



LAWS
OF THE
STATE OF DELAWARE
PASSED AT THE
One Hundred and Third
Session of the General Assembly
COMMENCED AND HELD AT DOVER
On Tuesday, January 6, A. D. 1931
AND
IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
THE ONE HUNDREDTH AND FIFTY-FIFTH

VOLUME XXXVII

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LAWs of DELAWARE

TITLE ONE

Construction of Statutes

CHAPTER 1

AMENDMENT TO CONSTITUTION

AN ACT proposing an Amendment to Section 4 of Article 1 of the Constitution of the State of Delaware, relating to trial by jury.

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

Section 1. That Section 4 of Article 1 of the Constitution of the State of Delaware be amended by adding to the end thereof the following words:

"Provided, however, that Grand Juries in New Castle County shall consist of fifteen members, one of whom shall be selected from, and shall be a resident of, each representative district in said county, and the affirmative vote of nine of whom shall be necessary to find a true bill of indictment; and Grand Juries in Kent County and in Sussex County shall consist of ten members, one of whom shall be selected from, and shall be a resident of each representative district in the county in which he or she is selected, and the affirmative vote of seven of whom shall be necessary to find a true bill of indictment."

Sec. 4, Art. 1,
Constitution
of Delaware
Amended

Grand Juries
N. C. County
to consist of
fifteen mem-
bers

Residence of
Nine votes
necessary for
true bill

Grand Jury
Kent & Sussex
Counties
consist ten
members

Residence
Seven votes
necessary for
true bill

Approved April 22, 1931.

CHAPTER 2

AMENDMENT TO CONSTITUTION

AN ACT proposing certain Amendments to Article IV of the Constitution of the State of Delaware, relating to the Judiciary.

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

Art. 4.
proposed
amendment to

Section 1. That Article IV of the Constitution of the State of Delaware be amended so as to read as follows:

ARTICLE IV—JUDICIARY

Courts of
State
Supreme
General
Sessions
Register's
Orphans'
Justice of the
Peace
other
Courts

Section 1. The judicial power of this State shall be vested in a Supreme Court, a Court of General Sessions, a Court of Chancery, an Orphans' Court, a Register's Court, Justices of the Peace, and such other courts as the General Assembly, with the concurrence of two-thirds of all the members elected to each House, shall from time to time by law establish.

Supreme
Court to be
composed of
three Justices

Presiding
Justice

Section 2. There shall be three Justices of the Supreme Court who shall be citizens of the State and learned in the law. The Senior in length of service shall be the Chief Justice who when present shall preside at all sittings of the Court. In the absence of the Chief Justice the Senior Justice present shall preside. If it is otherwise impossible to determine seniority among the Justices, they shall determine it by lot and certify accordingly to the Governor.

Chancellor

Law Judges

There shall be six other State Judges who shall be citizens of the State and learned in the law. One of them shall be Chancellor, one of them Presiding Judge of the Court of General Sessions and of the Orphans' Court and the other four of them Associate Judges of the Court of General Sessions and of the Orphans' Court. Three of the said Asso-

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ciate Judges shall be resident Associate Judges and one of them shall after appointment reside in each County of the State. If it is otherwise impossible to determine seniority of service among the said Associate Judges, they shall determine it by lot and certify accordingly to the Governor.

Resident
Judges
Seniority—
How
determined

Section 3. The Justices of the Supreme Court, the Chancellor, and the Presiding Judge and Associate Judges of the Court of General Sessions and of the Orphans' Court shall be appointed by the Governor, by and with the consent of a majority of all the members elected to the Senate, for the term of twelve years each, and the persons so appointed shall enter upon the discharge of the duties of their respective offices upon taking the oath of office prescribed by this Constitution. If a vacancy shall occur, by expiration of term or otherwise, at a time when the Senate shall not be in session, the Governor shall within thirty days after the happening of any such vacancy convene the Senate for the purpose of confirming his appointment to fill said vacancy and the transaction of such other executive business as may come before it. Such vacancy shall be filled as aforesaid for the full term. The said appointment shall be such that no more than two of the Justices of the Supreme Court, in office at the same time, shall have been appointed from the same political party, and no more than three of the five Judges of the Court of General Sessions and of the Orphans' Court, in office at the same time, shall have been appointed from the same political party.

Appointment
by Governor,
subject to
confirmation
of Senate

Terms. Oath
required

Vacancy.
Appointment
Considered by
Senate within
thirty days

No more than
two Justices of
Supreme Court
and no more
than three
Judges of
General
Sessions and
Orphans'
Courts to be
of same
political party

Section 4. The Justices of the Supreme Court, the Chancellor, and the Presiding Judge and Associate Judges of the Court of General Sessions and of the Orphans' Court shall respectively receive from the State for their services compensations which shall be fixed by law and paid monthly and they shall not receive any fees or perquisites in addition to their salaries for business done by them except as

Compensation
of Justices
and Judges

To engage in
no other busi-
ness, nor hold
other office for
profit

AMENDMENT TO CONSTITUTION

Court of
General
Sessions
composed of
what Judges

Section 5. The Presiding Judge of the Court of General Sessions and of the Orphans' Court and the four Associate Judges thereof shall compose the Court of General Sessions and the Orphans' Court, as hereinafter prescribed.

Judges to hold
Courts
designated

Except as hereinafter prescribed with respect to the Orphans' Court, the said five Judges shall designate those of their number who shall hold the said courts in the several counties. No more than three of them shall sit together

No more than
three to sit

Presiding
Judge

in either of the said courts. In each of the said courts the Presiding Judge when present shall preside and in his absence the senior Associate Judge present shall preside.

Quorum

Number of
Judges to sit

One Judge shall constitute a quorum of the said courts, respectively, except in the Court of General Sessions sitting to try a criminal case involving a charge of capital felony, when three Judges shall constitute a quorum, and except in the Court of General Sessions sitting to try cases of prosecution under Section 8 of Article V of this Constitution, when two Judges shall constitute a quorum, and except in the Orphans' Court sitting to hear appeals from a Register's Court, when two Judges shall constitute a quorum. One Judge may open and adjourn any of said courts.

Two or more
sessions of
same Court
may be held

Rules to
distribute
business

Section 6. Subject to the provisions of Section 5 of this Article, two or more sessions of the Court of General Sessions and of the Orphans' Court may at the same time be held in the same county or in different counties, and the business of the several counties may be distributed and apportioned in such manner as shall be provided by the rules of the said courts, respectively.

Jurisdiction of
Court of
General
Sessions

Section 7. The Court of General Sessions shall have jurisdiction of all causes of a civil nature, real, personal and mixed, at common law and all other the jurisdiction and powers vested by the laws of this State in the Superior Court; and also shall have all the jurisdiction and powers vested by the laws of this State in the Court of General

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Sessions of the Peace and Jail Delivery; and also shall have all the jurisdiction and powers vested by the laws of this State in the Court of General Sessions; and also shall have all the jurisdiction and powers vested by the laws of this State in the Court of Oyer and Terminer.

Section 8. The phrase "Supreme Court" as used in Section 4 of Article V of this Constitution and the phrases "Superior Court," "Court of General Sessions of the Peace and Jail Delivery," "Court of Oyer and Terminer" and "Court of General Sessions" wherever found in the law of this State, elsewhere than in this amended Article IV of this Constitution, shall be read as and taken to mean, and hereafter printed as, the Court of General Sessions provided for in this amended Article IV of this Constitution; and the phrase "Chief Justice" wherever found in the law of this State, elsewhere than in this amended Article IV of this Constitution, shall be read as and taken to mean, and hereafter printed as, Presiding Judge of the Court of General Sessions and of the Orphans' Court, as provided for in this amended Article IV of this Constitution.

Phrase "Court of General Sessions" includes other Courts

Phrase "Presiding Judge of Court of General Sessions" includes "Chief Justice as used outside of amended Article 4.

Section 9. The Orphans' Court shall have all the jurisdiction and powers vested by the Laws of this State in the Orphans' Court.

Orphans' Court Jurisdiction

The Orphans' Court in each County shall, except as hereinafter provided for, consist of the Presiding Judge of the Orphans' Court and the resident Associate Judge of the County. The Presiding Judge when present shall preside. The Presiding Judge shall have the power to designate any other Associate Judge to sit in the Orphans' Court with the resident Associate Judge of the County at any time when the Presiding Judge will not be present and more than one Judge is required to constitute the court; and shall also have the power to designate any other Associate Judge to sit in the Orphans' Court in any County in place of the resident Associate Judge of the County in case such resident

Judges to compose

Presiding Judge to designate other Judges to sit

AMENDMENT TO CONSTITUTION

Associate Judge should be absent from the County, incapacitated or disqualified to sit by reason of interest; and shall also have the power to designate any Associate Judge to sit in the Orphans' Court in any County as a third Judge of said court in any case where the opinions of two Judges sitting are opposed.

Section 10. The Chancellor shall hold the Court of Chancery. This court shall have all the jurisdiction and powers vested by the laws of this State in the Court of Chancery.

Upon written request made by the Chancellor to the Presiding Judge of the Court of General Sessions and of the Orphans' Court, or to the senior Associate Judge of said Courts if the said Presiding Judge should be incapacitated or absent from the State, such Presiding Judge or senior Associate Judge, as the case may be, shall be authorized and it shall be his duty to designate one or more of the five Judges of the Court of General Sessions and of the Orphans' Court to sit separately as Acting Vice-Chancellor, or Acting Vice-Chancellors, and hear and decide such causes in the Court of Chancery as the Chancellor may indicate prior to such designation that he desires to be so heard and decided. It shall be the duty of the Judges so designated to serve accordingly as Acting Vice-Chancellors. The Judges hearing and deciding such causes as such Acting Vice-Chancellors shall, upon their decision of a cause, recommend to the Chancellor the decree to be entered therein and all decrees in such causes shall be made by and in the name of the Chancellor.

Section 11. The Supreme Court shall have jurisdiction as follows:

(1) To issue writs of error in civil causes to the Court of General Sessions and to determine finally all matters in error in the judgments and proceedings of said Court of General Sessions in civil causes.

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(2) To issue upon application of the accused, after conviction and sentence, writs of error in criminal causes to the Court of General Sessions in all cases in which the sentence shall be death, imprisonment exceeding one month, or fine exceeding \$100. and in such other cases as shall be provided by law; and to determine finally all matters in error in the judgments and proceedings of said Court of General Sessions in such criminal causes; provided, however, that there shall be no writ of error to the Court of General Sessions in cases of prosecution under Section 8 of Article V of this Constitution.

Writs of error
in Criminal
Cases. When

Error in
Criminal
Causes

No writ of
error in cases
under Sec. 8 of
Art. V of State
Constitution

(3) To receive appeals from the Court of General Sessions in cases of prosecution under Section 8 of Article V of this Constitution and to determine finally all matters of appeal in such cases.

Receive
appeals under
Sec. 8 of Art.
V of State
Constitution

(4) To receive appeals from the Court of Chancery and to determine finally all matters of appeal in the interlocutory or final decrees and other proceedings in Chancery.

Receive
appeals from
Court of
Chancery

(5) To receive appeals from the Orphans' Court and to determine finally all matters of appeal in the interlocutory or final decrees and/or judgments and other proceedings in the Orphans' Court.

Receive
appeals from
Orphans'
Court

(6) To issue writs of prohibition, quo warranto, certiorari and mandamus to the Court of General Sessions, the Court of Chancery and the Orphans' Court, or any of the Judges of the said courts, and all orders, rules and processes proper to give effect to the same. The General Assembly shall have power to provide by law in what manner the jurisdiction and power hereby conferred may be exercised in vacation and whether by one or more Judges of the Supreme Court.

To issue writs
of prohibition,
quo warranto,
certiorari and
mandamus, to
what Courts

General
Assembly may
provide how
power
exercised in
vacation, and
by one or
more Judges

Section 12. The Supreme Court shall always consist of the three Justices composing it except in case of a vacancy or vacancies in their number or in case any one or two of them shall be incapacitated or disqualified to sit by reason of interest, in any of which cases the Chief Justice of the

Supreme
Court to
consist of
three Judges

How composed
in case of
vacancy, dis-
qualification

AMENDMENT TO CONSTITUTION

Supreme Court, or if he be disqualified or incapacitated, the Justice who by seniority is next in rank to the Chief Justice, shall have the power to designate one or more of the said six other State Judges to sit in the Supreme Court temporarily to fill up the number of that court to three Justices and it shall be the duty of those of said six other State Judges, so designated, to sit accordingly, provided, however, that no one of said six other State Judges shall be so designated to sit in the Supreme Court to hear any cause in which he sat below. Three Judges shall constitute a quorum in the Supreme Court. Any one of the Justices of the Supreme Court may open and adjourn court.

