gearhart Sales Cabinet Co., Inc., General Vision Company, General Waste-Paper Recovery Company, The, Giese & Melvin, Inc., Gibson's Restaurant Company, Gilliam Antimony Corporation, Ginseng Company, Inc., Gilliard Electric & Manufacturing Corporation, Gillette Hotel Company, Gillett Products Company, Gil-mord Printing Equipment Company, Inc., Globe Bond and Mortgage Company, The, Glen Coal and Clay Products Co., Glenbrook Farms Catering Company, Globe Finance Corporation, Glenwood Hotel Company, The, Glendale Products Company, Globe Radio Telegraph & Telephone Co., Inc., Globe Rubber Tire Mfg. Co., Globe Shale Products Corporation, Globe Wireless Company, Gold Bond Homes, Incorporated, Golden Center Mining Company, Goldberg Mensh & Co., Golconda Mines Consolidated, Inc., Golden Rule Oil Company, Golden State Clay Products, Inc., Goldfield-Sirbeck Mining & Developing Corporation, Golden West Sanatorium, Inc., Good Brothers Model Shipbuilding Company, The, Good Highways Machine and Engineering Company, Goose Island Development Company, Gotham Artliff Radios, Inc., Gore Bros., Inc., Gotham Coal & Development Corporation, Gordon-Hall Corporation, Gorman Novelty Company, Inc., Gordon Refining Company,

## PROCLAMATIONS

Gotham Realty Corporation, Grady Brass Company, Grady's, Incorporated, Grady Miller & Company, Graham Securities Corporation, Grand-Asher Productions, Inc., Grant County Mining Corporation, Gray Corporation, The, Grapico Company, Incorporated, Gray Fruit Company, The, Grand Oil and Developing Company, Grant Petroleum Company, Grau Saw-Buck & Farm Crane Co., The, Great American Battery Corporation, Great Eastern Cotton Picker Corporation, Great Northern Gold Mines Company, Limited, Great Northern Refining Company, Great Northern Oil Co., Inc., of Buffalo, N. Y., The, Greene Petroleum Corporation, Great Southern Lumber Company, Green Star Oil Company, Great Southwestern Finance Corporation, Great Western Mfg. Co., Inc., Great Western Coal and Lumber Company, Grenoble Arthurg College & Clinic, Inc., Greleck Semi Solid Feed Company, Grier Ranch, Inc., Grimm Window Company, Grove College of Beauty Culture, Inc., Grove Oil & Gas Co., Guarantee Automobile Protective Association, Guaranteed Bond Co. of New York, The, Guaranty Bond & Mortgage Company, Gulf Carbon Company, Gurney Elevators, Inc., Guardian Finance Company, Guthries Hotel Corporation, Guild Manufacturing Corporation, Guaranteed Pittsburgh Stogie Co., Guaranty Realty Company, Guaranteed Savings and Land Association, Guaranty Securities Company, Gulf Standard Oil Company, Guaranty Trading Corporation, Gulf Turpentine and Rosin Company, Inc.

Habana Agricultural and Colonization Company, H. B. Blanks Lumber Co., H. B. Sackett Screen & Chute Company, H. C. M. Spark Plug Company, The, H. E. Burnette Company, H. F. Muller Company, H. G. Tombler Stores Company, H. G. McGary & Company, Inc., H. J. Conwell Company, H. J. Zim Cutlery Company, H. Kampf, Incorporated, H. L. Barnes Equipment Company, The, H. P. Moore, Inc., H. R. and M. Pump Company, Haag Radeluxe Corporation, The, H. T. Chappel Company, The, Hahn-Engstrom Manufacturing Company, Inc., The, Hahn Truck Service, Inc., Hall Wheel Corporation, Hamilton Coal, Iron & Coke Company, Hammond Engineering Corp., Hamilton Finance Corporation, Hammond Oil Corporation, Hamill Wheel Mfg. Co., Handy Andy Tractor Company, Handy Glass Company, Hansa Linoleum Company, Inc., Hancock Petroleum Corporation, Harold A. Lar-

## PROCLAMATIONS

sen, Inc., Hardy and Company, Harkrider & Company, Inc., Harper Lifter Corporation, Hares Motors, Inc., Harloe Tire Company, Incorporated, The, Harrisburg Auto Finance Co., Harrisburg Baseball Club, Harrowgate Company, The, Harryman & Company, Inc., Harrisburg, Corporation, The, Harrison Distributing Company, Inc., Harrity & Gordon, Inc., Harry H. Wolf, Jr., Inc., Harry M. Morton, Inc., Harrisburg Oil and Supply Company, Harris Oil Corporation, The, Harriman Pacific Co., Harris Realty Company, Inc., Harry R. Phillips Co., Inc., Harrington & Ryan, Inc., Harrisburg Specialty Company, Inc., Hart Auto Co., Harvard Company, The, Harvey Ringler Motor Sales Co., Hausman Auto Supply Co., Hatfield Rail-Joint Manufacturing Company, The, Hayden Finance Corporation, Hazen J. Titus Company, Haybron Steamship Company, Inc., Heating Appliance Company of America, Health Colony Individual Homes Company, Inc., Healy Milk Products Corporation, The, Headway Soap Works, Inc., Heat With Oil Company, Inc., Helios Machine Company, Henry Clay Mineral Springs, Incorporated, Hermetite Chemical Corporation, Hermitage Company, Heseltines Kemical Gold Products, Inc., Hering Process Corporation, Inc., Herzog Radio Corporation, The, Hess Shoe Repairing, Co., Herman Tailoring Co., Higrade Bottling Company, Hicks Corp., The, High Efficiency Battery, Inc., High-Grade Lime Company, Highland Hotel and Improvement Company, The, Hicks-Obenour Company, Highland Park Die Casting Company, Hidalgo Petroleum Company, Hibernia Realty Company, Highland Realty Company, Highway Tourist Service Corporation, The, Hillsdale Feed & Coal Company, Hillcrest Lumber Company, Hirsch & Mayer, Inc., Hobsons Music Stores, Inc., Hobsons Mfg., Inc., Hoffman Arms Company, Hoffstot Oil & Gas Company, Hoffer Safety Elevator Co., Hollywood-California Hotel Corporation, Holding Exploration and Development Corporation, Hollidays Pharmacal Laboratories, Inc., Hollywood Perfume Co., Inc., Holder Products Corporation, Holstein Harvey Sales Corporation, Holmesburg Oil Storage and Barreling Company, Holstein River Marble Company, The, Holzbeierlein and Sons, Inc., Home Building and Construction Company, Hoosier Belle Oil Company, Home Construction & Mortgage Corporation, Home Coal Company, Home Finance & Construction Co., Honan Hawser Shield & Trap Corporation, Home Mort-

## PROCLAMATIONS

gage and Title Company, Home Service Company, Hornick Motor Service, Inc., Horner Motor Corporation, Hot Automatic Galvanizing Co., Housing and Financing Corporation, Hotel Hamilton Company, Howard & Co., Inc., Howe-Coulter Coal Company, The, Howard-Kirby Co., Hoyt Laboratories, Inc., Howe Rubber Corporation, Huberti Handkerchief Company, Inc., Hudson Mills, Inc., The, Human Display in Miniature, Inc., Humphrey Securities Company, The, Humanola Talking Machine Company, The, Huntingdon Knitting Company, Huron Natural Gas and Fuel Company, The, Hunter Oil Company, Hunt-Smith Oil Corporation, Hynson Company, Inc., The, Hydraulic Clutch Drive Company, Inc., The, Hydrocarbon Process Company, The, Hypres Pump Corporation.

Ideal Domestic Appliance Co., I. Fineberg, Inc., Importers Gift Shop, Inc., I. Herskowitz & Bro., Inc., Improved Manufactured Products Corporation, Ideal Manufacturing Company, Inc., The, Illiken Oil Company, The, Iatan Oil Company, Imperial Pictures Corporation, Imperial Rubber Corporation, Icicle Sales Company, Ideal Window Corporation, The, Independent Automotive Corporation, Independent Amusement Park, Inc., Interchange Credit Service Association, Inc., Industrial Credit Corporation of California, Individual Co-Operative Loan Association, Insurance Exchange Holding Company, Industrial Engineering Research Company, Interocean Fruit Corp., Invincible Finance Corporation, Industrial Fuel Corporation, Industrial Finance & Mortgage Corporation, Industrial Guaranty Corporation, Interchangeable Heel Company, Inc., Insurance Investment Company of Pennsylvania, The, Ingram Investment Company, Insect Killer Corporation, Industrial Loan Corporation, Insignia Lamp & Novelty Co., The, Independent Match Corporation, Indiana National Pavements, Inc., Interior Oil & Gas Company, Interest Oil Company, Interior Pulp & Paper Co., Inc., Ince Producing Corporation, The, Inn and Restaurant Service Company, The, Interior Securities Company, Inc., Inca Silver and Copper Mining Corporation, Insular Sales & Service Company, Inc., Investment-Service, Inc., Industrial Service & Sales Corporation, Investment Trust Company of America, Ingleside Terrace Corporation, Investment Trust Company, Industrial Utilities Foundation, Incorporated, Individual Wet Wash,

## PROCLAMATIONS

Inc., Inter-American Service Corporation, Inter City Finance Corporation, International Commercial Products Company, International Creditors Association of America, Inc., International Chemical Company of America, Inc., International Duplex Air-Rotors Corporation, International Device Mfg. Co., International Development Corporation, International Enterprises, Incorporated, International Exploration Corporation, International Fruit Company, Incorporated, International Finance and Trading Corporation of America, Interstate Holding Company, International Ice Machine Manufacturing Company, International I. T. S. Rubber Company, International Land Water and Power Company, International Metal Sealed Corporation, The, International Manufacturer's Trading Corporation, Inter-Ocean Pictures Corporation, International Overman Tire Corporation, International Publicity Service, Inc., International Real Estate Corporation, International Shipbuilding and Marine Engineering Corporation, International Society, International Securities Exchange, Inc., International Shoe Shine Corporation, Interstate Supply Company, International Trading and Transportation Company, Inc., International Vinegar Co., Isenberg Bedding Company, Irena Candies, Inc., Italcabs Corporation, Iroquois Engineering Company, Incorporated, Island Fruit Company, Iron Mine and Farm Corporation, Iriquois Paper Company, Ivanhoe Petroleum Company, Irish Securities Company, Inc., Irish Trade and Finance Corporation.

J. A. Sanner Manufacturing Company, The, J. A. McDonald Construction Company, James Andrews, Inc., J. B. Jones Petroleum Company, Jarosch Bearings Corporation, James Dell Co., Inc., James E. Solt Remedies Company, J. F. Halloran Company, J. F. Holloway & Co., Inc., J. H. Mackall Candy Company, J. H. Mackall Company, The, J. J. Rowe Company, The, J. J. Giltinan Company, The, James King Duffy Co., Inc., J. L. Wells Corporation, J. M. Brown & Co., Jacque Mining Company, The, Jackson Motion Pictures Corporation, James Oil Burner Company, J. P. Mathieu, Inc., J. S. Reynolds & Company, Jib Consolidated Mining Company, Jean Duplicator Products Corporation, Jersey Mortgage Company, The, Jewel Mines Corporation, Jewett Manufacturing Corporation, Jersey Smile, Inc., Johnson Company, Inc., Johnson Coal Company of Swissvale, Pa., John Lauer, Inc., Johnstown Pretzel Bakery, Inc., John R. Apperson, Inc., John S. Me-

## PROCLAMATIONS

cleary, Incorporated, Johnson Thomas & Co., Johnstown Towel Supply Co., The, John W. Patterson, Inc., John Ward, Inc., Joseph E. Thropp Company, Inc., Joseph J. Bellus Hardware Co., Jones MacNeal and Camp, Incorporated, Jones Oil and Gas Products Corporation, Journal Publishing Company of Pittsburgh, Journal Publishing Company, Jones Self-Lock Pulley Corp., Joseph Sutton and Company.

K-Dix Chemical Company, K. of P. Boosters Club of New Brighton, Inc., Kapnek Company, The, Kay-Dee Corporation, Kansas Fuel Gas Company, Inc., Kayser's, Inc., Kaufman Knitting Mills, Inc., Kaolite Mfg. Company, Kanso Oil Company, Kanoky Oil Company, Kandex Products, Incorporated, Karboid Sales and Service Corporation, Kelly-Dennis Company, Kentucky ByProducts Co., The, Kent Company of America, Inc., The, Kentucky Clay Products Company, The, Kentucky-Cumberland Oil Company, "Kennedy" Gas Saving Stove and Range Company, Inc., Kentucky Lithographic Stone Co., Kenton Milk Producers Association, Kennesaw Mountain Battlefield Association, Kentucky Reel Show Corporation, Kentucky Star Oil Company, Kentucky Washed Coal Company, Kershaw Corporation, Key Cities Realty Corporation, Keystone Commercial Company, Inc., Kerr Elevator Appliance Corporation, Keystone Flux & Metals Company, Keystone Gas & Securities Company, Keystone Handle Company, Keystone Saving Fund and Loan Association, Keystone Sales and Manufacturing Company, Keystone Wireless Corporation, Kimmel and Company, Inc., Killarney, Inc., King Creamery Company, King Coal & Products Corporation, Kitty Creek Oil & Gas Company, Kingston Dome Oil Company, King Emergency Tire Company, King Partition Block Corporation, Kingston Shoe Co., Inc., King Tire & Rubber Company, Kline Coal Company, Kleanwell Products Company, Knox Engineering Corporation, Kneiple Mfg. Corp., Knoop Metal Feeder Company, Kofa Aerated Water Company, Ltd., Kolox Co., The, Kowalewski & Company, Kozal Laboratories, Inc., Korite Products, Inc., Kresge Coal Company, Kresge Dimmick & Company, Krew-Pina Company, The, Kusa Gas & Pipe Line Company, Kuehne Manufacturing Company.

La Belle Company, Inc., La Companies Columbian de Naviga-

## PROCLAMATIONS

tion, Inc., Lakrezan Chemical Works, Inc., L. E. White Coal Company, Incorporated, L. H. Piercy Company, Lainbrook Hardware & Specialty Co., L. Lambert Company, Laclede Land & Lumber Co., Laclede Mfg. & Sales Company, Inc., La. Park Seed & Plant Company, Lake Rowena Park & Ice Company, The, La Rosa Oil Corporation, Lake Superior Theatre Company, Lake Shore Fox Ranch, Inc., Labor Temple Building Association, Lady Washington Beauty Company, Inc., Lamartine, Inc., Lamb Mop Corporation, Lamco Oil and Refining Company, Lanes Chain Stores Co., Land Credit Corporation, Lancashire Securities Corporation, Lany Corporation, Latin American Export and Trading Company, Inc., Latin American Fruit and Steamship Corporation, Latex Finance Corporation, Lavalite Company, The, Lavita Manufacturing Company, Inc., Laurel Oil Company, Lawyers Co-Operative Society of America, Laxamin Laboratories, Inc., Lawrence Motor Truck Corporation, Lawson Smith Mfg. Co., The, Leasing Company of America, Leader Realty Corporation, League Service Corporation, Lee C. Solomon Asia, Incorporated, Lectoradio Corporation, Lehigh Chemical Co., The Lehigh Spinning Company of Philadelphia, Pa., The, Leo A. Schueneman, Inc., Lem-N. Blenn Company, The, Leonard Short & Company, Lenni Stone Company, Lenox Securities Corporation, Lever Motor Co., The, Levy's Old Reliable Loan Company, Les Sources Thermales De Maskinonge, Incorporated, Lewellyn Bean Co., Lewes Creamery Company, Lew Hardy Company, Inc., Lewiston Independent Publishing Co., Lewes Oil and Chemical Company, Liever's Auto Supply Company, Liberty Building Company, The, Lightning Creek (Wyoming Oil Company, Liberty Coal and Engineering Company, Incorporated, The, Liberty National Mortgage Company, Liberty Prepared Red Lead Paint Corporation, Liberty Products Co., Inc., Liberty Tubes Coal Company, Lilly-Wyms Construction Co., Inc., Lion Brand Products Company, Lincoln Housing Corporation, Lincoln Mines Company, Lincoln Shale Products Company, Little Chop Houses, Inc., The, Lloyd Company, The, Litosilo Company of America, Incorporated, The, Lipoids, Inc., Littman Loxair Valve Corporation, Llewellyn Oil Company, Lloyd Petroleum Corporation, Little Valley of Cariboo B. C., Inc., Lohr Coal Company, Inc., Logan Corporation, The, Lombardy Planting Company, Lorberry Coal Mining Company, Lorisa Products Co., Inc., Lonca-

## PROCLAMATIONS

shire Realty Company, Los Angeles Terminal Company, Louisiana Gulf Coast Club, Lou Shields Gilmore Corporation, Lot Seventeen Company, Loxa Distributing Company, Inc., Lowe Reilly & Co., Inc., Lubricating Auto Spring Cover Co., Lucky Alliance Oil Company, Luminol Corporation, Lungardia Company of Delaware, Lucille Jeanette Products, Inc., Lux Oil Corporation, Luboyle Refining Company, Lusher South American Furs Corporation, Lynnhaven Oil Company, Lybeck Ocean Harvester Company, Inc., Lynn Revere & Saugns Harbor & Land Co., Lyons Storage Company, Inc.

MacArthur Service Corporation, M. B. Automotive Corporation, MacCallum Gasoscope Corporation of America, The, Macorvey Company, The, M. Eiseman & Sons, Inc., M. J. Dougherty Corporation, Mac-ite Alloy Corporation, M. & M. Paint Manufacturing Corporation, Maccar Motor Truck Company, M. O. H. of West Indies, Inc., Mac Vaugh Realty and Construction Company, The, Madill Coal and Coke Company, Madison Coal & Coke Company, Magnolia Electric Light and Power Company, Magnolia Lead-Silver Mines Company, Madden-Millard, Inc., Magnum Rubber Products Corporation, Magnolia Textile Corporation, Madigan Union Corporation, Main Engraving Company, Inc., Majestic Manufacturing Corporation, Majestic Oil Corporation, Major Pools, Incorporated, Mainardy Rubber Company, Mammoth Land and Power Co., Malcona Petroleum Company, Manufacturing Corporation of America, Manifolding Devices Corporation, Manhattan Dry Milk Company, Maple Hill Coal Mining Company, Inc., Mansfield, Inc., Maniscalo New Power System Company, The, Maplewood Oil & Gas Co., Manhattan Oil Products Company, Manor Press, Inc., The, Manganese Products Corporation, The, Manning Refining Equipment Corporation, Manufacturer's Securities Corporation, Manhattan Sand Blast Corporation, Manufacturers Utility Corporation, Marion Corporation, The, Marcel de Passey, Inc., Marjo Oil Corporation, Marine Sales Corporation, Marshall Farms, Inc., Marlin Gun Company, Martino Company, Inc., The, Martha Company, The, Marvan Corporation, The, Martin Leather Company, Marvel Manufacturing Company, Inc., Marvin Shirt Company, Maryland-Virginia Farms Dairy Corporation, Mascota Mines Co., Inc., Master Life Company of Philadelphia, Master

## PROCLAMATIONS

Music Co., The, Mate Corporation of Jersey, Mate Distributing Company, Inc., Maxine Mining Company, Mays Manufacturing Company, Inc., Maxfield Ranch & Cattle Company, Maurice Tournour Productions, Inc., Mechanical Engineering Corporation, The, Mead, Ford & Co., Mead-Hipp Oil & Gas Co., Meister, Incorporated, Mechanical Mixers Corporation, Meldram Products Co., Inc., Mercer, Inc., Meridian Mansions Hotel, Inc., Mercantile Securities Corporation, Meridian Star Company, The, Merrill Corporation of Ohio, The, Merrell Farms Company, Merton Institute & Employment Service, Inc., Metropolitan Automotive Corporation, Metropolitan Building Finance Corporation, Metropolitan Bond and Trust Company, Metropolitan Cleansing Products Company, Inc., Met Con Company, Metropolitan Investment Company of Minnesota, Metallic Industries, Inc., Metropole Oil Corporation, Metropolitan Oil Corporation, Metalization Paint Company, Inc., Metallurgical Patent Development Corporation, Mexico-American Realty Corporation, Mexican Gulf Steamship Company, Mexican Land Civil Corporation, Mexico Mining Company, Inc., Mexican Michoacan Land Civil Corporation, Mexican Pacific Company, Michigan Building Company, Mica Corporation of America, Mid-Continent Petroleum Co., Inc., The, Mid-Co Natural Gas Company, Midwest Carbonic Company, Middle Cities Company, Middle City Motors, Incorporated, Mid-Continent Oil Corporation, Midstate Company, The, Miami Coal Corporation, Midland Farms, Inc., Midwest Grain Products Co., Inc., Midwest and Gulf Products Company, Mike Martin Liniment Co., Midway Oil Syndicate, Midland Plate Glass Company, The, Michigan Radio Corporation, Middle States Iron Ore Company, Midwestern Tractor Wheel Company, Miami Valley Oil Company, Milk Bar, Inc., Milford Basket Company, Mill City Electric Company, Miller Laboratories, Incorporated, Miller Sales Corporation, Milton Realty & Construction Co., The, Minute Auto Rim Corporation, The, Minnesota Case Motor Car Company, Minnesota-Connor Mines Company, Mineral County Mines Corporation, Minnesota Hotel Corporation, Minnesota Land and Colonization Company, Minneapolis Mutual Service Association, Minnesota Skunk & Fox Farm Corporation, Mint Sales Company of America, Miquon Sales Corporation, Miraco Products Chemical Company, Mississippi Hydro Electric Power Corporation, Mission Motor Corporation, Modern Shorthand College, Inc., Mol-Aer-Vin

## PROCLAMATIONS

Tire Co., Molle-Smith Manufacturing Company, Monongahela Cleaning Co., Montezuma Gold Mines, Inc., Montgomery Hotel Company, Montrose Picture Corporation, Monarch Radio Sales, Incorporated, Monarch Shale Oil Company, The, Montana-Tonopah Mines Company, The, Mooney-Spiro Co., Moon Sales & Service, Inc., of Atlantic City, Moore Coal Company, Inc., Moore-Kimball Co., Inc., Moore Manufacturing Co., Moore's Printcraft Shop., Inc., Moore Refining Sales Corporation, Moran & Co., Inc., Morgan & Company, Morrison Coal Company, Morrow Callahan Coal Company, Morris Discount Co., Inc., Morgan Harvester Co., Inc., Morgan-Noble Coal Corporation, Morgan Radio Corporation, Mortgage Debenture Corporation of California, Motor Bus Guide of America, Inc., The, Motorage Corporation, Motor Devices Corporation, Moss Electric Shop, Inc., Motor Equipment Corporation, Motorkool Gasoline Corporation, Motora Holding Company, Motor Livery Company, Inc., Motorkool Oil Company, Inc., Motor Products Corporation, Motor Parts Replacement Company, Motor Service Association, Motor Service Hotel, Inc., Motorlogue Service Corporation, Motor Safeties, Inc., Motor Truck Service Corporation, Mt. Carmel Coal Co., Mount Peavine Mining and Power Company, Mt. Tory Products Company, Moyer & Roberts, Inc., Mudd-White Company, Inc., The, Mullen Motor Company, Inc., Mullard Radio Tube Company of America, Inc., Mutual Automobile Association of America, Mutual F. O. B. Auction Co., Mutual Finance Corporation of Maryland, Mutual Hotel Company, Mutual Ice & Cold Storage Co., Inc., Mutual Loan Association, Myers Oil & Gas Corporation, Mutual Petroleum Sales Corporation, Mutual Shale Oil Refineries, Inc., Mutual Transport Club of America, Inc., Myers & Turner Glass Mfg. Co., Myron Zozel Publications, Inc., The, McCall Oil & Gas Co., McDonald Engineering & Construction Company, Inc., McDoh Oil & Gas Company, McGiamie's Retail Joint Corporation, McKeesport Lead Mining Company, Limited, McKeesport Oil & Drilling Co., McKinley Investment Company, McLean & Dages, Inc., McNair Drilling Co.

N. L. Baker Manufacturing Co., Nason Steam Bus Corporation, Navy Oil Refining Co., The, Natural Water Softener Corporation, National Advertising Agency, Inc., The, National Accessories Corporation, Natural Asphalt Company of America, Na-

## PROCLAMATIONS

tional Automobile Tag Company, The, National Automobile Men's Supply Co., Inc., Nathaniel Baldwin Sales Company, National Book Stores, Inc., National Bonded Coal Company, National Consolidated Petroleum Corporation, National Consolidated Mortgage Corporation, National Co-operative Coal Co., Inc., National City Mortgage Company of California, The, National Capital Radio Corporation, National Civic Boosters Association, The, National Commercial Cody Corporation, National Commercial Securities Company, National City Finance Corporation of Washington, D. C., National Clothes-Pin Corporation, National Day and Night Safe Deposit Corporation, The, National Draft Arm Company, The, National Drug Stores Corporation, National Eggo-scope Corporation, National Facts, Inc., National Fox & Fur Company of America, National Fair Association, National F. O. B. Auction Company, National Fuel and Supply Corporation, National Gas Register Pump Co., National Homes & Finance Corp. of Washington, D. C., National Highway Charts Association, National Harvest Machine Company, National Ice Utilities Corporation, National Landowment Association, Inc., National Lunch Car Co., National Live Stock & Agricultural Society, National Land Investment Company, National Land Sale Company, National Lubricants Co., National Motor Vim Company, Inc., National Motion Picture Institution of America, Inc., The, National Malt Corporation, National No. Weight Sash Balance Company, National Oil Company of California, National Oil Export Corporation, National Oil and Refining Company, National Public Utilities, Inc., National Production Company, National Play Service, Inc., National Prosperity Association, Inc., National Physicians Exchange, Inc., National Retail Stores Corp., National Realty Company, The, National Running Board Company, National Realty Investment & Improvement Corporation, National Room Renting Company, National Radio Service, Inc., National Service Corporation, National Safety Brake Corporation, National Sanitary Appliance Corporation, The, National Sand & Gravel Co., Inc., National Synthetic Metals Corporation, National Sash and Door Company, National Scrubbing Machine Company, National Security Bankers, Incorporated, National Steel Company, National Type Foundry Co., Inc., National Tax Service, Inc., National Union Service Corporation, National Utility Battery Company, The,

## PROCLAMATIONS

National Vanadium Products Company, National Waterproof Mortgage Company, Neal Grain Company, Nebulizer Oil Burning Company, Nealy-Quinn Company, Inc., Needham Corporation, Needler, Inc., Neill Rack Company, Neilhurst Sales Company, Neft Safety Knife Company, Neumann Glove Company, New Bryson Garage, Inc., New & Company, New England Cash Cheque Association, Inc., Newark Inn, Incorporated, Newport Ice Company, (Inc.), New Method Investment Company, New-Mix Products, Inc., New Nazarino Mexican Mining Corporation (Gold & Silver), New Process Plate Glass Company, New Orleans Thrift Stores, Inc., The, New Record Corporation, New Schenley Theatre Corporation, New Way Laundry of Phoenixville, Inc., New Way Company, New York Building and Engineering Co., New York, Albany & Western Steamship Co., Inc., New York Examiner, Inc., New York and West India Mail Company, New York Tin Plate and Steel Corporation, New York Montana Oil Company, New York, Atlantic City & Philadelphia Steamship Corporation, Nizina Copper Company, Inc., Nixon Holding Corporation, Nitro Oil & Gas Company, Nofire Corporation, Nofail Cure Products Corporation, Noark Oil Corporation, Nolan Truck Company, Norden Advertising & Sign Corporation, North American Light Corporation, North American Textile Corporation, Northern Automobile Accident Company, Inc., North American Realty and Guaranty Company, North American Petroleum Company, Norwegian Coal Company, North Carolina Mica Co., Inc., The, Northumberland Collieries, Inc., Nothrow Engineering Company, Northwestern Finance and Security Corporation, Northern Fuel Company, Inc., Norwalk Iron Works Company, The, North Iowa Dairy Company, Northern Lighting Sales Co., Northern National Oil Co., Northern Securities Syndicate, Norway Welt Shoe Corporation, Nox Oil Corporation, Nuradium Company, Nuto International Commercial Corporation, Nutex Mills, Inc., Nypoco Oil and Refining Company, Nulite System, Incorporated.

O'Bannon Manufacturing Corporation, O. D. S. Motor Fuel Corporation, O. K. Truck Manufacturing Co., The, Oakley Valve Company, Inc., O. W. Hammond, Inc., Oceola Detective and Protective Corporation, Ocotillo Products Company, Ocean View Realty Corporation, Odsil Oil Company, Oil Age Refining Corpora-

## PROCLAMATIONS

tion; Oil Burner Sales, Inc., Oil City Foundry Company, Oil & Chemical Corporation, The, Oil Desulphurizing Corporation, Oil Exploitation Corporation, Oil Fields Royalty Corporation, Oil Fuel Engineering Corporation, Ohio Indiana Rubber Corporation, Oklahoma and Northern Oil Corporation, Oklahoma Oil Guaranty Company, Okoboji Oil Company, Ohio Oklahoma Oil Company, Oil-O-Matic Heating Company, Inc., of Philadelphia, Ohio Pyle Hotel and Amusement Company, The, Ohio Ranger Oil Company, Oil Royalties Corporation, Ohio River Electric Railway and Power Co., Ohio Valley Land Company, Ohio Valley Coal Company, Ohio Valley Oil & Gas Company, The, Oil Well Reclaiming Corporation, Oil Wells Renewal Company, Old Colony Company in Pittsburgh, Old Dominion Orchard Company, Old Dominion Manganese Mining and Refining Company, Inc., Olando Importing Company, Inc., Onaola Company, The, Operators Oil and Pipe Line Co., Oriental Gift Shops, Inc., Oriental Lumber Co., The, Ordovian Marble Corporation, Oregon Orchard Colonization Company, Oriole Petroleum Corporation, Ormont Realty Co., Inc., Orator Radio Corporation, Ottoman-American Development Company, Owens Boll Weevil Exterminator Company, Overland-Haller Corporation, Oxy-Lator Corporation, The, Ozark Oil Company, Overseas Paper Trading Company, Owl Radio Emergency Co., Inc., Overland Wheeler Company, Inc.

P. B. S. Manufacturing Co., Inc., P. B. C. Mines Co., Pacific Cloverleaf Company, Incorporated, P. D. G., Inc., Pacific Fish Oil Feed and Fertilizer Company, Pacific Fisheries, Incorporated, Pacific Film Company, Pacific Growers, Inc., Pacific Investment & Finance Company, Pacific Motor Service, Inc., Pacific Marine and Construction Company, Pacemaker Petroleum Company, P & S Motors Corporation, Pacific Studios Corp., Pacific-Southwest Finance Company, Painter-Bundy Tool Co., Paige Optical Company, Painter Oil & Drilling Co., Pittsburgh, Pa., Pan American Fruit Products Co., Inc., Pan American Hardwood Company, Pan American Petroleum Company, Palm Beach Casino and Studio Society, Inc., Panama Button Company, Pan Chocolate Products Co., Panther Creek Coal Company, Palmetto Dining Room, Inc., Panama-Ecuador Steamship Line, Inc., Pancoast Garage, Incorporated, Palmer Motor Service, Inc., Palmetto Oil and Gas Corpora-

## PROCLAMATIONS

tion, Palatex Oil Corporation, Palangana Syndicate, Park Finance Company, Parkway Homes, Incorporated, Park Lane Clothes, Inc., Paragon Manufacturing Company, Parker Motor Company, The, Parco Oil Company, Paramount Oil & Gas Company, Paramount Reamer Corporation, Parker Sales Corporation, Parker-Scheerey Company, Inc., Patriotic American Publishing Co., Patent Clearing Bureau of America, Inc., Paugus Corporation, Patents Development & Mfg. Co., Patriot Publishing Company, Patented Products, Inc., Paulin System Instruments, Inc., Peerless Beauty Products, Corp., Peerless Cleaning System, Inc., Peerless Meat and Bone-Cutter Company, Peerless Oil Company, The, Peerless Realty & Construction Company, Peerless Specialty Manufacturing Company, The, Pell Hat and Cap Company, Pelican Land and Gas Company, Pell Manufacturing Company, Pennsylvania-Arizona Mining Corporation, Penn Brick Company, The, Penn-Beaver Oil Company, Pennsylvania Black Granite Corporation, Pennsylvania Coal Products Company, Pencilnife Corporation, Pennsylvania Collieries Supply Company, Pennsylvania Drug Company, Pennsylvania Dance Promoter's Association, Pennsylvania Distributing Company, Inc., Pennant Film Productions, Inc., Penn Kansas Oil Company, Penn-Liberty Refining Company, Penn Mortgage Corporation, Pennsylvania Manufacturing Company, Pennsylvania and Macedonia Oil Co., Pensacola Maritime Corporation, Pennsylvania Metal Bed Co., Penn Oxygen Corporation, Penn Printery Consolidated, Inc., Pennsylvania Products & Bottling Co., Pennsylvania Paper Products Company, Peninsular Phosphate Corporation, Penn-Southern Discount Company, Pennstate Corporation, The, Penn Shade Company, Penn Trucking Corporation, Peoples Acceptance Corporation, Perfection Auto Service Co., The, Perfection Auto Specialty Company, People's Coffee Company, Inc., Peoples Co-operative Association, Incorporated, The, Peoples Collateral Pledge Society, Pepsin Food Products Company, Peoples Mortgage Corporation, The, Perfection Oil Burner Corporation, Permanent Securities Corporation, Peptone Corporation of America, The, Permo Waver Sales Corporation, Petroleum Assurance Company, Peter B. Colgan & Company, Petroleum Engineering and Contracting Corporation, Peter's Factory Lunch Company, The, Petroleum Fuel Company, Peter Lewicki & Co., Inc., Petroleum Motors Corporation, Petroleum

## PROCLAMATIONS

Recovery Corporation, Philadelphia Antique Exchange, Inc., Philadelphia and Baltimore Trucking Company, Incorporated, Philadelphia Bond Corporation, Phodion Company, Philadelphia & Cape May Excursion Co., Phoenix Coal Mining Company, Phonofilm Finance, Inc., Philippine Fibre & Mercantile Corporation, The, Phonographs, Inc., Philadelphia Jack Frost & Co., Philip Jaisohn & Company, Inc., Philadelphia Lanolin Company, Philadelphia Mortgage Company, Philadelphia Motors Security Company, Phonoflex Products Corporation, Philadelphia Pharmacal Company, Philadelphia Realty & Holding Corporation, Philadelphia Steamship Corporation, Philadelphia Steel Products Company, Philadelphia Technical Institute, Inc., Pierce, Carroll & Company, Piedmont Oil & Refining Corporation, Pioneer Garage, Incorporated, Pioneer Manufacturing Corporation, Pioneer Oil and Gas Company, Pippin Oil Company, Pilot Publishing Company, Inc., Pilgrim's Realty Corporation, The, Pirrone Manufacturing Company, The, Pittsburgh Advertising & Publishing Co., Inc., Pittsburgh Bull Bayou Oil Company, Pittsburgh Chain Battery System, Inc., Pittsburgh & Clinch River Zinc Co., Pitt Candy Co., Pittsburgh Coal Products Company, Pitt Glass Company, Pittsburgh Mill Equipment Company, Pittsburgh and Memphis Transportation Company, Pittsburgh Paper Box Company, The, Pittsburgh Storage Battery Company, Pittsburgh Trent Corporation, Pittsburgh Thrift Co., The, Pittsburgh Type Founders Company, Pittsburgh Union Petroleum Company, Plateau Oil Company, Planetary Radio Corporation, Polish American Wire & Cable Corporation, Pompano By The Sea Company, Pocomoke Manufacturing Company, Incorporated, Pontecarvo Munson & Co., Inc., Poland Oil and Gas Corporation of New York, Popular Appeal Monthly, Inc., Popular Finance Publishing Corporation, Popular Pictures, Inc., Poor Richard Corporation, Porto Rico Hotels Corporation, The, Potomac Corporation, The, Potrero Company, The, Potomac-Eastern Company, The, Potomac Finance Corporation, Post Graduate and Research Institute of Chiropractic, Inc., Power Machinery Sales Corporation, Powell Oil Company, Potomac Steamship Company, Potomac Service Company, The, Powell Wood Process (North America) Incorporated, Pratt Coal Company, Pratt-Feys Company of New York, Preptan Company, The, Preferred Finance Corporation, Premier Oil Company

## PROCLAMATIONS

of America, Prudential Bond & Mortgage Company, Incorporated, Producers and Consumers Company of Michigan, Pri-Co. Manufacturing and Sales Company, Pruyn Company of America, The, Properties Company of America, The, Production Machinery Corporation, Provident Mortgage Company of California, Prudential Mortgage and Title Corporation, Primrose Oil & Gas Company, Prime Petroleum Company, Primrose Realty Corporation, Prudential Securities Corporation, Prudential Small Loan Association, Producers' Union Oil Company, Purveyor's Equipment and Supply Corporation, Pyramid Lumber and Realty Company, Inc., Pure Orange Juice Co., Inc., Puritan Oil and Fuel Company, Puritan Petroleum Company, Public Service and Realty Company.

Queen Anne Candy Company, Queens Brick and Hollow Tile Co., Inc., Queen City Rapid Transit Company, Queens County Coal Corporation, The, Quaker City Apartment House Company, Quaker City Bag Manufacturing Co., Quaker City Ice Rink Company, Queen City Oil & Gas Company, Quaker City Specialty Co., Quality Glass Company, Queen-Gray Company, Quaker Oil Company, Quaker Robe Corporation.

Rahe Auto & Electrical School, Incorporated, Rail Anchor Company, The, Radioinn Corporation, Radio-Chemical Corporation, Rafailovich and Co., Inc., Race Creek Coal Company, Radio Construction Company, Inc., Radiac Company, R. D. Woolely & Company, R. E. Thompson & Company, Ltd., Radio Engineering & Development Corporation, R. G. Clarke & Driver Co., The, Radium, Incorporated, Rachlins, Inc., Radio Instrument Company, R. J. Smith Co., R. J. Darnell, Inc., Radiant Oil Company, Radio Pictures Company, Radcliffe Publishing Association, Radio Securities & Finance Corporation, Railway Safety Device Corporation, Radio Service, Incorporated, Radio Sales Corporation of Washington, Railway Safety Equipment Corp., Radio Tube Exchange, Inc., R. & V. Motors of Cincinnati, Inc., Rankinol Corporation, Ramapough Electric Company, Inc., The, Randall Safety Hotel Check Co., Raye & Co., Inc., Raycomb Corporation, Ray-Pinal Mining Company, Razor Products Corporation, Rapid Railway Mail System, Inc., Raritan Refining Corporation, Rapidshine, Inc., Rayon Silk Company of America, Inc., Ratel Safety Light

## PROCLAMATIONS

Corporation, Reed Drug Company, Real Estate Opportunities, Inc., Real Estate Finance Corporation, Rea-Gresh Orchestras, Inc., Realty Holding Company, Redneila Oil Company, Redman Oil Company, Refrigerator Products Company, Refractories Process Corporation, Red Seal Refining Corp., Reading Sales Corporation, The, Republic Building Products Corporation, Republic Cigar Company, Reliance Equipment Corporation, Renco Film Co., The, Relief Loan Service Company, Reising Manufacturing Corporation, The, Reliable Oil Company, The, Reinforced Paper Products Corporation, Regent Petroleum Company, Reinforced Rubber Company, Inc., Renewablade Shear Company, Inc., Republic Truck Company of Philadelphia, Inc., Reliance Woodware Company, Residents Adequate Laundry Service, Inc., Resistant Alloy Casting Company, Residential Construction Corporation, of N. Y., Retals Corporation, Reya Corporation, Rex Glass Co., Rextex Hosiery Company, Rhode Island Avenue Garage, Inc., Rex Machinery & Supply Company, Research Products Company, Resort Steamship Company, Inc., Richardsons Coffee Roastery, Incorporated, Rice Lake Potato Products Company, Rickenbacker Wilkes-Barre Corporation, Right Angle Jack Company, Ridgeton Corporation, Rio Grande Citrus Farms, Inc., Ringless Piston Company, Inc., The, Rio Trading Corporation, The, Rite Cleaners & Dyers, Inc., Rittenhouse Company, The, Roadless Patents Holding Company, Robt. S. Clough Machine Company, Rock Island Oil Corporation, Rocky Mountain Paint Company, Inc., Rockwell Oil Company, Rochell Products Company, Rockwell Petroleum Corporation, Rock Realty Corporation, Roger Black Company, Inc., Romanoff General, Inc., Romanoff Machine & Tool Co., Inc., Romance Pictures, Inc., Rogers Tractor and Trailer Company, Ross Creek Petroleum Company, Ross Diamond Appraisalment and Loan Corporation, Rose Haven Dairy Company, Rosa Morado Mining Co., Ross Oil Company, Ross Sterling Company, Rosenbach Shoe Corporation, Rose Tree Theatre Cafe, Inc., Root & Van Dervoort Corporation, The, Routh Investment Company, Roth Straightener Corporation, Rotary Snow Plow Corporation, Royal Estates Investment Company, The, Royal Import Company, Royal Mortgage and Finance Company, Rowe Motor Company, Royal Palm Corporation of Florida, Rupp Display Unit Corporation, Russian American Mining & Engineering Corporation.

## PROCLAMATIONS

S. A. White Co., Inc., Safeguard Bond & Mortgage Corporation, Safety Check Corporation, Safelock Co., Inc., The, S. C. Dickeroff, Jr., Incorporated, Safety Door Fastener Corporation, Inc., Safety Fender Corporation, Safety Finance and Investment Company, S. & G. Finance Company, S. H. Sanborn Engineering Co., Inc., Safety Hone Company, Saeger Milroy Oil Burning Equipment Co., S. M. Magsby Manufacturing Company, S. & P. Company, The, S. S. McClure Company, The, S. Swindells & Sons, Inc., S. T. Hoener Manufacturing Co., St. George Canning Company, St. Paul Improvement Company, Salem Auto Products, Inc., Samco Investment Company, Salom Innovation Battery Company, Sample Shoe Shop, Inc., Sanitas Automatic Specialties Corporation, Santa Anna Petroleum Company, Santo Bay Mahogany Company, Sanitary Douche Co., Santo Domingo Mahogany & By-Products Corp., San Diego Shoe Brick Company, San Diego Lamp & Manufacturing Co., San Fernando Valley Loan Corporation, Santa Fe Oil & Refining Company, San Juan Basin Oil, Gas & Development Co., San Joaquin New Method Construction Company, Santa Monica Construction Company, Sanfilippo & Molia Builders, Inc., Santa Maria Mining Company, Sandford Oil Company, Sanitary Postage Association of America, Sanitary Shipping Container Corporation, The, Sarasota Land Company, Savastrok Engine Company, Savin Mortgage and Finance Company, The, Scales Brothers & Company, Schaumburgh Country Club, Inc., Schauman's Inventions, Inc., Scheeline Manufacturing Co., Scheel Motors Corporation, Schiff Products, Inc., Schoen Investment Co., Schulte-Hana Company, Schwaderlapp Import and Export Co., Inc., Scientific Oil Development Corporation, Scotts Oil Dome Company, Screenland Finance Corporation, See-All Mirror Company, Security Building and Realty Company, Securities Corporation of Southern California, Security Development Company, Secured Incomes, Inc., Sea Leather & Oil Corporation, Serafini & Bonini, Inc., Seneco Electric Bake Shops, Incorporated, Serrell Electric Appliance Corporation, Selby Motor Co., Inc., Selling Merchandise Corporation, Seneca Milk Corporation, Self-Mounting Carrier Company, Seneca Oil Company, Selma Russian Specialties, Incorporated, Seymour Inlet Timber and Pulp Company, Shakum Industrial and Manufacturing Corporation, Shanghai Motors, Inc., Shaw and Company, Share and

## PROCLAMATIONS

Debenture Corporation, Shaw Farm and Holding Company, Sharpsville Oil and Drilling Company, Shasta Zinc and Copper Company, Shelby Furniture Company, Sherwood Apartment Agency, Inc., Sherwood Forest Estate, Inc., Sheridan Manufacturing Co., The, Shenanga Oil Corporation, Shenango Oil and Gas Company, Shubert Advanced Vaudeville, Inc., Shipley & Co., Incorporated, Sholtes & Co., Shop of Culture, Inc., Shoppe Flush Valve Corporation, Shore Heating Corporation, Shotwell-Johnson Manufacturing Company, Shippers Service Company, Inc., Silica Asphalt Company, Silcox Coal Mining Company, Silver Dome Mining Co., Inc., Siebert, Inc., Sidney Juvenile Company, Silver King Distributing Company, Silver King Mines, Inc., Signal Mountain Coal and Iron Company, The, Silverman-Mahood Syndicate, Siebner Realty Company, Inc., Silver Ridge Mining Company, Simplex Auto Parts Corporation, Sioux Iron and Development Company, Simplex Ignition Corporation, Sioux Oil & Refining Company, Sistine Choir Soloists, Inc., Sitka Spruce Lumber Company, Inc., The, Skeffington Washing Machine Corporation, Slide Advertising Company, Slack Duo Scribe Manufacturing Company, Slay, Simon & Smith Oil Company, Slater Steel Rig Company, Smackover Extension Oil Company, Smithfield Oil Company, Smith-Springfield Body Corporation, Smith and Terry Navigation Corporation, Smith and Terry Towing Co., Inc., Smith-Ward Brake Company, Inc., Snow, Church & Co., Snyder, Hollow Ware Corporation, Snyder International Corporation, Snap-on Manufacturers, Incorporated, Solar Farm Light Corporation, Soder Oil Corporation, Sons of Italy Hall Company, Southern Appalachian Development Company, Inc., South Atlantic Casket Company, Southwark Bottling Company, South China Products Company, Inc., Southern Cannery, Inc., Southern Construction Company, Southland Development Corporation, South Duquesne Coal Co., Southern Export Company, Southern Farmers' Association, Southern Florida Citrus Company, Southern Improvement Company, Southern Mortgage and Investment Company, Southern Manufacturing and Sales Company, Southern Mortgage & Loan Co., Inc., Southwestern Mortgage Company, of Dallas, Texas, Souderton Manufacturing Co., Inc., South Plains Cotton Products Corporation, Southern Pacific Builders, Inc., Southern Products Corporation, South Rivadavia Oil Company,

## PROCLAMATIONS

Southwest Sanitorium Co., Southwestern Storage Company, Southern States Oil & Gas Company, Southern Vegetable Oil and Refining Company, Sphere Glass Blowing Corp., Specialty Glass Company, Sporting Life Company, Inc., Sporting Life, Inc., Splits & Plusses, Inc., Springfield Development Company, The, Spring Grove Oil Corporation, The, Spring Lake Mines Corporation, Inc., Stackhouse Chemical Corporation, Stafford Oil & Gas Company, Stacy-Trent Garage Company, Standard Asphalt and Refining Company, Standard Broom & Brush Company, The, Standard Building Company of Washington, Inc., Standardized Bale & Warehouse Co., Inc., Standard Bolt Corporation, The, Standard Chemical Products Company, Standard Cigar Company, Standard Carrier Company, Standard Druggists Syndicate, Stanley Finance Company, Standard Hardware Company, Standard Hotel Syndicate, Standard Metal Products Co., Standard Match Corporation, The, Standard Machine Co., Standard Packing Company of Pittsburgh, Standard Pneumatic Tool Corporation, Standard Rubber Company, Standard Refinery Co., Standard Security Co., Inc., of Pittsburgh, Standard Typewriter Co., Inc., Standard Union Finance Corporation, Star Brass Manufacturing Company, Star Inc., The, Star Metallic Tire Company, Star Stores, Inc., Star Transit Company, Steel Alloys Corporation, Sterling Company, Inc., The, Stero Corporation, The, Stewart Corporation, Sterling Drug and Chemical Company, Inc., Stevenson Gear Company, Stevens Holding Corporation, Steinway Holding Corporation, Stephen J. McCarthy, Inc., Sterling Oil Company, Stevens Oil and Gas Company, Stevens Oil Corporation, Stebler-Parker-Kuhn Company, Sterling Petroleum and Gas Corporation, Stereoscopic Productions, Inc., Steam Spray Washboiler Company, Steinmetz Wireless Manufacturing Company, Stilson Process Corporation, Stokes, Inc., Stockton Oil Company, Stolpe Safety Chain Corporation, Strong & Co., Inc., Stone Fizz Company of America, Inc., The, Stoneleigh Garage, Incorporated, Storm King Sales Company, Inc., Stonehouse Oil & Gas Company, Inc., Stringer Brake Service Corporation, The, Strong-Box Company of America, The, Strohecker Construction Company, Stringer Cable Brake Company, Stratford-Cookson Dental Supply Company, Street Display, Inc., Strauss Engine and Machinery Company, The, Stroud Manufacturing Company, Stukenborg Corporation,

## PROCLAMATIONS

Suburban Country Club of Pittsburgh, Superior Art Motion Pictures, Inc., Sunset Reach Corporation, Supercroft Corporation, Superfuel Corporation of New York, Superior Cake Cone Co., Suomi Corporation, Inc., Surrell Down Draft Boiler Company, Superior Earth Manufacturing Corporation, Sunset Farm Mushroom Houses, Inc., Superior Fluorspar Corporation, Sussex Farms Company, Substantial Homes Corporation, Summons Insurance and Finance Co., Inc., Susquehanna Line, Inc., Superior Motors, Incorporated, Sunnyside Mining Company, Suede-Nap Machine Company, Superior Refrigerating Company of Delaware, Superior Rock-Asphalt Company of Kentucky, Superior Sales Service, Inc., Superfuel Utilities Company, Synthetic Hydro-Carbon Company, Syracuse Industries, Inc., Swiss Market, Inc., The, Sword Oil Burner Co., Inc., Swiss Oil Company, Sylvania Oil & Gas Company, Swanson Piano Co., Syco Radio Products Corporation, Sweeney's Secret Service Bureau, Inc., Swas-Teck Mining Company.