Other State Judges to act, when

Quorum, one Justice may open and adjourn Court

Section 13. In matters of chancery jurisdiction in which the Chancellor is interested or otherwise disqualified, the Presiding Judge of the Court of General Sessions and of the Orphans' Court shall have jurisdiction, or, if the said Presiding Judge is interested or otherwise disqualified, the senior Associate Judge not interested or otherwise disqualified shall have jurisdiction.

What Judge to have jurisdiction in Chancery matters where Chancellor is interested or disqualified

Section 14. The Presiding Judge of the Court of General Sessions and of the Orphans' Court or any Associate Judge shall have power, in the absence of the Chancellor from the county where any suit in equity may be instituted or during the temporary disability of the Chancellor, to grant restraining orders, and the said Presiding Judge or any Associate Judge shall have power, during the absence of the Chancellor from the State or his temporary disability, to grant preliminary injunctions pursuant to the rules and practice of the Court of Chancery; provided that nothing herein contained shall be construed to confer general jurisdiction over the case.

Presiding Judge or any Associate Judge may grant restraining orders in absence of Chancellor

Preliminary Injunctions granted, when, by whom. No general Jurisdiction Conferred

Section 15. The Governor shall have power to commission a judge or judges ad litem to sit in any cause in any of said Courts when by reason of legal exception to the Judges authorized to sit therein, or for other cause, there are not a sufficient number of Judges available to hold such

Governor given power to Commission a Judge ad litem, when

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Court. The Commission in such case shall confine the office to the cause and it shall expire on the determination of the cause. The judge so appointed shall receive reasonable compensation to be fixed by the General Assembly. A member of Congress, or any person holding or exercising an office under the United States, shall not be disqualified from being appointed a judge ad litem.

Commission shall confine office to the Cause

Compensation of Judge ad litem

Member of Congress, government official, not disqualified

Section 16. The jurisdiction of each of the aforesaid courts shall be co-extensive with the State. Process may be issued out of each court, in either county, into every county. No costs shall be awarded against any party to a cause by reason of the fact that suit is brought in a county other than that in which the defendant or defendants may reside at the time of bringing suit.

Jurisdiction of Courts
Co-extensive with State

No costs awarded by reason of fact suit is brought in County other than defendant's

Section 17. The General Assembly, notwithstanding anything contained in this Article, shall have power to repeal or alter any act of the General Assembly giving jurisdiction to the former Court of Oyer and Terminer, the former Superior Court, the former Court of General Sessions of the Peace and Jail Delivery, the Court of General Sessions, the Orphans' Court or the Court of Chancery, in any matter, or giving any power to either of the said courts. The General Assembly shall also have power to confer upon the Supreme Court, the Court of General Sessions, the Orphans' Court and the Court of Chancery jurisdiction and powers in addition to those hereinbefore mentioned. Until the General Assembly shall otherwise direct, there shall be an appeal to the Supreme Court in all cases in which there is an appeal, according to any act of the General Assembly, to the former Court of Errors and Appeals.

General Assembly given power to alter Jurisdiction of former Courts.

General Assembly given power to extend Jurisdiction of Courts created hereby

Appeal to Supreme Court as to former Court of Errors and Appeals

Section 18. Until the General Assembly shall otherwise provide, the Chancellor shall exercise all the powers which any law of this State vests in the Chancellor, besides the general powers of the Court of Chancery, and the Presiding Judge of the Court of General Sessions and of the Orphans' Court and the Associate Judges of said Courts

Chancellor to exercise powers which former law vests in him

Presiding Judge and Associate Judges to exercise powers of former Superior Court Judges

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shall each singly exercise all the powers which any law of this State vests in the Judges singly of the former Superior Court.

Judges not to Charge Juries as to facts Section 19. Judges shall not charge juries with respect to matters of fact, but may state the questions of fact in issue and declare the law.

In Civil Causes, matters of fact tried by Court if parties agree Section 20. In civil causes where matters of fact are at issue, if the parties agree, such matters of fact shall be tried by the court, and judgment rendered upon their decision thereon as upon a verdict by a jury.

In Civil Causes, Court of General Sessions may direct amendments, impleadings and legal proceedings so that Justice may be done Section 21. In civil causes, when pending, the Court of General Sessions shall have the power, before judgment, of directing, upon such terms as it shall deem reasonable, amendments, impleadings and legal proceedings, so that by error in any of them, the determination of causes, according to their real merits, shall not be hindered; and also of directing the examination of witnesses who are aged, very infirm, or going out of the State, upon interrogatories de bene esse, to be read in evidence, in case of the death or departure of the witnesses before the trial, or inability by reason of age, sickness, bodily infirmity, or imprisonment, then to attend; and also the power of obtaining evidence from places not within the State.

Examination of witnesses upon Interrogatories de bene esse

Evidence obtained from without State

While action pending, defendant may bring into Court money for discharging debt or damages Section 22. At any time pending an action for debt or damages, the defendant may bring into court a sum of money for discharging the same, together with the costs then accrued and the plaintiff not accepting the same, if upon the final decision of the cause, he shall not recover a greater sum than that so paid into court for him, he shall not recover any costs accruing after such payment, except where the plaintiff is an executor or administrator.

Plaintiff not to recover costs, when

Suit not to abate by death of party Section 23. By the death of any party, no suit in chancery or at law, where the cause of action survives, shall abate, but, until the General Assembly shall otherwise pro-

AMENDMENT TO CONSTITUTION

vide, suggestion of such death being entered of record, the executor or administrator of a deceased petitioner or plaintiff may prosecute the said suit; and if a respondent or defendant dies, the executor or administrator being duly served with a scire facias thirty days before the return thereof shall be considered as a party to the suit, in the same manner as if he had voluntarily made himself a party; and in any of those cases, the court shall pass a decree, or render judgment for or against executors or administrators as to right appertains. But where an executor or administrator of a deceased respondent or defendant becomes a party, the court upon motion shall grant such a continuance of the cause as to the judges shall appear proper.

Executor or Administrator may prosecute suit for plaintiff

Executor or Administrator of defendant party to suit if served with scire facias, when

Court to render judgment

Continuance

Section 24. Whenever a person, not being an executor or administrator, appeals from a decree of the Chancellor, or applies for a writ of error, such appeal or writ shall be no stay of proceeding in chancery, or the court to which the writ issues, unless the appellant or plaintiff in error shall give sufficient security to be approved respectively by the Chancellor, or by a judge of the court from which the writ issues, that the appellant or plaintiff in error shall prosecute respectively his appeal or writ to effect, and pay the condemnation money and all costs, or otherwise abide the decree in appeal or the judgment in error, if he fail to make his plea good.

Appeal from Chancellor or writ of error, no stay unless appellant or plaintiff give security to prosecute his appeal or writ to effect

Section 25. No writ of error shall be brought upon any judgment heretofore confessed, entered or rendered, or upon any judgment hereafter to be confessed, entered or rendered, but within five years after the confessing, entering or rendering thereof; unless the person entitled to such writ be an infant, non compos mentis, or a prisoner, and then within five years exclusive of the time of such disability.

No writ of error after five years, unless infant, non compos mentis or a prisoner

Section 26. The Prothonotary of each county shall be the Clerk of the Court of General Sessions in and for the

Prothonotary to be Clerk of Court of General Sessions in his County

AMENDMENT TO CONSTITUTION

Authority of
Prothonotary

Judgment
in one County
binding land
in another
County, when

Prothonotary
to perform
duties of
Clerk of Peace

County in which he holds office. He may issue process, take recognizance of bail and enter judgments, according to law and the practice of the court. No judgment in one county shall bind lands or tenements in another until a testatum fieri facias being issued shall be entered of record in the office of the Prothonotary of the county wherein the lands or tenements are situated. Such Prothonotary shall perform all duties heretofore performed by the Clerk of the Peace as Clerk of the former Court of General Sessions and the former Court of Oyer and Terminer.

Clerk Com-
pensation

Section 27. The Supreme Court shall have the power to appoint a Clerk to hold office at the pleasure of the said Court. He shall receive from the State for his services a compensation which shall be fixed from time to time by the said Court and paid monthly.

Jurisdiction
of certain
offenses to
inferior
Courts

Section 28. The General Assembly may by law give to any inferior courts by it established or to be established, or to one or more justices of the peace, jurisdiction of the criminal matters following, that is to say: assaults and batteries, carrying concealed a deadly weapon, disturbing meetings held for the purpose of religious worship, nuisances, and such other misdemeanors as the General Assembly may from time to time, with the concurrence of two-thirds of all the members elected to each House prescribe.

General
Assembly
may regulate
manner of
trial and
appeal

Appeal
granted, when

The General Assembly may by law regulate this jurisdiction, and provide that the proceedings shall be with or without indictment by grand jury, or trial by petit jury, and may grant or deny the privilege of appeal to the Court of General Sessions; provided, however, that there shall be an appeal to the Court of General Sessions in all cases in which the sentence shall be imprisonment exceeding one month, or a fine exceeding one hundred dollars.

Appointment
and term of
Justice of
Peace

Section 29. There shall be appointed, as hereinafter provided, such number of persons to the office of Justice

AMENDMENT TO CONSTITUTION

of the Peace as shall be directed by law, who shall be commissioned for four years.

Section 30. Justices of the Peace and the Judges of such courts as the General Assembly may establish pursuant to the provisions of Section 1 or Section 28 of this Article shall be appointed by the Governor, by and with the consent of a majority of all the members elected to the Senate, for such terms as shall be fixed by this Constitution or by law.

Governor to appoint Justices of Peace and other Judges appointed under Sections 1 or 28, with consent of Senate

Section 31. The Registers of Wills of the several counties shall respectively hold the Register's Court in each county. Upon the litigation of a cause the depositions of the witnesses examined shall be taken at large in writing and make part of the proceedings in the cause. This court may issue process throughout the State. Appeals may be taken from a Register's Court to the Orphans' Court. In cases where a Register of Wills is interested in questions concerning the probate of wills, the granting of letters of administration, or executors' or administrators' accounts, the cognizance thereof shall belong to the Orphans' Court.

Registers of Wills to hold Register's Court

Depositions of witnesses

Appeals to Orphans' Court

Orphans' Court to have jurisdiction, when

Section 32. An executor or administrator shall file every account with the Register of Wills for the county, who shall, as soon as conveniently may be, carefully examine the particulars with the proofs thereof, in the presence of such executor or administrator, and shall adjust and settle the same according to the right of the matter and the law of the land; which account so settled shall remain in his office for inspection; and the executor or administrator, shall within three months after such settlement give notice in writing to all persons entitled to shares of the estate, or to their guardians, respectively, if residing within the State, that the account is lodged in the said office for inspection.

Settlements of accounts of executors and administrators in office of Register of Wills

Notice to persons entitled

Exceptions may be made by persons concerned to both sides of every such account, either denying the justice of the allowances made to the accountant or alleging further

Exceptions to accounts

AMENDMENT TO CONSTITUTION

Heard in
Orphans'
Court

charges against him; and the exceptions shall be heard in the Orphans' Court for the county; and thereupon the account shall be adjusted and settled according to the right of the matter and the law of the land.

Style in
process and
public acts

Section 33. The style in all process and public acts shall be THE STATE OF DELAWARE. Prosecutions shall be carried on in the name of the State.

Present Judges
to fill out
terms and
receive com-
pensation

Section 34. The six State Judges in office at the time this amended Article IV of this Constitution becomes effective shall hold their respective offices until the expiration of their terms respectively and shall receive the compensation provided by law. They shall however be hereafter designated as follows,—

Chancellor

The Chancellor shall continue to be designated as Chancellor:

Chief Justice
designated as
Presiding
Judge

The Chief Justice shall hereafter be designated as Presiding Judge of the Court of General Sessions and of the Orphans' Court:

Associate
Judges, how
designated

The Associate Judges shall hereafter be designated as Associate Judges of the Court of General Sessions and of the Orphans' Court.

Pending
matters to be
proceeded
with in new
Supreme Court

Section 35. All writs of error and appeals and proceedings depending, at the time this amended Article IV of this Constitution becomes effective, in the Supreme Court as heretofore constituted shall be proceeded with in the Supreme Court hereby established, and all the books, records

Books, Records

and papers of the said Supreme Court as heretofore constituted shall be the books, records and papers of the Supreme Court hereby established.

Transfer of
suits and rec-
ords of
Superior
Court to Court
of General
Sessions

All suits, proceedings and matters depending, at the time this amended Article IV of this Constitution becomes effective, in the former Superior Court, and all books, records and papers of the said court, shall be transferred to

AMENDMENT TO CONSTITUTION

the Court of General Sessions hereby established and the said suits, proceedings and matters shall be proceeded with to final judgment and determination in the said Court of General Sessions hereby established.

All indictments, proceedings and matters of a criminal nature depending in the former Court of General Sessions and in the former Court of Oyer and Terminer, at the time this amended Article IV of this Constitution becomes effective, and all books, records and papers of said former Court of General Sessions and former Court of Oyer and Terminer shall be transferred to the Court of General Sessions hereby established, and the said indictments, proceedings and matters depending shall be proceeded with to final judgment and determination in the said Court of General Sessions hereby established.

Matters in
Court of
General
Sessions and
Court of
Oyer and
Terminer
transferred to
new Court of
General
Sessions

The Court of Chancery is not affected by this amended Article IV of this Constitution.

Court of
Chancery not
affected by
this amended
Article 4

Approved April 22, 1931.

TITLE TWO

Jurisdiction and Property of the State

CHAPTER 3

JURISDICTION AND PROPERTY OF THE STATE

AN ACT, consenting to the acquisition by the United States of Land, Water, or Land and Water, within the State of Delaware, for Migratory Bird Reservations, Authorized by Act of Congress of February 18, 1929.

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

Consent of
State to
acquisition of
migratory
bird reserva-
tions by
United States

Delaware to
reserve cer-
tain jurisdic-
tion

Section 1. Consent of the State of Delaware is given to the acquisition by the United States, by purchase, gift, devise or lease of such areas of land or water, or of land and water, in the State of Delaware, as the United States may deem necessary for the establishment of migratory bird reservations in accordance with the Act of Congress approved February 18, 1929, entitled "An Act to more effectively meet the obligations of the United States under the Migratory Bird Treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement and for other purposes," reserving, however, to the State of Delaware full and complete jurisdiction and au-

JURISDICTION AND PROPERTY OF THE STATE

thority over all such areas not incompatible with the administration, maintenance, protection and control thereof by the United States under the terms of said Act of Congress.

Approved March 30, 1931.

CHAPTER 4

PUBLIC LANDS

AN ACT to amend an act entitled "An Act Establishing a Permanent Park for the Use and Enjoyment of the People of this State Out of or From Certain Public Lands, Situated at Rehoboth, Delaware, and East of Surf Avenue in said Town," approved March 30, 1927, by extending the limits of Public Lands devoted to Park Purposes:

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

Amending
Act of
March 30, 1927.
Regarding
Park at
Rehoboth

Section 1. That an Act entitled "An Act establishing a permanent park for the use and enjoyment of the people of this State out of or from certain public lands, situated at Rehoboth, Delaware, and East of Surf Avenue in said Town," approved March 30, 1927, be and the same is hereby amended by striking out the words "Henlopen Avenue in the said Town extended to high water of the Atlantic Ocean" in the fourth and fifth lines of Section 1 of said Act, and inserting in lieu thereof the words "lands of Wilbur S. Corkran."

Approved April 6, 1931.

CHAPTER 5

STATE HOUSE

AN ACT Making provision for the acquisition of Lands and Easements for the State of Delaware and for the Construction, Equipment, Decoration and Furnishing of a Building for the General Assembly and for other State uses.

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

Section 1. That the Governor of The State of Delaware be and he is hereby authorized and directed to name four persons who together with the Governor shall be and constitute a commission of The State of Delaware to be known and styled "State Buildings and Grounds Commission of The State of Delaware." The said Commission shall be vested with the powers and duties in this Act declared.

Governor and his four appointees to constitute State Buildings and Grounds Commission

In case of a vacancy on the said Commission by reason of death, resignation or otherwise, the Governor of The State of Delaware shall appoint some person to fill the vacancy thus occasioned.

Governor to fill vacancy

The term of office of the said Commissioners shall continue until the objects and purposes of this Act have been fully accomplished.

Term of office

A majority of the said Commission shall constitute a quorum for the transaction of all business.

Majority to constitute Quorum

The members of the said Commission shall receive no salary or compensation for their services, but shall be paid for their actual expenses incurred in the performance of their duties and for any money expended by them out of their personal funds in or about any of the purposes of this Act.

Members to be paid expenses, but no compensation

STATE HOUSE

Officers of
Commission

Section 2. The said Commission shall as soon as practicable organize by electing from their members a chairman, vice-chairman, and secretary and such other officers as they shall determine. They may employ from outside their membership an acting secretary and such other assistants and agents as they from time to time deem desirable.

May employ
Secretary

Terms of
officers and
employees
prescribed by
Commission

The term of office or employment of every officer, agent or employe of the Commission shall be as prescribed by the said Commission.

Acquisition of
land

Section 3. The said Commission shall for and in the name of the State of Delaware acquire by purchase, gift, or condemnation all or so much and such portion of the following lands and premises situated in The City of Dover as the said Commission shall deem desirable for the purposes of this Act; namely, the lands and premises (other than those now belonging to The State of Delaware) lying between St. Jones' River and the east line of the Dover Green, and the lands and premises lying between St. Jones' River and a line established by running a line from a point at the southeast corner of the office building of James M. Satterfield and United States Corporation Company on the northeast side of the Dover Green along and parallel with the east wall of said office building northward to North Street, and the lands lying between St. Jones' River and a line extending from a point in the south line of the State land fifteen feet east of the east line of the Dover Green southward and parallel with the east wall of the residence of James M. Satterfield to Water Street.

Description
of land
desired

Land for
State purposes

The lands so acquired shall be used as sites for State buildings and for State grounds.

Title taken
in name of
State of
Delaware

Section 4. The title to the lands and premises acquired by purchase or gift under the provisions of this Act shall be taken in the name of The State of Delaware. In the case that any of the said lands and premises or easements

STATE HOUSE

therein are owned by or held for the use of Kent County, the Levy Court of said County are hereby empowered to consent to the sale thereof, and a deed executed and acknowledged by the President of the said Levy Court of Kent County and attested by the Clerk or Secretary conveying to The State of Delaware the said lands and premises or easements therein shall be deemed and held to vest in The State of Delaware an absolute title in fee simple thereto.

Kent County
authorized
to sell land

In the case that any of the lands and premises or easements therein are owned by or held for the use of The City of Dover, the Council of said City are hereby empowered to consent to the gift or sale thereof to The State of Delaware, and a deed executed and acknowledged by the Mayor of said City and attested by the Clerk or Secretary of Council conveying to The State of Delaware the said lands and premises or the easements therein shall be deemed and held to vest in The State of Delaware an absolute title in fee simple thereto.

City of Dover
authorized to
convey land

Section 5. Whenever the said Commission cannot agree with the owner of any of the lands and premises or easements therein desired by the said Commission for the purposes of this Act, for the purchase thereof the said Commission may apply for and in the name of The State of Delaware to any judge of The State of Delaware not a member of the State Buildings and Grounds Commission of The State of Delaware for the condemnation thereof, first giving seven days' notice in writing of the intended application to such owner if known and if within the State; if such owner is absent from or a non-resident of the State, or is unknown or is under legal disability and has no legal representative present in the State, publication of such notice shall be made in at least one issue of some newspaper published in Kent County at least seven days prior to the date of such intended application, and such publication shall be sufficient notice thereof. Upon application made as aforesaid the said Judge shall appoint five judicious and impar-

Condemnation
of land

Notice to
Owner

Publication
of notice in
case of non-
residents

STATE HOUSE

Judge to
appoint
freeholders

Freeholders
sworn

Notice

Notice by
publication

Meeting of
freeholders

Hearing

Assessment
of damages

Return

Application
for other
freeholders

tial freeholders of Kent County to view the premises or ascertain the easement and assess the damages which the owner or owners will sustain by reason of the taking of the same, and to make return of their findings within such period as the said judge shall determine. The freeholders shall be sworn or affirmed before some officer authorized to administer oaths or affirmations, before entering on the premises or before ascertaining the easement, faithfully and impartially to perform the duties assigned them. They shall give seven days' notice in writing of the time of their meeting to view the premises or ascertain the easement to the said State Buildings and Grounds Commission of The State of Delaware and to the owner of the lands and easements proposed to be condemned if known and if within the State; if such owner is absent from or a non-resident of the State, or is unknown or is under legal disability and has no legal representative present in the State, publication of such notice shall be made in at least one issue of some newspaper published in Kent County at least ten days prior to the date of the time of their meeting for the purpose aforesaid, and such publication shall be sufficient notice thereof.

The said freeholders shall meet at the time appointed and shall view the premises and/or ascertain the easement proposed to be condemned and shall hear the owner and his witnesses, if present, and the State Buildings and Grounds Commission of The State of Delaware and their witnesses, if present. The said freeholders shall ascertain and assess the damages that the owner will sustain by reason of the taking of his land and/or easement, and shall return a record of their proceedings with their findings or award to the Prothonotary of Kent County according to the order or instructions of the judge by whom they were appointed. Either the State Buildings and Grounds Commission of The State of Delaware or the said owner being dissatisfied with the findings or award of the said freeholders, may within seven days after the return of the freeholders as aforesaid apply to the judge who appointed the said freeholders to

STATE HOUSE

appoint another set of freeholders to award damages, and thereupon the said judge shall appoint five other judicious and impartial freeholders of Kent County to view the premises or ascertain the easement and assess the damages which the owner will sustain by reason of the taking of the same, and to make return of their findings within such period as the said judge shall determine. If the applicant be the owner of the lands or easement sought to be condemned, he shall give at least five days' notice in writing of his intended application to the State Buildings and Grounds Commission, and if the applicant be the said State Buildings and Grounds Commission, they shall give or publish notice to the owner of the lands or easement, as hereinbefore prescribed with respect to the notice of the application for condemnation, except that the time for the giving or publishing of said notice shall be at least five days prior to the application to the judge for the appointment of the second set of freeholders. The second set of freeholders appointed as aforesaid shall be severally sworn or affirmed as hereinbefore prescribed with respect to the first set of freeholders, and all the foregoing provisions as to the duties of the first set of freeholders shall be deemed to apply to the second set of freeholders precisely as if the said provisions were here repeated in detail as to the said second set of freeholders. The findings or award of the second set of freeholders shall be final. If no application for a second set of freeholders be made within the time hereinbefore prescribed, the findings or award of the first set of freeholders shall be final.

Appointment
by JudgeNotice of
intended
applicationSecond set
of freeholders
to proceed as
in first
instance

Findings final

First award
final if no
application

The amount of damages being ascertained as aforesaid, the State Buildings and Grounds Commission of The State of Delaware may at any time within two months after the same shall have been so ascertained, pay the amount thereof to the person or persons entitled thereto, or, if any person so entitled refuse to accept such payment or reside out of or is absent from the State at the time, or is under legal disability and has no legal representative present in the State at the time to whom the payment may be made, the damages to which such person is entitled may be deposited to his

Payment of
awardDeposit of
damages in
Farmers
Bank, when

STATE HOUSE

credit in the Farmers Bank of The State of Delaware at Dover within said time. Where any owner of property condemned as aforesaid is unknown, or his estate or interest therein is uncertain, or where any of the property condemned is subject to a lien, the said State Buildings and Grounds Commission of The State of Delaware may pay the damages into the Superior Court of The State of Delaware for Kent County, and the said Court shall upon proper application by any party in interest make such orders for the payment or distribution of the moneys so paid into Court as the rights and interests of the parties shall appear to said Court. If damages be awarded for the taking of any lands or easements held by or for the use of Kent County, the same shall be paid to the Receiver of Taxes for Kent County or be deposited in the Farmers Bank of The State of Delaware at Dover to the credit of Kent County. If damages be awarded for the taking of any lands or easements held by or for the use of The City of Dover, the same may be paid to the Treasurer of said City or be deposited in the Farmers Bank of The State of Delaware at Dover to the credit of The City of Dover.

Damages paid into Superior Court if owner unknown or land encumbered

Superior Court to distribute

Damages to Kent Co., how paid

Damages to City of Dover, how paid

Title to rest in State upon payment or deposit of damages

Upon payment as aforesaid of damages awarded under any of the provisions of this Act, or upon deposit of the same in Bank as aforesaid, or upon payment thereof into Court as aforesaid, the title to the lands and/or easements for the taking of which the said damages were awarded shall immediately vest in The State of Delaware absolutely.

Fee to freeholders paid by Commission

Each freeholder serving in condemnation proceedings under this Act shall be entitled to a fee of Five Dollars per day, which fee together with all other expenses of the condemnation proceedings shall be paid by the State Buildings and Grounds Commission of The State of Delaware.

Altering of Streets

Section 6. Should it be thought desirable by the said Commission to widen and/or straighten or alter any street abutting upon any of the lands acquired under the pro-

STATE HOUSE

visions of this Act, they may cause to be laid off so much and such portion of the land so acquired as they shall deem necessary or proper to effect such widening, straightening or altering, and shall cause a description thereof to be recorded in the office of the Recorder of Deeds for Kent County and State of Delaware, and thereupon the land so described shall be deemed and held to be a dedication to the public for street uses and to be under and subject to the jurisdiction of the municipal authorities having supervision over the streets of The City of Dover without any further or other act, acceptance, or consent.