T. B. Howe Company, Tangara Corporation of America, Tarner and Company, Tanner Drilling Co., The, Tank Gas Range Corporation, The, Tate Motor Company, Talking Machine Company, The, Taber Oil Corporation, Tacco Phosphate Corp., Tailors Wholesale Cleaning and Dyeing Corporation, Templeton & Company, Inc., Tela-Card Corporation, The, Telephone Equipment Company, Texas Foreign Trading Corporation, Temple Holding Company, The, Tex-Kin Oil Corporation, Texas Midland Petroleum Company, Texas & Ohio State Oil Syndicate, Texland Oil Corporation, Texacaddo Oil and Gas Company, Testlog Oil Company, Texania Oil Company, Teapot Petroleum Company, Theda Bara Productions, Incorporated, Thermoil Corporation, Theo. Edwards & Co., Thermalene Gas Co., Thies Machinery and Process Corporation, The, Thill Oil Corporation, Theatrical Producers Trust Company, Thrall Dome Oil Company, Inc., Thompson-Hardy-Coal Products Co., Inc., Thompson Import & Export Corporation, Thompson Manufacturing Company, Three States Coal Company, Thomas T. Davis, Son & Co., Tilford Productions, Inc., Tide Water Steel Corporation, Title Guarantee and Investment Company of Maryland, Tire Rebuilders of America, Inc., Tionesta Silver Black Fox Ranch, Incorporated, Toboggan Boat Company,

## PROCLAMATIONS

Inc., Tobin Desher and Company, Tomlinson Insurance Agency, Inc., Tomkins Moulded Rubber, Inc., Tochwough Springs Company, Tobacco Specialties Corporation, Tourist Hotel & Garage, Inc., Torrent Oil & Gas Corporation, Torcoroma Petroleum Corporation, Tourists Service Co., Toyah Valley Sulphur Company, Triple Airless Manufacturing Company, Trail Blazer Corporation, Triangle Coal Gas Burner Co., Trieste Construction Co., Inc., Triplets Corporation, The, Tracy City Fuel Company, Tri-City Steel Company, Traymore Garage Company, Tri Harmonic Radio Company, Trinity Land Credit Society, Trenton Porcelain Co., Tri-State Oil Heating Co., Triangle Stores Corporation, Tri-State Realty Company, Trans-States Finance Corporation, Traveler Tire Sales Co., Tropical Coffee Corporation, Trumble Coal & Shale Oil Company, Tropical Finance & Construction Company, Tropic Fruit Products Company, Truck Publishing Company, Trouble-Proof Window Shade Company, Tropp Realty Investment Corporation, Trucking Service Corporation, Truschel-Stewart Corporation, The, Tulsa Royalties, Inc., Turner Distilling Company, Turman-Louisiana Oil Co., Twentieth Century Mfg. Co., Typocraft Corporation, Tyrone Finance Co., The, Twin Falls Salmon River Land and Water Company, Two Link Auto Service Club, Inc., Tyrrell Oil Corporation, Tweed-O-Wool, Incorporated.

U. & J. Carburetor Company, The, U. S. Concrete Brick Corporation, U. S. Sugar Cane Harvester Corporation, Universal Australian Wool Importing Corporation, Universal Art Novelty Co., Inc., Unity Building Corporation, Universal Folding Box Company, Inc., Universal Flying Machine Corporation, Universal Glass Company, Uno Machine Company, Inc., Universal Machine Manufacturing Co., Inc., Universal News Service, Inc., Universal Real Estate Corporation, Universal Service Parlors, Inc., The, Universal Spring Control Co., Inc., Universal Soda & Potash Mines, Inc., Universal Transmission Co., Universal Wall Paper Co., United American Banks, Incorporated, United American Bond & Mortgage Company, United American Collieries, Inc., Union Bottling Company, United Buyers Manufacturing Company, Union Construction Company, United Credit Clothiers, Inc., Uniontown Coal Company, United Cap Company, The, Union Cereal Company, United Cinema Company, Union Dry Battery

## PROCLAMATIONS

Corporation of America, Union Deposit & Registrar Company, Union Farms Corporation, United Foundry & Machine Co., United Gasoline Corporation, United and Globe Rubber Corporation, United Gear Company, United Heel Company, United Interstate Finance Company, Union Machine & Manufacturing Corporation, Union Mechanical Co., United Mortgage Company, United Members Oil & Refining Co., Inc., Union Motor Truck Company, United Mortgage and Finance Company, Union Manufacturing Company, Union Motor Truck Company, Union National Trust Company, Union Oxygen Company, Union Oil Company of Pennsylvania, United Power Corporation of America, United Paper Mills Supply Co., Union Real Estate Company, United Realty Corporation of Washington, Inc., United Realty Company, United Springs Corporation, United Safety Razor Company, Inc., United Sales Service Co., United Stores Company, The, United States Automobile Owners Association, United States Camera Corporation, United States Corporation of America, United States Foundries and Manufacturing Co., The, United States Guarantee Corporation, United States Incinerator Company, United States Investment Company, United States Leather Corporation, The, United States Mailevator Company, United States Mortgage and Securities Company, The, United States Packing Company, United States Siren Alarm Company, United States Stock-Raising Corporation, United States Silk Corporation, United States Sugar Equalization Board, Incorporated, United States Veteran's Land Settlement Association, United Theatres Corporation, United Telephone & Telegraph Company, Union Trust Company, United Window Shade Company, Inc., Utah Mineral Development Corporation, Utilities Tubular Fuel Company.

V. B. A. Products Corporation, Vacuum Display Fixture Corporation, V. H. Boettcher Shop, Inc., Vacuum Heater Corporation, Vail Laboratories, Inc., Valley Auto Company, Valley Chemical Products Co., The, Valley Forging Company, Valley Laboratories, Incorporated, Valley Mining Co., Valley Manufacturing Co., Valley Orchards Company, Vandyck Galleries, Inc., Van Slyke Clock Company, Vanderbilt Steel Products Co., Inc., Vendodeur Corporation, Venezuela Exploration & Development Company, Veronica Investment Corporation, Vernon Realty Com-

## PROCLAMATIONS

pany, Inc., The, Venus Syndicate Candy Company, Victor Ford Pictures, Inc., Vicama Mica Company, The, Victor Parting Bead Company, The, Victory V. Belt Co., Vincent Aero-Real Transportation Co., Virpen Coal Mining Company, Virginia Corporation, The, Vita Food Companies, The, Visible Gauge-Valve Corporation, Vitalipon Institutes, Inc., Virginia Lime and Stone Company, Vitalmalt Products Corporation, Vim Sales & Service Corporation, Viquesney Timber and Ore Company, The, Vulcan Furnace & Equipment Company, Voice Hosiery Co.

W. A. Jones & Company, Inc., W. A. Muir & Company, W. A. Jackson Lumber Company, W. C. Baskett & Company, W. C. Jenkins & Company, Incorporated, W. D. Beatty, Inc., W. G. Mohn Oil Burner Company, Inc., Wade-Hill Manufacturing Co., W. M. Bennett & Co., Inc., W. P. Hanson Company, W. P. F. Radiophone Corporation, W. S. Dunn & Co., Inc., W. S. & L. Mfg. Corp., Wade Templeton and Company, Inc., W. W. Phillips Manufacturing Company, Waldensia Coal Company, Wallins Creek Collieries Company, Wallblom Furniture Company, Wald-La France, Inc., Wallace Texas-Oklahoma Oil Company, Inc., Walnut Finance Company, Walsh Ice Machine Co., Wandering Cross Photo Plays, Inc., Wapicut Oil Company, Warring Hat Manufacturing Corporation, Warmrad Corporation, Warkent Petroleum Corporation, Warrington Construction Company, The, Washington Autobungalo, The, Washington Home Builders Association, Washington Ice Manufacturing Company, Washington Investment Club, Inc., Washington Janitor Supply Company, Washington Loan and Finance Corporation, Washington Mortgage and Finance Corporation, Washington Oil Corporation, Washington Products Company, Inc., Washita River Oil Corporation, Waterproofing Corporation of America, Waterman Hat Company, Inc., Wataga Petroleum Company, Watts Home Builders, Inc., Wear-pledge Corporation, The, We-Fone-U. Stores of America, Inc., Weatherell Motor Cycle and Car Company, Weber and Company, Weeksler Brothers and Company, Webster Oil Company, Webster Realty Corporation, Weinhouse Automatic Vaporizer Co., Wehr & Edwards, Incorporated, Weed's, Inc., Weaver Motor Company, Weekley Petroleum Company, The, Welfare Loan Society of Lancaster, Pennsylvania, Werner Electric Heater Company, Wen-

## PROCLAMATIONS

stone Rubber Products Company, Wesley A. Stanger & Co., Inc., Wesco Advertisers, Incorporated, West Adjustable Shade and Curtain Hanger Company, Inc., West Branch Seed Co., Inc., West Branch Products Company, Western Central Oil Company, Western Credit Finance Corporation, Western Coal Company, West Coast Laboratories, Inc., West End Amusement Company, Westmoreland Fuel Company, Western Gasoline Corporation, Western Holding Company, Western Hotel Supply Company, Western Hardware Corporation, Westfield Hotel Corporation, Westburr, Incorporated, West Indies Corporation, Western Mines Corporation, Western New York Pure Food Company, Inc., Western Ohio Oil Company, The, Western Ohio Portland Cement Company, West Philadelphia Cut Glass Company, West Porcupine, Inc., West Penn Machinery Company, West Penn Finance Corporation, Western Plate Glass Company, Western Radio Corporation, West Side Realty Corporation, West Springfield Canning Company, The, Western United Securities Co., West Union Oil Company, Whaleback Production Company, Whistle Bottling Company of Mexico, Whistle Company of Mexico, Whikan Corporation, The, Whirlpool Manufacturing Company, Whirlpool Sales Corporation, White Brothers & Company, White's Cash Stores, Inc., White Front Market, Inc., White Food Products Company, Whitman Publishing Corporation, White Shoe Houses, Inc., The, William A. Knoerr Company, Inc., William Brooks Company, Wilkes-Barre Can Company, Willard Cox & Wisivall Corporation, Wm. E. Volk Candy Mfg. Co., Inc., Williamsport Food Products Co., The, William F. Reed Sales Co., Inc., William Hanson Corporation, William J. Boese & Co., Inc., William J. Ott Company, Inc., Williams Land Company, William L. Neill Company, The, William N. Compton, Incorporated, Willners Oil Burning System, Inc., William Penn Underwriters, Inc., Wills Sainte Claire Company of Ohio, Willada Terrace, Inc., Willa Villa Amusement Company, William Whitesall & Co. (Inc.) Builders of Better Homes, Wilmington Ice and Coal Company, Wilmington Port Terminal Land Corporation, Winola Company, Winston's Bank Service, Inc., Witherbee Battery Corporation, Wizard Products Corporation, Womelsdorf Myerstown & Lititz Transit & Light Co., Woodlawn Lumber Company, Inc., Wood Products Company, World Bond & Mortgage Company, World Business Corporation, World Business

PROCLAMATIONS

Publishing Company, Incorporated, World Coffee Company, Worth Pen Makers, Inc., The, Worth Products Company, World Playing Card Company, World Securities & Holding Corporation, Wright Battery Company, Wright Electric Scrubbing & Drying Machine Company, Wright, Hill & Company, Inc., Wyndmoor Foundry Company, Wyoming Holstein Dairy Co., Inc., Wyandotte Manufacturing Company, Wyoming Utah Oil Co., The.

Yellow Cab Company of Chester, Yellow Drive Yourself Company, Yale Laundry Company, Yale Tire Co., York Imperial Orchards, Incorporated, Young Workingmens Corporation.

Zedania Leather Co., Inc., Zev Oil Corporation, Zeidman and Pollie Shows, Inc., Zimmerman Stove Heater Co., Inc., of Maryland, Virginia, District of Columbia, Zedania Shoe Co., Inc.

IN TESTIMONY WHEREOF, I, Robt. P. Robinson, Governor of the State of Delaware have hereunto set my hand and caused the Great Seal to be hereunto affixed this twentieth day of January, in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the United States of America, the one hundred and fifty-second.

(Great Seal)

By the Governor:  
ROBT. P. ROBINSON.

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

ROBERT P. ROBINSON, Governor of said State,

To all persons to whom these presents shall come, Greetings:

WHEREAS, Robert R. Hitchens, a citizen of the town of Omar, Sussex County, in this State, was found dead on or about the ninth day of November, 1927, at his home at Omar, Delaware, aforesaid, and

WHEREAS, There are reasonable grounds for the belief that the laws of this State have been violated and it is necessary, for the purpose of securing the arrest of the person or persons offending, that a reward should be offered for the arrest and conviction of such person or persons.

Now, Therefore, I, Robert P. Robinson, Governor of the State of Delaware, in accordance with the provisions of Section 6 of Chapter 13 of the Revised Statutes of the State of Delaware, do hereby offer a reward of

## FIVE HUNDRED DOLLARS

For the arrest and conviction of the person, or persons, who committed the crime aforesaid, said reward to be paid to such person or persons as the Attorney General of this State shall certify to be entitled thereto.

IN TESTIMONY WHEREOF, I, Robert P. Robinson, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of this State to be hereunto affixed this seventeenth day of February, in the year of our Lord one thousand nine hundred and twenty-eight and

PROCLAMATIONS

of the Independence of the United States of  
America the one hundred and fifty-second.

(Great Seal)

By the Governor:  
ROBT. P. ROBINSON.

CHARLES H. GRANTLAND  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

I, Robt. P. Robinson, Governor of the State of Delaware, having been shown good cause for giving further time to the U. S. WRENCH MFG. CO., INC. for the payment of franchise taxes assessed against said corporation, DO HEREBY CERTIFY that the time for the payment of said taxes by the said corporation is extended until the First day of April, A. D. 1929, for the reason that such extension of time is necessary in order to insure a realization of the largest amount possible for the patents owned by the said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be affixed at Dover, this twentieth day of March, in the year of our Lord one thousand nine hundred and twenty-eight.

(Great Seal)

ROBT. P. ROBINSON.  
Governor.

CHARLES H. GRANTLAND  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

WHEREAS, The President of the United States, Calvin Coolidge, has designated and set aside the week beginning April 22nd and ending April 28th, in this year 1928, as

## AMERICAN FOREST WEEK

and has recommended, wherever practicable and not in conflict with State law or custom, that ARBOR DAY be celebrated within that week; and

WHEREAS, The General Assembly of our beloved State, with a realization that a considerable portion of its soil is well suited to timber production and having a conviction that our industrial and agricultural stability could be materially strengthened by bringing into production this idle land, created the State Forestry Department, which is now actively co-operating with the Federal Government under the Clarke-McNary law in the protection of Delaware's forests from fire, in providing for forest tree planting, in assisting forest land owners to better handle their woodlands, in aiding in restoring in non-productive forests to productive ones, in restoring our forests as conservers of soil and water and as providers of health and pleasure to our people; and finally in creating a respect for the forest, woodland or brush land that their destruction through indifference, carelessness or waste, shall be unthinkable; and

WHEREAS, the State Government, always mindful of the State's welfare, can no longer look with impunity upon this great replenishable natural resource but must be diligent in creating that intelligent opinion among the people of Delaware by bringing to their attention the principles of forestry, that the stupendous task to be done may be fully realized;

## PROCLAMATIONS

NOW THEREFORE, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby designate the week of April 22nd to April 28th, inclusive, as

## AMERICAN FOREST WEEK

during which period it is earnestly urged that the general public and the public press give thoughtful consideration to the needs of our timber-lands to the end that sound policies for the wise use of our forests may be adopted; and I do hereby set apart

## FRIDAY, APRIL 27th, AS ARBOR AND BIRD DAY

and respectfully request its observance by all the educational institutions or other appropriate organizations within the State by holding suitable exercises having for their object the advancement of the study of trees, of the spirit of protection and study of birds and of the thought of benefits that will accrue from collective intelligence in silviculture.

IN TESTIMONY WHEREOF, I, Robt. P. Robinson, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of said State to be hereunto affixed this second day of April, A. D. one thousand nine hundred and twenty-eight.

(Great Seal)

ROBT. P. ROBINSON,  
Governor.

CHARLES H. GRANTLAND  
Secretary of State.

PROCLAMATIONS

PROCLAMATION

DOVER, DELAWARE

EXECUTIVE DEPARTMENT.

WHEREAS, May 1st has been set aside as National Child Health Day that we may consider the health and welfare of our children, and

WHEREAS, the future of this State depends largely upon the care its children receive. At this time we should consider how we can best serve our State in the worthy cause of improving the health of our children,

NOW, THEREFORE, I, Robert P. Robinson, Governor of the State of Delaware, do hereby designate

MAY 1st

as Child Health Day for the State of Delaware and ask all citizens to join in its observance.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the Great Seal of the said State at Dover, this twenty-seventh day of April, in the year of our Lord one thousand nine hundred and twenty-eight.

By the Governor:

ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## DOVER, DELAWARE

## EXECUTIVE DEPARTMENT.

WHEREAS, since the inception of the idea a few years ago, of commemorating the anniversary of the adoption of our Flag, the plan has been heartily endorsed by the majority of the people; and

WHEREAS, being confident that the people of this State will be only too happy of this opportunity to express their love for the Flag of our Country and their loyalty to the ideals, traditions and institutions for which it stands,

NOW THEREFORE, I, Robt. P. Robinson, Governor of the State of Delaware do hereby designate

JUNE 14  
as  
FLAG DAY

and request, that the Flag of the United States be displayed from all public buildings, places of business, and homes; that special patriotic exercises be held in every community and as far as possible commemorating the adoption of the Flag and rededicating ourselves to the principles for which that Flag stands.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Delaware at Dover, this fifth day of June, in the year of our Lord one thousand nine hundred and twenty-eight.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND  
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

I, Robt. P. Robinson, Governor of the State of Delaware, do hereby proclaim and make known in accordance with the provisions of an Act of the General Assembly that on the sixth day of November, in the year of our Lord one thousand nine hundred and twenty-eight, being the Tuesday next after the first Monday of said month, an election will be held in the several counties of this State at the places in the several election districts respectively, at which the general election in the said State is held, for the purpose of choosing by ballot by the citizens of this State having the right to vote for Representatives in the General Assembly three electors for the election of a President and Vice-President of the United States.

IN TESTIMONY WHEREOF, I have set my hand and caused the Great Seal of the State to be hereunto affixed at Dover this second day of October in the year of our Lord one thousand nine hundred and twenty-eight and in the independence of the United States, the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

Whereas, year after year the appalling total of loss from fire has increased until in 1926 it reached the peak of over Five Million Dollars. Then in 1927 came the welcome decline to over Four Million Dollars, a sum that nevertheless represents a tremendous drain on our national wealth. When we consider, also, the thousands of lives lost and the thousands of persons injured by fire every year, we realize the great need for developing the habit of carefulness. And,

Whereas, our own State shares this loss with her sister states. Yet the greater part of all fire waste could be avoided, if reasonable care were exercised.

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby designate and proclaim the period from

OCTOBER 7 to 13, 1928

as

## FIRE PREVENTION WEEK

and request that the citizens of Delaware, take an active interest in the occasion, assisting in the furthering of this important observance to the best of their ability.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of Delaware, at Dover, this second day of October, in the year of our Lord one thousand nine hundred and twenty-eight.

By the Governor:

ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

Whereas, the stupendous strides the State of Delaware is making in the field of public education merits the approval of all our citizens, it should be remembered that the process is a perpetual one and its importance is ever increasing; and

Whereas, the expenses incident to this civic duty now rests primarily upon the State, which during the last biennium has appropriated Seven Million Dollars, every citizen should be interested in a work upon the successful performance of which depends so largely the welfare and happiness of this and the coming generations; and

Whereas, too many of our people, in spite of the cost and the effort required in carrying on the biggest task that our State is called upon to perform—the education of her children—either lose sight of or take it for granted, and the Governors of the several States each year call upon the citizens thereof to give special attention to public education.

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do proclaim the period from November fifth to November eleventh, 1928 as

## AMERICAN EDUCATION WEEK

and urge upon every citizen of this State to co-operate with the State Department of Public Instruction in its efforts during this period to give special consideration to the condition and requirements of our system of education.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Delaware, this sixteenth day of October, in the year

## PROCLAMATIONS

of our Lord, one thousand nine hundred and twenty-eight and in the year of the Independence of the United States of America, the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

WHEREAS, during the ten years since America's entry into the war of nations the educational advance has been gathering momentum. The mighty sweep of achievement is revealed by the fact that enrollment in the secondary schools has increased from 1,600,000 to more than 4,000,000; that attendance at summer schools has increased from 40,000 to more than 250,000; that our teachers have set their faces toward the future with new zeal and devotion; and that there is coming into the thinking of our citizens generally, a better appreciation of the part education is to play in our individual and group life if the nation is to rise to its fullest possibilities. And,

WHEREAS, the custom has grown up during the recent years of observing one week each year as a time for careful consideration of the achievements and needs of the schools. The progress for this year emphasizes the seven cardinal objectives of education set up more than a decade ago by the National Education Association proclaiming that education should make for sound health; worthy home membership; mastery of the tools, technics, and spirit of learning; faithful citizenship; vocational effectiveness; the wise use of leisure; and ethical character. In proportion as we achieve these aims we shall move forward in the larger things of life. Let us measure our schools in the various school systems and localities against these objectives. Let us rejoice in significant achievements. Let us be mindful also of needs—of the hundreds of children who each year fail to make their school grade; of the other hundreds not in regular school attendance; of our great numbers of untrained teachers; of the illiteracy that still persists; of the weakness of rural education. And

WHEREAS, in the belief that a period of concentration on our educational problems will promote the welfare of this commonwealth.

## PROCLAMATIONS

NOW THEREFORE, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby proclaim

NOVEMBER 7-13, 1927, as  
AMERICAN EDUCATION WEEK

and urge that it be observed throughout the State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Delaware, at Dover, this twenty-sixth day of October, A. D. 1927.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
*Secretary of State.*

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

Whereas, the tenth anniversary of the signing of the Armistice will be observed on Sunday, November 11th, 1928, which observance will always be a reminder of the great part which our Nation took in the World War, and

Whereas, it would seem fitting and proper, that tribute be paid to those who made the supreme sacrifice,

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, by virtue of the authority in me vested, do hereby proclaim

NOVEMBER 11, 1928 as ARMISTICE DAY

and do request that the people of Delaware emphasize the importance of this occasion by bowing their heads in silent prayer for

TWO MINUTES

on the eleventh hour of the eleventh day of the eleventh month. And I do further urge that in all places of worship, special services be held, and that all street traffic and other activities be suspended during this brief silence.

IN WITNESS WHEREOF, I, Robt. P. Robinson, Governor of the State of Delaware, have hereunto set my hand and affixed the Great Seal of said State, at Dover, this first day of November, in the year of our Lord one thousand nine hundred and twenty-eight.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

Whereas, the Twelfth Annual Roll Call of the American National Red Cross will be launched on Armistice Day, November 11th, and will continue until Thanksgiving, November 29th. During this time, the Organization, through its Chapters, will extend to the people of their respective communities, a personal invitation to join the Red Cross. And

Whereas, the results attained in not only the disaster relief program, but in the normal activities of the Red Cross as well, are made possible only through the continued support and co-operation of the people through their annual memberships. And

Whereas, Delawareans have at all times responded to the Call of the Red Cross, and have done their bit to help relieve suffering humanity,

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do call the attention of the people of this State to the

## TWELFTH ROLL CALL

and urge that they lend their heartiest co-operation to the American Red Cross, giving as much as is possible to this most worthy cause.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware, at Dover, this fifth day of November, A. D. 1928.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## THANKSGIVING DAY

WHEREAS, Our Pilgrim Fathers, in offering thanks to the Divine Creator for his care and guidance during their trip across the tempestuous sea, furnishes us an example of Christian fidelity, which it has long been the custom of the American people to recognize by setting apart a day to render thanks to God for the generous gifts so abundantly bestowed upon us, and to ask His Divine Guidance for our future welfare and happiness. And

WHEREAS, as we approach the day which is set apart for the observance of thanksgiving and praise, let the people of our beloved State consider the abundant reasons we have, for making public acknowledgment of the many favors bestowed upon us by the Giver of all good and perfect gifts. And

WHEREAS, it is eminently proper that we should lay aside our usual duties and repair to our respective houses of worship and render thanks to God for all His bounteous blessings.

NOW, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do designate

## THURSDAY

## THE TWENTY-NINTH DAY OF NOVEMBER

## AS A DAY OF

## THANKSGIVING AND PRAYER

Upon that day let us not only join in the rendering of thanks to Almighty God for His blessings which have been vouchsafed in the past, but ask for a continuance of His guidance for the future, that we may faithfully discharge the duties which may come to us, for strength and wisdom to support with fidelity those principles and high ideals without which we cannot hope to continue a free and independent Nation.

## PROCLAMATIONS

IN TESTIMONY WHEREOF, I, Robt. P. Robinson, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be affixed at Dover, this eighth day of November, in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the United States of America, the one hundred and fifty-third.

By the Governor:

ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

ROBT. P. ROBINSON,

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 sixth day of November, in the year of our Lord one thousand nine hundred twenty-eight 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 the Laws of the State of Delaware in that behalf, for the purpose of choosing by ballot three Electors for the election of a PRESIDENT and VICE-PRESIDENT 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 Electors, were cast as follows, to wit:

## NEW CASTLE COUNTY

John Rogers Holcomb	22,464
Robert Y. Wallen	22,362
Andrew J. Lynch	22,370
Charles Warner	47,641
William T. Chipman	47,421
Frank L. Grier	47,408
Fred W. Whiteside	248
Thomas E. White	221
Theodore Burrier	218
Rose Richterman	58
Albert S. Walton	59
Arthur S. Bernardini	55

## PROCLAMATIONS

## KENT COUNTY

James Rogers Holcomb .....	5,727
Robert Y. Wallen .....	5,675
Andrew J. Lynch .....	5,687
Charles Warner .....	8,335
William T. Chipman .....	8,276
Frank L. Grier .....	8,262
Fred W. Whiteside .....	27
Thomas E. White .....	22
Theodore Burrier .....	22

## SUSSEX COUNTY

James Rogers Holcomb .....	7,163
Robert Y. Wallen .....	7,113
Andrew J. Lynch .....	7,168
Charles Warner .....	12,884
William T. Chipman .....	13,010
Frank L. Grier .....	12,910
Fred W. Whiteside .....	54
Thomas E. White .....	44
Theodore Burrier .....	43

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 such Electors, the result appears as follows, to wit:

Whole number of votes for James Rogers Holcomb .....	35,354
Whole number of votes for Robert Y. Wallen .....	36,643
Whole number of votes for Andrew J. Lynch .....	35,225
Whole number of votes for Charles Warner .....	68,860
Whole number of votes for William T. Chipman .....	68,707
Whole number of votes for Frank L. Grier .....	68,580
Whole number of votes for Fred W. Whiteside .....	329
Whole number of votes for Thomas E. White .....	287

## PROCLAMATIONS

Whole number of votes for Theodore Burrier .....	283
Whole number of votes for Rose Richterman .....	58
Whole number of votes for Albert S. Walton .....	59
Whole number of votes for Arthur S. Bernardini .....	55

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby declare that Charles Warner, William T. Chipman and Frank L. Grier have received the highest vote at the election aforesaid, and therefore have been and are duly and legally elected Electors for the election of a President and Vice-President of the United States.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the nineteenth day of November in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the said State the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

ROBT. P. ROBINSON,

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 sixth day of November, in the year of our Lord one thousand nine hundred and twenty-eight 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 U. S. Senator 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 voes in said county respectively for such U. S. Senator were cast as follows, to wit:

## NEW CASTLE COUNTY

Thomas F. Bayard	25,996
John G. Townsend, Jr.	44,096

## KENT COUNTY

Thomas F. Bayard	6,677
John G. Townsend, Jr.	7,508

## SUSSEX COUNTY

Thomas F. Bayard	8,155
John G. Townsend, Jr.	12,121

And Whereas, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered

## PROCLAMATIONS

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 U. S. Senator, the result appears as follows, to wit:

Whole number of votes for Thomas F. Bayard . . . . .	40,828
Whole number of votes for John G. Townsend, Jr. . . . .	63,725

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby declare that John G. Townsend, Jr. has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the U. S. Senator of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the nineteenth day of November in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the said State the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

Secretary of State.  
CHARLES H. GRANTLAND,

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

ROBT. P. ROBINSON

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 sixth day of November, in the year of our Lord one thousand nine hundred and twenty-eight 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 Seventy-first

## 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

John M. Richardson .....	23,604
Robt. G. Houston .....	46,343

## KENT COUNTY

John M. Richardson .....	6,589
Robt. G. Houston .....	7,594

## SUSSEX COUNTY

John M. Richardson .....	7,852
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## PROCLAMATIONS

Robt. G. Houston ..... 12,424

And Whereas, The said returns of the election for the choice of a Representative of and for the said State in the Seventy-first 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 John M. Richardson .....	38,045
Whole number of votes for Robt. G. Houston .....	66,361

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby declare that Robt. G. Houston 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 Seventy-first Congress of the United States.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the nineteenth day of November in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the said State the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

ROBT. P. ROBINSON,

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 sixth day of November, in the year of our Lord one thousand nine hundred and twenty-eight 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

## 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 Treasurer were cast as follows, to wit:

## NEW CASTLE COUNTY

Walter Harmon Reynolds .....	23,554
Howard M. Ward .....	46,388

## KENT COUNTY

Walter Harmon Reynolds .....	6,988
Howard M. Ward .....	7,190

## SUSSEX COUNTY

Walter Harmon Reynolds .....	8,364
Howard M. Ward .....	11,927

## PROCLAMATIONS

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 Treasurer the result appears as follows, to wit:

Whole number of votes for Walter Harmon Reynolds . . .	38,906
Whole number of votes for Howard M. Ward . . . . .	65,505

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby declare that Howard M. Ward has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Treasurer of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the nineteenth day of November in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the said State the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

ROBT. P. ROBINSON,

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 sixth day of November, in the year of our Lord one thousand nine hundred and twenty-eight 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

Harry A. Godwin	23,863
Edward Baker	46,032

## KENT COUNTY

Harry A. Godwin	7,113
Edward Baker	7,060

## SUSSEX COUNTY

Harry A. Godwin	8,547
Edward Baker	11,738

## PROCLAMATIONS

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 Harry A. Godwin .....	39,523
Whole number of votes for Edward Baker .....	64,830

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby declare that Edward Baker 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 nineteenth day of November in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the said State the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

ROBT. P. ROBINSON,

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 sixth day of November, in the year of our Lord one thousand nine hundred and twenty-eight 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

## ATTORNEY GENERAL 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 Attorney General were cast as follows, to wit:

## NEW CASTLE COUNTY

John Biggs, Jr. . . . .	24,372
Reuben Satterthwaite, Jr. . . . .	45,582

## KENT COUNTY

John Biggs, Jr. . . . .	7,105
Reuben Satterthwaite, Jr. . . . .	7,089

## SUSSEX COUNTY

John Biggs, Jr. . . . .	8,441
Reuben Satterthwaite, Jr. . . . .	11,846

## PROCLAMATIONS

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 Attorney General the result appears as follows, to wit:

Whole number of votes for John Biggs, Jr. ....	39,918
Whole number of votes for Reuben Satterthwaite, Jr. . .	64,517

Now, Therefore, I, Robt. P. Robinson, Governor of the State of Delaware, do hereby declare that Reuben Satterthwaite, Jr. has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Attorney General of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the nineteenth day of November in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the said State the one hundred and fifty-third.

By the Governor:  
ROBT. P. ROBINSON.

(Great Seal)

CHARLES H. GRANTLAND,  
Secretary of State.

## PROCLAMATIONS

## PROCLAMATION

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT.

Whereas, Howard M. Ward, 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, Robt. P. Robinson, 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.-B.-C. Loan & Investment Company, A. B. C. Service Company, A. B. C. Transit Refrigeration Company, A. J. Harty and Company, A. J. Powell & Company, Inc., A. J. Meade Company, A. Joseph Howar, Inc., A. L. Cohen & Company, Inc., Abso-Laboratories, Inc., A. Marlis Company, The, A. N. Chamberlain Medicine Company, A. & R. Willgooses Dyeing Company, A. Weinfield and Son, Incorporated, Active Investment Company, Acme Mining Company, Acme Mining & Mfg. Co., Ace Motorcycle Corporation, Acids Manufacturing Corporation, Acadian Oil & Gas Corporation, Acme Oil and Refining Company, Academy of Practical Economics, Inc., Ace Radio Products, Inc., Acme Specialties Company, Advertising Cars Corporation, Advance Company, The, Adams Front Wheel Brake Corporation, Advance Foundry and Machine Company, Adelphia Mortgage Company, Incorporated, Adelphia Mortgage Investment Company, The, Adams Motors Corporation, Adams Oil and Gas Company, The, Advance Products Sales Company, Adamant Portland Cement Corporation, Adwear Process Sole Leather Machine Company, Administration Restaurant Co., Adams Springless Suspension Corporation, Advertising Transparent Service Corporation, Adams Theatres, Inc., Airtone Auto Distributors, Inc., Akron Arcade & Realty Corporation, The, Air and Cushion Tire Company, Inc., The, Air-

## PROCLAMATIONS

ways Corporation of America, Airways Express, Inc., Akers Glass & China Company, African Imports Co., The, Air-Land Motor Supply Company, Affiliated Mortgage Corporation, Air and Moisture Proof Vault and Casket Co., Agencia Nacional De Transporte, Inc., Airway Springs, Inc., Aetna Scrap Iron & Salvage Company, Akawalla's Vegetable Laboratory, Inc., Aladdin Advertisers, Incorporated, Alaskan Air Transport, Inc., Alexander A. Roseman, Inc., Alexander Clothing Company, The, Alpert Dress Company, Incorporated, Albany-Decatur Oil and Gas Company, Alfred Levy Co., Alder Mining Co., The, Alert Manufacturing Co., Inc., Alexander, Otis & Co., Inc., Alcalde Oil Corporation, Albany Printing Crafts Corporation, Alexander Park Corporation, Alkay Sales Corporation, The, Alabama Textile Corporation, Alleghany Anthracite Coal Company, Allen-Brownell Company, Allyn Corporation, The, Allen Company, Alleghany Coal and Lumber Co., Almond-Emmons, Inc., Allen Engineering and Manufacturing Company, Allied Foundries Service Corporation, Allied Finance Corporation, All-In-One Refining Company, Alpine Ice & Fuel Company, Alkay Manufacturing Co., Inc., The, All-Red-E Sales Company, All-Theatres Pictures, Inc., Amalgamated Coal and Timber Corporation, Amusement Coupon Corporation, Amalgamated Foreign Transfer Corporation, Amex Mining Smelting & Refining Corporation, Amity Oil Company, Amalgamated Train Controls Sales Corporation, American Automatic Cafeteria, Inc., American Automatic Sales Company, American Automatic Service Company, America-Africa-Orient Corporation, The, American Alum Corporation, American Automatic Conector Company, The, American Ball and Tube Mill Company, American Billiard Supply & Mfg. Co., American "Boroid" Company, American Bolt Corporation, American Concrete Box-on Corporation, American Country Club Publishing Co., Inc., American Cuban Development Corporation, American Canned Products Company, American Charcoal & Chemical Corporation, American Coach Company, Inc., American College of Chiropractic, Inc., American Canned Ice Cream Company, American Distributors, Inc., American Dan Bottle Seal Corporation, American Exchange Corporation, American Finance & Mortgage Company, American Hydraulic Motor Com-

## PROCLAMATIONS

pany, American Heating and Plumbing Company of Erie, American Hellenic Development Company, Inc., American Heating Company, American Industrial Hydrogen Holding Company, Inc., American Institute of Commerce, Inc., American Insurance Service Corporation, American Indian Oil Company, American Industrial and Bond Corporation, The, American Loan and Mortgage Company, American Land Development Company, American Leather Company, American Light, Heat & Power Engineering Co., American Liquolift Corporation, American Motors Corporation, American Metal Ware Company, American Motor Coach Company, American Mid-Europe Finance and Trading Corporation, American Magnesia Cement Corporation, American-Mexican Hotel Corporation, American National Mortgage Company, American Near East Trading Corporation, The, American Peat Corporation, American Puncture Proof Tube Company, American Pictorial Tabloid Co., American Plate Glass Manufacturing Corporation, American Premier Air Cars, Inc., American Povar Corporation, American Pulverized Food Products Corporation, American Paper Forming Company, American Round-Box Candy Company, Inc., American Realty & Securities Corporation, American Roadway Transit Corporation, American Ranch and Trading Company, Inc., The, American Ringless Piston Corporation, American Reinsurance Stock Corporation, American Radio and Research Corporation, American Rice Products Co., American Radio Exposition Company, American Rail Joint Company, American Salvage Corporation, American-Sonora Mines Corporation, American Smelting Corporation, American Steam Power Corporation, American Salesmen's Association, Inc., American Shale Products Co., The, American Standard Development Corporation, American Silver Mines Co., American Securities Company of Norfolk, Va., American Safety Lock Company, Inc., American Tube Works, Inc., American Telegraph-Typewriter Company, American Vagex Corporation, American Vagex Sales Corporation, American Vegi Feed Corporation, Ancira Safety Seal & Lock Company, Inc., Andrews Adding Machine Corporation, Anglo-American Mexican Development Syndicate, Antiscale Corporation, Andrews-Depp Motor Company, Ansolruth Finance Company, Anglo-Guatemalan Petroleum Corporation, Anna Maria Island Company, Anortan Oil Corporation, Antlers Oil Corporation, Anita Realty Corpora-

## PROCLAMATIONS

tion, Anders & Ross, Incorporated, Anglo Sicilian Trading Company, Animated Signal Corporation, Andrews-Wylie-Masser, Incorporated, Apollo-Leechburg Coal Company, Apex Products Company, Arizona-Alaska Mining Company, Armistice Agency, Inc., Arkansas Cement Corporation, Archer Construction Corporation, The, Archer Collapsible Rim Company, Arpin Coke Corporation, Artwood Corporation, The, Arden Dairy Products Company, Arco Development Company, Armstrong Grocery Company, Artex Hosiery Corporation, Arizona Klondike Gold Mines Company, Arnalle Laboratories, Inc., Ardmore Lumber Company, Arnold Machine Company, Arkansas Oil Fields, Incorporated, Armstrong Oil Company, Arctic Publishing Corporation, Armorshield Paint Corporation, Arctic Refrigeration Mfg. Corporation, Armley Radio Corporation, Arctic Refrigeration Distributing Corporation, Arrowhead Silver Black Fox Company, Army Supply Company, Inc., Arcadia Trailer and Manufacturing Corporation, Art Union of Ireland, Art Union of London, Great Britain, Arthur W. Freese and Company, Associated Bankers Investment Company, Astra Company, The, Associated Departments, Inc., Asco Dress Company, Association of Federated Stores, Inc., Associated Farm Products Company, Inc., Associated Furniture Manufacturers Company, Associated Gulf Products, Inc., Associated Home Builders, Inc., Associated Income Properties, Incorporated, Associated Jewelers Manufacturing & Repair Shop, Inc., Asia Mercantile Company, Aspen Mines Company, Associated Publishers, Inc., Asco Products Corporation, Associated Publishers Reading Club, Inc., Associate Reserve Corporation, Associated Steamers, Inc., The, Ascher Theatres Corporation, Atlas Audit Corporation of Delaware, Atlantic Company, Atlas-Colonial Corporation, Atomite Corporation, Atlantic Coast Development Company, The, Atlantic City and Wilmington Bus Lines, Inc., Atlas Commercial Company of America, The, Atlantic Canning Company, Atlantic Coal Co., Atlantic Development Corporation, The, Atwood Electric & Radio Corporation, Atlantic Fish Company, Atlas Garage Equipment, Inc., Atoz, Incorporated, Atlantic Importing & Trading Co., Inc., Atascadero Motion Picture Company, Atlanta Oleomargarine Company, The, Atlantic & Pacific Marine Fruit Express, Inc., Atlas Publishing Company, The, Atlantic Power Corporation, Atlantic Point Improvement Corporation, Atlantic and

## PROCLAMATIONS

Pacific Development Company, Atlantic Seaboard Realty & Holding Syndicate, Inc., Automobile Adjustment Corporation, Automobile Acceptance Corporation, Automatic Body Company, Automobile Buyers Corporation, Auto Dry Cleaning Process, Inc., Automatic Electric Iron & Fuse Co., Automatic Filling Station Company, The, Automotive Gauge Co., Inc., Automatic Glass Products Company, The, Austin Gorham McIlvaine & Company, Inc., Audet Manufacturing Corporation, Automatic Machine Company, Inc., Awlco Manufacturing Co., Inc., Auto Mark Corporation, Auto-Meter Company, Incorporated, Ayesha Mining Company, Auto Power Jack Company, The, Avon Park Corporation, Automotive Products Company, Automatic Refrigeration, Inc., Automatic Radiation Company, Auto Radiator Manufacturing & Repair Company, Auto Fefinishing Company of Washington, Avondale Stone Products Corporation, Automat Sales Company, Auto Safety Meter Corporation, Automotive Specialty Sales Company, Inc., Automatic Soda Dispensing Corporation.

B. Audi, Inc., B. A. Martin Company, B. B. Feldenfeld & Company, Back Bay Beach Improvement Company, B. and F. Steam Carburetor Company, B-G Sandwich Shops Central Corporation, B-G Sandwich Shops Eastern Corporation, B. L. Russell & Co., Badger Mixer Company, B. Strauss & Company, Inc., Bailey Schuh Corporation, The, Baker Motors, Inc., Baldwin Capital Corporation, Balston Company, The, Balsam Creek Extraction Company, Baltic Corporation, Baltimore Newport News & Norfolk Steamship Company, Baltimore-Oklahoma Company, Bankers Building and Loan Trust Company, Balsam Products Company, Bankers Bond and Mortgage Company, Bankers Bond and Share Corporation, Bankers Commercial Discount Corporation, Bankers' Collateral Corporation, Bankers Discount Acceptance Corporation, Bankers Finance Corporation of America, Bankers' Loan & Investment Company, Baoba Plantations Corporation, Bankers Realty Corporation, Bankers' Reserve Finance Co., Inc., Baronna & Common Realty Company, Barker Front Drive Corporation, Barnhart Cement Products Corporation, Barnesboro Coal Company, The, Barssock & Brock, Inc., Barranca del Oro Mining Company, Barsky's Stores, Incorporated, Bartlett Oil & Gas Corporation, Bateman Bros. Inc. Northern Division,

## PROCLAMATIONS

Bay Biscayne Bond and Mortgage Company, Bay Cities Publishing Company, Bay Cities Mortgage and Finance Co., Bay Ridge Discount Corporation, Bavano River Timber and Trading Company, Bay State Furniture Company, Beaux Arts, Inc., Beaver Hardware & Supply Co., Beacon Mortgage and Finance Corporation, Bean Process International Corporation, Bear State Finance Company, Beacon Sales Company, Beaver State Furniture Mfg. Co., Belle Claire Apartments, Inc., Bel-Canto Radio & Telephone Equipment Co., Inc., Belrae Corset Company, Belmont Dairy Co., Belvidere Hydraulic Stone Company, Bennett Corporation, Bennett Cotton Harvester, Inc., Ben Franklin Press, Inc., Benita Mining Company, Beningham Machine Corporation, Benjamin Products Corporation, Benson & Cooley Advertising Co., Berks Auto Sales and Service Company, Berks Importing & Exporting Corp., Berkeley Land Co., Inc., Berkeley Springs Hotel, Incorporated, Berks Theatre Corporation, Berry Automatic Lubricators Corporation, Bernard Beste Company, Berry Company, Inc., Better Food Corporation, Better Health Company, Best Motors Corporation, Betsy Ross Novelty Furniture Corporation, Billiard Box, Inc., The, Bilt-E-Z Manufacturing Company, Big Four Refining Company of Texas, Biltmore Homes & Development Corporation, Biele, Hartline & Co., Inc., Bickel Manufacturing Company, The, Big Ridge Royalties Company, Big Ridge Oil & Gas Company, Bishop Contracting Company, Blackwell Electric High Line Company of Delaware, Blake Mfg. Co., The, Black Petroleum Corporation, Black Rock Petroleum Company, Bliss Blue Ribbon Soap Company, Blue Bell Lime Products Company, The, Blossburg Corporation, The, Blox Construction Co., Blue and The Gray Cab Co., The, Blueridge Goodies, Inc., Blubell Lingerie Corporation, Blighty Oil Company, Blue Star Petroleum Corporation, Boehm Radio Tube Corporation, Book-Breakers, Inc., Bonini Company, Inc., Bonner Charter Motor Company, Bond Distributing Corporation, Bond Haberdasher, Inc., Bolivar Land and Improvement Company, Boothe-Wingert Corporation, Bort-Irwin-Ehlman, Inc., Boson Sales Company, Border States Finance Corporation, Boulevard Automobile Corporation, Boulevard Development Company, Bournonville Motor Car Co., Inc., Boyer, Bottenberg & Company, Bradstreet & Braden, Inc., Bradstreet Corporation, The, Bradford County Oil and Coal Corporation, Brake Liners

## PROCLAMATIONS

Company, Bradstreet Oil Company, Braman Shoe Company, Incorporated, Braided Thread Corporation, Braxton Club, Inc., Brandywine Holding Company, Brander Pharmacel Company, Bren-De Sales Corporation, Brill Auto Rental Company, Incorporated, Bridge Loan Co., Inc., Bright Oiler Corporation, Brisbane Apartments, Inc., British American Finance Corporation, Brister Novelty Co., Inc., Britton Reynolds & Hanson, Inc., British Seaboard Finance Corporation, Bromo-Foam, Incorporated, Brooks Construction Company, Brooklyn Exhibition Company, Brooklyn Gas & By-Products Co., Brotherhood Industrial Association, Inc., Brookdale Improvement Co., Broomall Realty Co., Inc., Brooklyn Whistle Bottling Co., Inc., Bruce Fuel Gas Company, Brunham Realty Company, Buck & Co. of Washington, D. C., Buck Candy Company, Buckeye General Service Company, The, Buchanan Welding & Manufacturing Co., Bunn Auto Spring Company, Buffalo Acceptance Corporation, Bungalow Builders, Inc., Bully Boy Company, "Bullo" Cycle Scooter Control of America, Inc., Buffalo Chiropractic School, Inc., Bullion Canyon Mines Company, Builders' & Contractors' Finance Corporation, Budd Engineering Corporation, Building and Loan Journal, Inc., Building Materials Corporation, Builders System Corporation, Buffalo Steam Motor Bus Corporation, Builder's Thrift-Loan Corporation, Buran Art Studios, Inc., Bureau of Foreign Trade Extension, Inc., Burgoyne Light & Signal Corporation, Bur Products Corporation, Burgad Sales Company, The, Burke & James, Inc., Burlock Non-Skid Tire Corporation, Burley Oil Company, Burleson Oil Company, Burmah Sapphire Mine of Australia, Inc., Burton Auto Spring Mfg. Co., Burnwell Coal Company, Burnrite Coal Briquette Co., The, Bern-It Appliance Corporation, Burnar Manufacturing Company, Burnoil Oil Burner Corporation, Burrowlite Products Company, Burwood Projector, Incorporated, The, Business Credit Corporation, Business Methods Corporation, The, Butler Automotive Service Company, Atlanta, Inc., Buzzard Hill Mine, Inc., Byington Properties, Inc., Butler Plantation, Inc., Butler Specialty Company, Byrnes Travel Service, Inc.