Description
recordedDedication of
StreetsJurisdiction of
Dover
authorities

Section 7. The said Commission shall cause the lands acquired under the provisions of this Act to be surveyed, laid out and beautified to the end that the same may be used for sites for State buildings to meet the needs of the State for adequate quarters for the General Assembly, the Governor, Secretary of State and other State officials, and for State departments, boards and commissions functioning at the State Capital, and for State grounds; and may cause buildings being on said lands at the time they are acquired to be taken down or removed.

Survey of
lands acquiredUsed for State
purposesBuildings
may be
removed

The said Commission shall have power to make and enter into contracts for services, labor and materials needful or proper for the purposes aforesaid or any of them, and to employ such assistants as they shall require in the performance of their duties.

Commission
may contract
and employ
assistants

Section 8. The said Commission is empowered and directed to cause to be erected and equipped on some portion of the land acquired under this Act a State building adequate and appropriate for the holding of the session of the General Assembly of this State, and for the sitting of the State Senate and the State House of Representatives in separate chambers, and with convenient and adequate rooms for the meetings of committees of the two Houses and for other legislative needs, and with adequate and appropriate rooms

State Building
for General
Assembly

STATE HOUSE

Offices for
Governor and
Secretary of
State

and offices for the occupancy of the Governor and the Secretary of State during legislative sessions and such other times as they shall desire.

Commission
given power
to make
contracts

The said Commission shall have power to make and enter into contracts for the construction and equipment of the building aforesaid and/or for labor, materials, supplies and instrumentalities necessary or proper for such construction and equipment; but where any such contract involves

Bids if ex-
penditure is
over \$1,000.00

the expenditure of more than One Thousand Dollars, the said Commission shall first ask for bids by advertisement published at least once a week for two weeks in at least one newspaper in each of the three counties of this State, two weeks at least before the time for the receiving of said bids, the said Commission reserving the right to reject any and all bids. In awarding contracts required to be advertised as

Publication

Right to
reject bids

Preference to
lowest bidder

aforesaid the Commission shall give preference to the lowest bidder, unless the said Commission shall not be sufficiently satisfied that the contract of such bidder will be fulfilled in the mode or manner best for the interest of the State.

Bond of
successful
bidder

The said Commission shall require the party awarded any contract required to be advertised for bids as aforesaid to give bond for the performance of such contract in such amount and in such form and with such provisions, stipulations and conditions (including payment of persons performing labor and/or rendering any kind of service and/or furnishing materials in the execution of such contract) as the said Commission shall prescribe and with such surety as the said Commission shall approve.

Commission
to employ
engineers and
architects

The said Commission shall have power to employ an engineer or engineers and an architect or architects and such other employees as the said Commission shall deem essential to the proper and expeditious performance of their aforesaid duties, and to fix their salaries or compensation and their length of service and to dismiss them for any cause which the said Commission shall deem sufficient.

To fix
compensation,
dismiss

STATE HOUSE

Section 9. The said Commission shall have power to make and enter into contracts for the ornamentation, decoration, and furnishing of the building referred to in the preceding section of this Act, and the rooms and halls therein, and to employ such assistants and helpers as they shall deem necessary or proper.

Commission
given power
to contract
for decoration
and furnishing
building

Section 10. That the sum of Seven Hundred and Fifty Thousand Dollars be and the same is hereby appropriated out of the State Treasury to be paid by the State Treasurer for the purposes of this Act, and the State Treasurer is hereby authorized and directed to pay up to said sum all warrants of the said Commission signed by the Chairman or Vice-Chairman and attested by the Secretary or Acting Secretary of said Commission.

\$750,000
appropriated

State
Treasurer
to pay
warrants

No portion of the money appropriated as aforesaid shall be deemed or held to revert at the end of any fiscal year, but the said appropriation shall remain in force until the objects and purposes of this Act have been fully accomplished or until the whole of the aforesaid sum of Seven Hundred and Fifty Thousand Dollars has been fully expended.

Appropriation
not to revert

Approved April 25, 1931.

CHAPTER 6

STATE LIBRARIAN

AN ACT to Amend Chapter 5, Revised Code of Delaware, as Amended by Chapter 4, Volume 36, Laws of Delaware, in Reference to the Salary of the State Librarian.

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

Amending
Chap. 5, R. C.
as amended
by Ch. 4,
Vol. 36 Laws
of Delaware

Salary State
Librarian

Section 1. That Chapter 5, Revised Code of Delaware, as amended by Chapter 4, Volume 36, Laws of Delaware, be and the same is hereby further amended by striking out and repealing the words and figures "Twelve Hundred Dollars (\$1200.00)" as they appear in the second and third lines of 24, Section 2, of said Chapter 5, as amended, and by inserting in lieu thereof the following:

"Eighteen Hundred Dollars (\$1800.00)".

Approved May 6, 1931.

TITLE THREE

State Revenue and Supplies

CHAPTER 7

STATE REVENUE

FRANCHISE TAX

AN ACT to amend Article 8 of Chapter 6 of the Revised Code of the State of Delaware as heretofore amended 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 1915, of the State of Delaware, be and the same is hereby amended by striking out all of 103, Section 66, of the Revised Code of 1915, of the State of Delaware, as heretofore amended, and by inserting in lieu thereof the following:

103, Sec. 66,
Art. 8, Chap.
6 of Revised
Code
amended

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 every corporation now existing or hereafter incorporated under the provisions of the General Corporation Law of Delaware, by its President, Secretary, Treasurer or other proper officer thereof, or by any two of its directors, or by any two incorporators thereof in the event the board of directors thereof shall not have been elected, to make an annual report to the Secretary of State, stating specifically with the

Annual
report of
Corporation

By officers,
directors or
Incorporators

FRANCHISE TAX

<p>Report to state location of principal office, agent, location of places of business without the State</p>	<p>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;</p>
<p>Report to state names, addresses of directors and officers</p>	<p>the names and addresses of all the directors and officers of the corporation and when the terms of each expire; the date</p>
<p>Date of annual meeting of stockholders</p>	<p>appointed for the next annual meeting of the stockholders for the election of directors; the number of shares of each class of the capital stock which is to be issued, if any, and</p>
<p>Shares of stock au- thorized and issued</p>	<p>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</p>
<p>Capital in- vested in Delaware</p>	<p>value actually issued; the amount of capital invested in real estate and manufacturing in the State of Delaware, and the</p>
<p>Taxes paid</p>	<p>taxes paid thereon; and, if exempt from taxation for any cause, the specific facts entitling such corporation to exemp- tion from such taxation.</p>

<p>Secretary of State to fix amount of tax if no report</p>	<p>If such annual report is not so made and so filed by the corporation 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</p>
<p>Penalty for failure to file report</p>	

FRANCHISE TAX

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 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.

Directors wilfully refusing to comply, ineligible for election to office

Directors may file Certificate and remove ineligibility

False statement in report deemed 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 omitted (*) 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.

Annual report to Secretary of State

Secretary of State to investigate failure to file report

Forfeiture of charter

Discretion of Secretary of State regarding filing fee

*. so enrolled

FRANCHISE TAX

Secretary of
State shall
forward and
keep annual
reports

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.

Service of
process upon
Secretary of
State

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 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 corporation 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.

Notice by
Secretary of
State

Plaintiff to
pay fee

Process Book

104-S 07
Art. 8, C. 6
of R. C. 6
amended

Section 2. That Article 8 of Chapter 6 of the Revised Code of 1915, of the State of Delaware, be and the same is hereby amended by striking out all of 104, Section 68, of the Revised Code of 1915, of the State of Delaware, as heretofore amended, and by inserting in lieu thereof the following:

FRANCHISE TAX

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 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 further sum of twenty-five dollars on each ten thousand shares or part thereof, provided, however, that in no case shall the tax payable at the foregoing rates for a full taxable year be less than five dollars nor more than twenty-five thousand dollars. 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 case the corporation has not been in existence during the whole year, the amount of tax due, at the foregoing rates and as above provided, shall be prorated for the portion of the year during which the corporation was in existence. In case a corporation shall have changed during the taxable year the amount of its authorized capital stock, the total annual franchise tax payable at the foregoing rates shall be arrived at by adding together the franchise taxes calculated as above set forth as prorated for the several periods of the year during which each distinct authorized amount of capital was in effect. Every corporation which shall show by a supplemental affidavit attached to its annual

104-S 67
Franchise
Tax RatesAnnual
Tax Payable

250 shares

1,000 shares

3,000 shares

5,000 shares

10,000 shares

\$25.00
additional on
each 10,000Minimum and
maximum
taxes.Computing
taxTaxes
ProratedChange in
capital stockTaxes, how
determinedAffidavit
that business
of corporation
not carried on

FRANCHISE TAX

Taxes at
one-half rate,
when

Affidavit to
state facts

report, duly sworn to by its President and Secretary or Treasurer, or two of its Directors, or any two of its incorporators if directors or officers have not been elected, that it has not been engaged in any of the business activities for which it was granted a certificate of incorporation shall pay only at the rate of one-half of the amount of taxes scheduled above for such portion of the year as it shall not have been so engaged and at the full rate for the remainder of the year. Any such affidavit shall state fully the pertinent facts upon which the claim for one-half rate is based.

Total author-
ized capital
Stock basis of
tax

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.

109-S 72. C 6
of R. C.
amended

Section 3. That Article 8 of Chapter 6 of the Revised Code of 1915, of the State of Delaware, be and the same is hereby amended by striking out all of 109, Section 72, of the Revised Code of 1915, of the State of Delaware, as heretofore amended, and by inserting in lieu thereof the following:

109-S 72
Review of
assessment of
tax by State
Tax Board

109. Section 72. Review of Assessment; Proceedings for; Refunds; Statistics; Limitations of:— (A) The State Tax Board as provided for in Chapter 8, Volume 36, Laws of Delaware, shall for the purposes of this Act be vested with all the powers and duties now vested in that Board under Chapter 8, Volume 36, Laws of Delaware, and is especially authorized (a) to decide all questions of policy submitted by the Secretary of State pertaining to the assessment of franchise taxes; (b) to hear all complaints and appeals and all petitions for review of the assessments of franchise taxes and/or of penalties provided for by this Article, with power to affirm, modify or reverse, in whole or in part, any assessments of franchise taxes and/or of penalties made or imposed by the Secretary of State.

Powers of
Board

FRANCHISE TAX

(B) The State Tax Department may examine or cause to be examined annual reports of all corporations assessed at rates less than the full rate of franchise tax provided in Section 67, and annual reports of all corporations petitioning for a reduction of franchise taxes from the full rate at the direction of the State Tax Board.

State Tax
Department
may examine
Annual
Reports, when

(C) Any corporation may within the period of six months after the assessment apply to the State Tax Board for a refund or reduction of taxes by this Act claimed to be erroneously or illegally assessed and thereafter collected, or of interest or penalties claimed to have been assessed and thereafter collected without authority, or of any payment claimed to have been excessive. If the Tax Board shall determine that the tax, interest and/or penalties assessed are excessive or incorrect, in whole or in part, it shall resettle the same and adjust the assessment of tax, interest or penalties accordingly, and shall notify the corporation and the Secretary of State of such determination and direct the Tax Department to refund to the corporation any amount paid in excess of the proper amount of tax, interest and/or penalties so determined to be due. The Tax Board shall be further empowered to revise the penalty provided in Section 103, Section 66 of the Revised Code of the State of Delaware as amended. An Appeal may be taken to the Superior Court of the State of Delaware from any decision, determination or final action of the State Tax Board under this Section by the State of Delaware or by any corporation affected thereby within sixty days after notification thereof and such Court may by its judgment affirm, modify or reverse the same in whole or in part.

Corporation
may apply
within six
months for
refund or
reduction of
taxes

Tax Board
to adjust
claims

Tax Board
may revise
penalty

Appeal to
Superior
Court by State
or by
corporation
affected

(D) Repayment Fund: The Tax Department shall retain in its hands out of the revenue collected from the taxes imposed by this Act, or by Chapter 6, Article 8 of the Revised Code of 1915, as heretofore amended, a sum sufficient to provide at all times a fund of twenty thousand dollars, out of which it shall pay any refunds to which corporations

Repayment
Fund of
\$20,000

FRANCHISE TAX

Fund deposited, where shall become entitled under the provisions of this Act. Said fund shall be deposited in the financial institution which is the legal depository of State moneys to the credit of the State Tax Department and shall be disbursable on order of the State Tax Commissioner.

Disbursable on order of State Tax Commissioner

(E) The State Tax Department shall prepare and publish an annual report containing such statistics as may be available with respect to the operation of this Act, including the amounts collected and amounts unpaid for each year for which the tax is assessed, and such other facts as are deemed pertinent and desirable.

State Tax Department to publish annual report

Section 4. That no franchise tax assessed or assessable during the calendar year 1930, or any prior year, under the provisions of 103, Section 66, 104, Section 67, and 109, Section 72, as heretofore existing, and no assessment, suit, proceeding, or matter of any kind with respect thereto, shall be in any wise affected by this Act, and the provisions of said 103, Section 66, 104, Section 67, and 109, Section 72 as heretofore existing, shall be continued in full force and effect as to all such taxes, assessments, suits, proceedings and matters.

Taxes and matters not affected by this Act.

Sections of Law involved

Section 5. If any word, clause, sentence, paragraph or part of this Act shall, for any reason, be adjudged by any Court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the word, clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Unconstitutionality of fact not to affect remainder of Act

Section 6. That all Acts or parts of Acts inconsistent with this Act be and they are hereby repealed to the extent of such inconsistencies only.

Repeal of inconsistent Acts

Approved April 22, 1931.

CHAPTER 8

STATE REVENUE

INHERITANCE TAX

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware, as amended, relating to Inheritance Tax.

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 (1915), as amended, be and the same is hereby further amended by striking out all of 146. Section 109 to 152 Section 115, both inclusive, as amended, and by substituting in lieu thereof the following:

146. Sec. 109. Property subject to tax; exemptions:—All property, real and personal, and every estate and interest therein, legal or equitable, belonging to any person who at the time of his death was a resident of the State of Delaware and which passes by will or by the intestate laws of this State, or by deed, grant, gift or settlement (except in cases of a bona fide purchase for full consideration in money or money's worth) made in contemplation of death or intended to take effect in possession or enjoyment at or after the death of the grantor, donor, or settlor to any person or persons, body politic, or corporate (whether resident or non-resident of this State) in trust or otherwise, shall be subject to the tax specified in this Act; all tangible personal property having an actual situs in this State, and all real property actually situated in this State and every estate and interest therein, legal or equitable, belonging to any person who at the time of his death was not a resident of this State and which passes by will or intestacy, or by deed, grant, gift or settlement (except in cases of a bona fide purchase for full consideration in money or money's worth) made in contemplation of death or intended to take effect in

146 S 109 to
152-S 115 of
R. C. amended

146 S 109
Property sub-
ject to tax

Resident of
State

Exception

What property
of non-resi-
dent taxable

INHERITANCE TAX

possession or enjoyment at or after the death of the grantor, donor or settlor to any person or persons, body politic, or corporate (whether resident or non-resident of this State) in trust or otherwise, shall be subject to the tax specified in this Act.

Whenever any person or persons, institution or corporation shall exercise a general power of appointment derived from any disposition of property made either before or after the passage of this Act, such appointment when made, shall be deemed a transfer subject to the tax specified in this Act in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power and had been bequeathed or devised by such donee by will.

Whenever property is held by joint tenants, or by tenants by the entirety, or is deposited in banks or other institutions or depositories in the joint names of two or more persons and payable to either or the survivor upon the death of one of such persons, the right of the surviving joint tenant, tenant by the entirety, or other such person or persons, to the immediate ownership or possession and enjoyment of such property shall be deemed a transfer taxable under the provisions of this Act in the same manner as though the whole property to which such transfer relates had been owned by said tenants or persons as tenants in common and the share of the deceased joint tenant, tenant by the entirety or other such person, had been bequeathed or devised by will to the surviving joint tenant or tenants, tenant by the entirety, or other person or persons.

Whenever real property is referred to in this Act, it shall be deemed and held to mean real property actually situated within this State but not real property actually situated without this State, unless otherwise specified; and whenever personal property is referred to in this Act it shall be deemed and held to mean all kinds of personal property

INHERITANCE TAX

whether tangible or intangible except tangible personal property having an actual situs without this State, unless otherwise specified.

The estates of persons who at the time of their death were non-residents of the State of Delaware, and the gifts and legacies in the last will and testament of every such non-resident, and the distributive shares of the intestate estate of every such non-resident shall be exempt from taxation in this State except the real property of such non-resident, actually situated in the State and except also the tangible personal property of such non-resident having an actual situs in this State, which real property and tangible personal property having an actual situs in this State shall be subject to the provisions of this Act.

Estates of
non-residents
exempt

Except real
and personal
property
having situs
in State

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 Act.

Disposition of
property
within two
years prior to
death deemed
made in con-
templation of
death. Ex-
ception

The proceeds of policies of life insurance payable otherwise than to the estate of the insured and whether paid directly by the insurer to beneficiaries designated in the policies or to a trustee designated therein and held, managed and distributed by such trustees to or for the benefit of such persons or classes of persons under such plan and in such estates as may have been prescribed by the insured under agreement with such trustee shall be exempt from and not subject to the provisions of this Act.

Proceeds of
life insurance
policies exempt

Any property, estate or interest devised or bequeathed for charitable, educational, library, hospital, historical or religious purposes or for purposes of public benefit or im-

Property to
charitable,
educational,
etc. purposes,
exempt

INHERITANCE TAX

provement, shall be exempted from and not subject to the provisions of this Act.

147-S 110 147. Sec. 110. Tax how paid; rates:—The estate, interest or distributive share of every person, body politic or corporate in all property taxable under the provisions of this Act shall be subject to the tax prescribed by this Act. The tax imposed by this Act shall be computed upon the fair market value at the time of the death of the decedent of the property subject to the tax at the rates hereinafter prescribed:

Tax computed

Rates

Class A
To husband
or wife
Rates

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:

1% between
\$20,000 and
\$50,000

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

2% between
\$50,000 and
\$100,000

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

3% between
\$100,000 and
\$200,000

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;

4% if exceeding
\$200,000

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

Class B
To parent,
grandparent,
etc.

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 or widower of a daughter, a child by legal adoption, or lineal descendant of the testator, intestate grantor, donor or settlor (hereinafter called the decedent), the tax on such

INHERITANCE TAX

property, interest or estate then 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; 1% between \$3,000 and \$30,000

On that part of its value exceeding Thirty Thousand Dollars and not exceeding One Hundred Thousand Dollars, two per cent; 2% between \$30,000 and \$100,000

On that part of its value exceeding One Hundred Thousand Dollars and not exceeding Two Hundred Thousand Dollars, three per cent; 3% between \$100,000 and \$200,000

On that part of its value exceeding Two Hundred Thousand Dollars, four per cent; 4% if exceeding \$200,000

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 any brother or sister 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: Class C To brother, sister, etc.

On that part of its value exceeding One Thousand Dollars and not exceeding Twenty-five Thousand Dollars, two per cent; 2% between \$1,000 and \$25,000

On that part of its value exceeding Twenty-five Thousand Dollars and not exceeding One Hundred Thousand Dollars, three per cent; 3% between \$25,000 and \$100,000

On that part of its value exceeding One Hundred Thousand Dollars and not exceeding Two Hundred Thousand Dollars, four per cent; 4% between \$100,000 and \$200,000

On that part of its value exceeding Two Hundred Thousand Dollars, five per cent. 5% if exceeding \$200,000

INHERITANCE TAX

Class D
Other persons

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, Class B or Class C of this Section, the tax shall be at the following rates:

5% not
exceeding
\$25,000

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

6% between
\$25,000 and
\$100,000

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

7% between
\$100,000 and
\$200,000

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

8% if
exceeding
\$200,000

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

148-S 111

Estates
valued by
Register of
Wills

Property
passing in
trust with
remainder
estate of
each
beneficiary
valued
separately

148. Sec. 111. Valuation of estate; determination of tax; appeal:—The estate or interest of every person, body politic or corporate, in all real and personal property, taxable under the provisions of this Act, whether in remainder, reversion or otherwise, or in trust or otherwise, or conditioned upon the happening of a contingency or depending upon the exercise of a discretion, or subject to a power of appointment or otherwise, and all annuities taxable as aforesaid under the provisions of this Act, shall be valued by the Register of Wills for the purpose of determining the amount of tax to be collected from such person, body politic or corporate under the provisions of this Act. When the property shall pass in trust or otherwise, to one or more persons, bodies politic or corporate, for a term of years or a greater estate or interest and with remainder or reversion to one or more other persons, bodies politic, or corporate, the estate or interest of each beneficiary shall be valued separately according to recognized tables of mortality.

INHERITANCE TAX

In estimating the value of any estate or interest in property to the beneficial enjoyment or possession whereof there are persons or corporations presently entitled thereto, no allowance shall be made in respect of any contingent encumbrance thereon nor in respect to any contingency upon the happening of which the estate or property, or some part thereof, or interest therein might be abridged, defeated or diminished.

No allowance
for contin-
gency

Estates or interests in expectancy which are contingent or defeasible shall be taxed at the rate which would obtain if such estate or interest fell into possession at the time of the determination of the tax.

Estates, in
expectancy
How taxed

Where any beneficiary has died or may hereafter die before receiving his or her share of the estate to which he or she is entitled, and taxes on said share have not been assessed and paid, then such share shall be taxed only once and the tax shall be assessed on the property received from such share by each beneficiary thereof as if there had been no intermediate beneficiary.

Share of
deceased
beneficiary

Taxed as if
no inter-
mediate
beneficiary

It shall be the duty of the State Tax Commissioner, upon the request of the Register of Wills, promptly to render whatever assistance the Register may request in connection with the valuation of any estate or interest taxable under the provisions of this Act, and in every case in which it is impossible to compute the present value of any interest in property subject to the tax imposed by this Act, the Register of Wills and the State Tax Commissioner may effect such settlement of the tax as shall be deemed to be for the best interests of the State of Delaware and the payment of the sum so agreed upon shall be a full satisfaction of such tax.

State Tax
Commissioner
to assist
Register of
Wills in
valuing estate

Settlement
of Tax

The Register of Wills shall, within thirteen months after the death of the donor, grantor, deviser or intestate, compute and determine all taxes assessable under this Act, provided, however, that in case an estate shall, before the

Register of
Wills to
compute tax
Time

INHERITANCE TAX

May suspend
computation
in case of
litigation

Notice to
parties
interested

Person
aggrieved
may apply to
Register within
30 days for
correction

Appeal to
Superior
Court

When taken

Court to
determine
how costs
payable

Attorney
General
to represent
State

Register of
Wills to
make no de-
duction on
account of
certain taxes

expiration of said period become involved in litigation the determination of which may affect the computation of the tax imposed by this Act, the Register of Wills may suspend the computation and determination of taxes assessable under this Act until the conclusion of the litigation. Immediately upon the determination of all taxes assessable under this Act, the Registrar of Wills shall give notice to the parties in interest, or to their attorneys of record, by posting the same in his office and by registered mail. Within thirty days after the tax has been determined, any person aggrieved by the determination may apply to the Register, who may make such corrections of the taxes as he may determine proper. The said Register shall have power to hold hearings, summon witnesses and take testimony relative thereto.

In all cases the State, through the Attorney General, and the executor, administrator or taxable shall have the right to an appeal to the Superior Court of the County from the determination of the Register as to the amount of taxes to be paid under the provisions of this Act. Such appeal shall be taken to the term of the said Superior Court next following the expiration of twenty days from the final determination of the tax by the Register. In any such appeal the Court shall determine what part of the costs shall be paid by the State and what part shall be paid by the executor, administrator or taxable, as to it may appear just and equitable. It shall be the duty of the Register to notify the Attorney General whenever any such appeal shall be taken by any executor, administrator or taxable, and it shall be the duty of the Attorney General or one of his deputies to represent the State in the hearing on the appeal.

In determining the value of any estate or interest taxable under the provisions of this Act, the Register of Wills shall make no deduction therefrom nor reduction thereof by reason or on account of the payment (or liability for payment) of any Delaware inheritance, legacy or succession tax,

INHERITANCE TAX

or of any Delaware estate tax, or of any estate, inheritance, legacy or succession tax of the United States or of any State or jurisdiction outside of the State of Delaware.

The Register of Wills referred to in this Act shall be the Register of Wills of the County where letters testamentary or of administration have been granted on the estate of the donor, grantor, deviser or intestate from whom the property aforesaid shall have passed as set forth in Section 109 of this Act; but if no such letters have been granted, then the said Register shall be the Register of Wills of the County in which such property is or is situated.

Register of
Wills to act in
County where
letters granted
or where
property
situated

149. Sec. 112. Collection and payment of tax; return of real estate; receipts for tax; refund of taxes erroneously paid:—All taxes imposed by this Act shall be due and payable within thirty days after the amount of tax has been finally determined in accordance with the provisions of this Act and every such tax shall be and remain a lien upon the property subject to the tax until paid.