C. B. Wuenschel Co., Inc., C. Bushman Smith, Inc., Calavada Copper Company, Caberfae Company, C. C. Whitnack Produce Co., California Commercial Refining Company, C. E. Rock Com-

## PROCLAMATIONS

pany, Inc., Caise Electrical Hot Water Heater Company, Inc., Calk-  
er Engraving Company, Inc., C. G. King Company, Cabanne Hold-  
ing Company, C. H. Steere Manufacturing Co., C. H. Beasecker  
Manufacturing Company, C. L. Eierman Company, The, C. M.  
Rodgers Company, Call Manufacturing Company, The, California  
Poultry Rancho, Inc., The, C. R. Cox Company, Inc., C. R. Felt-  
man & Sons Co., California Royalties Company, C. R. Pearce Com-  
pany, The, C. S. Warner & Company, Inc., California State Land  
& Development Company, C-T Radio Corporation, Campbell Oil  
Company, Capital Building Construction Company, Inc., Canokla  
Co-Operative Oil Co., Capital Coal Company, Inc., Capitol City  
Finance Co., Capital Development Corporation, Capitain & Fos-  
ter Company, Canadian Gold Mines Corporation, Capital Manu-  
facturing Company, The, Capital Producing & Refining Company,  
Canadian Road Co., Canonsburg & Washington Transportation &  
Amusement Co., Carbondale Coal Corporation, Carnot Company,  
Inc., The, Car Club Co., Caribbean Corporation, Caribou Mining  
Company, Carlton Manufacturing Company, Carolina Plantations,  
Inc., The, Carolina Properties, Incorporated, Carbic Process Cor-  
poration, Carbonizing Process Corporation, Carib Royalties Cor-  
poration, Carlisle Realty Company, Inc., Carolina Steamship Cor-  
poration, The, Carl Wilde, Inc., Carey and Walter, Inc., Carring-  
ton & Ricaby Finance and Construction Company, Carter Build-  
ing Incorporated, The, Cary and Company, Carver Chiropractic  
Institute, Incorporated, Carteret Oil Corporation, Cassius F. Zeit-  
low, Inc., Castle Kid Co., Inc., Central American Exploration Com-  
pany, Central Bus Co., Center Coal Company, Central China En-  
gineering & Trading Company, Cathcart-Cushman Rotary Motor,  
Inc., The, Central China Export Company, Kaufman and Clough  
Manufacturing Company, Central California Corporation, Cen-  
trifugal Engine Co., The, Cedar Gold & Silver Mines, Inc., Cen-  
tennial Lunch-Box Corp., Certified Mortgage Corporation, Cen-  
tral Oklahoma Gas Company, Central Oil Transport & Trading  
Corporation, Ceres Products Company, Central Producing and  
Refining Company, Central Roumanian Restaurant, Incorporated,  
Centennial Realty Co., Inc., Catino Realty Company, The, Catholic  
Religious Articles and Supply Company of Peckville, Pa., Central  
Reclamation Company, Certified Sales Company, Inc., Centennial  
Souvenir Manufacturing Co., Central Steel Manufacturing Com-

## PROCLAMATIONS

pany, Inc., Ceres Sales Corporation, Central States Oil Company, Cer-T-Fyd Products Company, Central Trading Company, Cel-U-Var Company, Cellulose Utilities Corporation, Chain Clothing Stores, Inc., The, Champion Export Corp. of America, Champion Oil & Gas Company of McKeesport, Inc., Challenge Transmission Corporation, Channel Building Corporation, Chas. C. Reed & Company, Chas. E. Berg Company, The, Charter Service Corporation, Checker Cab and Transportation Company, Chester Construction and Contracting Company, Cheney & Company, Inc., Chester Fiber Products Company, Chesapeake Haven Amusement Company, Chase, Incorporated, Chesapeake Plantation Company, Chetwovi Realty Company, Checker Taxi Co., of Worcester, Mass., Chemical Utilities Company, Chic-Chic Bottling Corporation, Chico Company, Inc., The, Chino Extension Mining Co., Chloride Gulch Mining Company, Chicago Hotels Corporation, Chicago Loan Co., Chile Ores Corporation, City Coal Company, Inc., Cini Dredging Company, Circus Day Nut & Chocolate Corporation, Cimina Mining Exploration & Development Corporation, Chu-Moar Gum Company, Christine Oil and Gas Company, Cincinnati Portland Cement Co., Christian Socialistic Union, Citizens Shopping System, Inc., City Sales Company, Inc., Chungking Terminal Company, City View Storage & Utilities Co., The, Clairemont Sealed Egg Corporation, Clark Construction Company, Claridge, Inc., The, Clarke & Johnson Co., Inc., Clayton Oil Corporation, Clarion-Pittsburgh Oil Co., Cleaver Company, Inc., Clemens Cotton Company, Cleveland Discount Company, The, Clermont Finance Corporation, Clewiston Iron Company, Clearmount Land Corporation, Clifford Automatic Train Stop Company, Cline Costa Co., Clifford International Corporation, Cloud Laboratory, Incorporated, Click-O-Cleaner Products Corporation, Clinch River Zinc Company of America, Clujo Securities Corporation, Coast Mortgage Loan Company, Coast Ozone Company, The, Coffeelator Corporation, The, Cold Spring Realty Company, Incorporated, Coleman Tube and Tool Company, Collateral Banking Corporation, College Theatre Corporation, Colonial Advertising Agency, Incorporated, Columbia Acceptance Corporation, Columbia Bond Company, Colony Bond and Mortgage Company, Inc., Columbia Felt Mills, Inc., Columbia Food Products Company, Inc., Columbus Furniture Company, Inc., Columbia Grafonola Parlors, Inc.,

## PROCLAMATIONS

Colt Motors Corporation, The, Columbia Oil & Exploration Company, Inc., Colonial Pictures Corporation, Community Amusement Association, Incorporated, Community Builders and Development Co., Inc., Compton Clay Products Co., Comtyl Corporation, Compo Corporation, Commercial Egg & Poultry Farms, Inc., Commonwealth Finance Corporation, Commercial Lumber Co. of Pennsylvania, Community Mixed Feed Mills Company, Commercial Mining Company, Commercial News Service, Incorporated, Comanche Pool Oil Company, Commonwealth Protective League, Inc., Commercial Petroleum Corporation, Commercial Realty Corporation, Concentrated Chemical Company, Concrete Inter-Locking Tile Corp. of Long Island, Coney Island Dips Company, Concrete Metal Molds Company, Conboy Process Company, The, Concord Villa Sales Co., Connellsville Coal & Coke Company, Conrad-Slifert Company, Incorporated, Consolidated Beverage Corporation, The, Consolidated Bakeries Company, Consolidated Construction Co., Consolidated Clay Corporation, Consolidated Cellulose Products Corporation of America, Consolidated Ethyl Solvents Corporation of America, Consolidated Manganese and Metal Corporation, Consolidated Mining Corporation, Consolidated Mexican Mines Corporation, Console Master Speaker Company, Consolidated Mortgage Corporation, Consumers Oil Burner Corporation, Consolidated Public Service Company, Consolidated Power Company of Vermont, Consolidated-Progressive Oil Corporation, Consolidated Steam Specialty Co., Consolidated Theatres Corporation, Consolidated Universal Corporation, Continental Bond Corporation, Continental Bond & Mortgage Company, Continental Book Company, The, Continental Development Corporation, Continental Development & Reduction Corporation, Contact Processes, Incorporated, Continental Screen Service Corporation, Continental Vending Machine Corporation, Cooperative Community Corporation, Cook Consolidated Coal Company, Cook Coal & Coke Company, Cookes Solder Company, Co-operative System Inc., The, Copake Lake Pure Ice Corporation, The, Cope Manufacturing Company, The, Copeland Oil Company, Coroneos Brothers, Inc., Corinth Compress Company, Corporation Finance Company of Missouri, Corinth Hardwood Flooring Company, Corning Light and Power Company, Coronite Manufacturing Company, Corporal Realty Company, Corporation Stock & Bond Registry Bureau,

## PROCLAMATIONS

Incorporated, Cote Brothers Manufacturing Corporation, Cosmos Chemical Union, Cott Corporation, Covert Company, Incorporated, The, Cotten & Henshaw, Inc., Covington Oil Company, Craft Interests, Incorporated, Crandall & Osmond, Inc., Crafton Oil & Gas Company, Craft Properties, Incorporated, Crescent Amusement Corporation, Crescent Laundry, Inc., Crescent Pharmacal Company, Inc., The, Crescent Securities Company, Credit Underwriting Corporation, Crown Consolidated Coal Corporation, Crown Extractor Company, The, Crucible Electric Steel Corporation, The, Crown Fuel Saver and Service Company, Inc., Crusader of Minnesota, Incorporated, Crysta-Rox Springs, Inc., Culm-Burn Equipment Co., Inc., Cuban Industries and Real Estate Company, Cumberland Improvement Company of America, Cuban Jeffries —Norton Corporation, Cuban Oil Development Company, Curtis Shirt Company, Inc., Cyclone Carburetor Corporation, Custer-Colorado Mining Company, Czecho-Slovak Trading Company.

Dairy Equipment and Container Company, D. K. G. Company, Dallas Upholstering and Manufacturing Co., D. V. Lynch, Inc., Darlington Provision Company, Inc., Davino Aerial Railway and Apparatus Company, David F. Shull, Jr., Inc., David Graham Fischer, Corporation, Davis Co., Inc., Davis Investment Co., Davy's Incorporated, Davis & Steele, Incorporated, Davis Textile Machinery Company, Davis-Westing Company, The, Daytona Bond and Realty Co., Day Manufacturing Company, Dawer Motor Safety Works, Inc., Dawn-O'-Day Mining Company, De Keir Three Heat Oven Corporation, The, De Mange Motors Corp., De Vizia-Weiss Construction Co., De Walt Sales Company, Deep Well Oil Company, Delling-Dobbins Company, Del'Marmol Radio-Phonograph Company, Inc., Delta Oil Company of Ohio, The, Delta Securities Co., Del-Way Oil Burners, Inc., Delaware Abstract Company, Delaware College of Beauty Culture, Inc., Delaware Moon Motors Co., Delaware Memorial Park, Inc., Delaware Nash Motors Company, Inc., Delaware Packing Company, The, Delaware River Club, Inc., The, Delaware River Holding Company, Delaware Title and Trust Company, Demonstration & Sales Palaces, Inc., Dentorrhea Laboratories, Inc., Des Arc Mining Company, Detroit Aero Metals Company, Derby Dome Wyoming Oil Company, Des Ouray Corporation, The, Di-Cast Condenser Corpo-

## PROCLAMATIONS

ration, Diamond Drilling & Exploration Company, The, Diamond Oil & Gas Co., Diaton Products, Inc., Diamond State Engineering Corporation, Diamond State Motors Company, Dixie Aluminum Development Corporation, District Building Company, Dimmock-Bogart Radio, Inc., District Construction Co., Inc., Dimm-Cogill Corporaton, Directograph Company, Inc., The, Dixie Development Corporation, Dilling Engineering Company, Dixional Food Corporation, Dixie Class Company, Divanna Grisolia & Co., Inc., Dixie Harbor & Terminal Corporation, Direction Indicator Company, District Manhattan Company, Dixie Melody Piano Co., Inc., Dixie Manufacturing Company, Director Publishing Corporation, Dixon Pipe Co., Inc., Dixie Radio Corporation, Directional Safety Signal Corporation, Dilator Syringe Foreign Rights Corporation, Dinger Shale & Clay Products Co., Distance-Speed Recording Company, Doctor A. Benjamin's Private Hospital, Inc., Domestic Consumers Coal Company, Dominican Contracting and Construction Company, Domestic Super Anthracite Corporation, Don Farnsworth and Association, Inc., Doty Boat Corporation, Dover Corporation, The, Dorsey Investment Company, Doty Products Company, The, Dover Realty and Investment Company, Double Seal Piston and Ring Company, Drug Company of America, Inc., Drinkwater Company, The, Drilling and Equipment Company, The, Drink O' Drink, Inc., Dry Zero Insulation Co., Duck Inn Corporation, Dunlevie Sales Corporation, Duplex Condenser & Radio Corporation, Duquesne Fuel & Supply Company, Duquesne Heights Coal Company, Inc., Dunn Oil Company, Duocrete Products Corporation, Duotone Radio Corporation, Durable Bond and Mortgage Corporation, Durant & Bispham, Incorporated, Dutchess County Lime & Manufacturing Co., Inc., Durus Corporation, Durand's Flower Shop, Inc., Dura Finishing Co., Inc., Duralite Manufacturing Company, Durfee Mineral Company, Durant Oil & Gas Company, Duray Radio Corporation, Dutilh Smith McMillan and Company, Durab Watch Company, Inc., Dyett Manufacturing Company, Inc.

East Coast Lighterage Corporation, East Coast Mortgage Corporation, East Coast Finance Corporation, East Cuba Production Company, Eastern Electric & Radio Corp., Eastern Electric Construction Co., Eastern Engineering & Manufacturing Co., Inc.,

## PROCLAMATIONS

E. Franklin & Co., Inc., E. F. Black & Co., Inc., E. H. Wetherbee, Inc., E. H. & H. W. Pape Company, The, East Indian Chemical Co., Inc., Earnest J. Kraus Co., Inc., The, E. Linwood Dashiell Company, Eagle Lake Land Co., Inc., E. M. Records & Company, Incorporated, East Mississippi Oil & Gas Company, The, Eastern Novelty Co., East Penn Iron Ore Company, Eagle Steamship Corporation, Eastern Stores Corporation, East Side Hotel Company, E. S. S. Land Company, Eastern Selling Company, Eastern States Corporation, Eagle Transportation Company, The, E. Wilson Securities Corporation, The, Eagle Washboard & Mfg. Co., E. Z. Pump Manufacturing Company, Eclipse Amusement Riding Device Corporation, Eberts & Company, Economy Fuel Appliance Corporation, Economy Folding Container Corporation, The, Eclipse Furnace Co., Inc., The, Economy Fountain & Supply Company, Inc., Eckhardt Medicine Company, Inc., Economic Shoe Cleaner Products, Inc., Egg Coal Co., Inc., Egyptian Coal Sales Company, Education Guild, Inc., The, Edward Hutchinson, Jr., Incorporated, Edgar L. Bales Co., Eezee Manufacturing Co., Inc., Eggleston Spiral Drill Corporation, Elevated Amusement Company, El Dorado Ribbon and Carbon Corporation, Electric Flow Meter Company, Electric Heating Systems, Incorporated, Elaine Hats, Inc., Elad Investing Corporation, Electric Light Radio Corporation, El Monte Cold Corporation, Elbert McGran Jackson, Inc., Electrical Merchandising Company, Elkay Oil and Gas Company, Electro Rock-A-By Crib Co., Inc., Electrolight Range Company, Electric Securities Development Corporation, El Salvador Cotton and Products Co., Electrified Water System of America, Inc., Electric Writing Machine Corporation, Ellis Pulp Process Company, Elmsford Shoe Co., Inc., Emlen Arms, Inc., The, Empire Building Corporation, Equitable Bond and Mortgage Company, Inc., Empire Collieries Company, Empire Coal Company, Endowment Corporation of America, English Construction Company, The, Enriquillo Company, Inc., The, Engineers Development Company, Engineering Employment Exchange, Inc., Endowment Finance Corporation, Equity Finance Corporation, Equitable Land Sales Company, Enterprise Mines, Inc., Emergency Mud Boot Company, The, Equity Oil Company, Equity Oil and Development Corporation, Empire Pressed Anthracite Company, Epso Products Company, Engineers Petroleum Company, Equitable

## PROCLAMATIONS

Radio Corporation, Empire Refrigeration Co., Inc., Empire Securities and Investment Corporation, Empire Southern Oil Company, Empire State Farmers, Inc., Empire Service Corporation, Endurance Steam Car Company, Equitable Title and Guaranty Company, Enterprise Wall Paper Company, The, Erben-Crowley Company, Inc., The, Eric Corporation, Ernest H. Brill, Inc., Ernest J. Moss & Co., Inc., Erlanger Kennel Club, Inc., Erickson Ridge Development Company, Inc., European Colonization Land Syndicate, Eskridge & Craise Oil Company, The, Eureka-Croesus Mining Company, Esmeralda Mining and Milling Company, Essano Oil Company, Esch Tubular Products Co., Every Day Item Company, Exchange Investment Corporation, Ezymo Manufacturing Co., Inc., Examiner Publishing Co., Inc., Extraordinary Pictures Corporation, Excleppo Products Corporation, Everglades Plantation Company, The, Export Rail Joint Company, Export Transportation Company, Inc.

F. A. Deupe Co., Inc., F. Blumenthal Company, F. E. Stockton & Co., Inc., F. F. Hedges, Inc., F. & H. Amusement Company, Inc., Falcon Mills Company, Fairview Milling Company, Fair Oil & Gas Co., F. P. Merritt & Co., Incorporated, Falls Production Company, F. R. Andree Publishing Company, Incorporated, Fairmount Realty Company, F. & W. Products Corporation, Farwell Baking Company, Far Eastern Exploration Company, Inc., Farmers Loan & Finance Corporation, Farmers' & Mechanic's Securities Corporation, Farm Service, Inc., Fashion Clothes Shops, Inc., Fashion Feature Studios, Inc., Fashion Lane, Incorporated, Fashion Lace Company of America, Federal Addressing Machine Corporation, Federated Bankers, Inc., Federal Coal Company, Fenner Drug Company, Federal Engineering Company, Federal Finance and Loan Corporation, Federal Fibre Company, The, Federal Industrial Loan Corporation, Federal Manufacturing Company, Federal Oil Company of Texas, The, Federated Radio Corporation, Federal Realty & Improvement Company, Feather River Mining Company, Federal Salvage Company, Inc., Federal Union Company, The, Fertax Company, The, Ferrell Roofing Co., Inc., Fifth Avenue & 57th Street Corporation, Fifth Avenue Properties Company, Inc., Fickett & Colby, Inc., Fidelity Excavation & Construction Co., Film Land Players, Inc., Fidelity Oil Company,

## PROCLAMATIONS

Fields Realty Co., Inc., Fidelity Service Plan, Inc., Fidelity Thrift Corporation of Pasadena, Fidelity Thrift Corporation of Santa Ana, Fidelity Thrift Corporation of Delaware, Finney Baking Company, Findley Coal Company, Finance & Development Co., First Federal Securities Co., First Florida Syndicate, Inc., Finance & Investing Corporation, Findeisen Motor Company, Inc., Finley Mining Corporation, First National Garages Corporation, First National Mortgage Guarantee Company, Fisher Brewing Co., Incorporated, Fisher Manufacturing Company, Flanders Corporation, The, Flanagan Coal Sales Company, Flachair, Inc., Flamova Lumber Company, Florida Acres, Incorporated, Florida Bond and Land Corporation, Florida Developing Corporation, Florida & Gulf Coast Exchange, Inc., Florida Holding Corporation of America, Florida Homes Financing Co., Florida Holding Corporation, Florida Investment Syndicate, Florida Investment & Mortgage Company, Florida Land, Loan & Investment Co., Florida Limited Syndicate Corporation, The, Florite Manufacturing Company, The, Florida Night Clubs, Inc., Florida Properties, Incorporated, Florida-Penn Lands Co., Fluid Packed Pump Co., Florida Realty Investors Corporation, Florida Realty Syndicates, Inc., Florida West Coast Syndicate, Fobark Sales, Inc., Founders Association, Ford Appliance Company, Founders Bond & Mortgage Corporation, Ford Cleaners, Inc., Forde Construction Company, Fountaine & Company, Inc., Foto-Fono Record Corporation, Fortune Foundation, Inc., The, Forest Grove Oil and Gas Co., Ford Harvester Company, Forest Hill Development Corporation, Foreign Language Publicity Corporation, Fort Meyer Land and Development Company, Forrest Mortgage Finance Company, Forest Nursery, Inc., Foxler Refining Corporation, Ford Robbins, Inc., Ford Rubber Company, Foreign Transport and Mercantile Corporation, Foreign Willite Road Construction Company, Fow & Logan, Inc., Franco American Mining Company, Franklin Bond and Mortgage Company, Inc., Franklin Brewing Company, Frank Davis, Incorporated, Frank Furedy Company, Inc., Frank J. Tuma & Co., Inc., Franklin Mortgage Company, The, Franklin Organization, Inc., The, Franklin Sales Company, Franklin Square Hotel Company, Fractionating Tower Company, Fraser Tablet Company, Inc., The, Frankford Wood Working Co., French Auto Dry Cleaning Company, Incorporated, French "Borvisk" Company, French

## PROCLAMATIONS

Bayes Petroleum Corporation, Freund Construction Co., Freeport Company, The, Frederick E. Adams Corporation, French Farms Marketing Association, Freund Plumbing and Heating Company, Froemke & Company, Fritzell Foundry, Inc., Fuhr-Barnes Manufacturing Corporation, Furniture Makers, Incorporated, Fuel Oil Engineering Corporation, Fuel Pep Corporation, Fuel Recovery Corporation, Fulera Tan Company.

G. A. T. Theatre Co., G. A. Hagstrom, Inc., G. Bauer & Co., Inc., Gailey Company, The, Gaines Coal Company, G. & L. Walter, Jr., Co., Gain Sales Corporation, G. W. Haberlin, Inc., Gas Bond and Share Corporation of America, Gateway, Inc., The, Gary Oil Corporation, Gasoline Production Corporation, Gartside Realty Corporation, Garo Safeties, Inc., Garo Sanders, Inc., Gasolene Sales Company, George A. Carr Company, Inc., General American Oil Company, George A. Martin, Incorporated, Georgia Building & Investment Co., Geist Company, The, Geltan Company, General Discount Corporation, Glorient Dip-Dyes Corporation, George E. Woods, Incorporated, George F. Ingram Company, General Fibre Corporation, George Graham Rice Corporation, Gernert Harrison Co., Inc., George H. Hall and Company, George H. Shinn Company, General Heating Appliance Company, General Mfg. & Electric Co., General Merchandise Supply Co., Geschke Millwork Company, Inc., General Merchandising Company, Inc., General Motors Truck Company of Washington, Ge-Nay Investment Co., General Navigation Company, General Operating Company, General Processing Corporation, General Packing Sales Corporation, General Petroleum Company, The, Gelfand Realty Company, Inc., General Refrigerator Line, Incorporated, General Railway Motor Car Co., The, General Radium Corporation, General Realty Company, General Steel Company, General Safety Signal Company, Gerosa Sales Corporation, General Sweets Corporation, General Trading and Equipment Company, General Tire Sales Company of Lancaster, Pa., The, George Washington Hotel Corporation, Geo. W. Blakeley & Co., Inc., Geo. W. Statzell, Inc., Gibson & Company, Incorporated, Gideon Mining Company, Gibson Quicksilver Company, Gibson-Sears Radio Corporation, Gibraltar Lubricating Company, Gilbert Leasing & Development Corporation, Gillies Motor Sales Company, Gierot Manufacturing Company, Gish Rubber Com-

## PROCLAMATIONS

pany, Gilbert Studios, Incorporated, Ginet Shale Education Process, Inc., The, Glasgow Consolidated Oil and Refining Company, Glenwood Dairy Farms Company, Globe Guarantee and Title Company, Glendale Granite Company, Glen Iron, Power and Tool Company, Glendale Mercantile Finance Corporation, Globe Vaudeville Agency, Inc., Gogebic Copper Co., Inc., Golden Aster Mines, Inc., Golf Ball Corporation of America, The, Gold King Mining Company, Goldeg Manufacturing Corporation, Gold Seal Stores, Incorporated, Golden Sceptre Mining Company, Gold Seal Oil Company, Inc., Gooddall and Church, Incorporated, Goose Creek Lumber Company, Goose Creek Oil Corporation, Good Housekeeping Stores, Inc., Good Housekeeping Stores Association, Inc., Goodwear Patent Leather Company, Gordon Silver Fox Selling Corporation, Gordon Utilities Company, Gradwohl & Company, Graham-Houle, Incorporated, Graham Laboratories, Inc., Grain Marketing Co., of Delaware, Graham Oil & Refining Company, Gray Auto Device Co., Graney Coliseum, Inc., Grau Distilling Company, The, Grass-Fiber Pulp and Paper Corporation, Grant Garage Company, Grand Piano Company, Greenridge Coal Mines Corporation, Great Del Norte Mining Corporation, Green Diamond Sales Co., Inc., Greater Detroit Theatres Company, The, Greene International, Inc., Great Lakes Industrial Service Co., Inc., Green & Medill, Inc., Great Northern Realty Company, Incorporated, Great Northern Cooperage Company, Inc., The, Green River, Ky., Coal Company, Grease Spot, Incorporated, The, Green Stores Company, The, Greater San Francisco Theatres, Inc., Great Southern Development Co., Inc., The, Greater South Land Corporation, Great Western Finance Corporation, Great Western Motors, Inc., Greysolon Manors, Incorporated, Griscom & Company, Grissinger Corporation, Griesemer Oil Burner, Inc., Griswold Oil Corporation, Griffith Patents Company, Griffith Worm Gear Company, Grocers Baking Company, Grocers Co-Operative Co., The, Groh Engine Company, Growers Finance Corporation, Gypsum Corporation of America, Guarantee Development Company, Guardian Electric Corporation, Gulf Gas & Power Company, Gunther, Inc., Guaranty Investment Co., Guy M. Koatley, Inc., Guaranteed Pictures, Inc., Gunton Park Anthracite Collieries, Inc., Guadalupe Power Company, Gulf River Amusement

## PROCLAMATIONS

Company, The, Gulf Transport & Trading Co., Guy Willard Company.

H. B. Moeser Agency, Incorporated, H. Earle Wright Finance Corporation, H. E. Kelly Sales Company, Inc., H. H. Allyn Rubber Corporation, Hadley, Inc., H. J. Mallen Corporation, H. M. Lynch Corporation, H. Parkin Magneto Co., Inc., Hadden-Woodin Company, The, H. W. Dubiske & Company, Haigh Converting Co., Inc., Haiti Corporation, Halverson Engineering Company, Hale Realty Corporation, Hallstead Foundry, Inc., The, Halogen Laboratory, Inc., Hall Natatorium Construction Company, Halco Oil Company, Halden & Woods, Incorporated, Hamilton Brick Company, Hammond Engineering Company, Hamilton Hosiery, Inc., Hamblin Motor Company, Hamilton Radio Corporation, Hand-E Spark Plug Corporation, Hanford Hotel Company, Washington, D. C., Hansman Motor Company, Hansen, Theatres, Inc., Hardstone Brick & Tile Co., of Ill., Harbor Coaling Corporation, Harbor District Mortgage and Finance Company, Harrington Adams, Inc., Harris Brothers Company of New York, Harrisburg Co-operative Market & Garage, Inc., Harry C. Taylor Co., Harrison Cole Corporation, Harry J. Crean, Inc., Harris Jewelers, Incorporated, Harry Kapneck Company, The, Harrison Land & Orchards Co., Inc., Harry Nichter, Incorporated, Harris Petroleum Company, Harvey G. Knuth, Inc., Harvard-Miami Associates, Inc., Haskell Drilling Company, Haulsee Royalty Corporation, The, Haynes Company, Hayselden-Mabry Land and Development Corporation, Sedwig Finance & Development Corporation, Heath-Hill Petroleum Company, Hecla Oil & Refining Co., Inc., Heckman-Vogt Company, Healing Waters, Incorporated, Heins Concrete Company, Heis Company, The, Helen Marie, Incorporated, Henry A. Kessel Co., Inc., Henry F. Vortkamp and Company, Inc., Henderson Tire Reclaiming Company, Inc., Herbener Corporation, Herr Dump Car Manufacturing Co., Herald Harbor Light & Water Company, Herald Harbor Construction Corporation, Herald Hills, Inc., Hess Motors Corporation, Heteroplex Radio Corporation, Hiddenend Belt Corporation, Highland Glades Farms Company, Hi-Heat Gas Company, Hicks Loan & Investment Company, The, Hi-Speed Air Pump Co., High Tension Mfg. Co., The, Hilton-Garris Mfg. Co., Inc., The, Hill-Mill-Dairy Products, Inc., Hill-

## PROCLAMATIONS

Pierce Oil & Refining Co., Hillside Quarry Co., Inc., Hitchcum Pictures, Inc., Hines Signs, Inc., Hodges, Incorporated, Hodgess and Sons Electric Corporation, Hogle Products Co., Hoffman's Park Theatre, Inc., Hollywood Commerce Finance Corporation, Hollywood Credit & Discount Corporation, Holden Construction Company, Hollingwood Dyeing Corporation, Holden, Howe, Gould & Company, Incorporated, Holland Realty Company, Inc., Holtzclaws Cigar Store, Inc., Holstein Harvey-Fayette Company, Home Builders' Service Corporation, Homes Corporation, Hope Company, The, Hopewell Furniture Company, Home Mortgage and Finance Company, Home Remedies, Incorporated, Hoover Scale Company, Hoopes and Townsend Corporation, The, Hoopes & Townsend Steel Company, The, Horner-Burkholder Coal Company, House of Bonshaw, Inc., The, Hot Creek Consolidated Mines Company, Household Devices, Co., Houston Poultry Farms, Inc., Houston Trading Company, Houston Utilities Incorporated, Howard D. Ross & Co., Inc., Howard Furniture Company, Howden Lake Planting Company, The, Hubbard-Doyle Laboratories, Inc., Hub Furniture Company, Huber Grate Bar and Stoking Company, Hubbell Mfg. Co., The, Hudson Oil and Gas Company, Hughesville De-Tektor Radio & Cabinet Co., Hulst Lead Company, Hume-Patterson Company, Incorporated, Huron Copper Mining Company, Hunter Crucible Steel Co., Hunan Lead Corporation, Hunt Miller Western Productions, Inc., Hunter Railway Equipment Company, Hy-Grade Auto Supplies, Inc., Hutchinson & Hoey, Inc., Hydroil Process Corporation, Hydro Refrigerator Company, Inc., Hutchison Regulator Company, Hypergraph Sales Co., Inc.

Ideal Appliances Company, Inc., Imperial Auto Company, I-Deal Direct Company, Imperial Fruit Products Co. of America, The, Imperial Gold Mining and Milling Co., Idle Hour Outing Club, (Incorporated), The, Ibex Oil Company, The, Ichthyolitic Products Corporation of America, Ideal Purchasing Corporation, Imperial Realty Company, Ichang Steamship Company, Inc., Importers Securities Company, Ideal Sash Supporter Company, Idaho Willite Company, I. X. L. Clothing Company, Insurance Agency of Phila., Inc., Industrial Box Lunch Company, Inc., Insular Coconut Company, Incorporated, Independent Coal Corporation, Inventive Development Co., Industrial Exchange Building

## PROCLAMATIONS

Company of Southern California, Integrity Finance National Corporation, Investors Finance Corporation, Indiana Food Products and Ice Company, Investment and Finance Company of Brightwood, Independent Film Corporation, Industrial Gas Service Corporation, Independent Garment Mfg. Co., Investors Income Corporation of America, Instant Lubricating Corporation, Interior Lumber Company, Independent Light and Power Company, Independent Material and Supply Co., Industrial Mortgage & Credit Corporation, Independent Oakoal Co., The, Insular Plantations, Inc., Indra Pearl Co., Inc., Industrial & Realty Finance Corp., Incorporated Sales Corporation, Insurance Service Company, Incorporated, Industrial Securities Corporation, Independent Theatres Corporation, International Adjustment Corporation, International Amiesite Co., The, International Advertising Syndicate, International Brass Goods Corporation, International Bond & Mortgage Co., Inc., International Candy Co., Interstate Construction Company, Inter-City Development Co., International Cotton Refining Corporation, International Carbide Light Company, International Electro-Centrifugal Process Corporation, International Electric Company, International Fur Dressing and Dyeing Corporation, International Fuel & Iron Corporation, Interstate Gasoline & Supply Company, International Gas Corporation, International Hockey League of America, Inc., Interstate Hotel Company, International Land Development Corporation, International Loan and Finance Company, International Lead, Zinc & Coal Company, International Linen Company, International Mines Corporation, International Mahogany Company, International Molasses Corporation, Intercoast Mortgage Company, Inc., Interstate Oil & Refining Co., Inter-Ocean Sales Corporation, International Oil Products Corporation, International Ore-Separation Company, International Oil and Gas Corporation, International Petroleum and Refining Corporation, Interstate Public Service Corporation, International Producing and Refining Company, International Products Steamship Company, International Rubber Company, International Realty Corporation of America, International Rayon Corporation, Interstate Restaurant Supply Corporation, Interstate Refineries, Incorporated, International Salvage Corporation, International Secret Service Corporation Europe and America, Interstate Steel and

## PROCLAMATIONS

Supply Company, International Steel Cross-Tie Company, International Salesman Inc., The, Inter-State Safety Appliance Company, Inc., International Sugar Refining Company, International Securities Company of New Jersey, International Tobacco Products and Exhibiting Corporation, International Table Decoration Co., Interstate Trucking Corporation, International Transmission Corporation, International Tobacco Corporation, Interstate Textile Manufacturing Company, Italo-American Drug Company, Ivori-Craft, Incorporated, Iron City Oil Gas & Drilling Co., Iroquois Famous Indian Remedies, Inc., Iowa & Nebraska Land Company, Irene Summerly Players, Inc.

Jaeger Automatic Machine Corporation, James A. Silber & Co., J. & A. Company, J. B. Thompson Co., Inc., J. C. Cassel Company, Jato Corporation, The, Jaja Corporation, The, Jane Easy Washing Sales and Service Co., J. Eastman Thomas, Inc., J. E. J. Slip Ova-Alls Company, J. G. Kuenzinger Rim & Manufacturing Company, Jacob Gerhardt & Company, Incorporated, Jajac Holding Corporation, J. Harry Link Music Company, Inc., The, J. K. Baker Co., J. Leidy Tatem Secret Service & Detective Agency, Inc., J. Maury Dove Estate, Incorporated, Jackson Mining Company, James M. Whealan, Inc., James M. Sebring Corporation, The, J. P. Sauer & Son, Inc., J. P. Johnston and Company, J. P. Howells Construction Company, J. R. & J. A. Whelan, Inc., James S. Mason Corporation, James Sawyers & Co., Incorporated, J. Y. Clark Specialties Manufacturing Company, Inc., Jeffries Automatic Service Company of New York, Inc., Jeffries Automatic Service Company, Jefferson Compress Company, Jeffries Lease Distributing Company, Inc., Jefferson Mortgage Company, Jefferson Products Company, Jiffy Products Corporation, Jefferson Park Company, Inc., John A. Schucherb, Incorporated, John Allen Coal Company, John A. Thompson Company, John A. Disitro, Inc., John C. Shipp Co., John F. Lecarpentier, Inc., John G. Clements Co., Johnstown Home Builders, Inc., John J. Harris Hardware Company, Inc., John J. MacDonald Company, Johnson Kitchens, Inc., The, Joesting-Miller Realty Company, Johnston Oil & Gas Co., Inc., John Rock Hosiery Company, Inc., Joseph Cruda Grocery Co., Jos. J. Wilhelm & Co., Jordan Radio Company, Inc., Jop-Top and Body Company, Joseph Thomas Company, Jos. W.

## PROCLAMATIONS

Jones Radio Mfg. Co., Inc., Juan Alonso & Co., Judmor Investment Company, Justice Motor Company, Justice Publishing Company, Jupiter Publishing Co.

Kaess Aircraft Engineering Corp., K. G. Snyder and Brother Company, Kake Kup Kompany, Kapner Company, The, Karner & Company, Kansas City Aquarina Corporation, The, Kansas City Airways Transportation Co., Inc., Kansas City Steel Corporation, Kansas City Broom & Supply Company, Kansas City Refrigerator Company, Kant-D-Kay Products Company, Karsch Financing Company, Inc., Kansas-Manhattan Corporation, Kaw Milling Company, The, Kan-Tex Oil & Gas Co., The, Keffer Company, The, Kelsey City Ice Co., Kemozone Corporation, Kelbay Corporation of America, Kellogg Holding & Operating Corporation, Kellner Konzern, Inc., Ken Holding Corporation, Kensington Mills, Inc., Kentucky Oil Producing Company, Inc., Keystone Beef Company, Keystone Coal Corporation, The, Kershaw Coal Company, Keystone Fox Farm, Incorporated, Kew Ideal Pump & Mfg. Co., Keystone Iron and Steel Works, Inc., Keystone Oil and Gas Company, Inc., of Jonesboro, Ark., The, Keystone Poultry Farms, Incorporated, Keystone Power Corporation of Delaware, Keystone Ranger Developing Company, Kewaskum Silver Black Fox Co., Keystone United Corporation, Keystone Wire Goods Company, Kiefer Bros. Products Corporation, Klizo Chemical Corporation, Kimball Motor Truck Corporation, Kic-Nic Products, Inc., Kimmig Puratron Manufacturing Company, Kiddies Thrift Clubs of Washington, D. C., Kiamichi Valley Oil and Gas Co., The, Kirkwood Collieries, Inc., Kingsland Manufacturing Corporation, Kinport Mercantile Company, Kincaid Mercantile Company, King Manufacturing Co., Inc., Kittanning Plate Glass Company, Kitchen & Royer, Inc., King Royalty Company, Incorporated, Kleber International Telegraph Typewriter Co., Klenzall Manufacturing Co., Kleber Printing Telegraph Company, Klis Rayon Corporation of America, Klean Way Damp Dry Laundry, Inc., Knight Hardware Specialties Company, Kno Kus Komin Korporation, Inc., Knickerbocker Market Company, Inc., Knapp Oil Company, Kolwold Corporation, Kover Kwick Manufacturing Corporation, Kopara Manufacturing Co., Inc., Kompact Products Corporation, Kramedas Brothers, Inc., Ky-In-Do Manufacturing Company.

## PROCLAMATIONS

Lake Apopka Land Company, L. A. Vacuum Ice Co., Lake Apopka Groves Company, Inc., The, L. B. Smyser Company, Inc., Lafayette Bond and Mortgage Company, Lake Champlain Stock and Fur Farms, Inc., Lake Erie Steamship Company, The, L. E. Newport, Incorporated, L. G. Bradstreet, Inc., Lake Hammock Plantation Company of Florida, La Izola Mines Company, La Luz Mexican Mines, Inc., L. M. Bowman Company, Inc., L. M. Umstead & Company, Inc., La Paz Oil Corporation, L. R. Roberts Typewriter Company, L. R. Donehue Corporation, Lacrosse Sanitarium Co., La Scierie Desjardins & Fils, Inc., Lakeville Salt Co., Inc., Lahey Switch & Guard Rail Company, Lahadu Vendor Company, Inc., Lamson Asphalt & Chemical Company, Lamoka Coal Company, Lande Film Company, Land Products Company, Latin American Fruit Corporation, Latin American Finance Co., Latrois Chemical Co., Lathan Products Corporation, (Limited), Laurelux Corporation, The, Laurel Finance Company, Laurel Produce Company, Lawrence Brothers, Inc., Lawrence Company, The, Lawyers Mortgage Corporation, Lawrence Petroleum Company, Lazar Shadowless Light Corporation, Leading Players Producing Co., Inc., Leavitt Radio Corporation, Lee Contracting & Construction Co., Leeds Chemical Company, Leesburg Gas Coal Company, Leflore Products Co., Inc., Lehigh Athletic Club, Lehigh Building & Supply Company, Lehigh Coal & Hardware Company, Inc., Lehigh Valley Cotton Yarn Company, Leonte Realty Company, Lever & Company, Lewis Aircraft Terminals, Inc., Lewes Gas Company, Lewis Manufacturing Co., Lewis Oil and Gas Company, Lewis Oil Company of Oklahoma, Lewes Packing Company, Lighthouse Bakery & Restaurant Co., Inc., Liberty Bell Fish Co., Liberty Coal & Supply Co., Inc., The, Life Crude Oil Company, Liberty Finance & Guaranty Corporation, Liberty Holding Corporation, The, Lieber's Laboratory, Inc., Liberty Petroleum Company, The, Li-Sig Corporation, Liberty Tours Company, The, Lincoln Automobile Association, Lincoln Educational Legion, Inc., Lincoln Hotel Corporation, Lincoln Highway Motor Company, Linter Improvement Corporation, Linn Motor Device Co., Lincoln Properties Corporation of Detroit, Lincoln Radio Research Laboratories, Inc., Lincoln Realty and Amusement Corporation of America, The, Lincoln Soap & Chemical Company, Lithuanian American Trading Company, Liquid Bleach Corp. of America,

## PROCLAMATIONS

The, Little Rock-Picron Industrial Company, Lipault Radio Corporation, Local Industrial Loan Company, Lojacono Cane Planter Company, Lomen Reindeer and Trading Corporation, Lopac Automobile Repair Co., Long Beach Mercantile Finance Corporation, London Button Corporation, Longwich Securities Corporation, Louisiana Clay Products and Utilities Company, The, Louisiana Coast Land Company, Louis Machinery Corporation, Louisiana Oil Exploration Company, Inc., Lovella Petroleum Company, Louisiana Production Co., Lovelle Silver Mining Company, Louis V. Barach and Company, Loyd Battery Company, Lowell Investment Company, Ludwig Brothers, Incorporated, Luxor Cab Operating Corporation, Luxor Cab Manufacturing Corporation of America, Luxor Cab Manufacturing Corporation, Luse Land and Development Company, Lubrication Products Corporation, Luthi Trading Co., Inc., Lund-Williams Shoe Company.

M-C-B Corporation, MacDonald Bros., Inc., M. D. Adelson, Inc., Maceys, Inc., Mack-Landis Vacuum Gear Shift Company, M. O'Bannon Manufacturing Company, Inc., The, Machine Postage Service, Inc., Macbarn Printing Corporation, M. Yanks Home Savings Plan, Inc., Magnus Electric & Radio Mfg. Corporation, Madison Kedzie Company, Madras Marble Co., Inc., Madgar Realty Company of Pennsylvania, Maddox Trenholm and Company, Majestic Adjustment & Investigating Company, Mahoning Corporation, Majestic Chemical Co., The, Main Gas and Petroleum Corporation, Main-Los Angeles Arcade Building Corporation, Maison Leone, Inc., Majestic Royalties, Inc., Malone & Company, Manufacturers' Bond and Mortgage Corporation, Manganese Corporation, The, Manocchia Cigar Company, Manvoll Corporation, Manufacturers & Druggists Sales Service, Inc., Manufacturers Equipment Company, Manufacturers Lumber Company, Manley Life Boat-Releasing Device Company, Incorporated, Manufacturers and Merchants Discount Company, Manchester Mining Company, Manufactured Products Corporation, The, Manufacturers Sales Corporation of Pennsylvania, Manganese Steel Products Corporation, Mannix Securities Corporation, Manufacturers Tobacco Machinery Corporation, Marathon Corporation of America, The, March Corporation, Marbalite Company, The, Marion County Coal and Iron Corporation, Margaretta May Inc., The,

## PROCLAMATIONS

Maritime & Merchants Protection Company of Louisiana, The, Margaretta Oil Company, Marble Reduction Corporation, Marathon Syndicate, Marble Specialty Corporation, Mariette Shoppe, Inc., Marlboro Brook Poultry Farm, Inc., Marnhout Basket and Importing Corporation, Marsene Corporation, Marlborough Hotel Company, Market Street Beef Company, Market Street Warehouse Company, Maryland Antique Corporation, Mary Maddaleni Films, Inc., The, Maryland Pure Products, Inc., Marvel Paint Stores, Incorporated, Marvodyne Radio Corporation, Mary's Realty Company, Marillyn Silk Mills (Inc.), Maryland Soap Company, Inc., Martha Washington Markets, Inc., Mason City Building Co., Mason Grills Holding Corporation, Master Battery System, Inc., The, Massachusetts Corporation, The, Massapequa Homes, Inc., Master Tobacco Pouch Company, Mayfield Beverage Company of New York, Mayfield Beverage Co. of Pa., Matthews Coal Company, Mayflower Garage Co., Inc., Mayhew Kovats and Ehrhart, Inc., Mayolian Radio Corporation, Meierhans Aircraft Landing Corporation, Mechanical Merchandising Machines, Inc., Medal Pharmacies, Inc., Mechanical Refrigeration Company, Memphis Service Bureau, Inc., Men's Service Shop, Inc., Mercury Body Corporation, Mercoline Corporation, The, Mercedes Corporation, Meridan Petroleum Corporation, Mercury Refining Company, Merit Sales, Incorporated, Merchants Syndicate Publishing Corporation, Merced Tomato Products Company, Merchants Wholesale Grocery Company, Metropolitan Lunch Company, Inc., Metals Syndicate, Inc., Mexico-American Holding Corporation, Mexican Investment Company of America, Mexes Indian Medicud Company, The, Mexican Kapok Company, Mexican Syndicate, The, Miami Acres, Inc., Micro-Chromatic Screen Corporation, Midland Empire Holding Company, Miami & Florida State Realty Company, Inc., Middletown Farms, Incorporated, Midcontinent Cement Company, Mica Products Corporation, Midcontinent Royalty Company, Mid-State Steel and Iron Corporation, Mid-State Petroleum Corporation, Middlesboro Trent Corporation, Middle West Poultry Farm, Inc., Midwest Willite Company, Mid-West School Furniture Company, Miles Clothing Shop, Incorporated, Miles Plastic Bronze Co., Miller Advertising Corporation, Miller-Joesting Company, Miller Mining and Smelting Company, The, Miller's Twin Wedge Piston Ring, Inc., Mines Appraisement Cor-

## PROCLAMATIONS

poration, Miniature Candy Stores, Inc., Minnesota Carbon Black Company, Mimo Corporation, The, Mines Development Association, Minerva Film Company, Minrose Finance Company, Minn-John Company, Minute Maid Corporation, Mineral Products Corporation, Mission China Company, Missouri Motor Equipment Corporation, Modern Bag Dusting Machine Company, Modoc Commercial Corporation, Modern Finance Company, Modern Gin Compress Company, Mobile Machine Works, Inc., Modern Stores Corporation, Molloy-Cooke Lumber Co., Inc., Moline Finance Company, Mollie May Series, Inc., Moffitt-Murphy Oil Company, Mogul Rubber Company, Monarch Corporation, The, Monte-Cristo Mining Co., Monarch Coal Corporation, Montague Corporation, Monessen Flower Shop, Inc., Monarch Marine Construction Company, Monumental Mortgage and Security Company, The, Monterey Pharmacy, Inc., The, Monroe Style Shops, Inc., Moon Oil Company, Moore-Haven Development Company, Moose Mining Company, Moore Process Chemical Company, Inc., The, Moore Steam Vehicle Company, Moore Tire and Rubber Company, Moreland & Donovan, Inc., Moran's Inc. of N. Y., Mor-Wal, Inc., Morris-Lintott Motor Company, Incorporated, Morgan Metal Products, Inc., Morrison Newspaper Enterprises, Inc., Morrison Storage Co., Mortgage Finance Securities Company, Motorists Co-operative Association of America, Motor Control, Inc., Mototeria Food Company, Inc., Motors Finance Corporation of Wilkes-Barre, Pa., Mother Hubbard Cupboards, Inc., Motive Lubricant Corporation, Mother Murphy, Incorporated, Motion Picture Producing Corporation, Motor Sales Company, Motorway Tours, Inc., Mount Airie Coal Mining Co., Inc., Mount Hope Mausoleum Company, Inc., Mount Vernon Investment Company, Multi-Hydraulic Motor Company, Multiple Sales Company, Munn Brothers, Inc., Municipal Cleaners and Tailors, Incorporated, Municipal Construction Company, Municipal Properties Company, Murdock Machine Corporation, Murray Metals Corporation, Mustang Petroleum Company, The, Musselman-Philips Corporation, The, Mutual Automobilists Co-Operative Association, Inc., Myers Contracting Co., Mutual Commissary Corporation, Mutual Motors, Incorporated, Mutual Merchants Association, Myrin Oil Company, Myers Radio Tube Corporation, Mutual Shirt Sales Corporation, Mutual

## PROCLAMATIONS

Stores, Inc., Myers Supplies, Inc., Mutual Sales Corporation, Mutual Securities Company, Mutual Truck Corporation, The, Mines Prospecting Company.

McAllister Coal Company, McAlpine Utilities Corporation, McCurdy & Mac Whorter, Inc., McCraw-Perkins Company, McCorkle Pipe Line Company, The, McDonald Construction Company, McDermott Consolidated Oil and Gas Company, MacDonald Steam Automotive Corporation, McFarland Storage Company, McIntosh Development Company, McKeown's Gasoline Stations, Inc., McNab Corporation, McShain Motors, Inc., McViker Rail-clamp Tieplate Co.

Na-Dell, Inc., N. & L. Finance Company, Natatorium Corporation of America, National Amusement Device Corporation, National Automobile Service Corporation, The, National Asphalt Block Corporation, National Activities, Inc., National Automobilists Service Association, National Building Products Company (Inc.), National Boulevard, Inc., National Confection Service Company, The, National Cooler & Ice Company, National Capital Construction Company, National Confections Corporation, National Cordage Corporation, National Coal Distillation Company, National Carbon Lubricator & Accessories Co., Inc., National Coal By-Products Corporation, National Consumers' Stores, Inc., National Corporation, The, National Drug and Chemical Co., Inc., National Duco Instruction Shops, Inc., National Digest Co., Inc., National Equipment and Transportation Co., National Electric Products Company, National Eg-Preserva Oil Corporation, National Funding Service Corporation, National Farm Machinery Manufacturing Company, The, National Finance Company, National Finance and Investment Corporation, National Film Corporation, National Gas Corporation, National Hockey League of America, Inc., National Institute of Business Administration, (Inc.), National Legislative Research Bureau, Inc., National Lyceum System, Incorporated, National Mercantile Securities Corporation, National Mortgage Corporation, National Meat & Grocery Co., National Proprietary Products, Inc., National Properties Company, National Publishers Corporation of America, National Protective Asso., National Radium Corporation, National Repub-

## PROCLAMATIONS

lican Club Company, National Railroad of Cuba Company, National Resources Corporation, National Steel Construction Corporation, National Swimming Pools Corporation, National Service Enterprises, Inc., National Securities Holding Company, National Securities Bonding Corporation, National Theatres, Inc., National Traffic Signal Corporation, National Tailors, Inc., National Tourist Homes, Inc., National Transportation and Investment Corporation, National Tin-Plating Co., National Utilities Corporation, National Wave Motor Company, The, Nealon Pen Company, Neely Carbonates Corporation, Needlo Craft Manufacturing Company, Neilson Construction Company, Incorporated, The, Nelson Company, The, Neill, Incorporated, Neha Refining Company, Nettie B. Silver Fox Farms, Inc., The, Neo-Chroma, Inc., Nevada Copper Co., Neo Land Co., Neptune Meat Packers, Inc., Nevada Willite Company, New Connaught Manor, Inc., Newton County Investment Co., Inc., Newton Cab Manufacturing Corporation, Newark Company of New Jersey, Inc., The, New Castle Garage, Inc., New Castle Coal Company, New Century Literary Bureau, Inc., New Dominion Amiesite Company, New England Guaranty Corporation, New Era Steel Company, New Jersey Brick, Tile & Marble Co., Inc., New Jersey Holding Corporation, New Jersey Processing Corporation, New Jersey Products Corporation, New Jersey Hides and Tallow Company, New Laurel Inn, Inc., The, New Mexico Oil Exploration Company, Newton-Mitchell Company, Newkirk Oil and Refining Company, New Process Compound Co., Newport Radio Corporation, New South Wales Gem Co., Inc., Newman-Sharp Oil Corporation, New York Bond, Mortgage and Holding Corporation, New York-Texas Syndicate, Inc., The, New York Tobacco Corporation, The, New York and Suburban Realty Corporation, New York Butler Automotive Service Company, Incorporated, New York Radio Company, New York Store, Inc., New York-Florida Corporation, New York Bank Stock Corporation, N. Y. & Ark. Oil & Gas Co., New York Sales Co., Inc., New York-Florida Navigation Corporation, Nichols and Beckett Construction Company, Nichammer Development Company, Nihciwan Iron Company, Niagara Oil Corporation, Nickells-Rowland Co., Nichols Wheel Tire—Tube Corporation, Nilsson Construction Company, Noco-Mexican Oil Company, Noco Petroleum Company, Non-Explosive Corporation of America, North

## PROCLAMATIONS

American and British Funding Corporation, North American Distributors, Inc., North American Oil Company, North American Oil & Refining Corporation, Northern Contracting and Electric Company, North Carolina Finance Corporation, Northwest Distributing Corporation, Northwestern Development Co., Inc., Northwest Farms Corporation, Northwestern Finance Corporation, The, Northwest Finance Corporation of Minnesota, Northwest Grade Cow Market, Inc., Norwood Paper and Paper Stock Company, Inc., Northern Pennsylvania Oil & Gas Co., Northwestern Radio Corporation, Northwestern Realty & Holding Company, Northland Radio Company, North Star Development Company, Northwest Speedway, Inc., Northern Theatre Company of Detroit, Note Loan Company, Inc., Nosrac Oil & Gas Company, Nautolife Company, Inc., The, Nutractor Motor Company, Nyark Petroleum Corporation, Nu-Way Oil Burner Corporation.

Oakland Commerce Finance Corporation, Oakland Consolidated Oil Co. of Delaware, Oakland Development Company, Oak Lane Knitting Mills, Inc., O'Neill & Block (Inc.), Oasis Oil Company, Ocean Leather Co., Inc., The, Occidental Oil Corporation, Ochre Producers, Inc., Odolog Company, Odorkure, Inc., Odin Oil Company, Oilsurance Corporation, Oil Combustion Corporation, Oklahoma Drilling & Production Co., Inc., Oil Lease Investment Co., Ltd., The, Oil-O-Matic Heating & Sales Co. of Pittsburgh, Okeh Oil & Refining Company, Okmulgee Petroleum Corporation, Ohio Valley Sand and Gravel Company, Oklahoma Western Oil & Gas Company, Oil Well Tool Company, Olympic Auditorium, Inc., Old Colony, Incorporated, Old Kentucky Syndicate, Olympia Oil & Refining Co., Oliver Oil Company, The, Olympic Rubber Company, Inc., The, Opportunity Development Corporation, The, One-Way Garages of New York, Inc., "One-Way Garages, Inc." Orrison Coal Company, Inc., Oro Grande Development Company, Ornamental Iron & Bronze Company, Orgasco, Incorporated, Oronogo Mining Co., Orinoco Oil Exploration Corporation, Oriental Shipping News Company, Oregon Theatres, Incorporated, Oriental Trust Company, Ltd., Orange Well, Inc., Oregon Willite Company, Osage-Foraker Oil Co., Osburn Motor Car Corporation, Osburn Paper Company, Osborn Pharmaceutical Laboratories, Inc., Otello and Bitmo Corporation, Otis E. Taylor, Inc., Outlet

## PROCLAMATIONS

Merchandise Company, The, Oval Basin Coal Co., The, Oxagine Chemical Manufacturing Company, Ozark Concentrating Company, Oyster Dairy Company, The, Owenwood Distributing Company, Overhead Door Sales of Allegheny County, Inc., Ozark Mines Company, Owens Manufacturing Company, Overbrook Motors Corporation, Ozarkansas Oil Corporation, Owen Park Industrial Exhibition, Inc.

P. A. B. Alarm & Lock Corporation, P. A. Marvel Co., Inc., The, Pacific Beach Hospital, Incorporated, Pacific Builders and Business Properties, Inc., Pacific Coast Air Drying Company, Pacific Industries Corporation, The, P. J. Holdsworth & Co., Pacific Lime and Cement Corporation, Pacific Motors Export Company, Pacific Meat Products Co., Pachanga Mineral Water Sales Co., Inc., Pacific and Orient Company, P. & S. Electric Heater Company, Pacific Trading Company, The, Pagoda Restaurant Corporation, Pan-American Timber Company, Palm Beach Everglades Farms Company, The, Palmer Engineering Company, Inc., The, Panama Land & Development Company, The, Palestine Merchant Marine, Inc., Pan-Pharmaceutical Corporation, Palmland Sales Co., Paramount Auto Painting Company, Inc., Paris Apparel Shop, Inc., Parkway Apartments Corporation, Parker Appliance Company, The, Paramour Chain Theatres Corporation, Park Eastern Mining Company, Park Enterprises, Inc., Park Haven Association, The, Parfitt Investment Co., Inc., Pardoe Lock Company, Inc., Park O. Cover, Inc., Paramount Publications, Inc., Parker Realty Company, Paragon Sales Co., Paschall Brothers, Inc., Payne & Bond, Inc., Paynter Corporation, Paul's Hair Shop, Inc., Patent Holding and Operating Company, Pasadena Income Properties, Inc., Paylor Photoplay Corporation, Payne Shipping Co., Inc., Peerless-Bond Radio Corporation, Peerless Cosmetics, Inc., Peerless Coal Company, Pearl Improvement Corporation, Pearson Motor Company, Incorporated, Pearson Motor Car Company, Inc., Pecos Valley Oil Syndicate, Inc., Peerless Washing Machine Corporation, Pelee Island Hotel Company, The, Pelham Terrace Corporation, Penn-American Motors Corporation, Pennsylvania Artificial Limb Company, Pennsylvania-Berea Company, The, Penn-Beaver-Texas Oil Co., Penn-California Sales Company, The, Pennsylvania Contract Purchase Corporation, Penn Trans-

## PROCLAMATIONS

port Company, Pennsylvania Everglades Company, Pennsylvania Fuel Oil Company, Pennsylvania Finance Corporation, Pennsylvania Fuel Corporation, PennForest Coal Company, Penn-Illinois Oil and Gas Company, Penn-Lackawanna Coal Corporation, Penn-Lincoln Service System, Inc., Pennsylvania Lead and Zinc Company, Pennsylvania Motorade Corporation, Pennsylvania Motor Oil Corporation, Penn Mutual Savings Association, The, Pennsylvania Oil and Gas Co., Inc., Pennsylvania Organization, Inc., The, Pennsylvania-Ohio Film Corporation, Penn-Okla Oil Corporation, Penn Products Company, Pennsylvania Plate Glass Company, Peninsula Products Company, Pennico Realty Company, Pennsylvania Sheet Steel Co., Pensacola Ship Building Co., Pennsylvania Vending Corporation, Pennsylvania Wyoming Oil Co. Inc. Penn Wyoming Coal Company, Incorporated, Penn-York Oil & Gas Co., Peruvian American Corporation, Pep-Giving Products Co., Inc., Perfect Health Holding Company, Inc., Peoples Home Building Company, Inc., Peoples Independent Coal Company, Incorporated, Perbion Manufacturing & Distributing Corporation, Perry Methods Corporation, Peoples Outfitting Corporation, Perlin Perpetual Battery Corporation, The, Perfecto Products Company, Peri Petra, Inc., Peoples Realty & Investment Company, People's Reserve System, Inc., Perfection Rubber Company, Peoples Service Company, People's Service Club, Incorporated, Peoples Trust Company, Petroleum Combustion Engineering Corporation, Pevo Drug Manufacturing Company, Petroleum Holding Company of America, Pexol Oil Burner Company, Peter Pan Gramophone Company, Petroleum Processes Company, Petroleum Realization Company, Petroleum Sand Products Corporation, Petrie T. & G. Piston Ring Co., Phoenix Building and Securities Company, Phoenix Burner Corporation, The, Philip B. Sawyer & Co., Inc., Phoenix Castings Company, Philbin & Company, Photaudigraph Corporation, The, Physical Corrector Company, The, Philadelphia Decorating Co., Inc., The, Phila-Delco Construction Company, Philadelphia Electric Products Co., Phidias Film Corporation, Philadelphia Hardwood Lumber Co., Philadelphia Institute of Physio Therapy, Inc., Philipsborn's, Inc., Philadelphia Mortgage Finance Company, Philadelphia Metal Products Co., Phoenix Metal Stamping Co., Inc., Philadelphia Quality Baking Co., Inc., Philadelphia Suburban Sales and Service, Inc., Phila-

## PROCLAMATIONS

delphia-Schub Corporation, Philadelphia Shelton Corporation, Philadelphia Thermostat Company, Philadelphia-Wilmington-Baltimore Coach Lines, Inc., Piedras Development Company, Pier-son Products Corporation, The, Pioneer Builders Supply Com-pany, Pinetta Corporation, Pinecliffe Camp and Country Club, Inc., Pine Church Oil and Gas Co., Pioneers Consolidated Petrol-eum Company, Pioneer Company, Inc., The, Pioneer Engineers, Inc., Pinellas Estate, Incorporated, The, Pioneer Hall Company, Pioneer Petroleum Corporation of America, Pioneer Production Company, Inc., Pine River Lumber Company, Inc., Pioneer Serv-ice Corporation, The, Pittsburgh Art Co., Pittsburgh Art Stone Company, Pittsburgh Chemical Company, Pittsburgh Commis-sary Company, Pittsburgh Corrugated Paper Box Co., Pittsburgh Golfer Publishing Co., Pittsburgh Gas Economizer Company, In-corporated, The, Pittsburgh Hand Truck Mfg. Co., Pittsburgh Ligonier Stone Co., Piute Light and Power Company, Pittsburgh & Mancos Mining & Refining Co., Pittsburgh Professional Hockey Club, Inc., Pittsburgh Portable Garage Co., Pittsburgh Portrait Co., Pittsburgh Refrigeration Co., Inc., Pittsburgh Sales and Con-tracting Company, Pittsburgh Tin Plate and Steel Corporation, Piston-Valve Motor Company, Pittsburgh Visible Pump Corpo-ration, Plaza Health and Sports Association, Inc., Plaza Hotel Coatesville, Incorporated, Plad Taxi Corporation, Plymouth Re-volving Power Hack Saw Manufacturing Corporation, The, Pond Aeronautical Corporation, Pontiac Chemical Company, Pocahon-tas Coal and Lumber Company, The, Pocono Food Products Com-pany, Po-Ne Products Corporation, Polish Navigation Company, Inc., Pollock Pen Company, Poco Sales Corporation, Pocahontas Tile & Ochra Corporation, Portland, Boston and Worcester Bus Company, Port Chester Production Company, Port and Canal Transportation Co., Inc., Portland Cement Lumber Company, Port Dixie Sales Corporation, Portola Radio Co., Post Button Cor-poration, The, Powell Corporation, The, Pottsville Finance Corpo-ration, The, Pottsville Hotel Company, Post Realty Company, Pottstown Used Car Exchange, Inc., Potatoes Waffles, Inc., Pre-ferred Agency Corporation, Premier Cab and Omnibus Corpora-tion, Premier Cab Company, Incorporated, The, Prebla Incorp-orated, The, Pre-Insured Combustion Company, Precious Metals Extraction Co., Premier-Oldsmobile Company, Premier Safety

## PROCLAMATIONS

Tread Stair Company, Projector Advertising Corporation, Prudence Bond & Mortgage Company, The, Projecto-Camera Corporation, Products Corporation, The, Proctor & Company, Progressive Engineering Company, Producers Gasoline Company, Principal Holding Company, Pritchard Manufacturing Company, The, Property Owners Co., The, Producers' Oil Corp., Prudent Oil Corporation, Pro-Passin Mortgage Co., Prudential Reporting and Bulletin Service, Inc., Priceless Record Corporation, Prudential Realty Corporation, Properties Syndicate Corporation, Provident Securities Company, Primos Vanadium Company, Putt Corporation, The, Purvis Company, The, Pyorrout Laboratories, Inc., Pyramid Manganese Company, Pyra Products Company, Inc., Pump Patents, Incorporated, Pyramid Sales Company, Incorporated, Puget Sound Copper Corporation, Public Service Corporation of America, Public Service Corporation of Texas.

Quality Construction Company, Quaker City Petroleum Company, Quitman Land Investment Company, Quaker Metal Company, Queen Quality Sales Company, Quality Tool and Equipment Company.

R. A. Pilcher Company, Inc., R. C. S. Equipment Corporation, Radio Corporation of Delaware, Radiona Company, Radiant Coal Company, Ralph E. George & Company, Radio Industries Corporation, Radiolife, Inc., Radio Installation Company, Inc., The, R. K. Mearns Company, Rahe Match Corporation, Radiant Manufacturing Company, R. N. Palmer & Co., R. P. Andrews Paper Company, Incorporated, Radio Pastime Corporation, Radolian Products Laboratory, Inc., The, Raleigh Properties, Inc., R. & R. Provision Company, Raines Radio Corporation, Radio Service and Supply Company, R. T. Couch Oil Corporation, Rancho Coronado Club Random Lake Silver Black Fox Co., Ramapo Valley Service Co., Inc., Rayonite Company, Ray-Craft Pictures, Inc., Raymond Company, Inc., Raritan Metals Corporation, Ravenswood Oil and Gas Company, Inc., Realtors Bond & Mortgage Co., Inc., Reed Brothers & Co., Incorporated, Recreation Centers, Inc., The, Red Circle Petroleum Company, Rector Columbia Heating Company, Real Estate Clearing House, Inc., Real Estate Investment Corporation of America, Real Estate Investment Corpora-

## PROCLAMATIONS

tion, Real Estate Exchange and Home Society, Reading Fuel Company, Reed & King, Inc., Red Mill Hosiery Co., Inc., Reclamation Oil Company, Rebel Oakes Oil Company, Refrigerator Products Corporation of Maryland, Refrigerator Products Corporation, Red Point Beach Company, Reddog Products Corporation, Record Publishing Company of Greensburg, Pa., The, Reed Stores, Inc., Refiner's Supplies Company, Reel Town Enterprises, Inc., Real Value Products Corporation, Red Wing Oil and Gas Corporation, Reading Yarn Company, The, Reliance Damp Wash Laundry, Inc., Renowned Electric Products, Inc., Regal Finance Company, Reliance Finance Corporation of California, Reinhalter-Hall Co., Inc., Remington Manufacturing Corporation, Register Oil Corporation, Reliance Producing Company, Reg-Plus Company, Republic Power & Service Company, Reniart Realty & Construction Company, Republic Realty Company, Regal Security Corporation, The, Reliance Sales Corporation of New England, Register Sales Corporation, Replaceable Tooth Brush Company, The, Reliable Towing & Transportation Co., Inc., Reybold Brothers, Incorporated, Research and Development Company, Revolving Fund Corporation, Reversible Glove Co., Inc., Rex Hotel, Inc., Rex Laboratories, Inc., Retailers Manufacturing Corporation, Retail Merchants Pre-Selling Association, Reserve Service Company, The, Rialto, Inc., Richards' Aircraft Limited Co., Richardson, Buck, Graham & Karr, Inc., Richey-Barnhart, Inc., Richard C. Marshall Company, Inc., Richray Clothes Repairing, Cleaning and Dyeing System, Inc., The, Ricco Company of America, The, Richmond Electric Service Company, Rich Hill Mining Company, Richard R. Lloyd Company, Rickenbacker West Philadelphia Company, Riehle Dress Company, Ridley Holding Company, The, Rieder-Haag Company, Rider Oil & Gas Company, Rineno Squab Farms, Inc., Rio Tipuani Mining Company, Incorporated, The, Ritz-Carlton Pictures, Inc., Rite Candy Stores, Inc., Rittenhouse Finance Corporation, River Garage Co., The, Ritter-Peppard Company, Inc., Road-Base Construction Corporation, The, Robert Clay Hotel Corporation, Robert D. Clow, Jr., Inc., Ro-Edge Parts Company, Roadside Gardens, Inc., Robe Laboratories, Inc., Robert M. Hallowell, Inc., Robert Ramsay Company, Ro-Truck, Inc., Roadless Vehicle Company, Robinson-Lutes Coal Company, Rock Asphalt Corporation of Kentucky, The, Rockwood Corpo-

## PROCLAMATIONS

ration of Western New York, Rockford Furniture Company, Rock Gas Corporation, Rocky Glen Park Company, Rochester Pharmaceuticals, Incorporated, The, Rogers Automatic Window Control Company, Rogers Calendar Company, Rollin Construction Corporation, Rolling Hills Golf Club, Rollman Manufacturing Company, Rominco Mines Company, Inc., Romax Oil Company, Root-Carter Company, Inc., Ross Dome Oil Company, Roswell-Erie Oil Company, Rose-Marie Products Company, Inc., The, Rosemont Park Co. of Washington, D. C., Rotary Oil & Gas Co., Rova Radio Corporation, Royal Coat, Apron & Towel Supply Co., Rowe-Daniel Petroleum Company, Royal Institute of Chiropractic, Inc., Royal Mines Corporation, Royal Match Company, Inc., Rowe Motor Manufacturing Company, Rulatex Corporation, Rubber Corporation of America, Rubino & Herron, Inc., Rucker Realty Corporation, Russia-America Transatlantic Corporation, Rutlynn Finance Company, Rusot, Inc., Ruth Petroleum Company, Rustad Reed & Company, Incorporated.

S. A. Skoog Manufacturing Company, The, Safety Aircraft Company, The, Safety Air Brake Company, S. B. Thayer Son & Co., Safety Brush Manufacturing Company, S. L. Products Company, S. M. Frazier, Inc., S. O. Stray Steamship Corporation, S. R. Richards Company, S. S. Nohab Company, Inc., S. Sklaroff & Sons, Inc., Safeway Transportation Company, Inc., Safety Table Sales Co. of Pennsylvania, St. Andrews Bay Development Company, The, St. Andrews Bay Association, St. Louis Rice Corporation, St. Louis National Underwriters Company, St. Petersburg Lumber & Supply Company, St. Paul Industrial Terminal Co., St. Tammany Amusement Co., Inc., Sampson Bond and Mortgage Company, Incorporated, Salvage Heating Appliance Company, Samuel R. Harris Co., Inc., Builders, Sally Smart Shoe Shops, Inc., San Antonio Waynway Tire Company, San Antonio Natural Gas Company, Sanford, Blair & Company, Inc., San Carlos Syndicate, Incorporated, San Diego Mercantile Finance Corporation, San Francisco Bay Terminals Company, San Francisco Textile Mills, Inc., Santa Fe Gold and Silver Mines, Inc., Sanitary Heat Company, San-I-Sal Laboratories, Inc., San Jose Commerce Finance Corporation, San Juan Land & Oil Company, Sanitary Liquid Soap & Supply Co., Inc., Santa Lucia Mining

## PROCLAMATIONS

Corporation, Santa Monica Amusement Company, Sanders Manufacturing Co., Inc., Sanitary Products Corporation, Sand River Shorthorn Farms, Inc., The, Sarasota Development Co., Sarasota Estate, Incorporated, The, Saskatchewan Farm and Land Company, Sarstoon Hardwood Timber, Inc., Sargent Transportation Line, Inc., Savarese Manufacturing Corporation, Sawassa Petroleum Corporation, Saw & Specialty Mfg. Co., Scales Syndicate, Inc., Scheuer System, Incorporated, Scheifer Tooth Brush Co., School-Craft Pictures, Inc., Schuster Engineering Company of the District of Columbia, Schuler Garage and Scales Company, Schub Mold Corporation, Schuylkill Manufacturing & Supply Co., Scientific Engineering and Construction Company, Scientific Pecan Growers, Incorporated, Scott Gas Appliance Company, The, Scott Oil & Gas Company, Inc., Scranton Coal Products Company, The, Scranton Dispatch Publishing Company, Scrap Metals Corporation, See America First Film Corporation, Seaboard Audit—Adjustment Company, Inc., Seaboard Corporation, The, Security Construction & Investment Company, Inc., Seaboard Finance Corporation, Securities Finance Corporation of Pennsylvania, Securities Holding Corporation, Securities Investment Company, The, Security Mercantile Company, Seaboard National Investment Company, Seaboard Oil Company, Searchlight Publishing Corporation, Inc., Sea Products Corporation, Securities Trading & Holding Corporation, Servall Automatic System, Inc., Seibel Air Spring Company, Inc., Seminola Construction Company, Serrell Corporation, Selko Company, Inc., The, Seminole Development, Inc., Service First Corporation, Selfeed Pencil Corporation, Service Printing Company, Inc., Sek-Reliance Corporation, Self Serve Sales Company, Self-Acting Switch Company, Severn Builders Supply Company, Incorporated, Sesqui Badge & Novelty Co., Sesqui-Centennial Electrical Construction Co., Sesqui-Centennial Hardware Company, Sesqui-Centennial Manufacturing & Sales Co., Sesqui-Centennial Lighting Fixture Co., Sesqui-Centennial Supply & Equipment Co., Seward and Carter, Inc., Sesqui Garage and Auto Supply Company, Seven Oaks Golf and Country Club, Severn River Development Company, Inc., Shanley Clothes, Inc., Shau Canadian Development Co., Inc., Shelton & Baker, Inc., Shell-On-Sol-Ted Peanut Company, Shenandoah Distributing Company, Shepard Paper Products, Inc., Shepton Store Com-

## PROCLAMATIONS

pany, Sherman W. Jack Co., Shove & Co., Inc., Shopping Check Corporation, The, Shumill Manufacturing Company, Shingle Patents, Incorporated, Shires Paint Manufacturing Company, Signal Battery Corporation, Silver Butte Mines Corporation, Silver Creek Mining Company, Silver Crown Mines & Ore Treatment Corporation, Silent Drama Corporation, Signal Mountain Holding Company, Sibuyan Petroleum Company, Sidereal Roller Bearing Co., Silent Speaker Corporation, Simonetti American Import and Export Corporation, Simplex Manufacturing Company, The, Sinking Spring Motor Car Company, Simplex Tool & Appliance Co., Sister Polly Corporation, Skylark Radio Corporation, Smartsilk Hosiery Mills, Inc., Smith Auto Parts, Inc., Syder Banchi and Company, Society of the Americans, The, Colidoil Products Co., Inc., The, Society for the Promotion of Economic Education, Soap Salt Co., Inc., Sommer Cement Products Co., Inc., Somerset Radio Corporation, Southern Arsenic and Mineral Products Company, Southern Arkansas Oil Company, South Brownsville Taxi Company, Southern Bond Corporation, Southern Building & Finance Co., Inc., Southern Cross Trading Company, Southland Chemical Company, Southern Core Drilling Company, Southern Crushing Co., Inc., of Mobile, Southern Car and Foundry Company, Southern Crown Company, South Eastern Realty Company, Southwestern Engineering Corporation, Southern Fluor Spar Company, The, Southern Glues, Inc., Southern Guaranty Corporation, Southern Gem Coal Corporation, Southern Insecticide Works, Inc., Southern Ice & Beverage Corporation, Southern Insurance Service Bureau, Inc., Southern Land Company, Inc., Southern Mortgage & Finance Co., Southwest Mortgage Corporation, Southern Orchard and Development Co., Southland Oil Company, Southern Pacific Construction Company, South Pacific Banana Corporation, Southern Quartzite Spark Plug Co., Sovereign Refrigerating Co., Inc., Southern Rock Asphalt Company, Southern States Mica Company, Southern Seaboard Gas Corporation, Southern States Industrial Corporation, Southern States Finance Company, Southern Telephone and Telegraph Company, Southwestern Virginia Railway Company, Speedograph Corporation, Spencer Drug Corporation, Specialty Furniture Co., Spengler & Fraser, Incorporated, Spark-Lin-Ale Corporation, The, Spar Mountain Mining Company, Sperry Portable Buildings Company,

## PROCLAMATIONS

Spangler & Smithgall, Inc., Springer Advertising Service, Inc., The, Spragg Company, The, Spun Pipe Company, The, Stadium Building & Investment, Inc., Stahl Organ Company, Stacold Refrigerating Corporation, Stamford Dyewood Company, Standard Automobile Finance Corporation, Standard American-Roumanian Petroleum Exploration Company, Standard Allied Products Corporation, Standard Accessory Company, Standard Bag and Cleaning Company, Standard Coal & Coke Corporation, Standard Filter Corporation, Standard Film Exchange, Inc., Standard Foundry and Machine Company, Stanton Garage, Incorporated, Standard Ice and Cold Storage Company, Standard Lock Company, Standard Leather Machinery Co., Standard Metals Corporation, Standard Motor Service Corporation, Standard Motor Car Company of Delaware, Standard Signal Company, Standard Sales & Service Co., Standard Train Control Corporation, Standard Tire Protector Company, The, States Historical Society of America, States Holding Corporation, Stark Hotel Company, The, Stay-Fast Hanger Company, Incorporated, Star Manganese Company, Inc., States Oil and Gas Company, Star State Oil Company, Star Specialty Corporation, Star Salt Corporation, Star Smelting and Refining Company, Inc., Sterland Corporation, Stebbins & Company, Incorporated, Steam Economy Company, Stephen's Engineering Company, Sterling Finance Corporation of Michigan, Steep-Hollow Placer Mines Company, Stevens-Howie Mining Company, The, Stevenson Multiple Co., Sterling Medical Association, The, Sternenberg Studio and Historical Photograph, Inc., Stoneham Gray & Co., Inc., Stortz Geor Shift Company, Storad, Inc., Strand Coatesville, Incorporated, The, Stratford Holding Corporation, Stratford Knitting Mills, Inc., Strobel Motor Company, Incorporated, Straight Petroleum Company, The, Strand-Plaza Corporation, Strauss Seamless Shoe Corporation, Sturgis and Company, Inc., Subway Central Building Corporation, Suburban Land Development Syndicate, Success Oil Co., Inc., The, Super-Compression Engine Company, Sun Commercial Company, Superior Coal & Coke Co., Sun Dial Producing Company, Sutton & Darbyshire, Incorporated, Superior Diatom Company, Superior Electric Company, Inc., Super-Fuel Vaporizer Company, Sunny Hill Poultry Farms, Inc., Sunny Jim Service Company, Sunny Jim Products Company, Sunstar Oil Company, Summit Oil Shale Company of

## PROCLAMATIONS

Utah, U. S. A., Susquehanna Oil & Gas Co., The, Super Power Company, Inc., Superior Printing and Publishing Co., Inc., The, Super-Porcelain Insulator Co., Inc., Suwanee River Shores, Inc., Sutter Stores, Inc., Sunshine Stores, Inc., Sun Telephone and Telegraph Company, Symphonaer Co., The, Sweeteria Company, The, Synnette Drug Company, Syndicate Engineering and Trading Corporation, Sweet Leather Corporation, Sweet Mattress Co., Inc., Syljack Pencil Sales Machine Company, The, Swing Rolling Truck Co.

T. & B. Pipe Line Company, T. F. Taylor Printing Company, T. P. Smart Heating System, Inc., T. P. Burns Co., Taylorall Bearing Corporation, Tallimeter Corporation, Taylor, Keller and Cerf, Inc., Tauqnitz Lodge, Incorporated, Tampa Music Company, The, Talc Products Co., Tan Seal Valve Company, Inc., of Delaware, The, Tampa Tire Company, Telatail Company, Tennessee Cast Iron Pipe & Foundry Company, Temples and Citadels, Inc., Telstone Corporation of America, Tecolote Copper Corporation, Tel-E-Arm Corporation, Tennessee Hotels Company, The, Texas Irrigated Land Company, Textile Manufacturing Company, The, Territorial Publishing Company, Texas Petroleum Properties Corporation, Tennessee Petroleum Company of America, The, Telegraph Typewriter Co., Inc., Teandkay Underwriters Securities Corporation, Textile Utilities Corporation, Thermotime Control Corporation, Theodore Christian, Incorporated, Thermo Electrical Manufacturing Company, Thacher Laboratories, Inc., Thaddeus V. Core and Company, Incorporated, Thor Battery Company, Inc., Thomas Cotton Company, The, Thoro Corporation, The, Thrill Distributing Company of Coatesville, Thomas Floral and Nursery Co., Thornton Motor Co., Inc., Thorp Motors, Inc., Thraman Oil Company, Thomas P. Bonner, Inc., Thoro Products Company, Thrift Pennies Stores Company of Michigan, The, Thrift Realty Endowment Corporation, Thomas Spark Plug Company, Tilden Hall Corporation, Tidewater Portland Cement Company, Tillman Radio Products Corporation, Timely Advertisers Company, Tiona Gasoline Company, Titan Oil Company, Tisgood Products, Inc., Tip Top Shows, Incorporated, Tomasulo Electrical Appliance Corporation, Tobacco Manufacturing Corporation, Toledo Milling Machine Company, The, Tohickon Park, Inc., Torrens

## PROCLAMATIONS

Bond & Mortgage Corporation of New York, Tourist Supply Company, Transoceanic Air Traffic Corporation, Treloar Arsenic-Gold Corporation, Trans-Atlantic Radio Products Corporation, Tractors Appliances, Inc., Trans-Atlantic Petroleum Company, Train Control Corporation of America, Trexler Company of America, The, Transport Equipment Corporation, Tradesmen's Finance & Guaranty Corporation, Traders Finance Corporation, Triune Hosiery Corporation, Triumph Heating System Manufacturing Company, Tri-Lite Auto Signal Corporation, Trident Oil Company, Tremont Products Company, Trinity Petroleum Corporation, Trippe Reflector Corporation, Trampe Spark Plug Company, Tri-State Intelligence, Incorporated, Tri-State Oil & Gas Co., Tri-State Publishing Company, The, Tri-State Service Company, Triune Securities Co., Trackless Trolley Corporation, Trustee Company of Delaware, The, Tropical Estates Corporation, The, Tropical Pure Products Company, Truss-Steel Homes Corporation, Tuckaway Automatic Robe Lock Company, Tubeless Pneumatic Tire Corporation, Tushar Range Metals Mining Company, Turner Electric Manufacturing & Promoting Company, Tuxedo Oil Corporation, Twilford Corporation, Twin Oak Poultry Farms, Inc., Tyte Products, Inc., Tybon Sales Co., of N. Y., Twin-Writer Company.

U-K-No Polish Corporation, U-No Polish Corporation, Uhl Oil Burner Manufacturing Company, Ucan Safety Haircutter Corporation, U. S. Commercial Art Institute, U. S. Cities Corporation, U. S. Consolidated Fox and Fur Corporation, U. S. Coal Reduction Corporation, U. S. Concrete Block Company, U. S. Dining Car Corporation, U. S. Fertilizer Chemical Co., U. S. Finance & Securities Corporation, U. S. Portable Cylinder Grinder Mfg. Co., U. S. Realty Company, U. S. Rock Oil Corporation, U. S. Supply Stores Co., Universal Auto Signal, Inc., Unit Box, Inc., Unus Corporation, Universal Cabinet Corporation, Underwriters Clearing House, Inc., Universal Dyeing Company, Incorporated, Uptegraff Electric Mfg. Co., Pittsburgh, Pa., Universal Fastener Company, Unity Machine Company, Universal Manufacturing Co., Inc., Universal Profit-Sharing Corporation, Universal Petroleum Co., Uni Pair Rolls Company, Universal Rock Asphalt Corporation, The, Upholsters Reed Supply Company, Inc., Universal Sep-

## PROCLAMATIONS

tic Tank Corporation, Universal Skid-Less Chain Company, Universal Sales Agency of Pennsylvania, Inc., Universal Sales Company of Reading, Universal Specialty Company, Universal System, Inc., Universal Train Control Corporation, Universal Truck Corporation, Upper Yangtse Trading Company, United American Electric Company, Incorporated, United American Chain Stores, Incorporated, United American Railways, Inc., United Breeders, Inc., United Bankers Oil Company, United Corporations Operating Company, United Cemetery Association, United Consumers Association, Union College of Chiropractic, Inc., United Devices, Incorporated, United Enameling & Specialty Company, Union Furniture Company, Inc., The, Union Fireproof Walls Corporation, United Federation Service, Inc., United Grocers Service Corporation, United Gas Heating Company, United Industries of Pennsylvania, Inc., United Lead & Zinc Corporation, Union Lumber Company of Massachusetts, Inc., Union Mail Orders Stores, Inc., United Mercantile Co., The, United Millinery Company, Union Novelty and Manufacturing Company of Pitcairn, Penna., United Refineries Company, United Racing Ass'n., Union Royalty Company, United Railway Equipment Company, United Silica Sand Company, United States Asphalt Refining Company, The, United States Bond & Holding Company, United States Bus Transit Corporation, United States Development Corporation, United States Flour Mills Corporation, United States Farmers Marketing Cooperative Association, United States Guaranty and Surety Co., United States Indestructible Spring Company, United States Ichthyol Corporation, United States Lime & Cement Corporation, United States Moving Pictures Corporation, United States Motor Van Co., Inc., United States Motor Vehicle Company, United States Oil and Transport Corporation, United States Paint Company, United States Realty Loan and Trust Co., United States Shingle Company, United States Thrift Corporation, United States Type and Composition Corporation, United States Thrift Corporation of New York, United States Vegi Feed Company, United States Typewriter Service Corporation, Union Valve and Foundry Company, United Whaling Company, Utility Body Company, Uradia Corporation of America, Utah-Colorado Industrial Corporation, Utility Motors

## PROCLAMATIONS

Corporation, Urbfield Natural Gas Company, The, Useful Specialty Manufacturing Company, The, Utility Supply Company.

Vacuum Coffee Corporation, V. C. V. Company, Inc., Vacuum Cotton Harvester Co., Vacuum Glass Products Company, Va Hda H. Oil & Gas Co., Inc., Vacant Lot & Loan Company, V. S. Boyd Lumber Company, Vacuum Seal Sales Company, Inc., Valdez Alaska Gold Company, Val Auto-Rim Corporation, Inc., Valrico Corporation, Valley Land and Construction Company, Valencia Products Corporation, Valley Products Co., Val Quinlan Company, Vasquen Carreas & Co., Incorporated, Vaughn's Devices, Incorporated, Vanity, Incorporated, Vaporox Manufacturing Company, The, Vanderbilt Newspapers, Inc., Vanity Shops, Inc., Van-Selt Coal Company, Vang Supply Company, Veach Air Power Works, Inc., Vettel Engineering Company, The, Venezuelan Gold Mining and Dredging Co., Inc., Verse, Inc., Versailles, Inc., Velde-Maisell Pictures Corporation, Velco Manufacturing Company of California, Venezuela National Oil Fields Corporation, Vedder Oil Company, Ventura Power Company, Ventura Pacific Petroleum Company, Verdigris River Coal Company, Vervoort Roller Bearing Company, Inc., Victoria Development Company, Victor Electroplating Corporation, Victor Fuel Oil Burner, Inc., Victor Finance & Mortgage Co., Inc., The, Victor Guarantee Co., Inc., The, Vidaver Mailing Machine Corporation, Victor Page Motors Corporation, Victor Stewart Process, Inc., The, Victor Slicing Machine Co., The, Viscometer Corporation, The, Virginia Dairy Products Company, Virginia Housing Corporation, Virginia Manganese Corporation, Virginia and Pennsylvania Milling Company, The, Virginia Petroleum Corporation, Vinson Realty Company, Inc., Vitalizing Vegetable Vitamins, Inc., Vol-A-Tol Corporation, Vom Baur Engineering Corporation, Voloshen Chemical Corporation, Volta Company of America, Inc., Vulcan Iron Works, Incorporated, Vulcan Oil & Refining Company, Vulcan Oil Company, Inc.

Wah Chang Trading Corporation of Shankhai, Wafeldog Corporation, The, Wagner Company, Inc., The, Ward Company, The, W. C. Fridley Company of Delaware, The, W. C. Feaster, Incorporated, W. C. Johnson & Co., Wade-Gomez Company, Inc.,

## PROCLAMATIONS

W. J. Foss Co., W. J. Loring Mines, Incorporated, Walgo Corporation, Walter G. Enck, Inc., Walter and Willison, Incorporated, Wanner Knitting Company, Ward's, Incorporated, Ward & Ryan, Incorporated, Warwick Manufacturing Company, Warren Textile Company, Washington Consolidated Mines Company, The, Washington Electric Sales Corporation, Washington Flint Company, Washington Investment and Securities Company, Washington Milk Products Corporation, The, Washington Pressed Brick Company, (Inc), Washington Rubber Company, Washington State Oil and Gas Company, Washington Sausage and Provision Company, Incorporated, Washington Theatre Supply Company, Inc., Washington Willite Company, Watson Nursery Company, Way Works, Incorporated, Weadon Homes Construction Company, Wedding Bell Barber Supply Company, Inc., Webster Novelty Company, Welsh Manufacturing Company, Wellsboro Silk Company, West Bay Acreage, Inc., Westview Building Corporation, West Coast Finance Company, West Coast Hospital, Incorporated, West Coast Paint & Glass Co., West Cuba Copper Mines, Inc., Western Finance and Manufacturing Company, West Florida Land and Improvement Company, Western Metal Products Company, Westchester Public Utilities Corporation, West Point Manufacturing Co., Inc., West Philadelphia Hudson-Essex Company, Western Publication Company, Inc., Westmoreland Realty Company Western Sierra Products Company, Western States Acceptance Corporation, Western Willite Road Construction Company, West York Motor Company, Inc., Whistle Company of California, Whikan, Inc., White Cliffs Corporation, White Dining Service, Inc., White House Chemical Co., White Improvement Company, White Iron & Coal Co., Whitehall Petroleum Company, White Rock Petroleum Company, White Radio Corporation, Whiteland Radio & Electric Corporation, White Star Aircraft Mfg. Co., White Star Oil and Refining Company, Whitehouse Upholstered Furniture Company, Wichita Land and Building Corporation, The, Wiggy Products Company, Inc., Willie Amusement Ride Corporation, Wilkins Automatic Regulator Company, The, Wilkes-Barre Motor Speedway Association, William Bros. Co., Willards Courts, Inc., Williams and Company, Inc., Williams Dollar Stores, Inc., Williams Devices Company, Willoughby Estate, Incorporated, Williams Form Clamp Co., Wills Finance

## PROCLAMATIONS

Company, Williams Fuel Saving Power Company, Wm. G. Bond & Co., Inc., Wm. Horsley Enterprises, Inc., William K. Hartung Construction Co., Williams-Laflin Sand & Gravel Company, Wilcox Metal Alloy Co., Inc., The, William Metals Co., Wilco Realty Company, William R. Hale & Co., Inc., Wilmont Realty Corporation, William Seyler Company, The, Wilbur Walker Manufacturing Corporation, Wilmington Brick Company, Wilmington Knit Glove Company, Wilmington Oil-O-Matic Heating Company, Wilmington Trapshooting Association, The, Wilmington Terminal Cold Storage & Warehouse Co., Wilson Body Corporation, Wilson & Co., Inc., Wilson Lodge and Club, Incorporated, Winfred Corporation, The Winifred Creighton Company, Wisconsin Dairy Product Company, Wireless Ignition Manufacturing Corp., Winslow Photographic Service, Inc., Winter Palace Amusement Corp., Wismer Products Co., Inc., Wishbone Steel Wheel Company of America, Wishart's Vol-a-Tol, Inc., Witzberger Sales Co., Wolke Electric Company, The, Women's Manish Topcoat, Inc., Women's News Service, Inc., Wonderclean Chemical Company, Wonder Products Company, Inc., Wonder State Oil Company, Woodlief Battery & Mfg. Co., Woodland Company, The, Woodlite Corporation, Woodland Construction Co., Woodlief Sales & Service Co., World Attractions, Inc., World Radio Manufacturing Corporation, Wortman Realty Co., World Utilities Corporation, The, World Worn Hosiery, Inc., Wright-Poth Natural Gas Company, The, Wright-Way Corporation, Wunder & Hasson, Incorporated, Wurldsbest Ventilator Company of New York, Wynn Anthracite Coal Company, Wyoming United Oil & Refining Company, Wyoming Willite Company.

XcCel Manufacturing Company, X-L-Hosiery Company.

Yale Asphalt Company, Yellow Cab and Transportation Company, Yavapi Gold-Silver Mining Company of Arizona, Yavapi Mining, Milling & Developing Company, The, Ye Noh Candy Company, Yangtse Rapid Steamship Company, Your Family Laundry, Inc., York Feed Machinery Company, York Farm Coal Company, Young Mines Holding Corporation, The, Young Men's Shop, Inc., The, Yucatan-New York Mercantile Corporation, Yough Oil and

## PROCLAMATIONS

Gas Company, York Tailoring Company, Incorporated, Yuhas Wash-A-Lin Klean Corporation, Young's Y. P. M. Company.

Zarco Manufacturing Co., Inc., Zion Oil Burner Co., Zetuskys Real Estate and Investment Company, The, Zweifel Process Corporation, Zongo Tin Corporation.

IN TESTIMONY WHEREOF, I, Robt. P. Robinson, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be hereunto affixed this fifteenth day of January, in the year of our Lord one thousand nine hundred and twenty-nine and of the Independence of the United States of America, the one hundred and fifty-third.

(SEAL)

By the Governor:  
ROBERT P. ROBINSON.

CHARLES H. GRANTLAND,  
Secretary of State.

## SECRETARY OF STATE'S OFFICE

Dover, Delaware, June 4, 1929

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, and further amended by Chapter 47, Volume 33, and as further amended by Chapter 50, Volume 34, 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 Delaware, passed by the General Assembly at the regular Biennial Session commenced on Tuesday, the first day of January, A. D. 1929, and ended on Friday the nineteenth day of April, A. D. 1929 and approved by the Governor.

Words marked with asterisks are printed as they appear on the original bills.

CHARLES H. GRANTLAND,

Secretary of State.