149-S 112

When tax
payable

Lien

Any administrator, executor or trustee having in charge or trust any legacies or property for distribution subject to the said tax shall deduct the tax therefrom, or if the legacy or property be not money he shall collect a tax thereon upon the appraised value thereof from the legatee or person entitled to such property, and he shall not deliver or be compelled to deliver any specific legacy or property subject to tax to any person until he shall have collected the tax thereon; and whenever any such legacy shall be charged upon or payable out of real estate, the heir, or devisee, before paying the same, shall deduct said tax therefrom and pay the same to the executor, administrator or trustee, and the same shall remain a charge on such real estate until paid, and the payment thereof shall be enforced by the executor, administrator or trustee in the same manner that the said payment of said legacies might be enforced; if, however, such legacy be given in money to any person for a limited

Administrator,
executor or
trustee to
collect tax

Charge on
real estate

INHERITANCE TAX

Legacy in
money for
limited time
Tax retained
on whole
amount
Apportion-
ment if not in
money

Tax when
estate is
limited

When payable

Liability of
executors, ad-
ministrators
and trustees

Taxes paid to
Register of
Wills

Executor or
administrator
to file state-
ment of real
estate and
persons en-
titled, when

period, the executor, administrator or trustee shall retain the tax upon the whole amount, but if it be not in money he shall make application to the Register of Wills to make an apportionment if the case requires it of the sum to be paid into his hands by such legatees and for such further order relative thereto as the case may require. Where a tax is imposed on an estate for life or for a term of years, or to terminate on the expiration of a certain period, and on any remainder or reversionary interest or interests, the tax on such estate or interest as between the executor, trustee, tenant for life or for years, remainderman or reversioner and other beneficiaries, shall be charged to the corpus of the property in which such estate or estates exist, unless otherwise provided for by the testator or transferor, and shall be payable at once in the same manner and within the same time as if the estate or interest had vested in possession.

All executors, administrators and trustees shall be personally liable for the payment of taxes and where proceedings for collection of taxes assessed be had, said executors, administrators and trustees shall be personally liable for the expenses, costs and fees of collection. They shall have full power to sell so much of the property of the decedent as will enable them to pay said tax in the same manner as they may be enabled to do by law, for the payment of debts of their testators and intestates.

All taxes collected by any executor or administrator as aforesaid shall be forthwith paid over to the Register of Wills.

It shall be the duty of every executor or administrator within two months after the granting of letters testamentary, or of administration, to file in the office of the Register of Wills of the County in which said letters have been granted, a statement in writing setting forth a general description of every parcel of real estate in this State of which the decedent died seised, and the name of each party entitled

INHERITANCE TAX

to any estate or interest in any parcel of said real estate, and relationship, if any, of said party, to the decedent. Such statement shall be supported by the oath or affirmation of said executor or administrator that the facts therein contained are true according to his best information and belief. Every such statement shall be recorded by the Register of Wills in a separate book to be kept by him for that purpose and which shall be known as the "Inheritance and Succession Docket," and shall be duly indexed. Whenever any parcel of real estate or any estate or interest therein described in the statement of the executor or administrator aforesaid, shall be subject to tax under the provisions of said section, the Register of Wills shall make an entry in the docket aforesaid that said real estate is subject to tax and in the event of an appeal to the Superior Court as aforesaid, shall further note in said docket the fact of said appeal. When any tax as aforesaid shall be paid and discharged, the said Register shall make a note thereof in the said docket.

Statement
under oath or
affirmation

Statement
recorded

Inheritance
and succession
Docket

Entries
concerning
real estate

It shall be the duty of the State Treasurer from time to time to examine every such docket as aforesaid, and to notify the Attorney General of any failure on the part of any Register of Wills or of any executor or administrator to perform the duties imposed upon them by this Act. The Attorney General shall in case of such failure take proper proceedings against the party or parties delinquent.

State
Treasurer to
notify At-
torney General
of failure to
perform duty

If for any cause there should be no executor or administrator to receive the tax imposed under the provisions of this Act the party liable for said tax shall have the right to pay the same direct to the Register of Wills of the proper county and such payment shall operate as a discharge of said tax.

Payment of
tax when no
executor or
administrator

Every Register of Wills receiving any tax under the provisions of this Act shall give the person paying the same duplicate receipts therefor, one of which shall be forwarded

Receipts

INHERITANCE TAX

Forwarded to Treasurer by the person so paying as aforesaid to the State Treasurer, to be by him preserved, and either of said duplicate receipts shall be evidence in suits upon the bond of such Register to recover the tax so by him received.

Evidence in suits against Register

When any amount of tax imposed under this Act shall have been paid erroneously it shall be lawful for the State Treasurer, on satisfactory proof rendered to him of said erroneous payment, and upon the recommendation of the Register of Wills of the County wherein such tax shall have been collected, to refund and pay to the executor, administrator or trustee, person or persons who have paid any such tax in error, the amount of such tax so paid, provided that all applications for the repayment of said tax shall be made within two years from the date of said payment.

Tax erroneously paid

State Treasurer to refund on recommendation of Register of Wills

Applications for re-payment within 2 years

150- B 113

Liability on executor's or administrator's bond

150. Sec. 113. Liability on executor's or administrator's bond:—The bond of an executor or administrator shall be liable for all money he may receive for taxes, or for the proceeds of the sale of any estate or interest received by him under this Act, and if any executor or administrator shall fail to perform any of the duties imposed upon him under the provisions of this Act, the Register of Wills granting the letters of administration may revoke the same, and his bond shall be liable, and the same proceedings shall be had as if his administration had been revoked for other cause. The powers and duties of an administrator de bonis non or de bonis non with the will annexed; shall be the same under this Act as an executor or administrator, and he shall be subject to the same liabilities.

Register of Wills to pay tax to State Treasurer monthly

151. Sec. 114. Register of Wills; returns by of tax collected, to State Treasurer; accounting by; liability upon bond of; removal from office, when; appropriation of taxes collected:—It shall be the duty of the several Registers of Wills in the State to make return to the State Treasurer on or before the tenth day of each and every month in each year, of all sums of money received by them as taxes under

INHERITANCE TAX

the provisions of this Act during the preceding calendar month, and to pay over to said State Treasurer the amounts so by them received respectively, at the time of making such returns, and if any Register of Wills shall fail to pay, as required by this Section, the State Treasurer shall give notice to the Attorney General of the State, whose duty it shall be to institute suit on the official bond of such Register of Wills, for the use of the State to recover the amount due from such Register of Wills and in such suit the amount appearing to be due, with interest thereon, and costs, shall be recovered, which recovery shall be evidence of misbehavior in office, and upon conviction thereof, such Register of Wills shall be removed from office.

Failure of
Register of
Wills to pay
over tax

Suit by
Attorney
General

Removal from
office

The official bond of every Register of Wills of this State shall be deemed and held to embrace and include the faithful performance by such Register of all and every the duties imposed upon him by this Act.

Bond of
Register of
Wills to in-
clude faithful
performance
of duties
under Act.

Of the money raised under the provisions of this Act all that is collected each year, and from year to year, in excess of One Hundred Thousand Dollars, is hereby appropriated to the sinking fund of the State, and shall, by the State Treasurer, be credited to the sinking fund of this State and shall become and constitute a part of that fund.

Money col-
lected each
year in excess
of \$100,000
credited to
Sinking Fund

152. Sec. 115. Repeals, retroactive provisions; un-constitutionality or invalidity: — 146. Sec. 109 to 152. Sec. 115, Chapter 6 of the Revised Code of the State of Delaware (1915), both inclusive, as amended by Chapter 7, Volume 29 of the Laws of Delaware, entitled "State Revenue. Inheritance Tax," Chapter 7, Volume 35 of the Laws of the State of Delaware, entitled "An Act to amend Chapter 6 of the Revised Code of Delaware (1915), relating to the Inheritance Tax, as amended by Chapter 7 of Volume 29 of the Laws of Delaware," shall be continued in full force and effect as to all taxes, assessments, proceedings, suits and matters arising out of or in connection with estates and

152-S 115

Repeals

Prior laws to
continue in
force in
pending
matters

INHERITANCE TAX

interests taxable thereunder and shall so continue until such time as all of said taxes, assessments, proceedings, suits or matters shall have been finally collected, determined and disposed of at which time said 146. Sec. 109 to 152. Sec. 115, both inclusive, as amended, shall be repealed.

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

Exemptions retroactive The exemptions provided in this Act shall be deemed to be retroactive so far as concerns the property, and estates and interests therein, of decedents dying after the sixth day of May, A. D. 1929, except where the inheritance, transfer or succession taxes thereon were paid and discharged prior to the approval of this Act.

Exception

Unconstitutionality or invalidity of fact not to affect remainder of Act. 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.

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

Approved April 9, 1931.

CHAPTER 9

STATE REVENUE

INCOME TAX

AN ACT to amend an act entitled "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 :

Section 1. That the Act entitled "An Act to provide revenue for school purposes," being Chapter 8, Volume 36, Laws of Delaware, be and the same is hereby amended by inserting after Section 2 (c) and before the heading "Exempted Income" the following words:

Chapter 8,
Vol. 36, Laws
of Delaware
amended

(d). Any taxable making return, for the calendar year 1930 of the income taxes imposed by Articles I and II, Chapter 8, Volume 36, Laws of Delaware, shall be entitled to a reduction by credit or refund of fifty per centum of the amount of tax computed under paragraph (a) of this Section.

Reduction of
fifty per
centum of
1930 taxes

(e). All taxables making returns, for the calendar year 1931 and for each year thereafter, of the income taxes imposed by Articles I and II, Chapter 8, Volume 36, Laws of Delaware, shall be entitled to a reduction of the amount of tax computed under paragraph (a) of this Section by credit or refund to be determined and certified to the State Tax Department by the Governor in accordance with the limitations of paragraphs (f) and (g) of this Section.

Taxables
entitled to
reductions
subject to
limitations

(f). The total amount of the reduction provided for in paragraph (e) of this Section shall be determined by the Governor and shall not exceed the excess of the estimated revenue of the School Fund submitted by the State Tax Department under Section 12 (k) of this Act over the appropriation to the State Board of Education granted by the leg-

Reduction
determined
by Governor

Reduction
limited

INCOME TAX

Percentage of
reduction.
How
determined

islature under the Budget Appropriation Bill. The percentage of reduction shall be determined by dividing the total amount of reduction, as determined by the Governor, by the estimate of total income tax submitted to the Governor by the State Tax Department.

Governor to
certify per-
centage of
reduction to
State Tax
Department
When

(g). It shall be the duty of the Governor to certify to the State Tax Department (the percentage of reduction determined in paragraphs (e) and (f) of this Section for the preceding taxable year) not later than the second day of January preceding March 15th, of the year the income tax return is required to be filed under this Act.

Chapter 8,
Vol. 36, Laws
of Delaware
further
amended

Section 2. That the Act entitled "An Act to provide revenue for school purposes", being Chapter 8, Volume 36, Laws of Delaware, be and the same is hereby further amended by striking out Section 12 (k) and inserting in lieu thereof the following words:

Estimate of
revenues and
sums for
maintenance
submitted to
Governor
When

Section 12 (k). Submit annually to the Governor, on or before the first day of September; (a) an estimate of revenues to be received during the current fiscal year from the income tax and the franchise tax, and (b) submit biennially to the Governor on or before the first day of September an itemized estimate of the sums required for the maintenance of the Tax Department.

Chapter 8,
Vol. 36, Laws
of Delaware,
further
amended

Section 3. That the Act entitled "An Act to provide revenue for school purposes", being Chapter 8, Volume 36, Laws of Delaware, be and the same is hereby further amended by striking out Section 23 (a) and inserting in lieu thereof the following words:

\$20,000
retained
for refunds

Section 23 (a). The Tax Department shall retain out of the revenue collected by it 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 Ar-

INCOME TAX

ticles and be furnished with an amount by the State Treasurer sufficient to make the refunds required to make effective the reduction provided for in Section 2, paragraph (d) of this Act. 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.

State
Treasurer to
furnish
amount for
refunds under
Section 2,
paragraph (d)

Deposit

Section 4. That all acts or parts of acts inconsistent with this Act be and they are hereby repealed to the extent of such inconsistencies only.

Repeals

Approved April 29, 1931.

CHAPTER 10

STATE REVENUE

MOTOR VEHICLES

AN ACT to Amend Chapter 10, Volume 36, Laws of Delaware, entitled "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:

Chapter 10,
Volume 36,
Laws of
Delaware,
amended

Section 1. That the Act entitled "An Act Concerning Motor Vehicles and Making Uniform the Law Relating Thereto", being Chapter 10, Volume 36, Laws of Delaware, be and the same is hereby amended as provided in the subsequent Sections of this Act.