**ACTS AMENDING REVISED STATUTES OF 1915**  
**FOUND IN VOLUME 36, LAWS OF DELAWARE**

R. C. 16 S1—C4 .....	7	R. C. 290 S9—C7 .....	248
R. C. 17 S2—C4 .....	7, 8	R. C. 291 S10—C7 .....	248, 249
R. C. 18 S3—C4 .....	8	R. C. 292 S11—C7 .....	249
R. C. 19 S4—C4 .....	8, 9	R. C. 368 S3—C10 .....	254, 255
R. C. 20 S5—C4 .....	9	R. C. 372 S7—C10 .....	253, 254
R. C. 21 S6—C4 .....	9	R. C. 391 S3—C12 .....	259
R. C. 22 S7—C4 .....	9, 10	R. C. 394 S6—C12 .....	261
R. C. 23 S1—C5 .....	11	R. C. 566 S2—C18 .....	260
R. C. 24 S2—C5 .....	11	R. C. 590B S19B—C20 .....	262
R. C. 25 S3—C5 .....	12	R. C. 590C S19C—C20 .....	263
R. C. 26 S4—C5 .....	12	R. C. 628A S57A—C20 .....	266-268
R. C. 27 S5—C5 .....	12, 13	R. C. 628B S57B—C20 .....	268
R. C. 28 S6—C5 .....	13	R. C. 736 S1—C25 .....	297
R. C. 29 S7—C5 .....	13	R. C. 822A S87A—C26 .....	298
R. C. 30 S8—C5 .....	14	R. C. 824A S90—C25 .....	301, 302
R. C. 31 S9—C5 .....	14	R. C. 824B S91—C25 .....	302
R. C. 32 S10—C5 .....	14	R. C. 824C S92—C25 .....	302, 303
R. C. 33 S11—C5 .....	14, 15	R. C. 824D S93—C25 .....	303
R. C. 34 S12—C5 Repealed..	15	R. C. 824E S94—C25 .....	303
R. C. 35 S13—C5 Repealed..	15	R. C. 824F S95—C25, 303, 304, 305	305
R. C. 36 S14—C5 Repealed..	15	R. C. 824G S96—C25 .....	305
R. C. 37 S15—C5 Repealed..	15	R. C. 824H S97—C25 .....	305
R. C. 78 S41—C6 .....	71, 72	R. C. 824I S98—C25 .....	305
R. C. 102 S65—C6 .....	17, 18	R. C. 824J S99—C25 .....	305, 306
R. C. 103 S66—C6 .....	18, 19, 20, 21	R. C. 824K S100—C25 .....	306
R. C. 104 S67—C6 .....	21, 22	R. C. 824L S101—C25 .....	306, 307
R. C. 105 S68—C6 .....	22, 23	R. C. 824M S102—C25 .....	307
R. C. 105A S68A—C6 Repealed .....	72	R. C. 824N S103—C25 .....	307
R. C. 106 S69—C6 .....	23	R. C. 824O S104—C25 .....	307, 308
R. C. 107 S70—C6 .....	23, 24	R. C. 859 S4—C28 .....	309, 310
R. C. 108 S71—C6 .....	24, 25	R. C. 868 S13—C28 .....	310
R. C. 109 S72—C6 .....	25, 26	R. C. 951 S19—C34 .....	311, 314
R. C. 110 S73—C6 .....	26	R. C. 1006 S1—C42 .....	318, 319
R. C. 111 S74—C6 .....	26, 27	R. C. 1028 S16—C43 .....	329
R. C. 112 S75—C6 .....	27	R. C. 1123A S26A—C44 .....	340, 341
R. C. 113 S76—C6 .....	27, 28	R. C. 1400B S4B—C51 .....	344
R. C. 114 S77—C6 .....	28	R. C. 1440A S8A—C53 .....	347
R. C. 115 S78—C6 .....	28, 29	R. C. 1482 S2—C55 .....	348, 349
R. C. 116 S79—C6 .....	29	R. C. 1512P S32P—C55 .....	350
R. C. 117 S80—C6 Repealed.	29	R. C. 1737 S17, N. C. 3— C60 .....	353, 354
R. C. 118 S81—C6 Repealed.	29	R. C. 1737 S17, N. C. 3D— C60 .....	354, 355
R. C. 119 S82—C6 Repealed.	29	R. C. 1737 S17, N. C. 3A— C60 .....	356, 357
R. C. 120 S83—C6 Repealed.	29	R. C. 1737 S17, N. C. 3C— C60 .....	357, 358
R. C. 146 S109—C6 .....	31, 33	R. C. 1737 S17, N. C. 8A— C60 .....	359, 360
R. C. 236A S199A—C6 .....	153	R. C. 1737 S17, N. C. 8C— C60 .....	360, 361
R. C. 282 S1—C7 .....	244	R. C. 1737 S17, N. C. 8D— C60 .....	361, 362
R. C. 283 S2—C7 .....	244		
R. C. 284 S3—C7 .....	245		
R. C. 285 S4—C7 .....	245		
R. C. 286 S5—C7 .....	245, 246, 247		
R. C. 287 S6—C7 .....	247		
R. C. 288 S7—C7 .....	247		
R. C. 289 S8—C7 .....	247, 248		

R. C.—Revised Code.

S—Section

C—Chapter

## ACTS AMENDED—Continued

R. C. 1737 S17 S1—C60 ..	363, 364
R. C. 1737 S17 S1A—C60 ..	364, 365
R. C. 1919 S5—C65 .....	366-369
R. C. 1919B S5B—C65 .....	369
R. C. 1920 S6—C65 .....	369, 370
R. C. 1923 S9—C65 .....	370, 371
R. C. 1927 S13—C65 .....	371-374
R. C. 1928 S14—C65 .....	374-377
R. C. 1929 S15—C65 .....	377, 378
R. C. 1929 S15—C65 .....	401
R. C. 1931 S17—C65 .....	378, 380
R. C. 1932 S18—C65 .....	380, 381
R. C. 1933 S19—C65 .....	381, 382
R. C. 1934 S20—C65 .....	382, 383
R. C. 1940 S26—C65 .....	383, 387
R. C. 1941 S27—C65 .....	387, 388
R. C. 1942 S28—C65 .....	388, 390
R. C. 1943 S29—C65 .....	391, 392
R. C. 1948 S34—C65 .....	392, 393
R. C. 1953 S39—C65 .....	393-395
R. C. 1971 S57—C65 .....	402
R. C. 1973 S59—C65 .....	395, 397
R. C. 1978A S64A—C65 .....	397, 398
R. C. 1985 S71—C65 .....	398-400
R. C. 2101A S188—C65 ..	403, 404
R. C. 2358 S1—C74 .....	719, 720
R. C. 2376A S19A—C74 ....	721
R. C. 2406A S49A—C74 ....	722
R. C. 2406J S49J—C74 ....	723
R. C. 2411 S54—C74 .....	724
R. C. 2417 S60A—C74 ....	725
R. C. 2479 S122—C74 .....	726
R. C. 2480 S123—C74 ....	726, 727
R. C. 2528 S171—C74 .....	728
R. C. 2535 S177—C74 .....	729
R. C. 2598 S6—C76 .....	737, 738
R. C. 2614 S22—C76 .....	739
R. C. 2841C S197C—C78 ...	743

## ACTS AMENDED—Continued

R. C. 2934A S21A—C82 ....	752
R. C. 2934B S21B—C82 ....	752
R. C. 2934C S21C—C82 ...	752, 753
R. C. 3071A S11A—C88 ....	754
R. C. 3193VV S141—C90 ..	756, 757
R. C. 3228 S32—C92 .....	761
R. C. 3389 S56—C98 .....	770
R. C. 3554 S119—C100 ...	771, 772
R. C. 3555 S120—C100 ....	772
R. C. 3556 S121—C100 ....	772
R. C. 3557 S122—C100 ...	772, 773
R. C. 3558 S123—C100 ....	773
R. C. 3559 S124—C100 ....	773, 774
R. C. 3560 S125—C100 ....	774
R. C. 3568 S133—C100 ....	775
R. C. 3612 S16—C101 ...	777, 778
R. C. 3833 S18—C116 ..	787, 788, 789
R. C. 3833A S18A—C116 ..	
Repealed .....	789
R. C. 3850 S7—C117 ....	790, 791
R. C. 3856 S13—C117 Re-	
pealed .....	791, 792
R. C. 4320 S1—C133 .....	193
R. C. 4373 S54—C133 ....	793, 794
R. C. 4533 S2—C142 .....	796
R. C. 4533 S4—C142 ....	796, 797
R. C. 4536 S5—C142 .....	797
R. C. 4536A S5A—C142 Re-	
pealed .....	797
R. C. 4537A S6A—C142 ....	798
R. C. 4721 S1—C150 ....	800, 801
R. C. 4723 S3—C150 .....	801
R. C. 4724 S4—C150 ....	801, 802
R. C. 4725 S5—C150 .....	802
R. C. 4726 S6—C150 ....	802, 803
R. C. 4857 S10—C156 ....	804-808
R. C. 4860 S13—C156 ....	809-811

R. C.—Revised Code.

S—Section

C—Chapter

# GENERAL INDEX

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## Acts Amended (Revised Code)

Chap. 4, Relating to State House, Custodian, Janitors....	7-10
Chap. 5, Relating to State Library .....	11-15
Chap. 6, Relating to Franchise Tax .....	17-30
Chap. 6, Relating to Inheritance Tax .....	31-33
Chap. 6, Relating to Insurance Company Tax .....	71-72
Chap. 6, Relating to exemption from payment of Motor Vehicle license fees .....	153
Chap. 7, State Supplies .....	244-249
Chap. 10, Relating to Laws and Journals .....	253-255
Chap. 12, Relating to Salary of Secretary of State .....	259
Chap. 12, Relating to Salary of Clerk in Office of Insur- ance Commissioner .....	261
Chap. 18, Relating to Salaries of State Detectives .....	260
Chap. 20, Relating to investments of Domestic Life Insur- ance Companies .....	262, 263
Chap. 20, Relating to Title Insurance .....	266-268
Chap. 25, Relating to members of State Board of Health..	297
Chap. 25, Relating to manufacture and sale of mattresses	301-308
Chap. 26, Relating to register of births, marriages, deaths	298
Chap. 28, Relating to State Board of Pharmacy .....	309, 310
Chap. 34, Relating to District Libraries .....	311-314
Chap. 42, Relating to Notaries Public .....	318, 319
Chap. 43, Relating to County Auditors .....	329
Chap. 44, Assessment of Property in Sussex County .....	340, 341
Chap. 51, Constable resident in Rehoboth .....	344
Chap. 53, Relating to salary payments, New Castle County	347
Chap. 55, County Engineer of New Castle County .....	348, 349
Chap. 55, Relating to Roads and Bridges of New Castle County .....	350
Chap. 60, Relating to Election District in New Castle County .....	353, 355
Chap. 60, New Election District in New Castle County....	356-358
Chap. 60, New Election Districts in New Castle County...	359-362
Chap. 60, New Election District in Sussex County .....	363-365
Chap. 65 Relating to Corporations .....	366-400, 401, 402
Chap. 65, Relating to Foreign Corporations .....	403, 404
Chap. 74, Relating to Board of Game and Fish Commis- sioners .....	719, 720
Chap. 74, Relating to Ring Necked Pheasants .....	721
Chap. 74, Relating to Kennel License for Dogs .....	722
Chap. 74, Relating to liability for Decoys .....	723
Chap. 74, Relating to hunting license for non-residents..	724
Chap. 74, Relating to certain Game Birds .....	725

## Acts Amended (Revised Code) (Continued)

Chap. 74, Relating to Oyster planting in Indian River, Rehoboth Bay and Assawaman Bay .....	726, 727
Chap. 74, Relating to size of fish .....	728
Chap. 74, Relating to daily limit on certain Game fish ....	729
Chap. 76, Relating to admissions to Delaware State Hospital .....	737, 738
Chap. 76, Relating to Trustees for Insane .....	739
Chap. 78, Relating to Legal Holidays .....	743
Chap. 82, Relating to weights and measures .....	752, 753
Chap. 88, Relating to Mothers Pension .....	754
Chap. 90, Art. 5—Relating to Workmen's Compensation Law .....	755
Chap. 90, Relating to Workmen's Compensation .....	756, 757
Chap. 92, Relating to Mortgages .....	761
Chap. 98, Relating to settlement of Personal Estates ....	770
Chap. 100, Regulation of small Loans .....	771-774
Chap. 100, Relating to Gambling .....	775, 776
Chap. 101, Relating to board of Prisoners at Workhouse..	777, 778
Chap. 116, Relating to Juvenile Court .....	787-789
Chap. 117, Relating to Court of Chancery .....	790-792
Chap. 133, Relating to executions .....	793, 794
Chap. 142, Relating to Landlord and Tenant .....	796-798
Chap. 150, Relating to Arson and Burning .....	800-803
Chap. 156, Relating to Fees in the Orphans' Court .....	804-808
Chap. 156, Relating to Register of Wills of New Castle County .....	809-811

## Acts Repealed (Laws of Delaware)

Vol. 35, Chap. 11, Income Tax .....	68, 69
Vol. 35, Chap. 48, Sec. 10, Relating to Apples .....	293
Vol. 35, Chap. 106, Relating to Georgetown .....	483
Vol. 34, Chap. 23, Income Tax .....	68, 69
Vol. 33, Chap. 16, Income Tax .....	68, 69
Vol. 32, Chap. 9, Income Tax .....	68, 69
Vol. 29, Chap. 260, Landlord and Tenant .....	797
Vol. 28, Chap. 8, Relating to Insurance Tax .....	72
Vol. 28, Chap. 51, Relating to Sale of Seeds .....	278
Vol. 27, Chap. 243, Relating to Georgetown .....	483
Vol. 11, Chap. 416, Relating to Corbit Free Library .....	316

## Acts Amended (Laws of Delaware)

Vol. 35, Chap. 25, Relating to Japanese Beetle .....	272, 273
Vol. 35, Chap. 48, Sec. 1, Apples .....	285-291
Vol. 35, Chap. 48, Sec. 3, Relating to Apples .....	291-292
Vol. 35, Chap. 48, Sec. 6, Relating to Apples .....	292
Vol. 35, Chap. 48, Sec. 12, Relating to Apples .....	293
Vol. 35, Chap. 50, Sec. 1, Relating to Forestry .....	296
Vol. 35, Chap. 92, Sec. 2, Sinking Fund of Wilmington..	421-423
Vol. 35, Chap. 93, Collection of Taxes in Wilmington....	411-417

## Acts Amended (Laws of Delaware) (Continued)

Vol. 35, Chap. 121, Relating to Town of New Castle .....	559, 560
Vol. 35, Chap. 158, Relating to repeal of personal and Real property taxes for school purposes .....	681, 682
Vol. 35, Chap. 178, Relating to Eels .....	731
Vol. 35, Chap. 217, Relating to Court of Chancery .....	790-792
Vol. 35, Chap. 243, Relating to boundary between New Jersey and Delaware .....	258
Vol. 34, Chap. 91, Sec. 1, Relating to Indigent Sick .....	338
Vol. 34, Chap. 91, Sec. 3, Relating to Indigent Sick .....	338, 339
Vol. 34, Chap. 144, Relating to Lewes .....	522
Vol. 34, Chap. 151, Relating to Laurel .....	510, 511
Vol. 34, Chap. 165, Relating to Public Schools .....	691, 692
Vol. 34, Chap. 173, Relating to Public Schools .....	695, 696
Vol. 34, Chap. 185, Relating to Kennel License for Dogs..	722
Vol. 34, Chap. 204, Sec. 1, Relating to Ice Cream content..	299, 300
Vol. 34, Chap. 208, Relating to board of Prisoners .....	377, 378
Vol. 33, Chap. 62, Relating to Sterilization Cases .....	740, 741, 742
Vol. 33, Chap. 111, Relating to State Bank Commissioner.	270
Vol. 33, Chap. 168, Relating to Public Schools .....	691, 692
Vol. 33, Chap. 169, Relating to Public Schools .....	690
Vol. 33, Chap. 191, Relating to Oyster Planting .....	726, 727
Vol. 32, Chap. 31, Relating to State Detectives .....	260
Vol. 32, Chap. 52, Relating to State Highway Depart- ment .....	257
Vol. 32, Chap. 121, Relating to Town of New Castle ....	553
Vol. 32, Chap. 160, Relating to Public Schools ..	689, 693, 694, 697, 711
Vol. 32, Chap. 180, Weights and Measures .....	752, 753
Vol. 32, Chap. 183, Mothers Pension .....	754
Vol. 32, Chap. 209, Juvenile Court .....	787-789
Vol. 32, Chap. 215, Relating to Landlord and Tenant ....	799
Vol. 30, Chap. 92, Relating to County Engineer of New Castle County .....	348, 349
Vol. 30, Chap. 111, Relating to State Bank Commissioner.	270, 271
Vol. 30, Chap. 142, Sec. 3, Relating to Town of Milford...	533, 534
Vol. 30, Chap. 223, Juvenile Court .....	787, 789
Vol. 29, Chap. 63, Relating to State Highway Depart- ment .....	257
Vol. 29, Chap. 110, Relating to Election District in New Castle County .....	356, 357
Vol. 29, Chap. 122, Sec. 8, Lien Against Abutting Property Owners in Wilmington .....	418
Vol. 29, Chap. 149, Relating to Town of Cheswold .....	434-435
Vol. 29, Chap. 153, Relating to Town of Seaford .....	582
Vol. 29, Chap. 164, Relating to Laurel .....	509, 510, 519
Vol. 29, Chap. 260, Relating to Landlord and Tenant ....	797
Vol. 22, Chap. 79, Sec. 16, Assessment of Property in Sussex County .....	340, 341
Vol. 28, Chap. 97, Relating to Election Districts in	

**Acts Amended (Laws of Delaware) (Continued)**

Seventh Representative District of New Castle County	359-362
Vol. 28, Chap. 121, Relating to Board of Assessment of Wilmington .....	409, 410
Vol. 28, Chap. 126, Relating to Town of Bellefonte .....	427-429
Vol. 28, Chap. 206, Relating to Size of fish .....	728
Vol. 28, Chap. 216, Weights and Measures .....	752, 753
Vol. 27, Chap. 216, Relating to Town of New Castle .....	558
Vol. 27, Chap. 240, Sec. 6, Relating to Houston .....	508
Vol. 26, Chap. 238, Sec. 6, Relating to Georgetown .....	483
Vol. 25, Chap. 176, Relating to Elsmere .....	481
Vol. 25, Chap. 203, Relating to Town of Millsboro .....	543-547
Vol. 25, Chap. 212, Relating to Town of Bethany Beach..	430-431
Vol. 24, Chap. 210, Relating to Town of Milford .....	538-542
Vol. 24, Chap. 214, Relating to Laurel .....	516
Vol. 22, Chap. 196, Sec. 1, Relating to Lewes .....	522
Vol. 21, Chap. 283, Sec. 2, Relating to Town of Little Creek	527, 528
Vol. 18, Chap. 175, Relating to Town of Newark .....	548

**Abutting Property Owners**

CONTRIBUTION toward cost of roads through public lands	5-6
REBATE for payment of Roadway improvements in Wil- mington, when .....	418
TO EXTEND BOUNDARIES to middle of vacated and closed roads .....	351

**Acknowledgments**

AN ACT to make valid the record of certain deeds with de- fective .....	762
--	-----

**Acquittances**

NEW INDEX OF, in office of Register of Wills of Kent County .....	330-331
--	---------

**Actions**

AGAINST CORPORATIONS AND STOCKHOLDERS when loss is caused by failure to publish reduction in Capi- tal Stock .....	390
AGAINST PARENT, GUARDIAN OR EMPLOYER for negligence of minor operator of motor vehicle .....	114
MOTOR VEHICLES, an act relieving owner from liability for injuries to passengers, when .....	795
REPLEVIN OF SEIZED MOTOR VEHICLES .....	147-148
SEE PLEADING AND PRACTICE	

**Adjutant General**

ON COMMISSION to consider exchange of State Land for land of William P. Short .....	823
RESOLUTION OF RESPECT to memory of I. Pusey Wick- ersham, deceased, former .....	830
SALARY OF .....	175

# GENERAL INDEX

v

<b>Aetna Hose, Hook and Ladder Company</b>	
APPROPRIATION TO, for operation .....	178-232
<b>Agricultural Fair Association</b>	
APPROPRIATION TO .....	174
<b>Agricultural Seeds</b>	
SEE SEEDS	
<b>Agriculture</b>	
SEE STATE BOARD OF AGRICULTURE	
<b>Aircraft</b>	
AN ACT concerning the licensing of .....	750-751
AN ACT for the regulation of Aerial Navigation .....	744-749
DEFINITION OF TERMS .....	744
RULES OF FLIGHT .....	744-745-746-747
LIGHTS SHOWN .....	747-748
DISTRESS SIGNALS .....	748-749
PENALTIES for violating provisions of Act .....	749
<b>Alcohol</b>	
EFFECTS UPON HUMAN SYSTEM, to be taught in	
Schools .....	697
<b>Allen, William F.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	190
<b>Ambulances</b>	
HORN OR WARNING DEVICES to be approved by Com-	
missioner .....	137
REGISTERED WITHOUT PAYMENT OF FEES .....	92-153
RIGHT OF WAY GIVEN TO .....	125
SPEED LIMITATIONS NOT TO APPLY TO .....	121
<b>Amendment to State Constitution</b>	
AUTHORIZING GENERAL ASSEMBLY to enact laws	
under which municipalities, other than Counties, may	
adopt zoning ordinances .....	3
<b>American Education Week</b>	
GOVERNOR PROCLAIMING Nov. 7-13, 1927, as .....	895-896
GOVERNOR PROCLAIMING Nov. 5, 1928 to November 11,	
1928, as .....	893-894
<b>American Forest Week</b>	
GOVERNOR PROCLAIMING April 22, 1928 to April 28,	
1928, as .....	887-888

## Americanization

- APPROPRIATION TO CREATE SERVICE BUREAU FOR  
FOREIGN BORN ..... 684

## American Legion

- APPROPRIATION FOR OPERATION ..... 169

## Animals

- SEE DELAWARE SOCIETY FOR PREVENTION OF  
CRUELTY TO ANIMALS  
SEE LIVE STOCK

## Anti-Hog Cholera Serum and Virus

- APPROPRIATIONS FOR, Distribution of ..... 284

## Appeal

- AIRCRAFT CASES, to Court of General Sessions ..... 749  
BOARD OF ASSESSMENT IN WILMINGTON, appeals  
from assessments ..... 410  
DELAWARE STATE HOSPITAL, From Commitment to .. 738  
JAPANESE BEETLE VIOLATIONS, From Justice of The  
Peace ..... 273  
MOTOR VEHICLE LAW, appeals to Court of General Ses-  
sions ..... 151-152  
MOTOR VEHICLES, appeal to Superior Court after revo-  
cation of license ..... 113-114  
MOTOR VEHICLES, appeal to Court of General Sessions  
after conviction for operating while under influence of  
intoxicating liquor or any drug ..... 118  
MOTOR VEHICLE, to Superior Court for failure to issue  
title ..... 98-99  
TO JUDGES in cases where land is condemned in City of  
Dover ..... 461-462  
TO JUDGES in cases where land is condemned in Town of  
Harrington ..... 497-498  
TO STATE TAX BOARD AND SUPERIOR COURT in In-  
come Tax Cases ..... 53-54-62-63  
TO STATE TAX BOARD in Franchise Tax Assessment  
Cases ..... 25-26  
TO SUPERIOR COURT by State Tax Commissioner .... 57  
TUBERCULIN TESTING OF CATTLE, modified accredited  
areas, appeal from conviction before Justice of The  
Peace ..... 281

## Apple Grading and Inspection

- APPROPRIATIONS for salaries, wages, operation ..... 171-172

## Apples

- AN ACT to regulate packing, branding, grading, sale of... 285-293

# GENERAL INDEX

vii

## Apples (Continued)

GRADES .....	285-289
STANDARDS FOR EXPORT .....	289
DEFINITION OF TERMS .....	289-291
STORAGE IN WAREHOUSE .....	292
STATE BOARD OF AGRICULTURE TO ENFORCE LAW .....	292
PENALTY FOR VIOLATING PROVISIONS OF ACT....	293

## Appropriations

AN ACT making appropriations for the expenses of the State Government for each of the two fiscal years ending June 30, 1930, and June 30, 1931 .....	157-179
ADJUTANT GENERAL, Salary .....	175
AETNA HOSE, HOOK AND LADDER COMPANY, operation .....	178-232
AGRICULTURAL FAIR ASSOCIATION, operation .....	174
operation .....	171-172
ALLEN, WILLIAM F., Traveling expenses .....	190
AMERICAN LEGION, operation .....	169
ANTI-HOG CHOLERA SERUM AND VIRUS, use of .....	284
APPLE GRADING AND INSPECTION, salaries, wages, operation .....	171, 172
ARCHIVES COMMISSION, salaries, wages, expenses....	177
ARMORY AND ARSENAL AT LAUREL, repairs, additions .....	251
ARMORY AND ARSENAL AT WILMINGTON, equipment .....	252
ASHTON, JOHN, Traveling expenses .....	211
ASSESSORS, salaries .....	163
ASSOCIATE JUDGES, salaries .....	158
ATTIX, JOHN W., Traveling expenses .....	186
ATTORNEY GENERAL, salary, salaries of Deputies, expenses .....	160
AUDITOR OF ACCOUNTS, salaries, expenses .....	162
AUTOMOBILE DEPARTMENT, salaries and expenses ...	160-161
BEDDING FUND, To State Board of Health .....	305-306
BELL, DAVIS H., Traveling expenses .....	208
BLIND CHILDREN, maintenance and instruction .....	167
BLIND, Delaware Commission For The, salaries, wages, repairs .....	168
BOARD OF BOILER RULES, Salaries and Wages .....	167
BOARD OF PARDONS, salary, witness fees, travel .....	159
BOARD OF PAROLE, salaries and expenses .....	159
BONDS OF COUNTIES FOR HIGHWAY IMPROVE- MENT, principal .....	321, 322
BONDS OF STATE OFFICERS, Premiums .....	179
BRANDYWINE SANITORIUM, salaries, wages, expenses, heating system and laundry .....	165, 166, 666
BRIDGE AT LITTLE CREEK, Maintenance .....	176
BUCKINGHAM, DOLSWORTH M., traveling expenses....	200

## Appropriations (Continued)

BUREAU OF MARKETS, salaries, wages, operation .....	173
BURIAL OF SOLDIERS .....	168
BURTON, CLIFFORD E., Traveling expenses .....	223
CARE OF STATE PROPERTY, Janitors, operation, replacement .....	178
CARROW, JOHN W., Traveling expenses .....	205
CATTLE TUBERCULOSIS ERADICATION, salaries, wages, operation .....	173
CHANCELLOR, Salary, expenses of Court .....	158
CHIEF JUSTICE, salary .....	158
CHILD LABOR INSPECTOR, salaries, wages .....	174
CHILDREN OF SOLDIERS AND SAILORS, education of .....	716-717
CHILDREN'S BUREAU, Maintenance of Children .....	665
CLAIMS, against the State .....	226, 227, 819
CONWELL, CHARLES S., Traveling expenses .....	212
CORBIT FREE LIBRARY, operation .....	177
CORN GROWERS ASSOCIATION, salaries, wages, operation .....	173
COURT OF CHANCERY, salaries, wages, expenses, reports .....	158
COURTS, salaries, expenses, reports .....	158, 159
CUBBAGE, WILLIAM O., traveling expenses .....	213
CURRY, THOMAS, C., traveling expenses .....	217
DAVID, ELMER, expenses as member of 101 General Assembly .....	185
DAVIS, ORA W., traveling expenses .....	215
DEAF, DUMB, BLIND, IDIOTIC CHILDREN, Board and Tuition of .....	166
DEBT SERVICE, Interest and redemption .....	164
DELAWARE CHILDREN'S HOME SOCIETY, operation ..	167, 664
DELAWARE COMMISSION FOR THE BLIND, salaries, wages, repairs .....	168
DELAWARE COMMISSION FOR THE FEEBLE MIND-ED, salaries, wages, operation, buildings .....	169, 660
DELAWARE INDUSTRIAL SCHOOL FOR GIRLS, salaries, wages, operation, Dormitory .....	168, 656, 657
DELAWARE SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS, operation .....	169
DELAWARE STATE HOSPITAL, maintenance, equipment and operation .....	734
DELAWARE STATE HOSPITAL, permanent improvements .....	732, 733
DELAWARE STATE HOSPITAL, salaries, wages, expenses improvements .....	167
DELAWARE WATERFRONT COMMISSION, expenses ..	179
DENTISTRY AND DENTAL BOARD, salaries, expenses ..	166
DEPARTMENT OF ELECTIONS (WILMINGTON), Salaries, wages, office expenses .....	159

# GENERAL INDEX

ix

## Appropriations (Continued)

DEPUTY, WILLARD F., traveling expenses .....	189
DICKERSON, JAMES B., traveling expenses .....	222
DISEASES OF LIVE STOCK, salaries, wages, operation..	172
DOVER FREE LIBRARY, operation .....	177
DUNCAN, S. B. IRWIN, traveling expenses .....	202
EDGEWOOD SANATORIUM, salaries, wages, expenses...	165
ELLIS, DANIEL W., traveling expenses .....	218
EMPLOYMENT BUREAU, maintenance and expenses ...	320
EVANS, JAMES S., traveling expenses .....	195
FARM PRODUCTS INSPECTION, salaries, wages, opera- tion .....	172
FARNHURST, maintenance, equipment and operation ....	734
FARNHURST, permanent improvements .....	732, 733
FARNHURST, salaries, wages, expenses, improvements..	167
FEEBLE MINDED, Delaware Commission For the, salaries, wages, operation, Buildings .....	169, 660
FERRIS INDUSTRIAL SCHOOL, salaries, wages, opera- tion, repair; Sewage Disposal Plant .....	169, 659
FERTILIZERS AND FEEDS, salaries, wages, expenses ..	172
FIRE INSURANCE ON STATE PROPERTY .....	178
FORD, J. LESLIE, traveling expenses .....	203
FOREIGN-BORN, Americanization of .....	684
FREE PUBLIC SCHOOLS, Emergency Appropriation for..	683
G. A. R., BURIAL OF SOLDIERS, Observance of Memorial Day .....	168
GENERAL ASSEMBLY, salaries, supplies, printing .....	157
GENERAL ASSEMBLY, expenses of various members ...	180-225
GOODWILL FIRE COMPANY, operation .....	178, 233
GOVERNOR, salary, other expenses, Governor's Conference	159
HART, EDWARD, traveling expenses .....	206
HASTINGS, ANANIAS, traveling expenses .....	221
HISTORICAL SOCIETY OF DELAWARE, office expenses	177
INAUGURATION OF PRESIDENT-ELECT HOOVER, ex- pense of attending .....	814
INDIAN RIVER INLET, opening of .....	237, 238
INDUSTRIAL SCHOOL FOR COLORED GIRLS, salaries, wages, expenses, Dormitory and Heating Plant .....	168, 658
INDUSTRIAL SCHOOL FOR GIRLS, salaries, wages, opera- tion, Dormitory .....	168, 656, 657
INSURANCE COMMISSION, consider revision of Insur- ance Laws .....	269
INSURANCE DEPARTMENT, salaries and expenses .....	162, 163
JAPANESE BEETLE, control measures .....	273
JAPANESE BEETLE ERADICATION, salaries, wages, ex- penses .....	174
JESTER, WILLARD S., traveling expenses .....	188
JUDGES, salaries .....	158
JUVENILE COURT, salaries and wages .....	159

## Appropriations (Continued)

KENT AND SUSSEX FAIR, operation, prizes .....	174, 235, 236
KRAMER, LEROY, expenses as member of 101st General Assembly .....	180
LABORATORY (STATE), salaries, wages, expenses .....	165
LABOR COMMISSION OF DELAWARE, salaries, wages, operation .....	174-175
LATCHUM, JAMES, JR., traveling expenses .....	187
LAYTON HOME FOR AGED COLORED PEOPLE, operation .....	168, 662
LEGISLATURE, salaries, supplies, printing .....	157
LEGISLATURE, expenses of various members .....	180-225
LESTER, HARRY, traveling expenses .....	204
LEVY COURTS, for Registrars and Assistants .....	160
LIEUTENANT GOVERNOR, salary as Member of Board of Pardons .....	159
LORD, WILLIAM, expenses as member of 101st General Assembly .....	182
LYNCH, GOVE S., traveling expenses .....	191
McVEY, CLARENCE E., traveling expenses .....	201
MALONEY, MICHAEL J., traveling expenses .....	197
MARKER, WALTER L., traveling expenses .....	207
MEDICAL COUNCIL OF DELAWARE, salaries and wages .....	166
MEMORIAL DAY, observance .....	168, 243
MILFORD FREE LIBRARY, operation .....	177
MOTHERS PENSION COMMISSION, salaries, wages, expenses .....	167
NATIONAL GUARD, salaries, wages, expenses .....	175, 176
OLD FOLKS HOME, appropriations for operation .....	168, 661
OYSTER REVENUE COLLECTOR, salary and expenses .....	163
PARDEE, WILLIAM C., traveling expenses .....	209
PARDONS, BOARD OF, salary, witness fees, travel .....	159
PAROLE BOARD, salaries and expenses .....	159
PENINSULA HORTICULTURE SOCIETY, expenses, operation .....	172
PLANT AND LIVE STOCK DISEASES, emergency appropriation .....	174
PLANT PATHOLOGIST, salaries, wages, operation .....	174
POOL, FRANK R., expenses as member of 101st General Assembly .....	184
PORTRAIT COMMISSION OF DELAWARE, Repairs, Replacements, Equipment .....	177
POULTRY ASSOCIATION, prizes, speakers, expenses ....	283
POULTRY DISEASES, salaries, wages, operation .....	173
PUBLIC ARCHIVES COMMISSION, salaries, wages, expenses .....	177
PUBLIC LANDS COMMISSION, salaries, wages, expenses .....	178
RECORD OF BIRTHS, DEATHS, MARRIAGES, delivery of .....	342

# GENERAL INDEX

xi

## Appropriations (Continued)

REEVES, JOSEPH M., to administratrix for expenses as member of 101st General Assembly .....	183
REGISTER OF WILLS, salaries and wages .....	163
REGISTRARS AND ASSISTANTS, compensation .....	160
REHOBOTH FREE LIBRARY, operation .....	177
RICHARDSON, WILLIAM H., traveling expenses .....	216
ROBBINS HOSE COMPANY, operation .....	178, 234
RUSSELL, LYNFORD O., traveling expenses .....	225
SCHEIFELE, JACOB, traveling expenses .....	193
SCHOOL BUDGET, for two years ending June 30, 1931 ...	228-231
SECRETARY OF STATE, salaries, expenses of office and Departments .....	160, 161
SHELDRAKE, JOHN W., traveling expenses .....	214
SHILES, E. B., traveling expenses .....	219
SMITH, FRANK E., traveling expenses .....	224
SMITH, J. WESLEY, traveling expenses .....	210
STATE AUDITOR, salaries, expenses .....	162
STATE BANK COMMISSIONER, salaries, expense .....	164
STATE BOARD OF AGRICULTURE, salaries, expenses, operation, etc. ....	171-174
STATE BOARD OF CHARITIES, salaries, expenses ....	166
STATE BOARD OF EDUCATION, maintenance and instruction of Blind Children .....	167
STATE BOARD OF HEALTH, salaries, expenses, Institutions .....	164-166
STATE BOARD OF PHARMACY, compensation, expenses .....	309-310
STATE BOARD OF PHARMACY, salaries, expenses ....	166
STATE BOARD OF REPAIRS, Repairs and replacements..	178
STATE COLLEGE FOR COLORED STUDENTS, Buildings at .....	718
STATE COLLEGE FOR COLORED STUDENTS, salaries, wages, operation .....	171
STATE DETECTIVES, salaries .....	160
STATE FEDERATION OF CLUBS, equipment .....	177
STATE FORESTRY DEPARTMENT, salaries, wages, expenses, operation .....	178, 179
STATE HIGHWAY DEPARTMENT to use money derived from sale of Public Land .....	5
STATE INSTITUTIONS, expense of General Assembly in visiting .....	829
STATE INSURANCE COMMISSION, Fire Insurance on State Property .....	178
STATE LIBRARIAN, salaries, wages, expenses .....	176
STATE LIBRARY COMMISSION, salaries, wages, expenses .....	176, 177
STATE LIBRARY, current expenses .....	11
STATE LIBRARY, Purchase of Law Books .....	13
STATE REVENUE COLLECTOR, salary and expenses ...	162
STATE TAX DEPARTMENT, salaries, expenses .....	163

## Appropriations (Continued)

STATE TREASURER, salaries and expenses of office .....	161, 162
STEEL, ELISHA A., traveling expenses .....	192
ST. MICHAELS DAY NURSERY, operation, repairs .....	167, 663
SUPPLIES, State Departments .....	161
TALLEY, JOHN T., traveling expenses .....	198
TEN HOUR LAW INSPECTOR, salaries, wages .....	174
TINSMAN, WILLIAM, traveling expenses .....	199
TUBERCULOSIS IN CATTLE, eradication of .....	282
UNIFORM STATE LAWS, expenses of Committee .....	157
UNITED SPANISH WAR VETERANS, operation .....	169
UNIVERSITY OF DELAWARE, Heating Plant, Gymnasium at Women's College .....	713, 714
UNIVERSITY OF DELAWARE, 4-H Club Scholarships..	715
UNIVERSITY OF DELAWARE, salaries, wages, expenses, equipment .....	169-171
VEASEY, BENJAMIN R., expenses as member of 101st General Assembly .....	181
VETERANS OF FOREIGN WARS, Memorial Day Observance .....	243
VIRDEN, WILLIAM E., traveling expenses .....	196
W. C. T. U. REST ROOM, operation .....	176
WHARF AT LEWES, Construction .....	239, 24C
WILMINGTON, Department of Elections of .....	159
WINTRUP, WILLIAM, traveling expenses .....	194
WOOTEN, ELIJAH E., traveling expenses .....	220
 Arbor Day	
GOVERNOR PROCLAIMING April 27, 1928, as .....	888
 Archives Commission	
SEE PUBLIC ARCHIVES COMMISSION	
 Armistice Day	
GOVERNOR PROCLAIMING Nov. 11, 1928, as .....	897
 Armory and Arsenal	
APPROPRIATION FOR completion and equipment of Armory at Wilmington .....	252
APPROPRIATION FOR repairs and additions to Building at Laurel .....	251
DISCHARGE OF COMMISSION .....	251, 252
 Arson	
DEGREES, Penalties for .....	800, 801
 Ash, Henry L.	
REWARD OFFERED BY GOVERNOR for arrest and conviction of those responsible for death of .....	842

# GENERAL INDEX

xiii

<b>Ashton, John</b>	
APPROPRIATION FOR traveling expenses .....	211
<b>Assessment</b>	
SEE BOARD OF ASSESSMENT	
<b>Assessors</b>	
APPROPRIATIONS FOR salaries .....	163
<b>Assignments of Real Estate</b>	
INDEX OF, in office of Register in Chancery and Clerk of the Orphans Court of Kent County, to be prepared....	334, 335
<b>Attix, John W.</b>	
APPROPRIATION FOR traveling expense .....	186
<b>Attorney General</b>	
ADDITIONAL DEPUTY APPOINTED BY, for Tax Work, salary .....	67
APPROPRIATIONS FOR SALARY, salaries of Deputies, expenses .....	160
DUTIES AND POWERS OF DEPUTY, in Collection of Franchise Taxes .....	28
LEGAL ADVISE TO STATE TAX DEPARTMENT .....	67
MAY APPLY TO COURT OF CHANCERY for injunction to collect Franchise Taxes .....	23, 24
MAY APPLY TO COURT OF CHANCERY for Receiver of Corporations, when .....	24
PROCLAMATION OF ELECTION OF REUBEN SAT- TERTHWAITE, JR. ....	912, 913
REWARD OFFERED BY GOVERNOR for arrest and con- viction of those responsible for death of Henry L., At- torney General to certify persons entitled to .....	842
REWARD OFFERED BY GOVERNOR for arrest and con- viction of those responsible for death of Robert R. Hitchens, Attorney General to certify persons entitled to .....	844, 885
STATE SUPPLIES, to enter bonds of successful bidders for, when .....	246, 247
TO TAKE NECESSARY ACTION to protect rights of Dela- ware in Delaware River and Bay .....	813
<b>Auditor of Accounts</b>	
APPROPRIATIONS FOR salaries and expenses .....	162
EMERGENCY FUND FOR SCHOOL BUILDINGS, Duties under Act .....	685-688
FEEBLE-MINDED INSTITUTION, payment for buildings at .....	660

## Auditor of Accounts (Continued)

KENT AND SUSSEX COUNTY FAIR, Statement audited by .....	235, 236
PROCLAMATION OF ELECTION OF EDWARD BAKER .....	910, 911
SCHOOL BUILDING ACT, Certification of costs to .....	677
SCHOOL DISTRICTS, Collecting Taxes in, duties .....	694, 695, 696
STATE SUPPLIES, to approve warrants .....	245, 249
STATE SUPPLIES, to set up funds for .....	244

## Auditors

SEE COUNTY AUDITORS

## Baker, Edward

ELECTION TO OFFICE OF AUDITOR OF ACCOUNTS..	910, 911
---	----------

## Baltimore Hundred

SUSSEX COUNTY, change in names of streams in .....	780
--	-----

## Banks and Banking

AN ACT in relation to Legal Holidays .....	743
VALIDITY OF ACTS performed between Saturday noon and midnight .....	743
BRANDYWINE TRUST AND SAVINGS BANK, Amending An Act to Incorporate .....	834
DELAWARE TRUST COMPANY, an Act to confer additional powers upon .....	833
FARMER'S BANK, Amending Acts Incorporating .....	833
FIDELITY TRUST AND SAVINGS BANK, an Act changing name to Lewes Trust Company .....	832
FIRST BANK AND TRUST COMPANY, an Act to incorporate .....	831
FOURTH STREET TRUST COMPANY, an Act to Incorporate .....	834
GEORGETOWN TRUST COMPANY, an Act Incorporating NOTARIES PUBLIC TO BE APPOINTED FOR, Business of such Notaries restricted .....	318, 319
PROVIDENT SAVINGS AND LOAN ASSOCIATION, An Act to Incorporate .....	831
REHOBOTH TRUST COMPANY, Amending an Act to Incorporate .....	833
REQUIRED TO ALLOW VERIFICATION OF ACCOUNTS OF TAXABLE PERTAINING TO INCOME .....	57
SEAFORD TRUST COMPANY, an Act Incorporating ....	831
SEE STATE BANK COMMISSIONER.	
SMALL LOANS, supervision by State Bank Commissioner	270, 271
STATE BANK COMMISSIONER to have printed the Laws regarding .....	818
ST. GEORGES TRUST COMPANY, amending an Act to Incorporate .....	833

# GENERAL INDEX

xv

<b>Banks and Banking (Continued)</b>	
ST. GEORGES TRUST COMPANY, amending an Act to Incorporate .....	834
THE CLAYTON BANK AND TRUST COMPANY, An Act Conferring additional powers upon, and changing name .....	832
THE EQUITABLE GUARANTEE AND TRUST COMPANY, an Act to authorize branches .....	831
WILMINGTON SAVINGS FUND SOCIETY, an Act authorizing Branches .....	832
<b>Bayard, Thomas F.</b>	
VOTES RECEIVED AS CANDIDATE FOR OFFICE OF UNITED STATES SENATOR .....	904, 905
<b>Bell, Davis H.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	208
<b>Bellefonte, Town of</b>	
AN ACT relating to taxes, streets, meetings of the Commissioners in the .....	427-429
<b>Bernardini, Arthur S.</b>	
VOTES RECEIVED AS CANDIDATE FOR PRESIDENTIAL ELECTOR .....	901-903
<b>Bethany Beach, Town of</b>	
AN ACT regarding collection of Taxes in .....	430, 431
AN ACT regarding sale of Town Hall in .....	432, 433
<b>Biggs, John, Jr.</b>	
VOTES RECEIVED AS CANDIDATE FOR OFFICE OF ATTORNEY GENERAL .....	912, 913
<b>Bill Clerks</b>	
RESOLUTION NAMING .....	820
<b>Bird Day</b>	
GOVERNOR PROCLAIMING April 27, 1928, as .....	888
<b>Births</b>	
RECORDS OF, delivered by Recorders to State Board of Health .....	342
REGISTRATION OF .....	298
<b>Blind</b>	
APPROPRIATIONS TO DELAWARE COMMISSION FOR THE .....	168

Blind Children	
APPROPRIATION FOR MAINTENANCE AND IN- STRUCTION OF .....	167
Board of Assessment	
OF SUSSEX COUNTY, Duties, Powers .....	340, 341
TO PREPARE LIST OF TAXABLES IN SCHOOL DIS- TRICTS UNDER SCHOOL BUILDING ACT.....	673
Board of Boiler Rules	
APPROPRIATIONS FOR SALARIES AND WAGES .....	167
Board of Game and Fish Commissioners	
AUTHORIZED TO SELL BOAT .....	730
DECOYS, relieved of liability for killing or injuring of wild ducks or wild geese used as .....	723
HUNTING LICENSE FOR NON-RESIDENTS .....	724
KENNEL LICENSE FOR DOGS .....	722
MEMBERS OF, Salaries .....	719, 720
Board of Harbor Commissioners	
OF WILMINGTON, surplus revenues to become part of Sinking Fund .....	423
Board of Health	
SEE STATE BOARD OF HEALTH	
Board of Pardons	
APPROPRIATIONS FOR EXPENSES .....	159
Board of Parole	
APPROPRIATION FOR SALARIES AND EXPENSES...	159
Board of Pharmacy	
SEE STATE BOARD OF PHARMACY	
Board of Repairs	
SEE STATE BOARD OF REPAIRS	
Board of State Repairs	
STATE HOUSE, need of repairs, work of Janitors, brought to attention of, when .....	9
Board of State Supplies	
ABOLISHED .....	244
Boards	
See BOARD OF STATE REPAIRS	

# GENERAL INDEX

xvii

## Bond

ENTERED INTO BY SUCCESSFUL BIDDER FOR STATE SUPPLIES; entry of, upon failure to fulfill con- tract .....	246, 247
--	----------

## Bonds

COUNTY, for Highway Improvement, to be paid by State .....	321, 322, 323, 324
ISSUED FOR DISTRICT LIBRARIES, when, how .....	312, 313

## Bonds of Officers

APPROPRIATIONS FOR PREMIUMS ON .....	179
CANCELLATION AND SATISFACTION OF, when .....	325, 326
CUSTODIAN OF STATE HOUSE TO GIVE BOND, amount, filing of .....	7
IN CITY OF WILMINGTON .....	406
PERSON NAMED TO FILL OFFICE OF REMOVED OF- FICIAL IN WILMINGTON TO GIVE BOND .....	408
STATE LIBRARIAN TO GIVE BOND, amount, filing of .....	11
STATE TAX COMMISSIONER TO GIVE BOND, cost of, how defrayed .....	52
STATE TAX COMMISSIONER TO REQUIRE OFFICERS, EMPLOYEES AND AGENTS OF TAX DEPART- MENT, to give .....	56

## Boundary

ATTORNEY GENERAL TO TAKE NECESSARY ACTION TO PROTECT DELAWARE RIGHTS IN DISPUTE ABOUT .....	813
BETWEEN NEW JERSEY AND DELAWARE, Governor to fill vacancy on Commission .....	258

## Boys' and Girls' Clubs (4-H)

APPROPRIATION FOR SCHOLARSHIPS .....	715
--------------------------------------	-----

## Brandywine Sanatorium

APPROPRIATION FOR HEATING SYSTEM AND LAUN- DRY .....	666
APPROPRIATION TO .....	165, 166

## Brandywine Trust and Savings Bank

AMENDING AN ACT TO INCORPORATE .....	834
--------------------------------------	-----

## Bridges

SPEEDS OF MOTOR VEHICLES OVER .....	120
-------------------------------------	-----

## Buck, Hon. C. Douglas, Governor

MEMBER OF INDIAN RIVER INLET COMMISSION....	237
---	-----

Buckingham, Dolsworth M.	
APPROPRIATION FOR TRAVELING EXPENSES .....	200
Budget	
SCHOOL, for two years ending June 30, 1931 .....	228-231
Building Inspector	
OF WILMINGTON, Salary as Member of Board of Assessment .....	409-410
Bureau of Markets	
APPROPRIATIONS FOR SALARIES, WAGES, OPERATION OF .....	173
Burial of Soldiers and Sailors	
APPROPRIATION FOR .....	168
Burning	
AN ACT REGARDING OFFENSE OF, what, Penalties ...	800-803
Burton, Clifford E.	
APPROPRIATION FOR TRAVELING EXPENSES .....	223
Burrier, Theodore	
VOTES RECEIVED AS CANDIDATE FOR PRESIDENTIAL ELECTOR .....	901-903
Caesar Rodney Consolidated School District	
AUTHORIZED TO BORROW MONEY .....	707-710
Carrow, John W.	
APPROPRIATION FOR TRAVELING EXPENSES .....	205
Cattle	
SEE LIVE STOCK	
Celebration at Lewes	
APPROPRIATION FOR .....	241, 242
Chancellor	
AN ACT AUTHORIZING APPOINTMENT OF TRUSTEE FOR CORBIT LIBRARY FUNDS BY .....	315, 316
APPEAL FROM COMMITMENT TO DELAWARE STATE HOSPITAL .....	737, 738
TRUSTEES FOR INSANE, appointed by .....	739
SEE COURT OF CHANCERY	
Chancery Reports	
DISPOSAL OF, by State Librarian .....	13

# GENERAL INDEX

xix

## Charities

SEE STATE BOARD OF CHARITIES

## Charters (Void)

FOR FAILURE TO PAY TAX .....	26, 27
PROCLAIMED BY GOVERNOR, January, 1928 .....	843-883
PROCLAIMED BY GOVERNOR, January, 1929 .....	914-958
RECORD OF .....	28

## Cheswold, Town of

AN ACT relating to town election, voters, amount to be raised by taxation in .....	434, 435
--	----------

## Chief Probation Officer

OF JUVENILE COURT, appointment, salary .....	787-789
--	---------

## Child Labor Inspector

SALARY .....	174
--------------	-----

## Children

APPROPRIATION FOR BOARD AND TUITION OF DEAF, DUMB, BLIND AND IDIOTIC .....	166
APPROPRIATION FOR EDUCATION OF SOLDIERS AND SAILORS, restrictions .....	716, 717
APPROPRIATION FOR MAINTENANCE AND INSTRUCTION OF BLIND .....	167
APPROPRIATION FOR OPERATION OF DELAWARE CHILDREN'S HOME SOCIETY .....	167
APPROPRIATION FOR SCHOLARSHIPS TO BOYS' AND GIRLS' CLUBS .....	715
CHILD HEALTH DAY PROCLAIMED BY GOVERNOR..	835, 889
UNLAWFUL TO REFUSE TO RENT PROPERTY BECAUSE OF .....	799

## Children's Bureau

APPROPRIATION FOR MAINTENANCE OF CHILDREN	665
---	-----

## Chipman, William T.

VOTES RECEIVED BY, proclamation of election as Presidential Elector .....	901-903
---	---------

## Cities and Towns

FINES FOR VIOLATION OF MOTOR VEHICLE LAWS to go to incorporated, exception .....	150
MOTOR VEHICLES OWNED BY INCORPORATED, exempting from payment of fees for registration .....	92, 153
DITCHES AND DRAINS, opening and closing, expenses ..	781-783
BELLEFONTE, An Act relating to taxes, streets, meetings of the Commissioners in the .....	427-429

## Cities and Towns (Continued)

BETHANY BEACH, An Act regarding collecting of taxes in	430, 431
BETHANY BEACH, An Act regarding sale of Town Hall in	432, 433
CHESWOLD, An Act relating to town election, voters, amount to be raised by taxation in .....	434, 435
DELAWARE CITY, An Act authorizing Mayor and Coun- cil of, to borrow money to pay certain bonds .....	438, 439
DELAWARE CITY, An Act to exempt certain property from taxation .....	629
DELAWARE CITY, An Act to vest title of certain real estate in the Mayor and Council of .....	436, 437
DELMAR, An Act authorizing street improvements and the raising of funds for .....	440-444
DOVER, An Act changing name of, and establishing a Char- ter for .....	446-480
DOVER, An Act providing for redraft of a plot known as Fulton's Addition to Dover .....	445
DOVER, Appropriation to Old Folks' Home at .....	168
DOVER, Appropriations to Robbins Hose Company .....	178, 234
DOVER, Council to elect to be bound by provisions of Work- men's Compensation Law .....	757
DOVER, Farmers' Bank, appointment of Directors for Branch at .....	816
ELLENDALE, Consolidated School District, authorized to borrow money for advances .....	703-706
ELSMERE, An Act regarding nominations for Town Elec- tions .....	481
FREDERICA, An Act to re-incorporate .....	482
GEORGETOWN, An Act increasing the amount to be raised by taxation in .....	483
GEORGETOWN, Farmers' Bank, appointment of Directors for Branch in .....	815
HARRINGTON, An Act concerning System of Sewers and Disposal Works in .....	484-507
HARRINGTON, An Act to re-incorporate .....	630-655
HOUSTON, Amending an Act to incorporate .....	508
LAUREL, An Act extending limits of, and to authorize borrowing of money .....	509-515
LAUREL, An Act increasing penalty for violation of Town Ordinances .....	519
LAUREL, An Act in reference to salaries of Members of Council .....	516
LAUREL, An Act to authorize borrowing of money to re- fund certain indebtedness .....	517, 518
LAUREL, Appropriation for repairs and additions to armory and arsenal at .....	251
LEWES, An Act increasing the amount to be raised by taxa- tion in .....	522
LEWES, An Act regarding establishment of Boulevards in	524-526

## Cities and Towns (Continued)

LEWES, An Act to authorize certificates of indebtedness for sewers .....	520, 521
LEWES, An Act with reference to Board of Public Works of .....	523
LEWES, Appropriation for Celebration at .....	241, 242
LEWES, Construction of wharf at .....	239, 240
LITTLE CREEK, An Act extending boundaries of .....	527, 528
LITTLE CREEK, Appropriation for maintenance of bridge at .....	176
MAGNOLIA, An Act regarding establishment of water system in .....	529-532
MILFORD, Amending an Act to re-incorporate .....	538-542
MILFORD, An Act empowering Town Council to sell water and light plant .....	533, 534
MILFORD, An Act to authorize borrowing of money to pay indebtedness .....	535-537
MILLSBORO, An Act giving additional power to the Commissioners of .....	543-547
NEWARK, An Act increasing amount to be borrowed by Council of .....	548
NEWARK, An Act to authorize borrowing of money to redeem certain bonds .....	554-557
NEWARK, An Act to authorize State Treasurer to pay certain sewer and curbing assessments .....	552
NEWARK, An Act to provide for collection of Taxes in ....	549-551
NEWARK, Appropriation to Aetna Hose, Hook and Ladder Company of .....	178, 232
NEW CASTLE, An Act providing for Salaries of Members of Board of Water and Light Commissioners .....	553
NEW CASTLE, An Act regarding Officers of .....	558
NEW CASTLE, An Act regarding Salaries of Commissioners, and ratifying their Acts .....	559, 560
NEW CASTLE, An Act to authorize borrowing of money for Street improvement .....	563-567
NEW CASTLE, An Act to authorize changes in the line of Seventh Street in .....	562
NEW CASTLE, An Act to authorize sale of Fire Engine House and Lot .....	561
NEW CASTLE, Appropriations to Goodwill Fire Company .....	178, 233
ODESSA, Chancellor to appoint Trustee for funds of Corbit Library in .....	315, 316
REHOBOTH, An Act to authorize borrowing of money for improvement of Boardwalk in .....	568-573
REHOBOTH, Constable to reside in .....	344
RICHARDSON PARK, Appropriation for School Building at .....	698
SEAFORD, An Act increasing amount which may be raised annually by taxation .....	582

## Cities and Towns (Continued)

SEAFORD, An Act to authorize borrowing of money for street and sewer improvements in .....	574-581
SMYRNA, An Act to authorize borrowing of money. ....	583-586
SMYRNA, An Act to re-incorporate .....	587-628
SMYRNA, Special School District of, authorized to borrow money to redeem bonds .....	689-702
WILMINGTON, Abutting Properties, Rebate for payment of Roadway Improvements .....	418
WILMINGTON, An Act to authorize First and Central Presbyterian Church to convey certain real estate in...	763-765
WILMINGTON, Appropriation for Armory and Arsenal at	252
WILMINGTON, Appropriation to Department of Elections of .....	159
WILMINGTON, Board of Assessment of, appointment of Members, appeals .....	409, 410
WILMINGTON, Bonds of Officers of .....	406
WILMINGTON, Collection of Taxes in, Procedure .....	411-417
WILMINGTON, Employment Bureau, Money for, to be set aside by City .....	320
WILMINGTON, Farmers' Bank, appointment of Directors for Branch at .....	817
WILMINGTON, Governor to convey State interest in land under water within limits of .....	424
WILMINGTON, Leases in, how construed .....	796, 797
WILMINGTON, Paving and curb stones in, authority of Street and Sewer Department of .....	419, 420
WILMINGTON, Probation officers of Juvenile Court, part of salaries paid by .....	787-789
WILMINGTON, Regional Plan Commission for .....	425
WILMINGTON, Removal of Official in whose office a shortage exists .....	407, 408
WILMINGTON, School land and building conveyed to City, when, for what purpose used .....	426
WILMINGTON, Sinking Fund of, an Act regarding .....	421-423
WILMINGTON, Workmen's Compensation Law extended to apply to Board of Education of Wilmington .....	755
WILMINGTON, City Solicitor, Tax Collection Cases .....	413

## Civil Actions

SEE ACTIONS.

SEE PLEADING AND PRACTICE.

## Claims

AN ACT appropriating money to pay certain .....	226, 227
RESOLUTION APPROPRIATING MONEY TO PAY CERTAIN CLAIMS AGAINST THE STATE .....	819

# GENERAL INDEX

xxiii

Clayton Bank and Trust Company, The AN ACT conferring additional powers upon, and changing name .....	832
Clinic AT DELAWARE STATE HOSPITAL .....	735, 736
Coal SALE OF, regulations about weight .....	752, 753
Collector of State Revenue SEE STATE REVENUE COLLECTOR.	
Colored Girls APPROPRIATION TO INDUSTRIAL SCHOOL FOR COL- ORED GIRLS .....	168
Colored Home APPROPRIATION TO LAYTON HOME FOR AGED COL- ORED PEOPLE .....	168
Colored Students APPROPRIATIONS TO STATE COLLEGE FOR ..... SCHOOLS FOR .....	171 711, 712
Commissions EXCHANGE OF STATE LAND FOR LAND OF WILLIAM P. SHORT. Commission to consider .....	822-824
Commissions (Continued) SCHOOL BUILDING COMMISSION IN SCHOOL DIS- TRICTS ..... SEE DELAWARE COMMISSION FOR THE BLIND. See DELAWARE COMMISSION FOR THE FEEBLE MINDED. See DELAWARE WATERFRONT COMMISSION. See DISTRICT LIBRARY. See INDIAN RIVER INLET. See INSURANCE COMMISSION. See LABOR COMMISSION OF DELAWARE. See MOTHERS PENSION COMMITTEE. See PORTRAIT COMMISSION OF DELAWARE. See PUBLIC ARCHIVES COMMISSION. See PUBLIC LANDS COMMISSION. See STATE ARMORY COMMISSION. See STATE LIBRARY COMMISSION. See REGIONAL PLAN COMMISSION.	667-680
Compensation See SALARY.	

Consolidated School District No. 1	
AUTHORIZED TO BORROW MONEY .....	707-710
Constables	
AGENTS, employees of State Tax Office may be constituted	
Special .....	57
LEVY COURT of Sussex County to appoint Constable	
resident in Rehoboth .....	344
Constitution of Delaware	
AMENDMENT TO .....	3
Conwell, Charles S.	
APPROPRIATION for traveling expenses .....	212
Corbit Free Library	
AN ACT authorizing Chancellor to appoint Trustee of	
Funds of .....	315, 316
APPROPRIATION for Operation .....	177
Corporations	
AN ACT providing that certain signatures on Certificates	
of stock may be facsimiles .....	401
AN ACT relating to the lien of employees of insolvent	
Corporations .....	402
AN ACT to Amend Chapter 65 of the Revised Code of Dela-	
ware relating to .....	366-400
What Certificate shall set forth .....	366-369
Definition of Term "Certificate of Incorporation" ....	369
Certificate; How signed, sealed and Acknowledged;	
Recording; when Evidence .....	369, 370
Board of Directors; Qualifications; Powers; Classes;	
Committees of Directors .....	370, 371
Classes of Stock; Certificates filed and Recorded in	
Certain Cases .....	371-374
Issuance of Stock for Cash, Labor Done, or Real or	
Personal Property; Consideration for Shares or	
Stock without Par value; Determination of Amount	
of Capital; Statements of amount of par value and	
of amount of authorized or issued shares of stock;	
Issuance of Party Paid Shares, and Liability in Re-	
spect thereof; Options in respect of Shares .....	374-377
Certificates of Shares .....	377, 378
Power of Stockholders to vote in Person or by Proxy;	
Limitation of Power; Closing of Transfer Books or	
Fixing Date for Determination of Stockholders of	
Record for Certain Purposes; Cumulative Voting;	
Quorum .....	378-380
Fiduciary Stockholders, Voting Power of; Voting Trusts	380, 381

# GENERAL INDEX

xxv

## Corporations (Continued)

Corporation may Purchase, Hold, Sell, and Transfer Its own Stock; Not to be Voted .....	381, 382
Stockholders Liability .....	382, 383
Certificate of Incorporation; How Amended; When Corporation has Capital Stock; When Corporation has no Capital Stock .....	383-387
Retirement of Preferred Stock .....	387, 388
Reduction of Capital .....	388, 390
Voting List of Stockholders; Preparation; Inspection; Refusal to Produce; Penalty; Voting Powers of Se- curity Holders .....	391, 392
Dividends; Reserves .....	392, 393
Dissolution; Proceedings For .....	393-395
Consolidation or Merger; Proceedings For .....	395-397
Sale of Assets and Franchises .....	397, 398
State Taxes and Fees .....	398-400
CHARTERS REPEALED, Proclamation of Governor, Jan- uary, 1928 .....	843-883
CHARTERS REPEALED, Proclamation of Governor, Jan- uary, 1929 .....	914-958
INSURANCE COMPANIES, penalty for carrying on Insur- ance Business without authorization .....	264-265
INSURANCE COMPANIES required to pay tax and make statements to Insurance Commissioner .....	71-72
INVESTMENTS OF DOMESTIC LIFE INSURANCE COMPANIES in Stock of .....	262
LAWS REGARDING, to be printed by Secretary of State ..	827
REVENUE FROM DOMESTIC. See FRANCHISE TAX	
TITLE INSURANCE COMPANIES, Requisites of .....	266-268
See FOREIGN CORPORATIONS	

## Counties

CERTIFIED COPIES OF PRIVATE ACTS to be recorded in Offices of Recorders of .....	256
See NEW CASTLE COUNTY	
See KENT COUNTY	
See SUSSEX COUNTY	

## County Auditors

NEW CASTLE COUNTY, Compensation of .....	329
--	-----

## County Engineer

OF NEW CASTLE COUNTY, selection, salary, term of office .....	348, 349
--	----------

## County Free Library

LEVY COURT OF NEW CASTLE COUNTY Authorized to appropriate money for .....	327, 328
--	----------

**County Treasurer**

See RECEIVER OF TAXES AND COUNTY TREASURER

**Court of Chancery**

AN ACT regarding non-appearance of defendant in, and where defendant is a non-resident .....	790-792
APPROPRIATIONS FOR SALARIES, WAGES, EXPENSES, REPORTS .....	158
COLLECTION OF FRANCHISE TAX, procedure in; Powers of Chancellor .....	23, 24
INDEX OF REAL ESTATE ASSIGNMENTS IN OFFICE OF REGISTER IN CHANCERY OF KENT COUNTY, to be made .....	334, 335
INSANE PERSONS UNDER CARE OF, when .....	739
See CHANCELLOR	

**Court of General Sessions**

AIRCRAFT CASES, Appealed to .....	749
MOTOR VEHICLES, appeal after conviction for operation, while under influence of intoxicating liquor or any drug	118

**COURTS**

ACTIONS AGAINST MOTOR VEHICLE OWNERS, preliminary hearing in absence of July .....	88, 89
APPROPRIATIONS FOR SALARIES AND EXPENSES ..	158, 159
DISPOSAL OF JUDICIAL AND CHANCERY REPORTS BY STATE LIBRARIAN .....	13
MOTOR VEHICLES, Courts may recommend suspension of operators licenses .....	110, 111
See ACTIONS	
See COURT OF CHANCERY	
See COURT OF GENERAL SESSIONS	
See EVIDENCE	
See JUVENILE COURT	
See MUNICIPAL COURT	
See ORPHANS' COURT	
See PLEADING AND PRACTICE	
See SUPERIOR COURT	
See SUPREME COURT	

**Cream**

See ICE CREAM  
See MILK

**Crimes and Punishments**

AIRCRAFT, Penalties for violating provisions of Acts regarding .....	749, 751
APPLE GRADING LAW, Penalty for violating provisions of .....	293

## Crimes and Punishments (Continued)

ARSON, Degrees, Penalties .....	800, 801
BURNING, What, Penalties .....	800-803
COAL, regulations concerning sale of .....	752, 753
COLLECTION OF TAXES IN SCHOOL DISTRICTS, Pen- alty for failure of Collector to do duty .....	694, 695, 696
CORPORATIONS, Acting under Proclaimed Charter; Pen- alty .....	28
EELS, Penalty for violating provisions of Act regarding ..	731
FALSE STATEMENT IN ANNUAL REPORT OF CORPO- RATION deemed perjury .....	20
GAMBLING, An Act prohibiting certain forms of .....	775, 776
HABITUAL CRIMINALS, Sterilization of .....	742
INCOME TAX LAW, penalty for disclosure of return ....	70
INCOME TAX LAW, Penalty for failure to comply with provisions of Act .....	64, 65
INSIGNIA REGULATIONS, penalty for violating act Regarding .....	784-786
INSURANCE BUSINESS, penalty for carrying on without authorization .....	264-265
JAPANESE BEETLE, violation of Law, rule or regulation regarding, penalty .....	273
LAUREL, Town of, penalty for violating Town ordinances	519
MATTRESSES, penalty for violating provisions of Act re- garding .....	307
MILK, penalty for violating provisions of act requiring periodical statements of deliveries of, and butterfat content of .....	295
MOTOR VEHICLES, altering or defacing numbers, penalty	101
MOTOR VEHICLES, owner of rented, to keep records, pen- alty for refusal to permit inspection of .....	89
MOTOR VEHICLES, penalties for violations .....	94, 95, 103, 104, 116, 117, 148-151
MOTOR VEHICLES, suspension of registration upon notice of theft or embezzlement .....	87
MOTOR VEHICLES, Suspension of revocation of licenses for crimes .....	111, 112, 113
MOTOR VEHICLES, unlawful for non-resident to operate, upon highway, when right to operate has been suspend- ed or revoked .....	113
MOTOR VEHICLES, Unlawful taking of, or injury to .....	93, 94
MOTOR VEHICLES, Unlawful to alter or forge certificate of title .....	99
MOTOR VEHICLES, Unlawful to make false statements in application for title .....	99, 103
MOTOR VEHICLES, Unlawful to operate without obtain- ing Certificate of title .....	95, 96
MOTOR VEHICLES, Unlawful to transfer without certifi- cate of title .....	97

## Crimes and Punishments (Continued)

MOTOR VEHICLES, Unlawful uses of registration cards and number plates; Use of unregistered car .....	90, 91
MOTOR VEHICLES, Violations arising out of operation of .....	117-132, 135
MOTOR VEHICLES, Violations of license provisions ....	114-116
PERSONS CHARGED WITH CRIMINAL OFFENSES studied at Delaware State Hospital .....	735
PRISONERS, penalty for confinement except in certain places .....	779
RING NECKED PHEASANT, penalty for violating law making closed season for .....	721
SALE OF AGRICULTURAL SEEDS, Violations of Act concerning, penalty, hearing .....	277, 278
SMALL LOANS, Penalty for violating Law regarding ....	771-774
TUBERCULIN TESTING OF CATTLE, penalty for violating provisions of Act regarding .....	279-281
See BOARD OF PAROLE.	

## Cruelty to Animals

See DELAWARE SOCIETY FOR PREVENTION OF  
CRUELTY TO ANIMALS.

## Cubbage, William O.

APPROPRIATION FOR TRAVELING EXPENSES ....	213
---	-----

## Curry, Thomas C.

APPROPRIATION FOR TRAVELING EXPENSES .....	217
--	-----

## CURTESY

RIGHT OF, sold upon execution obtained when .....	793, 794
---	----------

## Custodian of State House

APPOINTMENT, TERM, OATH, BOND, REMOVAL ....	7, 8
DUTIES, DIRECTION OF JANITORS, SALARY .....	8
APPOINTMENT OF JANITORS BY, PAY OF JANITORS	8
EXPENSES, incident to care of State Property .....	8, 9
REPORT TO STATE TREASURER ABOUT PROPERTY AND JANITORS .....	9
STATE HOUSE OPEN, when .....	9
APPOINTMENT OF NIGHT WATCHMAN BY .....	10
DUTIES AND COMPENSATION OF NIGHT WATCHMAN .....	10
APPROPRIATIONS FOR CARE OF STATE PROPERTY	178

## Dagsboro Hundred

SUSSEX COUNTY, change in names of streams in .....	780
--	-----

# GENERAL INDEX

xxix

<b>David, Elmer</b>	
<b>APPROPRIATION</b> for expenses as member of 101st General Assembly .....	185
<b>Davis, Ora W.</b>	
<b>APPROPRIATION</b> for traveling expenses .....	215
<b>Deaf, Dumb, Blind and Idiotic Children</b>	
<b>APPROPRIATION</b> for Board and Tuition of .....	166
<b>Deaths</b>	
<b>RECORD OF</b> , delivered by Recorders, to State Board of Health .....	342
<b>REGISTRATIONS OF</b> .....	298
<b>Debt</b>	
<b>STATE</b> , Appropriation for debt service .....	164
<b>Deeds</b>	
<b>AN ACT</b> to make valid the record of those with defective acknowledgments .....	762
<b>GOVERNOR AND SECRETARY OF STATE EMPOWERED TO DEED STATE LAND TO WILLIAM P. SHORT</b> , when .....	822-824
<b>SECRETARY OF STATE TO EXECUTE DEED TO WILMINGTON STEAMBOAT COMPANY</b> .....	766-769
<b>Delaware Children's Home Society</b>	
<b>APPROPRIATIONS FOR OPERATION OF</b> .....	167, 664
<b>Delaware City, Town of</b>	
<b>AN ACT AUTHORIZING MAYOR AND COUNCIL OF</b> , to borrow money to pay certain bonds .....	438, 439
<b>AN ACT</b> to exempt certain property from taxation .....	629
<b>AN ACT</b> to vest title of certain real estate in the Mayor and Council of .....	436, 437
<b>Delaware College</b>	
See <b>UNIVERSITY OF DELAWARE.</b>	
<b>Delaware Commission for the Blind</b>	
<b>APPROPRIATIONS TO</b> .....	168
<b>Delaware Commission for the Feeble Minded</b>	
<b>APPROPRIATIONS TO</b> .....	169
<b>Delaware Industrial School for Girls</b>	
<b>APPROPRIATION FOR DORMITORY AT</b> .....	656
<b>APPROPRIATION FOR SALARIES, WAGES, AND OPERATION OF</b> .....	657
<b>APPROPRIATIONS TO</b> .....	168

<b>Delaware National Guard</b>	
See NATIONAL GUARD.	
<b>Delaware River and Bay</b>	
ATTORNEY GENERAL TO TAKE ACTION TO PROTECT RIGHTS OF DELAWARE IN .....	813
<b>Delaware Society for Prevention of Cruelty to Animals</b>	
APPROPRIATION FOR OPERATION .....	169
<b>Delaware State Hospital</b>	
ADMISSION OF INSANE PERSONS TO .....	737, 738
APPOINTMENT OF TRUSTEES FOR INSANE INMATES OF .....	739
APPROPRIATION FOR MAINTENANCE, EQUIPMENT AND OPERATION .....	734
APPROPRIATIONS FOR PERMANENT IMPROVEMENTS .....	732, 738
APPROPRIATIONS FOR SALARIES, WAGES, EXPENSES, IMPROVEMENTS .....	167
MENTAL HYGIENE CLINIC AT, establishment .....	735
PSYCHIATRIC OBSERVATION CLINIC established at ..	736
STERILIZATION OF HABITUAL CRIMINALS .....	742
STERILIZATION OF MENTAL DEFECTIVES .....	740, 741
<b>Delaware State Poultry Association</b>	
APPROPRIATION FOR PRIZES, SPEAKERS, EXPENSES .....	283
<b>Delaware Waterfront Commission</b>	
APPROPRIATIONS FOR EXPENSES .....	179
<b>Delaware Workmen's Compensation Law</b>	
See WORKMEN'S COMPENSATION LAW.	
<b>Delmar, Town of</b>	
AN ACT authorizing street improvements and the raising of funds for .....	440-444
<b>Demise</b>	
See LANDLORD AND TENANT.	
<b>Dentistry</b>	
AN ACT requiring that a Doctor of Dental Surgery be a member of the State Board of Health .....	297
<b>Dentistry and Dental Board</b>	
APPROPRIATION FOR SALARIES, EXPENSES .....	166

<b>Department of Elections, Wilmington</b>	
APPROPRIATION TO .....	159
<b>Departments, State</b>	
See ATTORNEY GENERAL.	
See AUDITOR OF ACCOUNTS.	
See GENERAL ASSEMBLY.	
See GOVERNOR.	
See INSURANCE COMMISSIONER.	
See NATIONAL GUARD.	
See PUBLIC LANDS COMMISSION.	
See SECRETARY OF STATE.	
See STATE BANK COMMISSIONER.	
See STATE BOARD OF AGRICULTURE.	
See STATE BOARD OF EDUCATION.	
See STATE HIGHWAY DEPARTMENT.	
See STATE LIBRARIAN.	
See STATE SCHOOL TAX DEPARTMENT.	
See STATE TAX BOARD.	
See STATE TREASURER.	
<b>Deputies and Clerks</b>	
PAID SEMI-MONTHLY, by Levy Court in New Castle County .....	347
<b>Deputy Attorney General</b>	
ATTORNEY GENERAL TO APPOINT ADDITIONAL DEPUTY FOR TAX WORK .....	67
DUTIES AND POWERS; COLLECTION OF FRAN- CHISE TAXES .....	28, 29
<b>Deputy, Willard F.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	189
<b>Detectives</b>	
See PRIVATE DETECTIVES.	
See STATE DETECTIVES.	
<b>Dickerson, James B.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	222
<b>Directors</b>	
OF CORPORATIONS, ineligible to hold office in Corporation when annual report not filed; Removal of disqualifi- cation .....	19, 20
See FARMERS BANK.	
<b>District Library</b>	
AN ACT providing for the raising of funds for .....	311-314

**District Library (Continued)**

LIBRARY COMMISSIONERS .....	311-313
BORROWING OF MONEY FOR .....	311-313
ISSUANCE OF BONDS FOR .....	312, 313
TAXATION FOR; use of money borrowed .....	313, 314

**Ditches**

AND DRAINS IN SUSSEX COUNTY, An Act to provide for opening and closing .....	781-873
---	---------

**Domestic Corporations**

REVENUE FROM. See FRANCHISE TAX.	
See CORPORATIONS.	

**Domestic Life Insurance Companies**

See LIFE INSURANCE COMPANIES.	
-------------------------------	--

**Domestic Relations**

RATES OF INHERITANCE TAX .....	31-33
--------------------------------	-------

**Dover, City of**

AN ACT changing name of and establishing a charter for ..	446-480
AN ACT providing for redraft of a plot known as Fulton's Addition to Dover .....	445
APPROPRIATION TO OLD FOLKS' HOME AT .....	168
APPROPRIATION TO ROBBINS HOSE COMPANY .....	178, 234
COUNCIL TO ELECT TO BE BOUND BY PROVISIONS OF WORKMEN'S COMPENSATION LAW .....	757
FARMERS' BANK, appointment of Directors for Branch at	816

**Dover Free Library**

APPROPRIATION FOR OPERATION .....	177
-----------------------------------	-----

**Dower**

RIGHT OF, sold upon executions obtained when .....	793, 794
--	----------

**Duncan, S. B. Irwin**

APPROPRIATION FOR TRAVELING EXPENSES .....	202
--	-----

**Edgewood Sanatorium**

APPROPRIATION TO .....	165
------------------------	-----

**Education**

AMERICAN EDUCATION WEEK, Governor proclaiming Nov. 7-13, 1927 as .....	895, 896
AMERICAN EDUCATION WEEK, Governor proclaiming Nov. 5-11, 1928 as .....	893, 894
APPROPRIATIONS TO UNIVERSITY OF DELAWARE	169-171

## GENERAL INDEX

xxxiii

## Education (Continued)

- CHILDREN OF SOLDIERS & SAILORS, appropriation  
for education of ..... 716, 717  
See FREE PUBLIC SCHOOLS.  
See STATE BOARD OF EDUCATION.  
See STATE COLLEGE FOR COLORED STUDENTS.  
See UNIVERSITY OF DELAWARE.

## Eels

- OPEN SEASON FOR ..... 731

## Election District

- See ELECTIONS.

## Elections

- AN ACT changing boundaries of Third Election District of  
the Sixth Representative District of New Castle County 353-355  
AN ACT changing boundaries of Fourth Election District of  
Sixth Representative District in New Castle County 356-358  
AN ACT providing for new election District in First Repre-  
sentative District of Sussex County ..... 363-365  
AN ACT providing for new election Districts in Seventh  
Representative District of ..... 359-362  
APPROPRIATIONS FOR DEPARTMENT OF ELEC-  
TIONS (Wilmington) ..... 159  
APPROPRIATIONS TO LEVY COURTS FOR REGIS-  
TRARS AND ASSISTANTS ..... 160  
ATTORNEY GENERAL, election of Reuben Satterthwaite,  
Jr. .... 912, 913  
AUDITOR OF ACCOUNTS, election of Edward Baker .... 910, 911  
LAWS REGARDING, to be printed under direction of Sec.  
of State ..... 828  
PRESIDENTIAL ELECTORS, Governor proclaiming Nov.  
6, 1928 as day for election of ..... 891  
PRESIDENTIAL ELECTORS, votes received by, proclama-  
tion of election of ..... 901-903  
REPRESENTATIVE FROM DELAWARE, election of Rob-  
ert G. Houston ..... 906, 907  
STATE TREASURER, election of Howard M. Ward ..... 908, 909  
UNITED STATES SENATOR FROM DELAWARE, elec-  
tion of John G. Townsend, Jr. .... 904, 905

## Ellendale

- CONSOLIDATED SCHOOL DISTRICT of, authorized to  
borrow money for advances ..... 703-706

## Ellis, Daniel W.

- APPROPRIATION FOR TRAVELING EXPENSES ..... 218

<b>Elsmere, Town of</b>	
AN ACT regarding nominations for Town Elections .....	481
<b>Employment Bureau</b>	
GOVERNOR AUTHORIZED TO APPOINT; Purpose of;	
Appropriation for; Annual Report .....	320
<b>Equitable Guarantee and Trust Company, The</b>	
AN ACT to authorize Branches of .....	831
<b>Estates (Settlement of)</b>	
AN ACT regarding .....	770
RATES OF INHERITANCE TAXES .....	31-33
<b>Evans, James S.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	195
<b>Ever-Ready Circle King's Daughters</b>	
APPROPRIATION TO, for Old Folks' Homes .....	168, 661
<b>Evidence</b>	
CORPORATIONS, Certificate of Incorporation, evidence	
when .....	370
CORPORATIONS, Original or Duplicate Stock Ledger evi-	
dence in all courts of Delaware .....	391
RECORD OF DEED evidence in all courts .....	762
LANDLORD AND TENANT, Registry receipt, evidence of	
notice .....	798
<b>Executions</b>	
SALE OF REAL ESTATE UNDER, discharge of liens ....	793, 794
<b>Executor</b>	
FOREIGN CORPORATION MAY ACT AS .....	405
<b>Fair</b>	
See AGRICULTURAL FAIR ASSOCIATION.	
See KENT AND SUSSEX FAIR.	
<b>Farmers Bank</b>	
ACTS amending Act Incorporating .....	833
EMERGENCY FUND FOR REBUILDING SCHOOL	
BUILDINGS, special account in .....	685-688
MONEY FROM SEIZED GAMBLING DEVICES DEPOSIT-	
ED IN, to credit of Poor .....	776
SCHOOL MONIES DEPOSITED IN .....	667, 669, 672, 673, 698
STATE DIRECTORS OF DOVER BRANCH .....	816
STATE DIRECTORS OF GEORGETOWN BRANCH ....	815
STATE DIRECTORS OF WILMINGTON BRANCH .....	817

# GENERAL INDEX

xxxv

## Farnhurst

See DELAWARE STATE HOSPITAL.

## Feeble-Minded

APPROPRIATIONS FOR BUILDING AT STOCKLEY ..	660
APPROPRIATIONS TO COMMISSION FOR THE .....	169
CLINIC FOR, at Delaware State Hospital .....	735

## Feeds

See FERTILIZER AND FEEDS.

## Fees

CORPORATIONS REQUIRED TO PAY TO SECRETARY OF STATE .....	398, 400, 403
IN OFFICE OF REGISTER OF WILLS OF NEW CASTLE COUNTY .....	809-811
IN ORPHANS' COURT, An Act regarding .....	804-808
INSIGNIA, fees paid to Secretary of State .....	784-786
INSURANCE COMMISSIONER TO RENDER ACCOUNT TO STATE TREASURER .....	261
MATRESSES, fees for permits issued by State Board of Health; How used .....	302, 303
SEED ANALYSIS BY STATE BOARD OF AGRICULTURE .....	276
SMALL LOANS, fees for registration .....	771-774
STATE BOARD OF PHARMACY, Fees, how used; when payable .....	309, 310
TITLE INSURANCE COMPANIES REQUIRED TO PAY UNDER ACT FOR COLLECTION OF TAXES IN WILMINGTON .....	268
UNDER MOTOR VEHICLE ACT .....	417
	73-152

## Ferris Industrial School

APPROPRIATIONS TO .....	169
APPROPRIATIONS FOR SEWAGE DISPOSAL PLANT .....	659

## Fertilizer and Feeds

APPROPRIATIONS FOR ANALYSIS OF .....	172
--------------------------------------	-----

## Fidelity Trust and Savings Bank

AN ACT changing name to Lewes Trust Company .....	832
---	-----

## Fiduciaries

FOREIGN CORPORATIONS PERMITTED TO ACT AS, in this State; When .....	405
---	-----

## Fire Companies

APPARATUS REGISTERED WITHOUT PAYMENT OF FEES .....	92, 153
--	---------

## Fire Companies (Continued)

RIGHT OF WAY GIVEN TO VEHICLES OF .....	125
VEHICLES OF, not affected by section respecting display of red or green light in front of vehicle .....	146
VEHICLES OF, not limited by speed laws .....	121
VEHICLES OF, to be equipped with horn or warning device approved by Commissioner .....	137

## Fire Prevention Week

GOVERNOR PROCLAIMING Oct 7, 1928-Oct. 13, 1928, as	892
--	-----

## First and Central Presbyterian Church

AUTHORIZED TO CONVEY CERTAIN REAL ESTATE IN WILMINGTON .....	763-765
---	---------

## First Bank and Trust Company

AN ACT to incorporate .....	831
-----------------------------	-----

## Fish, Oysters and Game

BOARD OF GAME AND FISH COMMISSIONERS, auth- orized to sell boat .....	730
BOARD OF GAME AND FISH COMMISSIONERS RE- LIEVED OF LIABILITY FOR THE KILLING OR IN- JURING OF WILD DUCKS OR GEESE USED FOR DECOYS .....	723
EELS, open season for catching, in Pots or Fyke Nets ..	731
FISH, An Act making it unlawful to have in possession under certain size .....	728
FISH, GAME, daily limit on .....	729
GAME BIRDS, lawful to shoot certain, on certain public lands .....	725
GAME, closed season for Ring Necked Pheasants .....	721
HUNTING LICENSES FOR NON-RESIDENTS .....	724
KENNEL LICENSE FOR DOGS .....	722
OYSTERS, planting in Indian River, Rehoboth Bay, and Assawoman Bay .....	726
SALARIES OF MEMBERS OF BOARD OF GAME AND FISH COMMISSIONERS .....	719, 720

## FLAG

OF UNITED STATES, Governor proclaiming Flag Week and Flag Day .....	836, 837
OF UNITED STATES, Governor proclaiming June 14, 1928, as Flag Day .....	890

## Ford, J. Leslie

APPROPRIATION FOR TRAVELING EXPENSES .....	203
--	-----

## Foreign-Born

APPROPRIATION TO CREATE SERVICE BUREAU FOR	684
--	-----

**Foreign Corporations**

AN ACT allowing Foreign Corporations to act as Fiduciaries within this State; When .....	405
AN ACT amending the Revised Code concerning .....	403, 404
FOREIGN CORPORATIONS DOING BUSINESS IN THIS STATE REQUIRED TO FILE CERTIFIED COPY OF CHARTER WITH SECRETARY OF STATE AND PAY FEE .....	403
NOT DEEMED TO BE DOING BUSINESS IN THIS STATE, under what conditions .....	403, 404
REGISTRATION OF MOTOR VEHICLES BY .....	87

**Forestry**

AMERICAN FOREST WEEK proclaimed by Governor ....	887, 888
See STATE FORESTRY DEPARTMENT.	

**Fourth Street Trust Company**

AN ACT to Incorporate .....	834
-----------------------------	-----

**Franchise Tax**

AN ACT regarding Franchise Taxes .....	17-30
PAYABLE ANNUALLY BY CORPORATIONS; What corporations subject to; What corporations exempted from .....	17, 18
ANNUAL REPORTS OF CORPORATIONS TO SECRETARY OF STATE, When made; Form and purpose of annual reports of Corporations .....	18, 19
PENALTIES FOR NOT FILING ANNUAL REPORT; How Director may free himself from disability incurred ....	19, 20
SECRETARY OF STATE TO INVESTIGATE REASONS FOR FAILURE TO FILE ANNUAL REPORTS, mail blank forms upon application .....	20
SECRETARY OF STATE, service of process, when no report and no resident agent .....	20, 21
RATES OF, paid by Corporations .....	21, 22
FRANCHISE TAX ACCOUNTS, Certified by Secretary of State to State Tax Department; Notice to Taxable; To bear interest when; Secretary of State may investigate reports filed .....	22, 23
TAX AS A DEBT .....	23
COLLECTION OF TAX; Remedy by Injunction; Power of Chancellor; Effect of Injunction .....	23, 24
COLLECTION OF TAX; Further remedy in Court of Chancery; Receiver, when appointed; Property of Delinquent Corporation, how applied to payment of Tax	24, 25
REVIEW OF ASSESSMENT; Proceedings for; Limitation of .....	25, 26
RETALIATING TAXATION AND REGULATION, when imposed .....	26

## Franchise Tax (Continued)

FAILURE TO PAY FRANCHISE TAX FOR TWO YEARS; Charter Void .....	27
REPORT OF DELINQUENT CORPORATIONS BY STATE TAX DEPARTMENT TO GOVERNOR; Proclamation by Governor .....	27
PROCLAMATION FILED AND PUBLISHED; Note on Record of Certificate of Incorporation of Repeal of Charter .....	27, 28
ACTING UNDER PROCLAIMED CHARTER A MISDEMEANOR; Penalty .....	28
DUTIES OF DEPUTY ATTORNEY GENERAL .....	28
MISTAKE IN PROCLAMATION; How corrected .....	29
TAX ASSESSED OR ASSESSABLE DURING 1929 OR PRIOR YEARS, under certain Sections, assessment, suit, proceeding, respecting, not affected by this Act ..	29, 30
REPEAL OF ACTS INCONSISTENT WITH THIS ACT CORPORATIONS NOT DISSOLVED UNTIL FRANCHISE TAXES PAID .....	395
U. S. WRENCH MFG. CO., INC., Governor extends time for payment of .....	886

## Fraternal Societies

AN ACT regarding insignia of .....	784-786
------------------------------------	---------

## Frederica, Town of

AN ACT to re-incorporate .....	482
--------------------------------	-----

## Free Public Schools

AN ACT appropriating money for improved school Buildings, school grounds and school equipment in School Districts of the State .....	667-680
AN ACT providing for kinds of, terms .....	711, 712
AN ACT regarding Boards of School Trustees .....	691, 692
AN ACT repealing the tax on personal and real property for School purposes .....	681, 682
AN ACT to make passable all State and County Roads over which School Busses and Mail Routes are established .....	352
AN ACT requiring instruction regarding effects of alcohol, stimulants, and narcotics, upon the human system ....	697
AN ACT to provide for maintenance of General and efficient System of .....	689, 690
AN ACT to provide Revenue for, Income Tax .....	34-70
CAESAR RODNEY CONSOLIDATED SCHOOL DISTRICT AUTHORIZED TO BORROW MONEY FOR MONEY ADVANCED .....	707-710
CLAIMS TO BE PAID BY STATE TREASURER AND CHARGED TO STATE SCHOOL CURRENT FUND ..	227

# GENERAL INDEX

xxxix

## Free Public Schools (Continued)

CORBIT LIBRARY, Chancellor to appoint trustees for funds of .....	315-316
DISTRICT LIBRARIES, Raising of Money for, by Taxation	311-314
ELLENDALE CONSOLIDATED DISTRICT AUTHORIZED TO BORROW MONEY TO REPAY ADVANCES	703-706
EMERGENCY APPROPRIATION FOR .....	683
EMERGENCY FUND FOR REBUILDING PUBLIC SCHOOL BUILDINGS AND REPLACING SCHOOL EQUIPMENT DESTROYED BY FIRE OR OTHER CASUALTY .....	685-688
FOREIGN-BORN, appropriation to create Service Bureau for .....	684
FRANCHISE TAXES TO BE USED FOR .....	22, 23, 29, 30
REVENUE FOR .....	681, 682
RICHARDSON PARK, Appropriation for School Buildings at .....	698
SCHOOL BUDGET FOR TWO YEARS ENDING JUNE 30 1931 .....	228-231
SCHOOL DISTRICTS, collection of Taxes in .....	694
SCHOOL DISTRICTS, levying of taxes in, when .....	693
SCHOOL LAWS TO BE PRINTED .....	812
SCHOOL PROPERTIES IN WILMINGTON TO BE SOLD AND PROCEEDS APPLIED TO SINKING FUND, when .....	426
SMYRNA SPECIAL SCHOOL DISTRICT AUTHORIZED TO BORROW MONEY TO REDEEM BONDS .....	699-702
WORKMEN'S COMPENSATION LAW EXTENDED TO EMPLOYEES OF BOARD OF PUBLIC EDUCATION OF WILMINGTON .....	755

## Gambling

AN ACT prohibiting certain forms of .....	775, 776
---	----------

## Game

See FISH, OYSTERS AND GAME.

## General Assembly

AMENDMENT TO STATE CONSTITUTION WITH RESPECT TO LAWS UNDER WHICH, municipalities, other than Counties, may adopt Zoning ordinances ....	3
APPROPRIATIONS FOR EXPENSES OF .....	157, 158
APPROPRIATIONS FOR EXPENSES OF MEMBERS OF 101st, as follows:	
ALLEN, WILLIAM F. ....	190
ASHTON, JOHN .....	211
ATTIX, JOHN W. ....	186
BELL, DAVIS H. ....	208
BUCKINGHAM, DOLSWORTH M. ....	200

General Assembly (Continued)

BURTON, CLIFFORD E. ....	223
CARROW, JOHN W. ....	205
CONWELL, CHARLES S. ....	212
CUBBAGE, WILLIAM O. ....	213
CURRY, THOMAS C. ....	217
DAVID, ELMER ....	185
DAVIS, ORA W. ....	215
DEPUTY, WILLARD F. ....	189
DICKERSON, JAMES B. ....	222
DUNCAN, S. B. IRWIN ....	202
ELLIS, DANIEL W. ....	218
EVANS, JAMES S. ....	195
FORD, J. LESLIE ....	203
HART, EDWARD ....	206
HASTINGS, ANANIAS ....	221
JESTER, WILLARD S. ....	188
KRAMER, LEROY ....	180
LATCHUM, JAMES, JR. ....	187
LESTER, HARRY ....	204
LORD, WILLIAM ....	182
LYNCH, GOVE S. ....	191
MALONEY, MICHAEL J. ....	197
MARKER, WALTER L. ....	207
McVEY, CLARENCE E. ....	201
PARDEE, WILLIAM C. ....	209
POOL, FRANK R. ....	184
REEVES, JOSEPH M. To Administratrix of ....	183
RICHARDSON, WILLIAM H. ....	216
RUSSELL, LYNFORD O. ....	225
SCHEIFELE, JACOB ....	193
SHELDRAKE, JOHN W. ....	214
SHILES, E. B. ....	219
SMITH, FRANK E. ....	224
SMITH, J. WESLEY ....	210
STEELE, ELISHA A. ....	192
TALLEY, JOHN T. ....	198
TINSMAN, WILLIAM ....	199
VEASEY, BENJAMIN R. ....	181
VIRDEN, WILLIAM E. ....	196
WINTRUP, WILLIAM ....	194
WOOTEN, ELIJAH E. ....	220
BILL CLERKS FOR, named in Resolution ....	820
COPIES OF JOURNALS OF PROCEEDINGS OF, to be delivered to Library of University of Delaware .....	16
JOINT COMMITTEE TO INVESTIGATE NEED OF AD- DITION TO STATE HOUSE AND REPORT TO .....	821
NIGHT WATCHMAN FOR STATE HOUSE DURING SESSION OF .....	10

# GENERAL INDEX

xli

## General Assembly (Continued)

STATE LIBRARIAN TO HAVE CHARGE OF LEGISLATIVE SUPPLIES .....	14
STATE TAX COMMISSIONER TO SUBMIT REPORTS TO, when, what .....	55, 68
SUPPLIES FOR, State Librarian to purchase, keep, place at disposal of Members .....	248
VISITING STATE INSTITUTIONS, appropriation to defray expenses of .....	829
WICKERSHAM, I. PUSEY, Resolution of respect to memory of .....	830

## General Elections

See ELECTIONS.

## General Sessions

See COURT OF GENERAL SESSIONS.

## Georgetown, Town of

AN ACT increasing the amount to be raised by taxation in FARMERS' BANK, appointment of Directors for Branch at	483
	815

## Georgetown Trust Company

AN ACT Incorporating .....	832
----------------------------	-----

## Godwin, Harry A.

VOTES RECEIVED AS CANDIDATE FOR OFFICE OF AUDITOR OF ACCOUNTS .....	910, 911
---	----------

## Goodwill Fire Company

APPROPRIATIONS TO, for operation .....	178, 233
--	----------

## Governor

APPROPRIATION FOR TUITION OF DEAF, DUMB, BLIND AND IDIOTIC CHILDREN .....	166
ASSIGNMENT OF ROOMS IN STATE HOUSE, Consent necessary to .....	7
BOUNDARY BETWEEN NEW JERSEY AND DELAWARE, Vacancies on Commission to be filled by .....	258
BOARD OF GAME AND FISH COMMISSIONERS, Members appointed by .....	719
BUCK, HON. C. DOUGLASS, Member of Indian River Inlet Commission .....	237
CELEBRATION AT LEWES, Appointment of Committee to arrange, approval of warrants .....	241, 242
CORPORATIONS, Correcting mistake in proclamation; Authority of Governor .....	29
CUSTODIAN OF THE STATE HOUSE APPOINTED BY	7
CUSTODIAN OF STATE HOUSE, Removal by, when ....	7, 8

## Governor (Continued)

DELINQUENT CORPORATIONS REPORTED TO;	
Duties regarding .....	27, 28
DENTIST TO BE APPOINTED MEMBER OF STATE	
BOARD OF HEALTH, by .....	297
EMPLOYMENT BUREAU TO BE APPOINTED BY .....	320
EMPOWERED WITH STATE HIGHWAY DEPARTMENT	
TO EXECUTE AND DELIVER DEEDS TO PUBLIC	
LANDS OF THE STATE .....	5
INAUGURATION OF PRESIDENT-ELECT HOOVER, ap-	
propriation to defray expense of Military escort for ..	814
INSPECTOR OF ELECTIONS IN NEW DISTRICT IN	
NEW CASTLE COUNTY TO BE APPOINTED	
BY .....	355, 358, 361, 362
INSPECTOR OF ELECTIONS IN NEW DISTRICT IN	
SUSSEX COUNTY TO BE APPOINTED BY .....	365
INSURANCE COMMISSION, to appoint, and fill vacancies	269
JAPANESE BEETLE CONTROL MEASURES PLACED	
UNDER STATE BOARD OF AGRICULTURE .....	272, 273
MADE MEMBER OF STATE HIGHWAY COMMISSION	257
MEMBER OF COMMISSION TO CONSIDER EXCHANGE	
OF STATE LAND FOR LAND OF WILLIAM P.	
SHORT .....	823, 824
EXECUTION OF DEED BY .....	823, 824
NOTARIES PUBLIC TO BE APPOINTED BY .....	318, 319
PROCLAMATIONS OF .....	835-958
REGIONAL PLAN COMMISSION FOR WILMINGTON,	
appointed by .....	425
SCHOOL BUILDINGS, Emergency Fund for Rebuilding,	
Duties and Powers .....	685-688
STATE HOUSE, need of Repairs brought to attention of ..	9
STATE LIBRARIAN, appointment and removal by, when;	
Report of State Librarian to .....	11, 14, 15
STATE TAX BOARD, appointment by .....	52
STATE TAX COMMISSIONER, appointment and removal	
by .....	52
STATE TAX COMMISSIONER TO SUBMIT REPORT, and	
estimates of receipts to, when, what .....	55, 56, 68
TO CONVEY TO WILMINGTON, State title to land under	
water within limits of City, Restriction .....	424
TO FORWARD CERTIFIED COPIES OF RESOLUTION	
regarding Agricultural Extension, to Secretary of Ag-	
riculture .....	826
WORKMEN'S COMPENSATION LAW, Election of State	
of Delaware to be bound by, under the control of ....	757

## Grand Army of the Republic

APPROPRIATION FOR BURIAL OF INDIGENT SOL-	
DIERS, observance of Memorial Day .....	168

# GENERAL INDEX

xliii

Great Seal See SEAL.	
Grier, Frank L. VOTES RECEIVED BY, proclamation of election as Presidential Elector .....	901-903
Guardian FOREIGN CORPORATION MAY ACT AS .....	405
Harrington, Town of AN ACT Concerning System of Sewers and Disposal Works in .....	484-507
AN ACT to re-incorporate .....	630-655
Hart, Edward APPROPRIATION FOR TRAVELING EXPENSES .....	206
Hastings, Ananias APPROPRIATION FOR TRAVELING EXPENSES .....	221
Health CHILD HEALTH DAY proclaimed by Governor .....	835, 889
See STATE BOARD OF HEALTH.	
Highway Improvement Bonds COUNTY, to be paid by State .....	321, 322, 323, 324
Historical Society of Delaware APPROPRIATION FOR OFFICE EXPENSES .....	177
Hitchens, Robert R. REWARD OFFERED BY GOVERNOR FOR ARREST AND CONVICTION OF THOSE RESPONSIBLE FOR DEATH OF .....	884, 885
Holcomb, John Rogers VOTES RECEIVED BY, as candidate for Presidential Elector .....	901-903
Holiday LEGAL, An Act regarding .....	743
VALIDITY OF CERTAIN ACTS PERFORMED ON SATURDAY .....	743
Hoopes, Edgar M., Jr. MEMBER OF INDIAN RIVER INLET COMMISSION ..	237

<b>Hoover, Hon. Herbert—President-Elect</b>	
APPROPRIATION TO DEFRAY EXPENSES OF AT- TENDING INAUGURATION OF .....	814
<b>Hospital</b>	
AMBULANCES REGISTERED WITHOUT PAYMENT OF FEES .....	92
See AMBULANCES.	
See DELAWARE STATE HOSPITAL.	
<b>Houston, Robert G.</b>	
ELECTION OF, to office of Representative in the Congress of the United States .....	906, 907
<b>Houston, Town of</b>	
AMENDING An Act to incorporate .....	508
<b>Ice Cream</b>	
AN ACT relating to content of .....	299, 300
EXCEPTION WHERE PRODUCT IS SOLD IN STATE ALLOWING LESSER PERCENTAGE OF MILK FATS .....	299, 300
<b>Inauguration</b>	
OF PRESIDENT-ELECT HOOVER, appropriation to pay cost of attendance at .....	814
<b>Income Tax</b>	
AN ACT to provide Revenue for School Purposes .....	34-70
ADDITIONAL TAXES .....	61
ALIMONY, not taxable .....	38
AMOUNT REALIZED, Defined .....	44
APPEALS TO STATE TAX BOARD AND SUPERIOR COURT .....	53, 54, 62, 63
APPEALS TO SUPERIOR COURT BY STATE TAX COMMISSIONER .....	57
ATTORNEY GENERAL, legal advice by; appointment of additional Deputy .....	67
BAD DEBTS DEDUCTED, when .....	40, 41
BEQUESTS, not taxable as income .....	37
BONDS OF OFFICERS, State Tax Commissioner .....	52
BONDS OF OFFICERS, State Tax Department employees, agents, officers .....	56
BROKER, may be required to show profits and losses of customers .....	58
CAPITAL GAINS accrued prior to January 1, 1920, not taxable .....	38
CAPITAL GAINS OR LOSSES, defined; basis for determin- ing .....	36

## Income Tax (Continued)

CAPITAL LOSSES DEDUCTED, How .....	41
CLAIMS FOR ABATEMENT OR REFUND .....	63
COMPUTED, How .....	36
CONSTABLES, AGENTS, workers of State Tax Commissioner may be constituted special .....	57
CONTINGENT FUND .....	68
CONTRACT TO ASSUME TAXES ILLEGAL .....	68
CONTRIBUTIONS DEDUCTED FROM INCOME, when ..	40
"CONTROL" DEFINED .....	49
DEBTS (BAD) DEDUCTED, when .....	40, 41
DEDUCTIONS .....	39-41, 42
DEFINITION OF TERMS .....	34-36, 38, 44, 49, 51
DELAWARE, Income from obligations of, not taxable....	37
DELAWARE WORKMEN'S COMPENSATION LAW, amounts paid under, not taxable .....	38
DELINQUENT TAXES .....	62
DEPENDENTS, credit for .....	38
DEPRECIATION DEDUCTED FROM INCOME, when ...	39
DEPUTY ATTORNEY GENERAL, Appointment, Duties, Salary .....	67
DEVISES, not taxable as income .....	37
DIVIDENDS, defined .....	35
DIVIDENDS, paid out of earnings or profits accrued prior to January 1, 1920, not taxable .....	37
DIVIDENDS, stock, not taxable .....	38
EMPLOYERS TO FURNISH INFORMATION .....	58
EXEMPTIONS .....	37-39
EXPENSES, Business or Trade, deducted from income ...	39
EXPENSES OF TAX DEPARTMENT .....	66-67
FAILURE TO FILE RETURN, penalties .....	44, 62
FIDUCIARIES, Income of estates and of property held in trust, liable to tax .....	41, 42
FIDUCIARIES, Returns of minors, incompetents, and absentees .....	58, 59
FIDUCIARY, what to include .....	34
FREE PUBLIC SCHOOLS, Income Tax for use of .....	37
GAIN OR LOSS, how determined .....	44-50
GIFTS, not taxable as income .....	37
HEAD OF FAMILY, defined .....	38
HUSBAND AND WIFE, joint return .....	38, 39
HUSBAND AND WIFE, exemption apportioned in case of death or separation .....	39
INCOME TAX, defined .....	34, 35
INCOME YEAR, defined .....	35
INCOME YEAR, Tax for proportionate part of .....	37, 39
INHERITANCES, not taxable as income .....	37
INTEREST ON INDEBTEDNESS DEDUCTED FROM INCOME .....	39

## Income Tax (Continued)

INVALIDITY .....	70
JOINT RETURN OF HUSBAND AND WIFE .....	38, 39
LIFE INSURANCE, Proceeds exempt from tax .....	37
LOSSES DEDUCTED, when .....	40, 41
LOSS OR GAIN, how determined .....	44-50
NET INCOME, actually received into possession, when ....	35, 36
NET INCOME, accounted "credited subject to withdrawal", when .....	36
NET INCOME, tax paid upon .....	36
NET INCOME, proportionate part taxed, when .....	37, 39
NOTICE DEFINED .....	51
NOTIFICATION DEFINED .....	51
PAYMENT OF TAX, time and place of .....	59-61
PENALTIES .....	63-66
PENALTIES, For Disclosure of returns .....	70
PERSONAL EXEMPTIONS .....	38, 39
PRIOR ACTS, Investigations, Examinations and Proceed- ings under .....	69
PROFIT OR LOSS, how determined .....	37
RATES .....	36
RECEIPT DEFINED .....	51
RECEIPTS FOR TAXES .....	66
REFUNDS OF TAXES, claims for .....	63
REORGANIZATION, defined .....	49
REPAYMENT FUND .....	67
REPEALS OF PRIOR ACTS .....	68, 69
REPORT BY STATE TAX COMMISSIONER TO GOVER- NOR AND TO GENERAL ASSEMBLY .....	55, 56
RETURN BY UNINCORPORATED ASSOCIATIONS, etc. ....	42, 43
RETURN, joint, by husband and wife .....	38, 39
RETURN, those exempted .....	43, 44
RETURN, failure to file, penalties .....	44, 62
RETURN, signing and filing .....	57, 58, 66
RETURN, Minors, incompetents, absentees .....	58, 59
RETURN, examination of .....	61
RETURN, penalties for disclosure .....	70
SALARY, State Tax Commissioner .....	52
SALARY, State Tax Board to fix salaries of employees, limitation .....	54
SCHOOLS, income tax for use of .....	37
STATE OF DELAWARE, See Delaware.	
STATE TAX BOARD, part of State Tax Department .....	51
STATE TAX BOARD, how composed .....	52
STATE TAX BOARD, appeals from decision of; appeals to	62, 63
STATE TAX BOARD, may extend time for payment of tax	59, 60
STATE TAX BOARD, expenses .....	66
STATE TAX COMMISSIONERS, office created, term, qualifications, salary, bond, removal .....	52

**Income Tax (Continued)**

STATE TAX COMMISSIONER, powers and duties of . . . .	54-57, 68
STATE TAX COMMISSION, shall make returns for taxable, when . . . . .	62
STATE TAX DEPARTMENT, to administer act and collect taxes . . . . .	51
STATE TAX DEPARTMENT, of what to consist . . . . .	51
STATE TAX DEPARTMENT, powers and duties . . . . .	53, 54, 69
STATE TAX DEPARTMENT, signing and filing returns . .	57, 58
STATE TAX DEPARTMENT, additional taxes, refunds . .	61, 63
STOCK BROKER, See Broker.	
STOCK DIVIDENDS, not taxable . . . . .	38
SUPPORT RECEIVED FROM PERSON, not taxable . . . .	38
TAXABLE, defined . . . . .	34, 51
TAXABLE, taxes during part of income year, when, how .	37
TAXABLE, returns made by every, exceptions . . . . .	43
TAX BOARD DEFINED . . . . .	51
TAX COMMISSIONER DEFINED . . . . .	51
TAXES DEDUCTED FROM INCOME, exception . . . . .	39
TAX DEPARTMENT, returns to . . . . .	43
TAX DEPARTMENT, Incorrect returns, proceedings by . .	44
TAX DEPARTMENT, defined . . . . .	51
TRUSTS AND ESTATES, income liable to tax . . . . .	41, 42
UNCONSTITUTIONALITY . . . . .	70
UNITED STATES, salaries, etc., received from, not taxable	38
WORKMEN'S COMPENSATION LAW, amounts paid under, not taxable . . . . .	38

**Indian River Inlet**

APPROPRIATIONS FOR WORK OF OPENING THE INLET . . . . .	237, 238
COMMISSION CREATED . . . . .	237
POWER AND AUTHORITY OF COMMISSION . . . . .	237

**Indices**

NEW, in office of Register of Wills of Kent County . . . . .	330, 331
NEW JUDGMENT, in office of Prothonotary of Kent County . . . . .	333
NEW JUDGMENT, in office of Prothonotary of Sussex County . . . . .	345, 346
NEW MORTGAGE, in office of Recorder of Deeds of Kent County . . . . .	332
REAL ESTATE ASSIGNMENTS in office of Register in Chancery and Clerk of the Orphan's Court of Kent County . . . . .	334, 335

**Indigent Sick**

OF KENT COUNTY, Acts for relief of . . . . .	337, 338, 339
--	---------------

**Industrial Accident Board**

See WORKMEN'S COMPENSATION LAW.