Sec. 1-sub-
division (b)
amended

Section 2. That Section I of the Act aforesaid be amended by adding to subdivision (b) thereof the following words—"except farm tractors as hereinafter defined".

Sec. 8-sub-
division (a)
amended

Section 3. That Section 8 of the Act aforesaid be amended by striking out the words "maker" and "car" in the sixth line of subdivision (a) of said Section and by inserting in place of each of said words the word—"vehicle".

Sec. 8-sub-
division (c)
amended

Section 4. That Section 8 of the Act aforesaid be further amended by adding thereto immediately at the end of subdivision (c) a new subdivision as follows:—

Change in
engine
number

"(d) Where the engine of a motor vehicle which has been registered under the provisions of this Act is replaced by a new or used engine, on which the engine number has been destroyed, removed, covered, altered, or defaced, it shall be the duty of the owner of such motor vehicle to apply to the Department, on a form furnished by the Department, for a special number to be placed on said engine. The application shall be accompanied by the certificate of title issued for said motor vehicle and shall contain a description of

Application

MOTOR VEHICLES

such motor vehicle and facts pertaining thereto, as the Department may require. Said application shall be sworn to by the owner before a notary public or other officer empowered to administer oaths. Upon receipt of such an application, the Department shall issue to the owner a special number for said motor vehicle and a corrected certificate of title and, when such special number has been placed on the engine, it shall become and thereafter be the lawful engine number of said motor vehicle".

Special
number and
corrected title
issued

Section 5. That Section 12 of the Act aforesaid be amended by striking out the words "and trailer" in the fourth line of subdivision (a) of said Section.

Sec. 12
subdivision
(a) amended

Section 6. That Section 14 of the Act aforesaid be amended by striking out the entire last sentence of subdivision (b) of said Section and by inserting in lieu thereof the following:—

Sec. 14
subdivision
(b) amended

"An owner, who has made proper application for 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 on and after December 15 of the current year provided the number plate or plates issued for said vehicle for the ensuing year shall be properly attached thereto".

Operation
after Dec. 15th
with num-
ber plates of
ensuing year

Section 7. That Section 24 of the Act aforesaid be amended by adding to subdivision (a) of said Section a new paragraph as follows:—

Sec. 24
subdivision
(a) amended

"For the purposes of this Section any vehicle which, on or before the thirty-first day of August of each year, has not been examined and determined safe and fit for operation by the Vehicle Commissioner's agents acting under his rules and regulations shall be conclusively determined to be unsafe and unfit for operation and the Department shall not grant an application for the re-registration of such vehicle

Re-registra-
tion denied
motor
vehicles if not
declared safe
by August 31

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until it shall have been examined and determined safe and fit for operation".

Sec. 26
Amended

Section 8. That Section 26 of the Act aforesaid be amended by striking out the word "manufacturer", the last word in the third paragraph of said Section, and by inserting in lieu thereof the word—"applicant".

Sec. 28
Amended

Section 9. That Section 28 of the Act aforesaid be amended by striking out the second figure "3" in both the fifth and thirteenth lines of said Section and by inserting in lieu thereof the figure—"2".

Sec. 32
Amended

Section 10. That Section 32 of the Act aforesaid be amended by inserting immediately after the word "Act" in the second line of subdivision (b) of said Section the words—"except such person as shall have been convicted of a violation of the provisions of subdivision (b) of Section 13".

Sec. 32
Amended

Section 11. That Section 32 of the Act aforesaid be further amended by adding thereto immediately at the end of subdivision (b) a new subdivision as follows:—

"(c) Every person who shall have been convicted of a violation of the provisions of subdivision (b) of Section 13 of this Act shall be punished by a fine of not less than Five Dollars (\$5.00) nor more than Twenty-five Dollars (\$25.00)".

Sec. 37
subdivision
(d) amended

Section 12. That Section 37 of the Act aforesaid be amended by adding to subdivision (d) of said Section a new paragraph as follows:—

Satisfaction
of lien before
assignment
of title

"Provided, however, that it shall be unlawful for any dealer or other transferee to hold the certificate of title to a motor vehicle for resale and/or to transfer his title or interest to another person by executing an assignment and warranty of title upon the said certificate of title without

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first having satisfied or caused to be satisfied all liens or encumbrances against said motor vehicle recorded in the office of the Secretary of State.

Section 13. That Section 41 of the Act aforesaid, be amended by striking out the figure "9" in the last line of said Section and by inserting in lieu thereof the figure—"8". Sec. 41 Amended

Section 14. That the Act aforesaid be amended by striking out all of Section 56 and by inserting in lieu thereof a new Section 56 as follows:— Sec. 56 Amended

"Section 56 (a) The Department upon receiving from any person over the age of sixteen years an application for a temporary instruction permit, together with the fee required by law, 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 sixty 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. Temporary instruction permit

"(b) If for any reason whatsoever the applicant fails to pass the required examination during the sixty day period granted by the permit, the said permit shall be void, and the fee paid therefor shall be forfeited". Permit void

Section 15. That Section 57 of the Act aforesaid be amended by inserting the word "if" at the end of the third line of subdivision (b) of said Section. Sec. 57 Amended

Section 16. That Section 57 of the Act aforesaid be further amended by adding thereto immediately at the end of subdivision (b) a new subdivision as follows:— Sec. 57 Amended

"(c) Upon receipt of the application and a fee of One Dollar and Fifty Cents (\$1.50) and after such examination as is herein provided, the Secretary of State may issue at his Secretary of State may issue license

MOTOR VEHICLES

discretion a motor vehicle operator's license, or a chauffeur's license".

Sec. 60
subdivision
(a) amended

Section 18. That Section 60 of the Act aforesaid be amended by striking out the words "motor vehicle" in the first line of subdivision (a) of said Section and by inserting in lieu thereof the word—"operator's".

Sec. 60
Amended

Section 19. That Section 60 of the Act aforesaid be further amended by striking out the word "filing" in the eighth line of subdivision (b) of said Section and by inserting in lieu thereof the word—"findings".

Sec. 65
Amended

Section 20. That Section 65 of the Act aforesaid be amended by striking out "March 1" in the second line of said Section and by inserting in lieu thereof the words—"on the last day of February of".

Sec. 68
Amended

Section 21. That Section 68 of the Act aforesaid be amended by adding thereto immediately after paragraph 4 of subdivision (a) of said Section a new paragraph as follows:—

"5. That such person has violated the provisions of the 'Second' paragraph of Section 73 of this Act".

Sec. 73
Amended

Section 22. That Section 73 of the Act aforesaid be amended by adding to the "Fifth" paragraph thereof the words—

"or in any examination for an operator's or chauffeur's license".

Sec. 80A
Added

Section 23. That the Act aforesaid be amended by adding thereto immediately after Section 80 a new Section as follows:—

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"Section 80A. Whenever any check given to the Department in payment of any fee or for any other purpose shall be returned to the Department as uncollectible, the Vehicle Commissioner shall charge the person presenting such check to him in addition to the protest fees, a reasonable fee not to exceed Five Dollars (\$5.00), to cover the cost of its collection".

Sec. 80A

Fee for cost
of collecting
check

Section 24. That Section 83 of the Act aforesaid be amended by inserting the word "or" in the sixth line of said Section immediately in front of the word "so".

Sec. 83
Amended

Section 25. That Section 83 of the Act aforesaid be further amended by striking out the words "thirty-five" in the second line of the second paragraph of said Section and by inserting in lieu thereof the word "Forty".

Sec. 83
Amended

Section 26. That Section 85 of the Act aforesaid be amended by striking out the table appearing in said Section and inserting in lieu thereof the following table:

Pneumatic
Tires,
speeds

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.
8,000 lbs.	40M	20M	20M
8,000 lbs.	35M	20M	20M
12,000 lbs.	35M	20M	20M
16,000 lbs.	35M	20M	20M
20,000 lbs.	25M	15M	12M
22,000 lbs.	25M	15M	12M
24,000 lbs.	25M	15M	12M

Provided, that it shall be lawful to operate passenger carrying motor coaches equipped with pneumatic tires and not weighing in excess of Fifteen Thousand 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.

Speed of
coaches
weighing up
to 15,000 lbs.

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*Speed of
coaches
weighing up
to 26,000 lbs.*

And provided further, that it shall be lawful to operate passenger carrying motor coaches equipped with pneumatic tires and not weighing in excess of Twenty-six Thousand pounds gross weight of vehicle and load, and equipped with four wheel power brakes, at a rate of speed not in excess of that provided in Section 83 of this Act.

*Sec. 107
Amended*

Section 27. That Section 107 of the Act aforesaid be amended by adding thereto immediately at the end of subdivision (c) of said Section the words "and any person violating this provision shall upon conviction be punished as provided in Section 144 of this Act".

Section 28. That the Act aforesaid be amended by adding thereto immediately after Section 113 five new Sections as follows:—

*Sec. 113 A
Unlawful to
stand in
roadway to
solicit ride*

Section 113 A. It shall be unlawful for any person or persons to stand in a roadway for the purpose of or while soliciting a ride from the operator of any private vehicle.

Sec. 113 B

*Unlawful to
hinder
vehicle to
solicit purchase or
contribution*

"Section 113 B. It shall be unlawful for any person or persons to stand in the roadway of a highway to stop, impede, hinder, or delay the progress of any vehicle for the purpose of soliciting the purchase of goods, merchandise or tickets, or for the purpose of soliciting contributions for any cause whatsoever. And the only question of law and fact in determining guilt under this Section shall be whether goods, merchandise or tickets were tendered or offered for sale, or whether a contribution was solicited.

Sec. 113 C

*Consent to
ride
Must ride
within limits
of vehicle*

Section 113 C. No person shall ride upon any vehicle without the consent of the driver, and when any person is riding on any vehicle with the driver's consent, no part of the person's body must protrude beyond the limits of the vehicle.

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Section 113 D. It shall be unlawful for any person to throw from any vehicle while it is in motion, any goods, merchandise, or bundles of any kind whatsoever.

Sec. 113 D
Unlawful to
throw articles
from moving
car

Section 113 E. Any driver shall, upon one blast of a police whistle given by a police officer with hand raised, bring his vehicle to a full stop, and shall not proceed again until receiving a signal so to do from such officer. Three or more blasts of the police whistle is the signal for alarm and indicates the approach of a fire engine or other danger".

Sec. 113 E
Stopping upon
command of
officer

Alarm signal

Section 29. That Section 114 of the Act aforesaid be amended by inserting in the sixth line of said Section immediately after the word "thereto" the words—"or of a gross weight exceeding that for which it is registered".

Sec. 114
amended

Section 30. That Section 117 of the Act aforesaid be amended by striking out the words and figures "Twenty-four Thousand (24,000)" in the fifth and sixth lines of subdivision (a) of said Section and by inserting in lieu thereof the words and figures "Twenty-six Thousand (26,000)". And that Section 117 of the Act aforesaid be further amended by striking out the words and figures "thirty-eight thousand (38,000)" in subdivision (b) of said Section and by inserting in lieu thereof the words and figures "forty thousand (40,000)".

Sec. 117
amended

Section 31. That Section 117 of the Act aforesaid be further amended by adding thereto immediately at the end of subdivision (d) of said Section the words—

Sec. 117
amended

"except that four (4) wheel vehicles and semi-trailers equipped with pneumatic tires may have an axle load of not more than eighteen thousand (18,000) pounds. Provided that it shall be lawful to operate a vehicle equipped with three (3) axles, having each of the rear axles equipped with two hubs, with a power brake on each rear hub, having a gross weight, including vehicle and load, of not more than thirty-eight thousand (38,000) pounds".

Lawful to
operate
vehicle with
three axles

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Sec. 118
amended

Section 32. That Section 118 of the Act aforesaid be amended by striking out the word "Two" in the fifth line of said section and by inserting in lieu thereof the word—"Three", and by inserting at the end of the eighth line of said Section immediately after the word "act" the words—"or for which it is registered".

Sec. 128
amended

Section 33. That Section 128 of the Act aforesaid be amended by striking out the word "green" in the eighth line of subdivision (e) of said Section and by inserting in lieu thereof the word—"red".

Sec. 141
amended

Section 34. That Section 141 of the Act aforesaid be amended by inserting in the second line of said Section immediately after the figure "82" the following figures and letters—"113A, 113B, 113C, 113D, 113E".

Sec. 143
amended

Section 35. That Section 143 of the Act aforesaid be amended by striking out the word "or" in the tenth line of said Section and by inserting in lieu thereof the word—"and" and by striking out the words "or both such fine and imprisonment" in the eleventh and twelfth lines of said Section.