**Industrial School**

See DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.  
See FERRIS INDUSTRIAL SCHOOL.  
See INDUSTRIAL SCHOOL FOR COLORED GIRLS.

**Industrial School for Colored Girls**

APPROPRIATION FOR DORMITORY AND HEATING  
PLANT ..... 658  
APPROPRIATIONS TO ..... 168

**Inheritance Tax**

PROPERTY PASSING TO USE OF HUSBAND OR WIFE,  
rate of tax on ..... 31  
PROPERTY PASSING TO PARENT, grandparent, child  
by birth, wife, or widow of son or husband of a daugh-  
ter, child by legal adoption, or lineal descendant, rate of  
tax on ..... 31, 32  
PROPERTY PASSING TO USE OF BROTHER OR SIS-  
TER, of whole or half blood, or lineal descendant of  
brother or sister, rate of tax on ..... 32, 33  
PROPERTY PASSING TO OTHER PERSONS, rate of tax  
on ..... 33  
PROPERTY PASSING FOR CERTAIN PURPOSES, not  
taxed ..... 33  
TRANSFER OF PROPERTY MADE IN CONTEMPLA-  
TION OF DEATH, when ..... 33

**Injunction**

AGAINST DELINQUENT CORPORATIONS ..... 23, 24

**Inlet**

See INDIAN RIVER INLET.

**Insane**

ADMISSION TO DELAWARE STATE HOSPITAL ..... 737, 738  
APPOINTMENT OF TRUSTEES FOR, by Chancellor .... 739  
STERILIZATION OF ..... 740, 741

**Insignia Regulation**

AN ACT regarding ..... 784, 785, 786

**Inspector**

OF ELECTION, Governor to appoint for new election Dis-  
trict in New Castle County ..... 355, 358, 361, 362  
OF ELECTION, Governor to appoint for new election Dis-  
trict in Sussex County ..... 365

**Insurance**

MOTOR VEHICLES, rented without a driver, required to  
carry ..... 79, 80, 87, 88, 89

# GENERAL INDEX

xlix

## Insurance (Continued)

OF EMPLOYEES AND APPOINTED OFFICERS OF KENT COUNTY .....	336
RECEIVED FROM BURNED SCHOOL BUILDINGS ....	686-688
See INSURANCE COMMISSIONER.	

## Insurance Commission

AN ACT providing for appointment of, to consider revisions of Insurance Laws .....	269
APPROPRIATION FOR WORK OF .....	269

## Insurance Commissioner

AN ACT increasing salary of Clerk in office of .....	261
APPROPRIATIONS FOR INSURANCE ON STATE PROPERTY .....	178
APPROPRIATIONS FOR SALARIES AND EXPENSES DUTIES AND AUTHORITY WITH RESPECT TO TITLE INSURANCE COMPANIES .....	162, 163
STATEMENT OF GROSS AMOUNT OF PREMIUMS AND DIVIDENDS DELIVERED TO, by Insurance Compan- ies .....	266-268
	71, 72

## Insurance Companies

See LIFE INSURANCE COMPANIES.  
See TITLE INSURANCE COMPANY.

## Insurance Company Tax

WHAT COMPANIES TAXED; how tax reckoned; when payable .....	71
DEDUCTION OF DIVIDENDS FROM GROSS AMOUNT OF PREMIUMS; report to Insurance Commissioner of premiums and dividends; statement under oath .....	71, 72

## Intoxicating Liquor

EFFECTS OF ALCOHOL UPON HUMAN SYSTEM TO BE TAUGHT IN SCHOOL .....	697
--	-----

## Jails and Workhouses

PRISONERS ARRESTED BY PRIVATE DETECTIVES, where confined .....	779
WORKHOUSE OF NEW CASTLE COUNTY, cost of main- tenance of prisoners in .....	777, 778

## Janitors

NIGHT WATCHMAN FOR STATE HOUSE .....	10
STATE HOUSE, appointment, compensation, duties of, powers of Police Officer, failure to perform duties ....	8, 9
TERM OF OFFICE OF STATE HOUSE JANITORS ....	8, 10

## Japanese Beetle

AN ACT placing control measures under State Board of Agriculture .....	272, 273
APPROPRIATION FOR ERADICATION OF .....	174

## Jester, Willard S.

APPROPRIATION FOR TRAVELING EXPENSES .....	188
--	-----

## Journals

OF LEGISLATIVE PROCEEDINGS, copies to be delivered to Library of the University of Delaware .....	16
---	----

## Judges

CONDEMNATION OF LAND IN SMYRNA, duties of Resident Judge or Chief Justice .....	614-616
HARRINGTON, (Town of), appeal from awards regarding property .....	637-639
MAJORITY OF SUPREME COURT, to have books returned to State Librarian from University of Delaware .....	16
MUNICIPAL COURT JUDGE TO HEAR AIRCRAFT CASES .....	749
PERSONS CHARGED WITH CRIMINAL OFFENSES STUDIED AT REQUEST OF .....	735
RESIDENT JUDGE OF NEW CASTLE COUNTY TO FIX SALARIES OF COUNTY AUDITORS .....	329
RESIDENT JUDGE OF KENT COUNTY, duties with respect to land condemnation cases in Town of Harrington .....	497, 498
RESIDENT JUDGE OF KENT COUNTY OR CHIEF JUSTICE TO APPOINT FREEHOLDERS IN CONDEMNATION CASES IN CITY OF DOVER; Return of freeholders .....	461, 462
RESIDENT JUDGE OF KENT COUNTY TO APPOINT EXAMINER OF INDEX OF REAL ESTATE ASSIGNMENTS .....	334, 335
RESIDENT JUDGE OF KENT COUNTY TO APPOINT EXAMINER OF NEW JUDGMENT INDEX IN OFFICE OF THE PROTHONOTARY OF KENT COUNTY .....	333
RESIDENT JUDGE OF KENT COUNTY TO APPOINT EXAMINER OF NEW MORTGAGE INDEX .....	332
RESIDENT JUDGE OF KENT COUNTY TO APPOINT EXAMINER TO EXAMINE RELEASE AND ACQUITTANCE INDICES IN OFFICE OF REGISTER OF WILLS OF KENT COUNTY .....	330
RESIDENT JUDGE OF SUSSEX COUNTY, duties with respect to land condemnation cases in Lewes .....	524-526
RESIDENT JUDGE TO HEAR PETITION FOR CANCELLATION OF OBLIGATIONS OF STATE AND COUNTY OFFICERS .....	325, 326

# GENERAL INDEX

li

## Judges (Continued)

SALE OF REAL PROPERTY IN WILMINGTON FOR TAXES, duties and powers of .....	411-417
--	---------

## Judgments

FOR TAXES IN WILMINGTON, procedure in Superior Court .....	411-417
NEW INDEX OF, in office of Prothonotary of Kent County	333
NEW INDEX OF, in office of Prothonotary of Sussex County .....	345, 346

## Judicial Reports

DISPOSAL OF, by State Librarian .....	13
---------------------------------------	----

## Junior Short Course

AT UNIVERSITY OF DELAWARE, appropriation for ..	715
---	-----

## Jury

ACTIONS AGAINST MOTOR VEHICLE OWNERS, pre- liminary hearing by Court in absence of .....	88, 89
ON CASES OF ADMISSION OF PERSONS TO DELA- WARE STATE HOSPITAL .....	737, 738
TO DETERMINE SANITY OF CERTAIN PERSONS, when .....	739

## Justice of the Peace

AIRCRAFT, jurisdiction of violations of Act regarding ...	749
APPLE GRADING LAW, jurisdiction under .....	293
COLLECTOR OF TAXES IN SCHOOL DISTRICTS, pen- alty upon conviction for failure to perform duty .....	694, 695, 696
GAMBLING, authority under Act prohibiting .....	775, 776
JAPANESE BEETLE VIOLATION, jurisdiction of .....	273
JURISDICTION OF OPERATOR DRIVING UNDER IN- FLUENCE OF LIQUOR OR DRUG .....	117, 118
OPERATORS PRIVILEGED TO HAVE CASES HEARD BEFORE NEAREST .....	149, 150
RING NECKED PHEASANT, jurisdiction under law pro- viding for closed season .....	721
TO BE APPOINTED NOTARY PUBLIC .....	318
TUBERCULIN TESTING OF CATTLE, modified, accred- ited areas, jurisdiction of violations of Act .....	281

## Juvenile Court

AN ACT with reference to Probation Officers of the .....	787-789
APPROPRIATION FOR SALARIES AND WAGES .....	159

## Kent and Sussex Fair

APPROPRIATIONS TO .....	174, 235, 236
-------------------------	---------------

## Kent County

ANNUAL TAX PAID TO, by Maryland and Delaware Coast	
--	--

## Kent County (Continued)

Railway .....	155
APPROPRIATION FOR REGISTER OF WILLS OF .....	163
EELS, open season for, when .....	731
ELECTION HELD NOVEMBER 6, 1928, votes for various candidates cast in .....	901-913
LEVY COURT OF, authorized to appropriate money for relief of indigent sick of .....	337, 338, 339
LEVY COURT OF, authorized to have Indices made in office of Register of Wills .....	330, 331
LEVY COURT OF, authorized to have new Index of Real Estate assignments made .....	334, 335
LEVY COURT OF, authorized to have new Mortgage Index made .....	332
LEVY COURT OF, authorized to have new Judgment Index made .....	333
LEVY COURT OF, duties under Act providing for pay- ment of County bonds .....	321, 322
LEVY COURT, empowered to insure employees and ap- pointed officers, and to elect to be bound by compensa- tory provisions of Workmen's Compensation Law ...	336
LEVY COURT OF, to pay for new Plot Record in office of Recorder of Deeds, and redraft of certain plot .....	445
NOTARIES PUBLIC, number to be appointed in .....	319
PRISONERS OF, cost of maintenance in New Castle County	777, 778
PROTHONOTARY OF, duties concerning Disposal of Laws and Codes .....	253-255
RECEIVER OF TAXES AND COUNTY TREASURER TO RECEIVE MONEY FOR PAYMENT OF COUNTY BONDS .....	322
RECORDER OF DEEDS OF, delivery of records to State Board of Health .....	342
RECORDER OF DEEDS OF, to procure new Seal of office	343
RECORDER OF DEEDS OF, to purchase new Plot Record	445
RECORDER OF DEEDS, to satisfy obligations of State and County officers, when .....	325, 326

## Kramer, Leroy

APPROPRIATION FOR EXPENSES AS MEMBER OF GENERAL ASSEMBLY .....	180
---	-----

## Laboratory (Pathological and Bacteriological)

APPROPRIATION TO .....	165
------------------------	-----

## Labor Commission of Delaware

APPROPRIATIONS TO .....	174, 175
-------------------------	----------

## Land

See REAL ESTATE.

# GENERAL INDEX

liii

<b>Landlord and Tenant</b>	
AN ACT regarding .....	796-798
Term of demise when not expressly limited .....	796
Extension of Term, when .....	796
Time of Notice .....	796, 797
Leases in Wilmington .....	797
Notice, how served .....	798
UNLAWFUL TO REFUSE TO RENT PROPERTY BE- CAUSE OF CHILDREN IN FAMILY .....	799
<b>Latchum, James, Jr.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	187
<b>Laurel, Town of</b>	
AN ACT extending limits of, and to authorize borrowing of money .....	509-515
AN ACT increasing penalty for violation of Town Ordi- nances .....	519
AN ACT in reference to Salaries of Members of Council ..	516
AN ACT to authorize borrowing of money to refund certain indebtedness .....	517, 518
APPROPRIATION FOR REPAIRS AND ADDITIONS TO ARMORY AND ARSENAL AT .....	251
<b>Laws of Delaware</b>	
COPIES TO BE DELIVERED TO LIBRARY OF THE UNIVERSITY OF DELAWARE .....	16
PASSING, Publication and Disposal of .....	253-255
SECRETARY OF STATE TO MAKE CONTRACT FOR PRINTING OF .....	249
<b>Layton Home for Aged Colored People</b>	
APPROPRIATIONS TO .....	168, 662
<b>Leases</b>	
TIME OF, how construed .....	796-798
UNLAWFUL TO CANCEL, because tenant has children ..	799
<b>Legal Holiday</b>	
AN ACT regarding .....	743
VALIDITY OF CERTAIN ACTS PERFORMED ON SAT- URDAY .....	743
<b>Legislature</b>	
See GENERAL ASSEMBLY.	
<b>Lester, Harry</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	204

## Levy Courts

APPROPRIATIONS FOR REGISTRARS AND ASSISTANTS .....	160
DUTIES UNDER ACT PROVIDING FOR PAYMENT OF COUNTY BONDS BY STATE .....	321, 322, 323, 324
See NEW CASTLE COUNTY.	
See KENT COUNTY.	
See SUSSEX COUNTY.	

## Lewes (Town of)

AN ACT increasing the amount to be raised by taxation in	522
AN ACT regarding establishment of Boulevards in .....	524-526
AN ACT to authorize certificates of Indebtedness for Sewers	520, 521
AN ACT with reference to Board of Public Works of .....	523
APPROPRIATION FOR CELEBRATION AT .....	241, 242
WHARF AT, construction and maintenance by State Highway Department .....	239, 240

## Lewes Trust Company

AN ACT changing name of Fidelity Trust and Savings Bank to .....	832
--	-----

## Liability

MOTOR VEHICLE OWNER RELIEVED FROM, when ....	795
--	-----

## Library

See CORBIT FREE LIBRARY.	
See COUNTY FREE LIBRARY.	
See DISTRICT LIBRARY.	
See DOVER FREE LIBRARY.	
See MILFORD FREE LIBRARY.	
See REHOBOTH FREE LIBRARY.	
See STATE LIBRARIAN.	
See STATE LIBRARY.	
See UNIVERSITY OF DELAWARE.	

## License

CORPORATIONS TO PAY ANNUAL TAX BY WAY OF HUNTING AND FISHING LICENSES, expenses of Board of Game and Fish Commissioners paid out of receipts from .....	17, 18
HUNTING, for Non-Residents .....	720
KENNEL LICENSE FOR DOGS .....	724
LICENSE BOOKS FURNISHED, lists published, by Secretary of State .....	722
TITLE INSURANCE COMPANIES REQUIRED TO HAVE	248, 249
See MOTOR VEHICLES.	268

# GENERAL INDEX

Iv

## Lien

AGAINST ABUTTING PROPERTY OWNERS FOR IMPROVEMENT TO ROADWAYS IN WILMINGTON ..	418
AGAINST OWNERS FOR PAVING AND CURB STONES IN WILMINGTON, when .....	419, 420
DISCHARGE OF REAL ESTATE FROM, upon Execution Sale .....	793, 794
FOR TAXES IN WILMINGTON .....	411-417
OF EMPLOYEES OF INSOLVENT CORPORATION .....	402

## Lieutenant Governor

APPROPRIATION FOR SALARY AS MEMBER OF BOARD OF PARDONS .....	159
--	-----

## Life Insurance Companies

INVESTMENTS OF DOMESTIC .....	262, 263
PENALTY FOR CARRYING ON INSURANCE BUSINESS WITHOUT AUTHORIZATION .....	264-265

## Lingo, Rufus D., Sr.

MEMBER OF INDIAN RIVER INLET COMMISSION ..	237
--	-----

## Liquor, Intoxicating

EFFECTS OF ALCOHOL UPON HUMAN SYSTEM, to be taught in Public Schools .....	697
--	-----

## Little Creek (Town of)

AN ACT extending boundaries of .....	527, 528
APPROPRIATION FOR MAINTENANCE OF BRIDGE AT	176

## Live Stock

ANTI-HOG CHOLERA SERUM AND VIRUS, Appropriations for, distribution of .....	284
APPROPRIATIONS FOR ERADICATION OF TUBERCULOSIS IN CATTLE .....	173
APPROPRIATIONS TO CONTROL DISEASES OF .....	172
EMERGENCY APPROPRIATION FOR PREVENTION AND CONTROL OF LIVE STOCK DISEASES .....	174
MILK, Statements of deliveries of producers, and butterfat content .....	294, 295
TUBERCULIN TESTING OF CATTLE UNDER THE MODIFIED ACCREDITED AREA PLAN .....	279-281
TUBERCULOSIS IN CATTLE, emergency appropriation for purpose of eradication .....	282
See FERTILIZER AND FEEDS.	

## Loan

See SMALL LOANS.

Lodges	
AN ACT regarding insignia of .....	784-786
Lord, William	
APPROPRIATION FOR EXPENSES AS MEMBER OF 101st GENERAL ASSEMBLY .....	182
Lynch, Andrew J.	
VOTES RECEIVED BY, as candidate for Presidential Elector .....	901-902
Lynch, Gove S.	
APPROPRIATION FOR TRAVELING EXPENSES .....	191
McVey, Clarence E.	
APPROPRIATION FOR TRAVELING EXPENSES .....	201
Magnolia, Town of	
AN ACT regarding establishment of Water System in ...	529-532
Mail Routes	
AN ACT to make passable all State and County roads over which school bus, and mail, routes are established ...	352
Maloney, Michael J.	
APPROPRIATION FOR TRAVELING EXPENSES .....	197
Marine Terminal	
OF WILMINGTON, excess revenues to become part of Sink- ing Fund .....	423
Marker, Walter L.	
APPROPRIATION FOR TRAVELING EXPENSES .....	207
Marriages	
RECORD OF, delivered by Recorders to State Board of Health .....	342
REGISTRATION OF .....	298
Maryland and Delaware Coast Railway	
ANNUAL TAX PAID KENT COUNTY .....	155
ANNUAL TAX PAID SUSSEX COUNTY .....	156
STATE TAX (annual) .....	154
Mattresses	
AN ACT regarding manufacture and sale of .....	301-308
Definition of Terms .....	301, 302
Use of certain materials forbidden .....	302
Permit of State Board of Health, Fees for .....	302

# GENERAL INDEX

lvii

## Mattresses (Continued)

Manufacturing places subject to inspection .....	303
Statements showing materials used .....	303, 304
Examination of product made outside of State .....	306
State Board of Health charged with enforcement of act	306, 307
Penalties .....	307

## Medical Council of Delaware

APPROPRIATION FOR SALARIES AND WAGES .....	166
--	-----

## Memorial Day

APPROPRIATION FOR OBSERVANCE OF .....	168
APPROPRIATION TO VETERANS OF FOREIGN WARS FOR OBSERVANCE OF .....	243

## Mental Defectives

STERILIZATION OF .....	740, 741, 742
------------------------	---------------

## Mental Hygiene Clinic

AT FARNHURST .....	735
DUTIES IN CONNECTION WITH STERILIZATION CASES .....	740, 741, 742

## Mileage

APPROPRIATION FOR EXPENSES OF MEMBERS ....	180-225
--	---------

## Milford Free Library

APPROPRIATION FOR OPERATION OF .....	177
--------------------------------------	-----

## Milford, Town of

AMENDING AN ACT to Re-incorporate .....	538-542
AN ACT empowering Town Council to sell Water and Light Plant .....	533, 534
AN ACT to authorize borrowing of money to pay indebt- edness .....	535-537

## Milk

FINES, Disposal of .....	295
PENALTY FOR VIOLATING ACT .....	295
PRODUCERS TO RECEIVE PERIODICAL STATEMENTS OF DELIVERIES OF, and butterfat content of .....	294
SECRETARY OF STATE BOARD OF AGRICULTURE TO ENFORCE PROVISIONS OF ACT .....	294, 295

## Millsboro, Town of

AN ACT giving additional powers to the Commissioners of	543-547
---	---------

## Minors

See CHILDREN.

<b>Moors</b>	
SCHOOLS FOR .....	711, 712
<b>Mortgages</b>	
AN ACT regarding satisfaction of .....	761
NEW INDEX OF, in office of Recorder of Deeds of Kent County .....	332
SALE OF REAL ESTATE UNDER EXECUTION, Lien of	793, 794
<b>Mothers Pension</b>	
AMENDING AN ACT with respect to age limit of children	754
<b>Mothers Pension Commission</b>	
APPROPRIATION FOR SALARIES, WAGES, EXPENSES	167
<b>Motor Vehicles</b>	
AN ACT relieving owner from liability for injuries received by person riding free of charge .....	795
AN ACT making Uniform the Law relating thereto .....	73-152
Definition of Terms .....	73-77
Vehicle Commissioner, duties, powers .....	77, 78
Altered or changed motor numbers, assignment of special number .....	100, 101
APPEALS UNDER ACT .....	151, 152
ARREST FOR VIOLATIONS, officers empowered .....	149
CHAUFFEURS .....	104-117
Licenses necessary; What persons exempt from; Non- Residents, when exempt from license; What persons not licensed, Instruction Permit; Application for li- cense; Application of minors; Examination of ap- plicants; Appointment of examiners and designa- tion of local officers; Register of operators and chauffeurs; Licenses issued; Duplicate license cer- tificates; License to be signed and carried; Expi- ration of licenses; Court may recommend suspen- sion of licenses; Suspension or revocation of li- censes; Appeal to Court; New license after revoca- tion; Liability of parent, Guardian or employer for negligence of minor; Violations of license provi- sions; Penalties for violations	
CONSTITUTIONALITY .....	152
DEALERS, registration of vehicles by .....	84-86
LICENSING OF	
Issuance of Certificates; Record of purchases and Sales; Possession of Certificates of Title .....	101-103
DISPOSITION OF REVENUE .....	152
FAILURE TO STOP AFTER ACCIDENT .....	149
GARAGE KEEPER, to report damaged vehicles .....	130, 131
INTOXICATED OPERATOR .....	117, 118, 149

**Motor Vehicles (Continued)**

<b>LIGHTING OF VEHICLES</b> .....	138-146
Penalties .....	148

**LICENSES**

For Dealers in used Vehicles .....	101, 102, 103
Operators and chauffeurs' .....	104-106, 109
Signed and Carried .....	110
Expiration of .....	110
Court may recommend suspension of .....	110
Suspension or revocation of .....	111, 112, 113, 149
Right of appeal after revocation of .....	113, 114
New license after revocation of .....	114
Violations of license provisions .....	114-116
Penalties for violations .....	116, 117
Revocation after conviction for operating under influence of intoxicating liquor or any drug .....	117, 118, 149
Exhibition of, after accident .....	129

**NON-RESIDENTS**

Registration of Cars by .....	86, 87
When exempt from license .....	104, 105

**OPERATION OF VEHICLES** ..... 117-132

    See Rules of the Road.

**OPERATORS** ..... 104-117

    Licenses necessary; What persons exempt from; Non-Residents, when exempt from license; What persons not licensed; Age limits for drivers of School Busses and Public Passenger Carrying Motor Vehicles; Instruction Permit; Application for license; Application of minors; Examination of applicants; Appointment of examiners, and designation of local officers; Register of operators and chauffeurs; Licenses issued; Duplicate License Certificates; License to be signed and carried; Expiration of Licenses; Court may recommend suspension of licenses; Suspension or revocation of licenses; Appeal to Court; New License after revocation; Liability of parent, guardian or employer for negligence of minor; Violations of license Provisions; Penalties for violations.

**PENALTIES** ..... 94, 95, 103, 116, 117, 148-151**POWER TO SEIZE AUTOMOBILES VESTED IN STATE HIGHWAY POLICE AND AUTOMOBILE INSPECTORS** .....

    Secretary of State to hold seized cars ..... 147, 148

**REGISTRATION OF MOTOR VEHICLES,** ..... 78-92

    Of motor vehicles, Trailers and semi-Trailers required; Temporary permit; Application for Registration; Filing applications; Registration cards, carrying of; Number plates, display of; Renewal of Regis-

## Motor Vehicles (Continued)

tration; Re-registration; Transfer of title by operation of law; Manufacturers and dealers; Registration by Non-Residents; Refusal to register, when; cancellation of registration, when; Registration fees; Exemption from paying fees for registration.	
REPEAL .....	152
RULES OF THE ROAD	
Operators under influence of intoxicating liquor or drug	117, 118
Interfering with operator .....	118
Reckless Driving .....	118, 119
Obeding Grade Crossing, Drawbridge and automatic signals .....	119
Speeds of Motor Vehicles .....	119, 120
Special speed limitations on bridges .....	120
When speed limit not applicable, police, fire department Vehicles, ambulances .....	121
Driving on right side of Highway .....	121
Driving to right in crossing intersections or Railways	121
Meeting vehicles .....	121
Overtaking Vehicles .....	122
Limitations on Privileges of overtaking and Passing ..	122
Driver to give way to overtaking vehicle .....	122, 123
Following too closely .....	123
Turning in intersection .....	123, 124
Signals on starting, stopping and turning .....	124
Right of Way .....	124, 125
Exceptions to right of way rule .....	125
Approach of Police of Fire Department Vehicle .....	125, 126
Stopping at certain through Highways .....	126
Passing Street Cars .....	127
Driving Through Safety Zone .....	127
Stopping on Highways .....	127, 128
Parking in front of Fire Hydrant, Fire Station or private driveway .....	128
Motor Vehicle left unattended; Brakes .....	128
Coasting prohibited .....	128
Stopping in event of accident .....	129
Duty to report accidents .....	129, 130
Accident Statistics and Reports .....	130
Garage Keepers to Report Damaged Vehicles .....	130, 131
Drivers of State, County, and City Vehicles, Subject to Provisions of the act .....	131
Powers of Local Authorities .....	131
Act not to Interfere with Rights of Owners of Real Property .....	131, 132
STOLEN CARS, Records to be kept by Department .....	100
TRAFFIC SIGNS	
Marking and erection .....	146

# GENERAL INDEX

lxi

## Motor Vehicles (Continued)

Local .....	146
Signs not official, prohibited .....	146, 147
Injuring Signs .....	147
TITLES .....	95-99
Certificates of titles to motor Vehicles required; Application for; Department to issue; Department to Maintain Index of registered vehicles by engine numbers; Titles good for life of motor vehicle while held by original owner; Transfer of Title; Department to maintain transfer files; Refusal to issue Certificates of titles, when; Department may revoke Certificates of title, when; Duplicate Certificate; Unlawful to make false statements in application; Altering or forging Certificate of Title.	
UNLAWFUL TAKING, Transfer of, Injury to .....	93, 94
PENALTIES FOR VIOLATIONS OF PROVISIONS OF ACT .....	94, 95, 103, 104, 116, 117
VEHICLES	
Local authorities may restrict right to use Highways, when .....	135
Restrictions as to tire equipment .....	135
Trailers and Towed .....	136
Brakes .....	136, 137
Horns and Warning Devices .....	137
Mirrors .....	137
Windshields .....	138
Scope and effect of Regulations .....	132
Size of Vehicles and Loads .....	132, 133
Flag or Light at end of line .....	133
Weights of vehicles and loads .....	133, 134
Peace officers may weigh loads and require removal of excess .....	134
Permits for excessive size and weight .....	134, 135
Prevention of noise .....	138
Lighting Equipment of .....	138-146
Penalties .....	148

## Municipal Court

GAMBLING CASES, Jurisdiction in .....	776
JURISDICTION OF AIRCRAFT CASES .....	749
JURISDICTION OF MOTOR VEHICLE CASES .....	149, 150
JURISDICTION OF OPERATOR DRIVING UNDER INFLUENCE OF LIQUOR OR DRUG .....	117, 118

## Municipalities

See CITIES AND TOWNS.

Narcotics

EFFECTS UPON HUMAN SYSTEM TO BE TAUGHT IN PUBLIC SCHOOLS .....	697
---	-----

National Child Health Day

GOVERNOR PROCLAIMING May 1, 1928, as .....	889
--	-----

National Guard

APPROPRIATION FOR COMPLETION AND EQUIP- MENT OF ARMORY AND ARSENAL AT WILMING- TON .....	252
APPROPRIATION FOR REPAIRS AND ADDITIONS TO ARMORY AND ARSENAL AT LAUREL .....	251
APPROPRIATIONS TO .....	175, 176
SALARY OF PROPERTY AND DISBURSING OFFICER OF .....	205

Newark (Town of)

AN ACT increasing amount to be borrowed by Council of ..	548
AN ACT to authorize borrowing of money to redeem cer- tain bonds .....	554-557
AN ACT to authorize State Treasurer to pay certain sewer and curbing assessments .....	552
AN ACT to provide for collection of Taxes in.....	549-551
APPROPRIATION TO AETNA HOSE, HOOK AND LAD- DER COMPANY OF .....	178, 232

New Castle (City of)

AN ACT providing for salaries of members of Board of Water and Light Commissioners .....	553
AN ACT regarding Officers of .....	558
AN ACT regarding salaries of Commissioners, and ratify- ing their Acts .....	559, 560
AN ACT to authorize borrowing of money for street im- provement .....	563-567
AN ACT to authorize changes in the line of Seventh Street in .....	562
AN ACT to authorize sale of Fire Engine House and Lot ..	561
APPROPRIATIONS TO GOODWILL FIRE COMPANY OF	178, 233

New Castle County

AN ACT changing boundaries of Third Election District of the Sixth Representative District of New Castle County	353-355
AN ACT providing for new election District in the Sixth Representative District of .....	356-358
AN ACT providing for new election Districts in Seventh Representative District of .....	359-362
APPROPRIATIONS FOR REGISTER OF WILLS OF ....	163

# GENERAL INDEX

lxiii

## New Castle County (Continued)

COLLECTION OF TAXES IN WILMINGTON, procedure in Superior Court .....	411-417
CORBIT LIBRARY IN, Chancellor to appoint Trustee for funds of .....	315, 316
COUNTY ENGINEER OF, Salary, Term, Selection by Levy Court .....	348, 349
ELECTION HELD NOV. 6, 1928, votes for various candidates cast in .....	901-913
LEVY COURT OF, authorized to appropriate money for Free Library for .....	327, 328
LEVY COURT OF, duties under Act providing for payment of County Bonds .....	321, 322, 323, 324
LEVY COURT OF, to elect to be bound by Workmen's Compensation Law .....	757
LEVY COURT OF, to have charge of street improvements in Town of Bellefonte .....	427-429
LEVY COURT OF, to pay County Auditors .....	329
LEVY COURT TO PAY DEPUTIES AND CLERKS SEMI-MONTHLY .....	347
NOTARIES PUBLIC, number to be appointed in .....	319
PROBATION OFFICERS OF JUVENILE COURT, part of salaries paid by .....	787-789
PROTHONOTARY OF, duties regarding disposal of Laws and Codes .....	253-255
RECEIVER OF TAXES AND COUNTY TREASURER, to receive money for payment of County bonds .....	322, 324
RECORDER OF DEEDS OF, to satisfy obligations of State and County Officers, when .....	325, 326
RECORDER OF DEEDS OF, delivery of records to State Board of Health .....	342
REGIONAL PLAN COMMISSION, members to be residents of .....	425
REGISTER OF WILLS OF, fees in Office of .....	809-811
ROADS AND BRIDGES IN, Transfer of funds by Levy Court for maintenance and improvement of .....	350
WORKHOUSE OF, cost of maintenance of prisoners in ....	777, 778
See SHERIFF.	

## New Jersey

GOVERNOR TO FILL VACANCY ON COMMISSION REGARDING BOUNDARY BETWEEN NEW JERSEY AND DELAWARE .....	258
---	-----

## Non-Residents

HUNTING LICENSE FOR .....	724
UNLAWFUL TO PLANT OYSTERS IN INDIAN RIVER, REHOBOTH BAY AND ASSAWAMAN BAY .....	726

<b>Notaries Public</b>	
APPOINTMENT OF, by Governor what officials appointed	318, 319
BANK NOTARIES; Restrictions regulating .....	318, 319
NUMBER AUTHORIZED IN EACH COUNTY .....	319
<b>Oath</b>	
INSURANCE COMPANIES REQUIRED TO VERIFY STATEMENTS TO INSURANCE COMMISSIONER..	71, 72
MOTOR VEHICLE ACT, when required .....	73-152
REQUIRED UNDER INCOME TAX LAW .....	34-70
<b>Oath of Office</b>	
CUSTODIAN OF THE STATE HOUSE .....	7
STATE LIBRARIAN .....	11
<b>Oaths</b>	
JURY OR COMMISSION IN CASES OF ADMISSION TO DELAWARE STATE HOSPITAL GIVEN POWER TO ADMINISTER .....	737, 738
<b>Obligations of Officers</b>	
CANCELLATION AND SATISFACTION OF .....	325, 326
<b>Odessa (Town of)</b>	
CORBIT FREE LIBRARY IN, Appropriation for operation	177
CORBIT LIBRARY IN, Chancellor to appoint Trustee for funds of .....	315, 316
<b>Old Folks' Home</b>	
APPROPRIATIONS FOR OPERATION .....	168, 661
<b>Orphan's Court</b>	
AN ACT regarding fees in .....	804-808
INDEX OF REAL ESTATE ASSIGNMENTS IN OFFICE OF REGISTER IN CHANCERY AND CLERK OF THE ORPHAN'S COURT OF KENT COUNTY, to be made .....	334, 335
<b>Oyster Revenue Collector</b>	
APPROPRIATIONS FOR SALARIES AND EXPENSES..	163
<b>Oysters</b>	
See FISH, OYSTERS AND GAME.	
<b>Palmer Home</b>	
APPROPRIATIONS FOR OPERATION .....	168, 661
<b>Pardee, William C.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	209

# GENERAL INDEX

lxv

## Pardons

See BOARD OF PARDONS.

## Parents and Children

RAISING AGE LIMIT OF CHILDREN COMING UNDER  
MOTHERS PENSION ACT ..... 754

## Parole Board

See BOARD OF PAROLE.

## Peninsula Horticultural Society

APPROPRIATIONS FOR EXPENSES, OPERATION .... 172

## Perjury

FALSE STATEMENT IN ANNUAL REPORT OF CORPO-  
RATION DEEMED TO BE ..... 20  
FALSE SWEARING UNDER MOTOR VEHICLE ACT  
MADE ..... 115

## Personal Property

RATES OF INHERITANCE TAX ..... 31-33  
REPEAL OF TAXES ON, for school purposes ..... 681, 682  
SETTLEMENT OF PERSONAL ESTATES ..... 770

## Pharmacy

See STATE BOARD OF PHARMACY.

## Pheasant

RING NECKED, closed season for ..... 721

## Pleading and Practice

ACTIONS AGAINST OWNERS OF RENTED MOTOR VE-  
HICLES, preliminary hearing in absence of Jury ..... 88, 89  
ACTION AT LAW FOR FRANCHISE TAX DUE STATE,  
when ..... 23  
APPEAL TO STATE TAX BOARD AND TO SUPERIOR  
COURT IN INCOME TAX CASES ..... 53, 54, 57, 62, 63  
APPEAL TO STATE TAX BOARD IN FRANCHISE TAX  
ASSESSMENT CASES ..... 25, 26  
COLLECTION OF FRANCHISE TAX FROM DELIN-  
QUENT CORPORATIONS; Procedure ..... 23, 24, 25  
COLLECTION OF TAXES IN WILMINGTON, Procedure  
in Superior Court ..... 411-417  
CORPORATIONS, service of process upon Secretary of  
State, when ..... 20, 21  
COURT OF CHANCERY, an Act Regarding ..... 790-792  
ENTRY OF JUDGMENT FOR INCOME TAXES IN THE  
SUPERIOR COURT ..... 60  
MOTOR VEHICLES, an Act relieving owner from liability  
for injuries to passenger, when ..... 795

## Pleading and Practice (Continued)

RESIDENT JUDGE TO HEAR PETITION FOR CANCELLATION OF OBLIGATIONS OF OFFICERS .....	325, 326
SALE OF REAL ESTATE UPON EXECUTION OBTAINED, discharge of liens .....	793, 794

## Police

MOTOR VEHICLES, power to make arrests under Motor Vehicle Law .....	149
REGISTRATION OF VEHICLES WITHOUT PAYMENT OF FEES .....	153
RIGHT OF WAY GIVEN TO, when .....	125
SPEED LIMITATIONS NOT APPLICABLE TO, when ...	121
STATE HIGHWAY, disability compensation to .....	758-760
Vehicles of, not affected by Section regarding display of red or green light in front of car .....	146
VEHICLES OF, to be equipped with horn or warning device approved by Commissioner .....	137

## Pool, Frank R.

APPROPRIATION FOR EXPENSES AS MEMBER OF 101ST GENERAL ASSEMBLY .....	184
--	-----

## Poor

CERTAIN MONEY SEIZED FROM GAMBLING DEVICES USED FOR .....	775, 776
---	----------

## Portrait Commission of Delaware

APPROPRIATIONS FOR REPAIRS, REPLACEMENTS, EQUIPMENT .....	177
---	-----

## Poultry

APPROPRIATIONS FOR CONTROL OF DISEASES OF..	173
APPROPRIATION TO STATE BOARD OF AGRICULTURE FOR USE OF DELAWARE STATE POULTRY ASSOCIATION .....	283

## Presidential Electors

GOVERNOR PROCLAIMING Nov. 6, 1928 as day for election of .....	891
VOTES RECEIVED BY, proclamation of election of .....	901-903

## Prisoners

COST OF MAINTENANCE IN NEW CASTLE COUNTY WORKHOUSE .....	777, 778
WHERE CONFINED WHEN ARRESTED BY PRIVATE DETECTIVES .....	779

## Private Acts

AN ACT to revive and extend the time for recording .....	256
--	-----

# GENERAL INDEX

lxvii

## Private Detectives

PRISONERS ARRESTED BY, confined in State, County or Municipal Jails .....	779
--	-----

## Private Property

OFFENSES AGAINST, Arson, Burning .....	800-803
--	---------

## Probation Officers

OF JUVENILE COURT, appointment, salaries, duties and authority of .....	787-789
--	---------

## Proclamations

AMERICAN EDUCATION WEEK, Governor proclaiming Nov. 7-13, 1927, as .....	895, 896
AMERICAN EDUCATION WEEK, Governor proclaiming November 5, 1928 to November 11, 1928, as .....	893, 894
AMERICAN FOREST WEEK, Governor proclaiming week of April 22, 1928 to April 28, 1928, as .....	887, 888
ARBOR AND BIRD DAY, Governor proclaiming April 27, 1928, as .....	888
ARMISTICE DAY, Governor proclaiming Nov. 11, 1928, as ATTORNEY GENERAL, election of Reuben Satterthwaite, Jr. ....	897
AUDITOR OF ACCOUNTS, election of Edward Baker ....	912, 913
CHILD HEALTH DAY, Governor proclaiming May 1, 1927, as .....	910, 911
CORPORATIONS HAVING BECOME VOID, January 1928 CORPORATIONS HAVING BECOME VOID, January, 1929	835
ELECTION DAY FOR ELECTING PRESIDENTIAL ELECTORS, Governor proclaiming November 6, 1928, as .....	843-883
FLAG DAY, Governor proclaiming June 14, 1927, as .....	914-958
FLAG DAY, Governor proclaiming June 14, 1928, as .....	891
FLAG WEEK, Governor proclaiming June 8-14, 1927, as...	836, 837
FIRE PREVENTION WEEK, Governor Proclaiming week of October 7, 1928 to Oct. 13, 1928, as .....	892
NATIONAL CHILD HEALTH DAY, Governor proclaiming May 1, 1928, as .....	889
PRESIDENTIAL ELECTORS, Votes received by, proclama- tion of election of .....	901-903
RED CROSS, Governor proclaiming November 11, 1927 to November 24, 1927, as period of Eleventh Annual Roll call of .....	838, 839
RED CROSS, Governor proclaiming Nov. 11-29, 1928, as period of twelfth Annual Roll Call of .....	898
REPRESENTATIVE IN CONGRESS, Election of Robert G. Houston .....	906, 907
REWARD OFFERED BY GOVERNOR FOR ARREST AND CONVICTION OF THOSE RESPONSIBLE FOR DEATH OF HENRY L. ASH .....	842

## Proclamations (Continued)

REWARD OFFERED BY GOVERNOR FOR ARREST AND CONVICTION OF THOSE RESPONSIBLE FOR DEATH OF ROBERT R. HITCHENS .....	884, 885
STATE TREASURER, Election of Howard M. Ward .....	908, 909
THANKSGIVING DAY, Governor proclaiming November 24, 1927, as .....	840, 841
THANKSGIVING DAY, Governor proclaiming Nov. 29, 1928, as .....	899, 900
UNITED STATES SENATOR, Election of John G. Towns- end, Jr. ....	904, 905
U. S. WRENCH MFG. CO., INC., Governor extending time for payment of Franchise Taxes .....	886

## Prothonotaries

COLLECTION OF TAXES IN WILMINGTON, procedure in Superior Court .....	411-417
NEW INDEX OF JUDGMENTS IN OFFICE OF KENT COUNTY PROTHONOTARY .....	333
PROTHONOTARY OF SUSSEX COUNTY TO PREPARE NEW JUDGMENT INDEX .....	345, 346
SALE AND DISTRIBUTION OF LAWS AND CODES, duties regarding .....	253-255

## Provident Savings and Loan Association

An Act to Incorporate .....	831
-----------------------------	-----

## Psychiatric Observation Clinic

AT FARNHURST .....	736
DUTIES WITH RESPECT TO ADMISSION OF PERSONS TO FARNHURST .....	737, 738

## Public Archives Commission

APPROPRIATION FOR SALARIES, WAGES, EX- PENSES .....	177
--	-----

## Public Lands

AN ACT making it lawful to shoot certain game birds on certain public land .....	725
EXCHANGE OF, for land of William P. Short. Commis- sion to consider .....	822-824
GOVERNOR TO CONVEY TO WILMINGTON STATE RIGHT AND TITLE TO LAND UNDER WATER IN CITY LIMITS .....	424
PLACED UNDER SUPERVISION AND CONTROL OF STATE HIGHWAY DEPARTMENT. Authority of that Department regarding .....	4-6

## Public Lands Commission

APPROPRIATIONS FOR SALARIES, WAGES, EX-	
---	--

# GENERAL INDEX

lxix

## Public Lands Commission (Continued)

PENSES .....	178
SECRETARY OF, on Commission to consider exchange of State Land for land of William P. Short .....	823
TO SURRENDER CONTROL OF STATE LANDS TO STATE HIGHWAY DEPARTMENT ON JULY 1, 1929	4-6

## Public Roads

See ROADS AND BRIDGES.

## Public School

See FREE PUBLIC SCHOOLS.

## Quarantine

JAPANESE BEETLE CONTROL .....	272, 273
STATE BOARD OF AGRICULTURE GIVEN POWER TO, under Act regarding Tuberculin Testing of Cattle ....	279, 280

## Real Estate

See REAL PROPERTY.

## Real Property

AN ACT to authorize First and Central Presbyterian Church in Wilmington to convey certain .....	763-765
AN ACT to confirm Title of Wilmington Steamboat Com- pany to certain land .....	766-769
AN ACT to vest title to certain real estate in the Mayor and Council of Delaware City .....	436, 437
APPEALS FROM ASSESSMENTS OF, in Wilmington ...	410
ARSON, Burning, Degrees, Penalties .....	800-803
ASSESSMENT OF, in Sussex County .....	340, 341
INDICES OF ASSIGNMENTS OF, to be prepared, in Office of Register in Chancery and Clerk of the Orphan's Court of Kent County .....	334, 335
INDEX OF JUDGMENTS IN KENT COUNTY .....	333
INDEX OF JUDGMENTS IN SUSSEX COUNTY .....	345, 346
LEASES OF, how construed .....	796-798
MORTGAGE INDEX IN OFFICE OF RECORDER OF DEEDS OF KENT COUNTY .....	332
MORTGAGES, an Act regarding satisfaction of .....	761
PUBLIC LANDS OF STATE PLACED UNDER SUPER- VISION AND CONTROL OF STATE HIGHWAY DE- PARTMENT. Authority of that Department .....	4-6
RATES OF INHERITANCE TAX .....	31-33
REPEAL OF TAX ON, for school purposes .....	681, 682
RIGHT OF OWNER TO REGULATE VEHICULAR TRAF- FIC ON .....	132
SALE OF, in Wilmington, for Taxes, Procedure .....	411-417
SALE OF, under execution process, discharge of liens ....	793, 794

## Real Property (Continued)

TITLE INSURANCE COMPANIES, Requisites of .....	266-268
UNLAWFUL TO REFUSE TO RENT, because of children in family .....	799

## Receiver of Taxes and County Treasurer

MONEY FOR PAYMENTS OF COUNTY BONDS PAID TO, by State Treasurer .....	321, 322, 323, 324
---	--------------------

## Recorder of Deeds

ADOPTION OF MERGER AGREEMENT RECORDED IN OFFICE OF .....	397
CERTIFICATE OF DISSOLUTION RECORDED IN OFFICE OF .....	394
CERTIFICATES OF INCORPORATION RECORDED IN OFFICE OF .....	370
CERTIFICATES REGARDING AMENDMENTS TO CHARTERS FILED IN OFFICE OF .....	385, 386
CERTIFICATES REGARDING RETIREMENT OF STOCK, and Reduction of Capital, recorded .....	387-390
CERTIFIED COPY OF PRIVATE ACTS TO BE RECORD- ED IN OFFICE OF .....	256
KENT COUNTY, new mortgage index to be made .....	332
KENT COUNTY RECORDER TO PROCURE NEW SEAL KENT COUNTY TO PURCHASE NEW PLOT RECORD AND HAVE REDRAFT OF CERTAIN PLOT MADE .....	343
RECORDS OF BIRTHS, DEATHS, MARRIAGES, delivered to State Board of Health .....	445
REPEAL OF CHARTERS NOTED ON RECORDS IN OFFICES OF .....	342
TO SATISFY OBLIGATIONS OF STATE AND COUNTY OFFICERS, when .....	28
	325, 326

## Recorders

See RECORDER OF DEEDS.

## Records, Thomas W.

NAMED BILL CLERK OF THE HOUSE .....	820
-------------------------------------	-----

## Red Cross

GOVERNOR PROCLAIMING PERIOD FOR ELEVENTH ANNUAL ROLL CALL .....	838, 839
GOVERNOR PROCLAIMING PERIOD FOR TWELFTH ANNUAL ROLL CALL .....	898

## Reeves, Joseph N.

APPROPRIATION TO ADMINISTRATRIX FOR EX- PENSES AS MEMBER OF 101ST GENERAL ASSEM- BLY .....	183
--	-----

# GENERAL INDEX

lxxi

Regional Plan Commission FOR WILMINGTON .....	425
Register in Chancery and Clerk of the Orphan's Court KENT COUNTY, new index of real estate assignments to be made .....	334, 335
Register of Wills APPROPRIATIONS FOR COMPENSATION OF .....	160
KENT COUNTY, new indices in office of .....	330, 331
NEW CASTLE COUNTY, fees charged in office of .....	809-811
Registrars and Assistants APPROPRIATION FOR COMPENSATION OF .....	160
Registration of Voters LAWS REGARDING, to be printed under direction of Sec- retary of State .....	828
Regulator of Weights and Measures DUTIES CONCERNING SALE OF COAL .....	752, 753
Rehoboth Free Library APPROPRIATION FOR OPERATION .....	177
Rehoboth (Town of) AN ACT to authorize borrowing of money for improvement of Board Walk in .....	568-573
LEVY COURT OF SUSSEX COUNTY TO APPOINT A CONSTABLE RESIDENT IN .....	344
Releases NEW INDEX OF, in office of Register of Wills of Kent County .....	330-331
Replevin OF SEIZED MOTOR VEHICLES .....	147, 148
Reports APPROPRIATION FOR CHANCERY AND LAW RE- PORTS .....	158
CORPORATIONS, penalties for failure to file .....	19, 20
CORPORATIONS REQUIRED TO MAKE TO SECRE- TARY OF STATE, when, Nature of .....	18, 19, 20
DISPOSAL OF JUDICIARY AND CHANCERY, by State Librarian .....	13
EMPLOYMENT BUREAU TO MAKE ANNUAL REPORT TO GOVERNOR .....	320
FALSE STATEMENTS IN, deemed perjury .....	20

## Reports (Continued)

OF REGIONAL PLAN COMMISSION TO BE PRINTED BY OFFICIAL HAVING CHARGE OF STATE SUP- PLIES .....	425
STATE LIBRARIAN TO MAKE REPORT TO GOVER- NOR, when .....	14
STATE TAX COMMISSIONER TO SUBMIT, to Governor, and to General Assembly, when, what .....	55, 56, 68

## Representative (U. S.)

ELECTION OF ROBERT G. HOUSTON .....	906, 907
-------------------------------------	----------

## Resident Judge

See JUDGES.

## Resolutions

APPOINTING STATE DIRECTORS OF FARMERS' BANK FOR DOVER BRANCH .....	816
APPOINTING STATE DIRECTORS OF FARMERS' BANK FOR GEORGETOWN BRANCH .....	815
APPOINTING STATE DIRECTORS OF FARMERS' BANK FOR WILMINGTON BRANCH .....	817
APPROPRIATION TO DEFRAY EXPENSES OF VISIT- ING STATE INSTITUTIONS .....	829
APPROPRIATION TO PAY FOR ATTENDANCE AT IN- AUGURATION OF PRESIDENT-ELECT HOOVER..	814
ATTORNEY GENERAL TO TAKE ACTION NECESSARY TO PROTECT RIGHTS OF DELAWARE IN DELA- WARE RIVER AND BAY .....	813
BILL CLERKS FOR GENERAL ASSEMBLY, named ....	820
CLAIMS AGAINST THE STATE, appropriations to pay...	819
COMMISSION TO CONSIDER EXCHANGE OF STATE LAND FOR LAND OF WILLIAM P. SHORT .....	822-824
CORPORATION LAWS TO BE PRINTED UNDER DI- RECTION OF SECRETARY OF STATE .....	827
ELECTION AND REGISTRATION LAWS TO BE PRINT- ED UNDER DIRECTION OF SECRETARY OF STATE .....	828
GENERAL ASSEMBLY ADOPTS RESOLUTION OF RE- SPECT TO MEMORY OF I. PUSEY WICKERSHAM, deceased .....	830
JOINT COMMITTEE TO INVESTIGATE NEED OF AD- DITION TO STATE HOUSE .....	821
PROVIDING ASSENT OF THE STATE TO ACT OF CON- GRESS PROVIDING MONEY FOR AGRICULTURAL EXTENSION WORK .....	825, 826
SCHOOL LAWS TO BE PRINTED .....	812
STATE BANK COMMISSIONER TO HAVE BANKING LAWS PRINTED .....	818

## GENERAL INDEX

lxxiii

Retaliating Taxation WHEN IMPOSED .....	26
Revenue (State) See FRANCHISE TAX.	
Revised Code of Delaware PROTHONOTARIES TO SELL AND ACCOUNT FOR ....	253, 254
Reynolds, Walter Harmon VOTES RECEIVED AS CANDIDATE FOR STATE TREASURER .....	908, 909
Richardson, John M. VOTES RECEIVED BY, as candidate for Representative in Congress .....	906, 907
Richardson Park APPROPRIATION FOR SCHOOL BUILDING AT .....	698
Richardson, William H. APPROPRIATION FOR TRAVELING EXPENSES .....	216
Richterman, Rose VOTES RECEIVED AS CANDIDATE FOR PRESIDEN- TIAL ELECTOR .....	901-903
Roads and Bridges CLOSING OF ROADS BY LEVY COURT OF SUSSEX COUNTY, when .....	351
IN NEW CASTLE COUNTY, transfer of funds by Levy Court for maintenance and improvement of .....	350
ROADS OVER WHICH SCHOOL BUSES AND MAIL ROUTES ARE ESTABLISHED SHALL HAVE FIRST CONSIDERATION OF COUNTY OR STATE ROAD FUNDS .....	352
WILMINGTON, Rebate for payment of lien for Roadway Improvement .....	418
Robbins Hose Company APPROPRIATIONS FOR OPERATION OF .....	178, 234
Russell, Lynford O. APPROPRIATION FOR TRAVELING EXPENSES .....	225
Salary BOARD OF ASSESSMENT OF WILMINGTON, members	409, 410
BOARD OF GAME AND FISH COMMISSIONERS .....	719, 720
CLERK OF BOARD OF ASSESSMENT OF SUSSEX COUNTY .....	340, 341

## Salary (Continued)

COUNTY AUDITORS OF NEW CASTLE COUNTY .....	329
COUNTY ENGINEER OF NEW CASTLE COUNTY .....	348, 349
CUSTODIAN OF THE STATE HOUSE .....	8
DEPUTIES AND CLERKS IN NEW CASTLE COUNTY TO BE PAID SEMI-MONTHLY .....	347
INSURANCE COMMISSIONER, an Act increasing salary of clerk in office of .....	261
JANITORS FOR STATE HOUSE .....	8
NIGHT WATCHMAN FOR STATE HOUSE .....	10
PROBATION OFFICERS OF JUVENILE COURT .....	787-789
PROPERTY AND DISBURSING OFFICER OF NATION- AL GUARD .....	250
SECRETARY OF STATE, an Act increasing .....	259
STATE BANK COMMISSIONER, Salaries in office of ....	270, 271
STATE BOARD OF PHARMACY, secretary, members ....	309
STATE DETECTIVES, an Act increasing .....	260
STATE LIBRARIAN .....	11
STATE TAX COMMISSIONER .....	52
STATE TAX COMMISSIONER, salaries of appointees to be fixed by State Tax Board, limitation .....	54
Satterthwaite, Reuben, Jr.	
PROCLAMATION OF ELECTION TO OFFICE OF AT- TORNEY GENERAL .....	912, 913
Scheifele, Jacob	
APPROPRIATION FOR TRAVELING EXPENSES .....	193
School Budget	
APPROPRIATIONS FOR TWO YEARS ENDING JUNE 30, 1931 .....	228
DEFINITION OF TERMS .....	230
DIVISION OF FUNDS .....	230, 231
FUNDS, how allotted .....	228-230
TRANSFER OF FUNDS .....	231
School Building Program	
AN ACT appropriating money for .....	667-680
School Busses	
AN ACT to make passable all State and County roads over which school buss, and mail, routes are established ....	352
Schools	
See FREE PUBLIC SCHOOLS.	
Seaford, Town of	
AN ACT increasing amount which may be raised annually by taxation .....	582
AN ACT to authorize borrowing of money for street and sewer improvements in .....	574-581

# GENERAL INDEX

lxxv

<b>Seaford Trust Company</b>	
AN ACT to incorporate .....	831
<b>Seal</b>	
GOVERNOR AND SECRETARY OF STATE UNDER GREAT SEAL OF STATE, to convey land to William P. Short, when .....	823, 824
GOVERNOR, under Great Seal of the State to convey land to Wilmington .....	424
NEW, for Recorder of Deeds of Kent County .....	343
<b>Secretary of Agriculture (U. S.)</b>	
GOVERNOR TO FORWARD COPIES OF RESOLUTION REGARDING MONEY FOR AGRICULTURAL EX- TENSION .....	826
<b>Secretary of Commerce (U. S.)</b>	
AIR LICENSES ISSUED BY DEPARTMENT OF THE ..	750, 751
OF THE UNITED STATES, records of aircraft cases cer- tified to .....	749
<b>Secretary of State</b>	
AN ACT increasing salary of .....	259
APPROPRIATIONS FOR SALARIES AND EXPENSES OF OFFICE AND DEPARTMENTS .....	160, 161
BANKING LAWS TO BE PRINTED .....	818
BOND AND OATH OF STATE LIBRARIAN FILED IN OFFICE OF .....	11
BONDS OF CUSTODIAN OF THE STATE HOUSE FILED IN OFFICE OF .....	7
CERTIFICATE OF STATE ARMORY COMMISSION FILED IN OFFICE OF .....	251, 252
CORPORATION LAW, adoption of agreement for merger filed in office of .....	396, 397
CORPORATION LAW, certificate of incorporation filed in office of; certified by .....	370
CORPORATION LAW, certificates regarding amendments to charters filed in office of .....	385, 386
CORPORATION LAW, filing of certificate regarding re- tirement of stock; reduction of capital .....	387, 388, 389, 390
CORPORATION LAW, filing of dissolution consent, publi- cation of .....	394
CORPORATION LAW, foreign corporation when required to file copy of charter and pay fee; when; certificate Secretary of State evidence of right to do business in this State .....	403
CORPORATION LAW, resolution regarding issuance of stock filed in office of .....	373, 374

## Secretary of State (Continued)

CORPORATION LAW, State taxes and fees paid to, for what .....	398-400
CORPORATION LAWS TO BE PRINTED UNDER DIRECTION OF .....	827
CORPORATIONS, blank annual report forms forwarded by .....	20
CORPORATIONS, failure to file annual report investigated by .....	20
CORPORATIONS, power to inquire into reports .....	23
CORPORATIONS, remission of filing fee by, when .....	20
CORPORATIONS, restoration of charter when proclaimed by mistake .....	29
CORPORATIONS REQUIRED TO MAKE ANNUAL REPORTS TO; nature of reports .....	18, 19
CORPORATIONS, service of process upon when annual report not filed and no resident agent; duties of; "Process Book" .....	20, 21
CORPORATIONS, tax accounts certified to State Tax Department, when .....	22
CORPORATIONS, taxes paid, determined by, when .....	22
DELINQUENT CORPORATIONS, proclamation of Governor filed in office of; duty regarding .....	28
ELECTION AND REGISTRATION LAWS, to be printed under direction of .....	828
EXCHANGE OF STATE LAND FOR LAND OF WILLIAM P. SHORT, execution of deed by .....	823, 824
FRANCHISE TAX ASCERTAINED AND FIXED BY, when annual report not filed .....	19
GOVERNOR MADE MEMBER OF STATE HIGHWAY COMMISSION IN LIEU OF .....	257
INSIGNIA REGULATIONS, duties under Act regarding ..	784-786
LAWS AND CODES, passing and disposal of, duties regarding .....	254, 255
MOTOR VEHICLES, required to hold seized cars .....	147, 148
MOTOR VEHICLES, required to issue license plates free to certain agencies .....	153
REGIONAL PLAN COMMISSION, report printed by ....	425
SCHOOL LAWS TO BE PRINTED .....	812
STATE SUPPLIES, to make contracts for supplies, work, furnish and publish license lists, contract for publication of public laws .....	244-249
VEHICLE COMMISSIONER OF THE STATE; duties as such .....	77
WILMINGTON STEAMBOAT COMPANY, deed to confirm title executed by .....	766-769

## Seeds

SALE OF AGRICULTURAL, regulations concerning .....	274-278
--	---------

# GENERAL INDEX

lxxvii

<b>Senator (U. S.)</b>	
ELECTION OF JOHN G. TOWNSEND, JR. ....	904, 905
<b>Settlement of Estates</b>	
AN ACT regarding .....	770
RATES OF INHERITANCE TAXES .....	31-33
<b>Sheldrake, John W.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	214
<b>Sheriff</b>	
DUTIES WITH RESPECT TO COLLECTION OF TAXES	
IN TOWN OF NEWARK .....	549-551
NEW CASTLE COUNTY, duties under act for collection of	
taxes in Wilmington .....	411-417
SUSSEX COUNTY, duties of, in land condemnation cases	
in Town of Lewes .....	524-526
<b>Shiles, E. B.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	219
<b>Short, William P.</b>	
COMMISSION TO CONSIDER EXCHANGE OF STATE	
LAND for land of .....	822-824
<b>Sinking Fund</b>	
OF WILMINGTON, an Act regarding .....	421-423
SCHOOL PROPERTIES IN WILMINGTON TO BE SOLD	
AND PROCEEDS APPLIED TO, when .....	426
<b>Small Loans</b>	
AN ACT providing for the regulation of .....	771-774
STATE BANK COMMISSIONER TO SUPERVISE .....	271
<b>Smith, Frank E.</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	224
<b>Smith, J. Wesley</b>	
APPROPRIATION FOR TRAVELING EXPENSES .....	210
<b>Smyrna, Town of</b>	
AN ACT to authorize borrowing of money .....	583-586
AN ACT to re-incorporate .....	587-628
SPECIAL SCHOOL DISTRICT OF, authorized to borrow	
money to redeem bonds .....	699-702
<b>Societies</b>	
AN ACT regarding insignia of .....	784-786
<b>Soldiers and Sailors</b>	
APPROPRIATION FOR BURIAL OF INDIGENT .....	168

## Soldiers and Sailors (Continued)

APPROPRIATION FOR EDUCATION OF CHILDREN OF 716, 717  
See VETERANS OF FOREIGN WARS

## State Aid Road Bonds

TO BE PAID BY STATE ..... 321, 322, 323, 324

## State Armory Commission

AUTHORIZED TO REPAIR BUILDINGS AT LAUREL,  
Wilmington; discharge of ..... 251, 252

## State Auditor

See AUDITOR OF ACCOUNTS.

## State Bank Commissioner

AN ACT regarding salaries in office of, and extending  
authority over small loans ..... 270, 271  
APPROPRIATIONS FOR SALARIES, expenses ..... 164  
BANKING LAWS TO BE PRINTED BY ..... 818  
REGULATION OF SMALL LOANS, duties regarding ... 771-774

## State Board of Agriculture

AN ACT giving power to conduct tuberculin testing of  
cattle under the "Modified Accredited Area" plan, as  
officially defined by the United States Department of  
Agriculture ..... 279-281  
Quarantine of areas ..... 279, 280  
Modified accredited area, when certified ..... 280  
Penalties for violating provisions of Act ..... 280, 281  
AN ACT regulating sale of agricultural seeds, and placing  
enforcement of the law under the ..... 274-278  
Agricultural seeds defined ..... 274  
Seeds to be labeled ..... 274, 275  
Sale of noxious weed seeds prohibited ..... 275  
Methods of analysis and tests of seeds ..... 275  
Submission of samples ..... 276  
Enforcement of Act placed under the State Board of  
Agriculture ..... 276  
When law not applicable ..... 276, 277  
Penalties ..... 277  
Hearings upon violations ..... 277  
ANTI-HOG CHOLERA SERUM AND VIRUS, appropri-  
ation for ..... 284  
APPLE GRADING ACT, duties concerning ..... 285-293  
APPROPRIATIONS FOR VARIOUS ACTIVITIES OF .. 171-174  
APPROPRIATIONS TO UNIVERSITY OF DELAWARE  
FOR AGRICULTURAL PURPOSES ..... 170, 171  
EMERGENCY APPROPRIATION FOR PURPOSE OF  
ERADICATION OF TUBERCULOSIS IN CATTLE .. 282

# GENERAL INDEX

lxxix

## State Board of Agriculture (Continued)

JAPANESE BEETLE CONTROL MEASURES, placed under .....	272, 273
POULTRY, appropriation for prizes, speakers, expenses .....	283
SECRETARY OF BOARD TO ENFORCE PROVISIONS OF ACTS REQUIRING PERIODICAL STATEMENTS OF DELIVERIES, and butter fat content of milk .....	294, 295

## State Board of Charities

APPROPRIATION FOR SALARIES, expenses .....	166
DUTIES WITH RESPECT TO STERILIZATION CASES .....	740, 741, 742

## State Board of Education

AN ACT appropriating money for school buildings, grounds and equipment .....	667-680
Balance in school funds to be ascertained .....	667
Appropriations, how divided .....	668
Definition of terms .....	668
State Board to prepare program of improvements ...	668
School Building Commissions, how composed .....	669
Contribution of Districts, how determined .....	669, 670
State Board to notify districts of probable cost of improvements .....	670
Local Board to approve .....	670, 671
Submission to voters, when .....	671
Districts to issue bonds for share of cost .....	671, 672
Boards of assessment to prepare lists of taxable in Districts .....	673
Creation of School Building Commissions .....	673, 674
Plans and costs of improvements furnished State Board .....	674
Commissions to construct buildings .....	675
Secretary of State Board to be general secretary of all school building commissions .....	675
Powers of school building commission .....	675, 676
Funds, how expended .....	676, 677
Buildings in Wilmington under control of local Board of Education .....	677, 678
Land acquired for school buildings .....	679, 680
APPROPRIATION FOR MAINTENANCE AND INSTRUCTION OF BLIND CHILDREN .....	167
BOARD IN SPECIAL SCHOOL DISTRICT, vacancy filled by, when .....	690
BOARDS OF SCHOOL TRUSTEES, vacancies filled by, when .....	691, 692
EFFECTS OF ALCOHOL, stimulants, and narcotics, upon the human system, to be taught in schools .....	697
EMERGENCY FUND FOR REBUILDING SCHOOL BUILDINGS .....	685-688

## State Board of Education (Continued)

FOREIGN BORN, appropriation to create Service Bureau for .....	684
GRADES IN SCHOOLS, to be decided by, how .....	689
SCHOOL BUDGET FOR TWO YEARS ENDING JUNE 30, 1931 .....	228-231
SCHOOL DISTRICTS, levying of taxes in, when .....	693
SCHOOL DISTRICTS, collection of taxes in .....	694, 695, 696
TO MAINTAIN UNIFORM SCHOOL SYSTEM, kinds of schools, terms .....	711, 712
TO USE MONEY COLLECTED BY STATE TAX DEPARTMENT FOR FREE PUBLIC SCHOOLS .....	22, 23, 29, 30

## State Board of Health

AN ACT providing for certain registration of births, marriages and deaths .....	298
AN ACT relating to ice cream content .....	299, 300
AN ACT requiring that a Doctor of Dental Surgery be a member of .....	297
Not more than five members to be of same political faith .....	297
APPROPRIATIONS FOR SALARIES AND WAGES, institutions .....	164-166
MATTRESSES, administration of Act, duties and powers under Act .....	302, 303, 305, 306, 307
RECORD OF BIRTHS, deaths, marriages, delivered by Recorders to .....	342

## State Board of Pharmacy

AN ACT in relation to .....	309, 310
APPROPRIATIONS FOR SALARIES, expenses .....	166
FEES, how used; when payable .....	309, 310
SALARY OF SECRETARY; compensation of members ..	309

## State Board of Repairs

APPROPRIATIONS FOR REPAIRS TO STATE HOUSE .....	178
---	-----

## State Board of Supplies

See STATE SUPPLIES.

## State College For Colored Students

APPROPRIATION FOR BUILDINGS AT .....	718
APPROPRIATIONS TO .....	171

## State Detectives

AN ACT increasing salaries of .....	260
APPROPRIATIONS FOR SALARIES OF .....	160

## State Federation of Clubs

APPROPRIATION FOR EQUIPMENT .....	177
-----------------------------------	-----

# GENERAL INDEX

lxxxix

## State Forestry Department

AMENDING AN ACT regarding with respect to funds available for work of Department .....	296
AMERICAN FOREST WEEK PROCLAIMED BY GOVERNOR .....	887, 888
APPROPRIATIONS .....	178, 179
TIMBERLANDS ADJACENT TO PUBLIC HIGHWAYS TO BE ACQUIRED BY STATE HIGHWAY DEPARTMENT .....	317

## State Highway Department

APPROPRIATION TO, for maintenance of bridge at Little Creek .....	176
BRIDGES, Department to determine speed of vehicles crossing .....	120
FINES FOR MOTOR VEHICLE VIOLATIONS TO BE FOR USE OF .....	150, 151
GOVERNOR MADE A MEMBER OF THE COMMISSION .....	257
MOTOR VEHICLES, Department authorized to mark and erect signs .....	146
MOTOR VEHICLES, Department may issue permits for excessive size and weight .....	134, 135
MOTOR VEHICLES, Department may issue special permits for traction engines or tractors .....	136
MOTOR VEHICLES, Department may require reports of accidents .....	129, 130
MOTOR VEHICLES, Department to designate main highways, and erect stop signs .....	126
MOTOR VEHICLES, Department to prepare statistics and reports of accidents .....	130
POLICE, disability compensation to officers and dependents, duties of Department .....	758-760
PUBLIC LANDS OF STATE PLACED UNDER SUPERVISION AND CONTROL OF, after July 1, 1929 ....	4-6
Survey, sale of land authorized .....	4
Construction of roads through .....	5, 6
Deeds for land sold, restrictions therein, forfeiture of land .....	5
Revenues placed to credit of .....	5
Abutting owners to contribute toward cost of roads ..	5, 6
REVENUE FROM MOTOR VEHICLES FOR USE OF ..	152
TIMBERLANDS ADJACENT TO PUBLIC HIGHWAYS TO BE ACQUIRED BY .....	317
WHARF AT LEWES, construction and maintenance by ..	239, 240

## State House

APPROPRIATIONS FOR CARE OF STATE PROPERTY .....	178
APPROPRIATIONS FOR FIRE INSURANCE ON STATE PROPERTY .....	178

State House (Continued)	
APPROPRIATIONS FOR REPAIRS TO .....	178
ASSIGNMENT OF ROOMS IN .....	7
CUSTODIAN OF THE, janitors, open when .....	7-10
JOINT COMMITTEE TO INVESTIGATE NEED OF AD- DITION TO .....	821
State Insurance Commissioner	
See INSURANCE COMMISSIONER.	
State Librarian	
APPOINTMENT, oath, bond, salary, duties, removal of ..	11-15
APPROPRIATIONS FOR CARE OF STATE PROPERTY .....	178
APPROPRIATIONS FOR SALARIES, wages .....	176
LAWS AND CODES, disposal of, duties regarding .....	255
SUPPLIES FOR GENERAL ASSEMBLY, to purchase, keep, place at disposal of members .....	248
TO DELIVER LAWS AND JOURNALS TO LIBRARY OF UNIVERSITY OF DELAWARE, return of same, when .....	16
State Library	
APPOINTMENT OF STATE LIBRARIAN; term; oath; bond .....	11
APPROPRIATIONS FOR OPERATION OF .....	176
APPROPRIATION FOR PURCHASE OF BOOKS; dis- posal of books .....	13
DUTIES OF STATE LIBRARIAN .....	12, 13, 14
OPEN WHEN .....	14
REPORT OF STATE LIBRARIAN .....	14
SALARY OF STATE LIBRARIAN; appropriation for cur- rent expenses .....	11
STATE LIBRARIAN TO HAVE CHARGE OF LEGISLA- TIVE SUPPLIES .....	14
WHAT CONSISTING OF .....	12
State Library Commission	
APPROPRIATIONS FOR .....	176, 177
State of Delaware	
GOVERNOR TO FILL VACANCY ON COMMISSION TO CONSIDER BOUNDARY BETWEEN NEW JERSEY AND DELAWARE .....	258
LANDING OF FIRST SETTLERS IN; celebration at Lewes .....	241, 242
State Property	
APPROPRIATION FOR FIRE INSURANCE ON .....	178
State Registrar of Vital Statistics	
TO MAKE CERTAIN REGISTRATIONS OF BIRTHS, marriages, deaths .....	298

# GENERAL INDEX

lxxxiii

## State Revenue

- See LICENSE.
- See MOTOR VEHICLES.
- See TAXATION.

## State Revenue Collector

- APPROPRIATIONS FOR SALARY AND EXPENSES .. 162
- TO BE APPOINTED A NOTARY PUBLIC ..... 318

## State School Tax Department

- ANNUAL FRANCHISE TAX PAID TO, by corporations .. 21, 22
- DUTIES UNDER INCOME TAX LAW ..... 34-70

## State Supplies

- ADVERTISEMENT FOR BIDS; bids, deposits, opening .. 246, 247
- BANKING LAWS TO BE PRINTED BY STATE BANK COMMISSIONER ..... 818
- FAILURE TO FULFILL CONTRACT; rejection of bids 247
- HOW CONTRACTED FOR; payment from regular and special appropriations ..... 244, 245
- LICENSE BOOKS FURNISHED BY SECRETARY OF STATE; publication of license lists ..... 248, 249
- PUBLICATION OF PUBLIC LAWS ..... 249
- SCHOOL LAWS TO BE PRINTED ..... 812
- SECRETARY OF STATE TO CONTRACT FOR SUPPLIES 245
- SUPPLIES FOR GENERAL ASSEMBLY ..... 248
- USE OF UNEXPENDED APPROPRIATIONS ..... 249

## State Tax Board

- EXTENDING TIME TO CORPORATION FOR PAYMENT OF TAX; certificate filed ..... 27
- POWERS AND DUTIES UNDER INCOME TAX LAW 34-70
- REVIEW OF TAX ASSESSMENTS BY ..... 25, 26

## State Tax Department

- APPROPRIATIONS FOR SALARIES, expenses ..... 163
- CERTIFICATE OF STATE TAX BOARD FILED WITH, when ..... 27
- COLLECTION OF FRANCHISE TAXES, duties and powers 28
- CORPORATIONS, proclaimed by mistake, restoration of charter by Secretary of State ..... 29
- FRANCHISE TAX ACCOUNTS CERTIFIED TO, by Secretary of State; duties ..... 22, 23
- FRANCHISE TAXES PAID TO STATE TREASURER BY, for support of free public schools ..... 29, 30
- POWERS AND DUTIES UNDER INCOME TAX LAW .. 34-70
- REPORT OF DELINQUENT CORPORATIONS TO GOVERNOR ..... 27

## State Treasurer

AETNA HOSE, Hook and Ladder Company, payment of appropriation by .....	232
AN ACT authorizing payment of Sewer and Curbing assessments to Town of Newark .....	552
APPROPRIATIONS FOR DEBT SERVICE .....	164
APPROPRIATIONS FOR SALARIES AND EXPENSES OF OFFICE .....	161, 162
APPROPRIATIONS PAID TO VETERANS OF FOREIGN WARS, for Memorial Day Observance .....	243
CELEBRATION AT LEWES, payment of warrants by ..	242
CLAIMS AGAINST THE STATE, to pay .....	226, 227
COUNTY BONDS FOR HIGHWAY IMPROVEMENT, to be paid by State .....	321, 322, 323, 324
LEVY COURTS TO CERTIFY AMOUNTS; when payments made by .....	321, 322, 323, 324
CUSTODIAN OF THE STATE HOUSE PAID BY .....	8
DELAWARE INDUSTRIAL SCHOOL FOR GIRLS, payment of appropriations .....	656
EMERGENCY FUND FOR SCHOOL BUILDINGS, duties under Act .....	685-688
EMPLOYMENT BUREAU, money for, disbursed by .....	320
EXPENSE OF GENERAL ASSEMBLY IN VISITING STATE INSTITUTIONS, paid by .....	829
FEEBLE-MINDED INSTITUTION, payments for buildings to be made by .....	660
FINES COLLECTED UNDER ACT REGARDING TUBERCULIN TESTING OF CATTLE, paid to .....	281
FRANCHISE TAXES PAID TO, for free public schools ..	22, 23, 29, 30
INAUGURATION OF PRESIDENT-ELECT HOOVER, appropriation to defray expense of attending, paid by ..	814
INDIAN RIVER INLET, payment of warrants by .....	238
INSURANCE COMMISSIONER TO PAY FEES TO, semi-annually .....	261
INSURANCE COMMISSION, to pay expenses of .....	269
JANITORS OF THE STATE HOUSE PAID BY .....	8
KENT AND SUSSEX COUNTY FAIR, appropriations to, paid by .....	235, 236
MILK, fines and penalties collected under Act regarding, paid to State Treasurer .....	295
POULTRY ASSOCIATION, to pay out appropriation for prizes, speakers, expenses, when .....	283
PROCLAMATION OF ELECTION OF HOWARD M. WARD .....	908, 909
PROPERTY AND DISBURSING OFFICER OF NATIONAL GUARD, salary to be paid by .....	250
REPORTS TO, concerning State House and janitors, duty concerning .....	9
RICHARDSON PARK, money for school building paid by ..	698

## GENERAL INDEX

lxxxv

## State Treasurer (Continued)

SALE AND DISTRIBUTION OF LAWS AND CODES, duties regarding .....	252-255
SCHOOL BUDGET, payment of funds by .....	228-231
SCHOOL BUILDING ACT, duties thereunder ...	667, 668, 672, 677, 678
STATE BOARD OF PHARMACY, fees paid to .....	309
STATE COLLEGE FOR COLORED STUDENTS, build- ings at .....	718
STATE DETECTIVES, salaries of, paid monthly by .....	260
STATE HIGHWAY POLICE, disability compensation for, duties of .....	758-760
STATE LIBRARIAN PAID BY .....	11
STATE LIBRARY, money from sale of books deposited with .....	13
STATE LIBRARY, to pay for books .....	13
STATE SUPPLIES, to approve warrants for .....	245, 249
STATE TAX DEPARTMENT TO DAILY PAY COLLEC- TIONS TO .....	53
TO RECEIVE MOTOR VEHICLE VIOLATION FINES AND REVENUES FOR USE OF STATE HIGHWAY DEPARTMENT .....	150, 151, 152
TRAVELING EXPENSES OF MEMBERS TO BE PAID BY .....	180-225
TUBERCULOSIS ERADICATION IN CATTLE, to pay for work of, when .....	282
UNIVERSITY OF DELAWARE, appropriation for heat- ing plant at .....	713
UNIVERSITY OF DELAWARE, gymnasium at Women's College, appropriation .....	714
WHARF AT LEWES, payment for construction by State Highway Department .....	240
Steele, Elisha A.	
APPROPRIATION FOR TRAVELING EXPENSES .....	192
Sterilization	
OF HABITUAL CRIMINALS .....	742
OF MENTAL DEFECTIVES .....	740, 741
St. Georges Trust Company	
AMENDING AN ACT to incorporate .....	833, 834
Stimulants	
EFFECTS UPON HUMAN SYSTEM TO BE TAUGHT IN PUBLIC SCHOOLS .....	697
St. Michael's Day Nursery	
APPROPRIATION TO .....	167, 663

**Stockley**

APPROPRIATION TO COMMISSION FOR FEEBLE MINDED .....	169
APPROPRIATION FOR BUILDINGS FOR INSTITUTION FOR FEEBLE MINDED AT .....	660

**Streams**

IN SUSSEX COUNTY, change in names of certain .....	780
--	-----

**Street and Sewer Department**

WILMINGTON, authority regarding paving and curb stones within the city .....	419, 420
--	----------

**Superior Court**

APPEALS TO, in Income Tax cases .....	53, 54, 57, 62
COLLECTION OF TAXES IN WILMINGTON, procedure in .....	411-417
ENTRY OF JUDGMENT FOR TAXES IN .....	60
JUDGES TO APPOINT CHIEF PROBATION OFFICER..	787, 788
JURISDICTION OF INCOME TAX CASES .....	69
MOTOR VEHICLES, appeal to after revocation of license	113, 114
MOTOR VEHICLES, appeal to, upon failure of Department to issue certificate of title .....	98, 99
NEWARK, proceedings for collection of taxes in .....	549-551
NEW INDEX OF JUDGMENTS TO BE MADE IN OFFICE OF PROTHONOTARY OF KENT COUNTY	333
NEW INDEX OF JUDGMENTS TO BE MADE IN OFFICE OF PROTHONOTARY OF SUSSEX COUNTY	345, 346

**Supplies**

See STATE SUPPLIES.

**Supreme Court**

MAJORITY OF JUDGES OF, may have books returned to State Librarian from University of Delaware .....	16
---	----

**Sussex County**

AN ACT providing for new election district in First Representative District of .....	363-365
ANNUAL TAX PAID TO, by Maryland and Delaware Coast Railway .....	156
APPROPRIATIONS FOR REGISTER OF WILLS OF ..	163
ASSESSMENT OF PROPERTY IN, Board of Assessment	340, 341
DITCHES AND DRAINS IN, An Act to provide for opening and closing of .....	781-783
ELECTION HELD NOVEMBER 6, 1928, votes for various candidates cast in .....	901-913
LEVY COURT OF, authorized to appropriate money for relief of indigent sick of .....	338, 339

# GENERAL INDEX

lxxxvii

## Sussex County (Continued)

LEVY COURT OF, duties under Act providing for payment of County bonds .....	321, 322
LEVY COURT OF, to appoint Constable resident in Rehoboth .....	344
LEVY COURT, to close public roads, when .....	351
LEVY COURT OF, to pay for making new indices of judgments .....	345, 346
NOTARIES PUBLIC, number to be appointed in .....	319
PRISONERS OF, cost of maintenance in New Castle County .....	777, 778
PROTHONOTARY OF, duties with respect to disposal of Laws and Codes .....	253-255
PROTHONOTARY TO MAKE NEW INDICES OF JUDGMENTS .....	345, 346
RECEIVER OF TAXES AND COUNTY TREASURER, to receive money for payment of County bonds .....	322
RECORDER OF DEEDS OF, delivery of records to State Board of Health .....	342
RECORDER OF DEEDS, to satisfy obligations of State and County officers, when .....	325, 326
STREAMS IN, change in names of certain .....	780
See SHERIFF.	

## Talley, John T.

APPROPRIATION FOR TRAVELING EXPENSES .....	198
--	-----

## Tarburton, John W.

AUTHORIZED TO PROCURE NEW SEAL FOR OFFICE OF RECORDER OF DEEDS .....	343
--	-----

## Taxation

AN ACT repealing tax on personal and real property for School purposes .....	681, 682
CAESAR RODNEY CONSOLIDATED SCHOOL DISTRICT AUTHORIZED TO BORROW MONEY FOR ADVANCES .....	707-710
COUNTIES TO LEVY NO TAX FOR PAYMENT OF CERTAIN BONDS .....	322, 324
DISTRICT LIBRARIES, taxes for, levied and raised by Boards of Education .....	311-314
ELLENDALE CONSOLIDATED SCHOOL DISTRICT AUTHORIZED TO BORROW MONEY FOR ADVANCES .....	703-706
MARYLAND AND DELAWARE COAST RAILWAY, taxes paid to Kent and Sussex Counties .....	155, 156
MARYLAND AND DELAWARE COAST RAILWAY COMPANY State Tax .....	154
NEWARK, collection of Taxes in .....	549-551

## Taxation (Continued)

## NOTES OR CERTIFICATES OF INDEBTEDNESS OF

LAUREL, exempt from ..... 518

RETALIATING, When imposed ..... 26

SCHOOL DISTRICTS, collection of taxes in ..... 694, 695, 696

SCHOOL DISTRICTS, levying of taxes in ..... 693

SMYRNA SPECIAL SCHOOL DISTRICT, for bonds ... 699-702

See FRANCHISE TAX.

See INCOME TAX.

See INHERITANCE TAX.

See INSURANCE COMPANY TAX.

See STATE SCHOOL TAX DEPARTMENT.

See STATE TAX BOARD.

See STATE TAX DEPARTMENT.

WILMINGTON, Collection of Taxes in ..... 411-417

## Tenant

See LANDLORD AND TENANT.

## Ten Hour Law Inspector

SALARY ..... 174

## Thanksgiving Day

GOVERNOR PROCLAIMING NOVEMBER 24, 1927, as .. 840, 841

GOVERNOR PROCLAIMING NOVEMBER 29, 1928, as .. 899, 900

## The Clayton Bank and Trust Company

AN ACT conferring additional powers upon, and changing  
name ..... 832

## The Equitable Guarantee and Trust Company

AN ACT to authorize branches ..... 831

## Timberlands

TO BE ACQUIRED BY STATE HIGHWAY DEPART-  
MENT, when, where ..... 317

## Tinsman, William

APPROPRIATION FOR TRAVELING EXPENSES ..... 199

## Title Insurance Company

MUST BE AUTHORIZED TO GUARANTEE TITLES.... 266

STATEMENTS, licenses ..... 268

WHAT REQUIRED OF DOMESTIC CORPORATION .. 267, 268

WHAT REQUIRED OF FOREIGN CORPORATION .... 266, 267

## Title to Real Property

AN ACT regarding Title Insurance Companies ..... 266-268

AN ACT to authorize First and Central Presbyterian

# GENERAL INDEX

lxxxix

## Title to Real Property (Continued)

Church of Wilmington, Delaware, Inc., to convey certain real estate in Wilmington .....	763-765
AN ACT to confirm Title of Wilmington Steamboat Company to certain land .....	766-769

## Townsend, Hon. John G., Jr.

MEMBER INDIAN RIVER INLET COMMISSION .....	237
PROCLAMATION OF ELECTION TO OFFICE OF UNITED STATES SENATOR .....	904, 905

## Treasurer

See STATE TREASURER.

## Trust Companies

AN ACT in relation to legal holidays .....	743
Validity of Acts performed between Saturday noon and midnight .....	743
BRANDYWINE TRUST AND SAVINGS BANK, amending an Act to Incorporate .....	834
DELAWARE TRUST COMPANY, an Act to confer additional powers upon .....	833
FIDELITY TRUST AND SAVINGS BANK, an Act changing name to Lewes Trust Company .....	832
FIRST BANK AND TRUST COMPANY, an Act to incorporate .....	831
FOURTH STREET TRUST COMPANY, an Act to Incorporate .....	834
GEORGETOWN TRUST COMPANY, an Act Incorporating NOTARIES PUBLIC TO BE APPOINTED FOR .....	318, 319
PROVIDENT SAVINGS AND LOAN ASSOCIATION, an Act to Incorporate .....	831
REHOBOTH TRUST COMPANY, amending an Act to Incorporate .....	833
REQUIRED TO ALLOW VERIFICATION OF ACCOUNTS OF TAXABLE PERTAINING TO INCOME .....	57
SEAFORD TRUST COMPANY, an Act Incorporating ..	831
ST. GEORGES TRUST COMPANY, Amending an Act to Incorporate .....	833, 834
THE CLAYTON BANK AND TRUST COMPANY, an Act conferring additional powers upon, and changing name .....	832
THE EQUITABLE GUARANTEE AND TRUST COMPANY, an Act to authorize Branches .....	831

## Trustee

FOR CORBIT LIBRARY FUNDS, an Act authorizing Chancellor to appoint .....	315, 316
FOREIGN CORPORATION MAY ACT AS .....	405
FOR INSANE, appointment by Chancellor .....	739

<b>Tuberculosis in Cattle</b>	
APPROPRIATION FOR ERADICATION OF .....	173
EMERGENCY APPROPRIATION FOR PURPOSE OF ERADICATION OF .....	282
MODIFIED ACCREDITED AREAS, what required for cer- tification .....	279-281
<b>Unconstitutionality</b>	
WITH RESPECT TO INCOME TAX .....	70
<b>United Spanish War Veterans</b>	
APPROPRIATIONS FOR OPERATION .....	169
<b>United States</b>	
AIRCRAFT CONSTRUCTION ACCORDING TO STANDARDS OF .....	750
AIR LICENSES BY DEPARTMENT OF COMMERCE OF APPROPRIATION TO DEFRAY COST OF ATTEND- ING INAUGURATION OF PRESIDENT-ELECT HOOVER .....	750, 751
APPROPRIATION TO UNIVERSITY OF DELAWARE TO MATCH FUNDS OF .....	814
FLAG DAY PROCLAIMED BY GOVERNOR .....	170
FLAG WEEK AND FLAG DAY, Governor proclaiming ...	890
LIGHTING DEVICES FOR VEHICLES SUBMITTED TO UNITED STATES BUREAU OF STANDARDS ...	836, 837
MODIFIED ACCREDITED AREAS, Department of Agri- culture of, to certify .....	143, 144
PERSONS IN SERVICE OF ARMY, NAVY, OR MARINE CORPS OF, exempt from obtaining operator's license, when .....	280
PRESIDENTIAL ELECTORS, Governor proclaiming No- vember 6, 1928, as day of election of .....	104
PRESIDENTIAL ELECTORS, votes received by, procla- mation of election of .....	891
RECORDS OF AIRCRAFT CASES CERTIFIED TO SEC- RETARY OF COMMERCE OF .....	901-903
REPRESENTATIVE FROM STATE OF DELAWARE IN CONGRESS OF, election of Robert G. Houston .....	749
SENATOR FROM STATE OF DELAWARE IN CON- GRESS OF, election of John G. Townsend, Jr. ....	906, 907
STATE ASSENTS TO ACT OF CONGRESS OF THE, regarding Agricultural extension .....	904, 905
STATE ASSENTS TO ACT OF CONGRESS OF THE, regarding Agricultural extension .....	825, 826
<b>University of Delaware</b>	
APPROPRIATION FOR GYMNASIUM AT WOMEN'S COLLEGE .....	714
APPROPRIATION FOR HEATING PLANT .....	713

# GENERAL INDEX

xcii

## University of Delaware (Continued)

APPROPRIATION FOR SCHOLARSHIPS TO 4-H BOYS' AND GIRLS' CLUBS .....	715
APPROPRIATIONS TO, for various Departments .....	169-171
ASSENT OF STATE TO FEDERAL ACT REGARDING AGRICULTURAL EXTENSION .....	825, 826
LAWS AND JOURNALS OF DELAWARE TO BE DELIVERED TO LIBRARY OF, by State Librarian; Return of same, when .....	16

## U. S. Wrench Mfg. Co., Inc.

GOVERNOR EXTENDS TIME FOR PAYMENT OF FRANCHISE TAXES .....	886
--	-----

## Van Fleet, Verner

NAMED BILL CLERK OF THE HOUSE .....	820
-------------------------------------	-----

## Veasey, Benjamin R.

APPROPRIATION FOR EXPENSES AS MEMBER OF 101st GENERAL ASSEMBLY .....	181
--	-----

## Veterans of Foreign Wars

APPROPRIATIONS TO, for observance of Memorial Day .....	243
---	-----

## Veterinarians

ANTI-HOG CHOLERA SERUM AND VIRUS DISTRIBUTED TO, Reports by .....	284
---	-----

## Virden, William E.

APPROPRIATION FOR TRAVELING EXPENSES .....	196
--	-----

## Vital Statistics

AN ACT providing for certain registrations of Births, Marriages, Deaths .....	298
---	-----

## Void Charters

For failure to pay tax .....	26, 27
Record of .....	28
PROCLAMATION OF GOVERNOR, January, 1928 .....	843-883
PROCLAMATION OF GOVERNOR, January, 1929 .....	914-958

## Wages

LIEN OF EMPLOYEES OF INSOLVENT CORPORATIONS FOR .....	402
---	-----

## Wallen, Robert Y.

VOTES RECEIVED BY, as candidate for Presidential Elector .....	901-903
--	---------

Walton, Albert S.	
VOTES RECEIVED AS CANDIDATE FOR PRESIDENTIAL ELECTOR .....	901-903
Ward, Howard M.	
PROCLAMATION OF ELECTION TO OFFICE OF STATE TREASURER .....	908, 909
Warner, Charles	
VOTES RECEIVED BY, proclamation of election as Presidential Elector .....	901-903
W. C. T. U. Rest Room	
APPROPRIATION FOR .....	176
Weights and Measures	
DUTIES OF REGULATOR OF WEIGHTS AND MEASURES AS TO COAL .....	752, 753
SALE OF COAL, weight given, penalties .....	752, 753
Wharf at Lewes	
STATE HIGHWAY DEPARTMENT TO CONSTRUCT AND MAINTAIN .....	239, 240
Whiteside, Fred W.	
VOTES RECEIVED AS CANDIDATE FOR PRESIDENTIAL ELECTOR .....	901-903
White, Thomas E.	
VOTES RECEIVED AS CANDIDATE FOR PRESIDENTIAL ELECTOR .....	901-903
White, William J. P.	
MEMBER INDIAN RIVER INLET COMMISSION .....	237
Wickersham, I. Pusey	
RESOLUTION OF RESPECT TO MEMORY OF .....	830
Wills	
See REGISTER OF WILLS.	
Wilmington, (City of)	
ABUTTING PROPERTIES, lien for roadway improvement, rebate for payment, when .....	418
AN ACT relating to bonds of officers of the Mayor and Council of .....	406
AN ACT regarding removal of official in whose office a shortage exists .....	407, 408
AN ACT to authorize First and Central Presbyterian Church to convey certain real estate in .....	763-765

## GENERAL INDEX

xciii

## Wilmington, (City of) (Continued)

AN ACT to provide for the collection of Taxes and Assessments in .....	411-417
APPROPRIATION FOR ARMORY AND ARSENAL AT	252
APPROPRIATIONS TO DEPARTMENT OF ELECTIONS OF .....	159
BOARD OF ASSESSMENT OF, Appointment of Members, appeals .....	409, 410
EMERGENCY APPROPRIATION FOR SCHOOLS .....	683
EMERGENCY FUND FOR REBUILDING SCHOOLS, Duties of Board of Public Education of .....	685-688
EMPLOYMENT BUREAU, money for, to be set aside ..	320
FARMERS' BANK, appointment of Directors for Branch at	817
GOVERNOR TO CONVEY TO CITY INTEREST OF STATE TO LAND UNDER WATER WITHIN LIMITS OF .....	424
LEASES IN, how construed .....	796, 797, 798
PAVING AND CURBSTONES IN, authority of street and sewer department regarding .....	419, 420
PROBATION OFFICERS OF JUVENILE COURT, part of salaries paid by .....	787-789
REGIONAL PLAN COMMISSION FOR .....	425
SCHOOL BUILDING ACT, Board of Public Education in, to have charge of school Building Construction in ....	677, 678
SCHOOL BUILDING ACT, Funds allotted to City under Act .....	668, 677
SCHOOL LAND AND BUILDINGS CONVEYED TO CITY, when, for what purpose used .....	426
SINKING FUND OF, an Act regarding .....	421, 422, 423
WORKMEN'S COMPENSATION LAW EXTENDED TO APPLY TO EMPLOYEES OF BOARD OF EDUCATION OF .....	755

## Wilmington Institute

TO ADMINISTER FREE LIBRARY FOR RURAL NEW CASTLE COUNTY .....	327, 328
--	----------

## Wilmington Savings Fund Society

AN ACT authorizing Branches .....	832
-----------------------------------	-----

## Wilmington Steamboat Company

AN ACT to confirm Title of Company to certain land ....	766-769
---	---------

## Wintrup, William

APPROPRIATION FOR TRAVELING EXPENSES .....	194
--	-----

## Women's College

APPROPRIATION FOR GYMNASIUM AT .....	714
--------------------------------------	-----

<b>Wooten, Elijah E.</b>	
<b>APPROPRIATION FOR TRAVELING EXPENSES .....</b>	<b>220</b>
<b>Workhouse</b>	
<b>OF NEW CASTLE COUNTY, Cost of maintenance of prisoners in .....</b>	<b>777, 778</b>
<b>Workmen's Compensation Law</b>	
<b>AMENDING THE LAW WITH RESPECT TO THE PERSONS TO WHOM IT APPLIES .....</b>	<b>756, 757</b>
<b>AN ACT providing for disability compensation to State Highway Police or their dependents .....</b>	<b>758-760</b>
<b>EXTENDING ACT TO APPLY TO EMPLOYEES OF BOARD OF PUBLIC EDUCATION IN WILMINGTON</b>	<b>755</b>
<b>LEVY COURT OF KENT COUNTY MAY ELECT TO BE BOUND BY COMPENSATION PROVISIONS OF ...</b>	<b>336</b>
<b>Zoning Ordinances</b>	
<b>PROPOSED AMENDMENT TO CONSTITUTION ALLOWING GENERAL ASSEMBLY TO ENACT LAWS UNDER WHICH CERTAIN MUNICIPALITIES MAY ADOPT .....</b>	<b>3</b>



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