Section 36. That the Act aforesaid be amended by adding thereto immediately after Section 147 a new Section as follows:—

Sec. 147A

Sale of vehicle
owner
unknown

"147A. Whenever the owner, or person, firm or corporation, entitled to the possession of any motor vehicle, or part thereof, in the custody of the Vehicle Commissioner cannot be located and fails to claim said motor vehicle, or part thereof, for a period of three months after said motor vehicle, or part thereof, came into the custody of said Commissioner, the same may be disposed of by the Vehicle Commissioner, at public sale, at some place which shall be convenient and accessible to the public, at any time between the

MOTOR VEHICLES

hours of 10 A. M. and 6 P. M., provided the time, place and terms of said sale, together with a full detailed description of said motor vehicle, or part thereof, shall be inserted in one or more newspapers published in the city or county where said sale is to take place, at least once each week for two successive weeks prior to said sale; and provided, further, that a registered notice shall be mailed at least ten days prior to said sale to the owner, lien holder, if any, shown on the records of the Vehicle Commissioner or person, firm or corporation entitled to the possession of said motor vehicle, or part thereof, if his or its address be known, or if it can be ascertained by the exercise of reasonable diligence. If said address cannot be ascertained by the exercise of reasonable diligence, then such notice shall not be required to be given. Any excess in the amount of the selling price of said motor vehicle, or part thereof, at said sale, over and above the expenses thereof, and the amount of the storage and repair charges, incurred by the Vehicle Commissioner during the period in which said motor vehicle, or part thereof, was in his custody, and after the payment of all liens to which said motor vehicle, or part thereof, may be subject, in order of their priority, shall be accounted for and remitted by said Commissioner to the State Treasurer, who shall create a special fund thereof. If the owner, or person, firm or corporation, entitled to the possession of said motor vehicle, or part thereof, shall present to the Commissioner a claim for such excess, at any time within one year from the date of the sale the Commissioner shall draw his warrant upon the State Treasurer for such excess, and such excess shall thereupon be paid over by the State Treasurer to the said owner or person, firm or corporation entitled to the possession of said motor vehicle, or part thereof. If no claim for the excess is made within one year from the date of the sale, said excess shall be transferred from the special fund to the General Treasury, to be expended and used as other fees collected by the Vehicle Commissioner."

Time and
place of sale

Advertisement

Notice to
interested
partiesExcess above
storage in
special fundClaim for
excess by
ownerExcess to
general
Treasury if
not claimed
within year

MOTOR VEHICLES

Sec. 128
amended

Section 37. That the Act aforesaid be and the same is hereby further amended by adding at the end of Section 128 thereof, an additional paragraph, as follows:—

Pedestrian to
have lighted
lantern or
carry white
cloth after
dark

“(h) No pedestrian shall walk after dark upon any highway of the State of Delaware, that is used for Motor or Vehicle Traffic, without carrying a lighted lantern, flashlight, or other similar light; or have tied upon an arm, or other portion of the body, a white cloth, in such a manner as to make the said pedestrian visible to motorists or the driver of any vehicle.

Approved April 9, 1931.

CHAPTER 11

STATE REVENUE

MOTOR VEHICLES

AN ACT to Amend Chapter 9, Volume 35, Laws of Delaware, entitled "An Act to Amend Chapter 6 of the Revised Code of the State of Delaware in Relation to the Identification of Motor Vehicles".

Chap. 9, Vol.
35, Laws of
Delaware
amended

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 Chapter 6 of the Revised Code of the State of Delaware in Relation to the Identification of Motor Vehicles", being Chapter 9, Volume 35, Laws of Delaware, be and the same is hereby amended as provided in the subsequent Sections of this Act.

Section 2. That Section 1 of the Act aforesaid be amended by striking out the word "creditor" in the last line of the Eleventh paragraph of said Section and by inserting in lieu thereof the word —"applicant".

Sec. 1
amended

Section 3. That Section 1 of the Act aforesaid be further amended by striking out the words "For filing and entering a statement of the certificate of a contract, lien, or encumbrance in the lien register, in the office of the Secretary of State, the filing officer shall be paid a fee of twenty-five cents (25c)", in the eleventh, twelfth, thirteenth and fourteenth lines of the Twelfth paragraph of said Section and by inserting in lieu thereof the words—

Sec. 1
amended

"For entering the satisfaction of a contract, lien, or encumbrance in the lien register, in the office of the Secretary of State, the creditor shall pay to the Secretary of State a fee of twenty-five cents (25c)".

Creditor to
pay satisfac-
tion fee

Approved April 13, 1931.

CHAPTER 12

STATE REVENUE

MOTOR VEHICLES

AN ACT Providing for the Use of the Public Streets, Roads, or Highways of this State by Self-Propelled Traction Engines or Tractors, Equipped with Metal Tired Wheels, and Vehicles Hauled or Propelled by Traction Engines or Tractors.

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

Traction
engine or
tractor to be
registered
with
Secretary of
State

Section 1. That, except as hereinafter provided, no traction engine or tractor for hire shall be operated or driven upon any public street, road or highway of this State until the said traction engine or tractor shall have been registered with the Secretary of State.

Traction
engine or
tractor defined

Section 2. The terms "traction engine" or "tractor" as used in this Act shall apply to all self-propelled engines equipped with metal tired wheels operated or propelled by any form of engine, motor or mechanical power, used primarily for agricultural purposes, road grading, and transporting the machinery and appliances, which, when at rest, they operate with their own power; and excluding engines which move or are operated upon, or are guided by, a track.

Traction
engine or
tractor
allowed to
have vehicle
attached

A traction engine or tractor shall as hereinafter provided, be allowed or permitted to have attached thereto and hauled over the public streets, roads and highways of this State any vehicle with metal tires used for carrying water and fuel for the use of said traction engine or tractor, road graders, stone crushers, sawmills, grain and seed threshers and other agricultural machinery or equipment not self-propelled.

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Section 3. Application for registration of traction engines or tractors under this Act, shall be made to the Secretary of State. The application shall contain the full name and residence of the owner or owners, with a brief description of the traction engine or tractor, the name, the manufacturer's number, the character of the motive power, and the gross maximum weight. The accepted weight for registration of traction engines, tractors, or other vehicles which they are permitted to haul, shall be the weight given and specified by the manufacturers. The said application shall be made upon a blank provided for the purpose by the Secretary of State. It shall be signed by the owner, or owners, in case of joint ownership, and be certified by oath or affirmation. Upon receipt of the application and the proper fee the Secretary of State shall register the said traction engine or tractor in a book to be kept for that purpose, and shall issue to the owner or owners a registration certificate, which shall entitle the holder or holders, or any employees, to operate such traction engine or tractor, showing the name and address of the owner or owners, the name, type, horsepower, and the manufacturer's number thereof, also one number tag having thereon the registration number, the abbreviated name of the State and the year.

Application
for registra-
tion of
traction
engine or
tractor

Registration
by Secretary
of State

Section 4. Traction engines and tractors, owned or used by manufacturers or dealers, shall be exempt from the necessity of individual registration; provided, said manufacturer or dealer registers with the Secretary of State in the dealer's class. Applications for such registration shall be made upon a blank provided for the purpose by the Secretary of State, which shall set forth the full name and business address of the applicant, and shall be verified by oath or affirmation. Upon receipt of the application, the Secretary of State shall issue to the applicant two certificates of registration and two number tags, such tags having thereon the number of registration, the year, and the words "Delaware Dealer" or an abbreviation thereof the first number of such number shall be an "X". It shall be unlawful,

Traction
engines or
tractors of
dealers
exempt

Application
and
registration

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Display of tags	under any circumstances, to operate a traction engine, or tractor, under a dealer's registration, unless the tag is displayed on the front of said traction engine or tractor, provided, that no more than two certificates and two tags shall be applied for on any single application, and where a greater number of certificates are desired the necessary applications shall be made.
Number of tags	
Re-registration. When	Section 5. Upon the transfer of ownership or destruction of any traction engine or tractor, its registration shall expire. The original owner may, however, by proper affidavit accompanying his application, register another traction engine or tractor upon payment of a fee of One Dollar (\$1.00), and such owner shall be assigned the number previously issued to him, unless destroyed.
Fee	
Fee	Section 6. The fee for the registration of a traction engine or tractor shall be Five Dollars (\$5.00) annually.
Fee for registration in dealer's class	The fee shall be Five Dollars (\$5.00) annually for a certificate and number tag issued for registration in the dealer's class, and for each additional certificate and number tag issued on the same application, to the same dealer, the fee shall be Two Dollars (\$2.00) annually.
License and registration not required when	No license to operate, nor any registration shall be required for traction engines or tractors not used for hire, except traction engines or tractors owned or used by manufacturers or dealers, which shall be registered as provided in Section 4 of this Act, nor shall any license to operate or any fee be charged for the registration of traction engines or tractors owned and used by the United States, the State of Delaware, or any City, County or incorporated town.
Display of tag required	Section 7. No traction engine or tractor required to be registered under this Act, shall be operated upon the public highways unless a number tag is displayed conspicuously in front on the traction engine or tractor, in such manner that

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it may be easily read. They shall be kept reasonably clean and shall not be defaced in any manner. No tag shall be required on machinery and appliances, which, when at rest, are operated by the power of the engine or tractor drawing them, nor upon water or fuel wagons.

Tag kept
clean

No tag
required on
appliances,
wagons

Section 8. Between one hour after sunset and one hour before sunrise, each traction engine or tractor operated on the road shall display one light in front and one light in the rear; and, if such traction engine or tractor shall have attached thereto any of the vehicles permitted or allowed by this Act to be hauled or transported over the streets, roads, or highways of this State by traction engines, or tractor, there shall be one light displayed in front of the traction engines or tractor and one light displayed in the rear of the last vehicle.

Lights
displayed

Section 9. Traction engines or tractors which are in use at the time of the passage and approval of this Act, shall be allowed to continue in operation as they are, including cleats on drivers and guide bands on the front wheels; Provided, however, that no bolt-heads, nuts, or rivet-heads, shall be allowed to project; and the use of ice-picks, or spuds of any kind, extending beyond the cleats, are prohibited on macadamized or paved highways.

Traction
engines and
tractors now
in use to
continue as
they are

Proviso

Traction engines or tractors put into service after the passage and approval of this Act, shall not exceed twenty-eight thousand (28,000) pounds in weight, and shall not be of a greater width than one hundred ten (110) inches over all. On all traction engines or tractors exceeding eight thousand pounds in weight the guiding wheels shall be equipped with guide bands not less than two (2) inches in width, nor more than one and one-half (1½) inches high. The drivers shall be equipped with flat lugs extending diagonally across the entire width of the tire or rim, such lugs to be not less than one-half (½) inch in width at the bearing surface in contact with the Highway, provided, that such

Weight

Equipment

MOTOR VEHICLES

Equipment
where
weight is
8,000 pounds
or less

lugs are so spaced that not less than two lugs on each driving wheel shall be in contact with the road's surface at all times. Traction engines or tractors weighing eight thousand pounds or less shall be equipped with regular cleats as furnished by the manufacturers. No bolt-heads, nuts, or rivet-heads shall be allowed to project, and the use of ice-picks or spuds of any kind extending beyond the cleats is prohibited on macadamized or paved Highways.

No unreason-
able weights
or use

The regulations prescribed by this Act, or made by the State Highway Department in pursuance to its provisions, shall not permit the owner or operator of any traction engine or tractor to haul unusual or unreasonable weights, or to use the public highways in an unusual or unreasonable manner; and shall not exempt the owners or operators of such engines or tractors from indictment for nuisance, or prevent the granting of injunctions against unusual or unreasonable use of the public highways of the State. Nor shall these regulations relieve the owner or operator of any traction engine or tractor from liability for damages to the public highways by reason of the careless, negligent, reckless, or wanton operation of such traction engine or tractor.

Liability for
damage to
highways

Special
permission to
move over
highways

The State Highway Department, upon application in writing, approved by the local authorities charged with the maintenance of the highways described in the application, may, at its discretion, grant special permission for the moving of extra-heavy engines, loads, objects or structures over the public highways, under such regulation as it may prescribe.

Refusal or
revocation of
license or
permit by
Secretary of
State

Section 10. The Secretary of State, for sufficient reason, shall have authority to refuse to issue any form of license or permit to any applicant or to revoke any such license by him heretofore issued. Provided, however, that upon such refusal or revocation, such applicant shall have a right of appeal to the Court of General Sessions of the

Appeal

County in which he resides, but in the case of revocation such appeal shall not operate as a stay. Appeal not a stay

Section 11. All vehicles permitted or allowed by this Act to be attached to or hauled by traction engines or tractors over the public streets, roads, and highways of this State shall not exceed a gross maximum weight of ten thousand pounds. Nor shall the vehicle including the load thereon, exceed seven hundred (700) pounds upon any inch in width of the tire of each wheel, nor shall any vehicle have an axle load of more than sixteen thousand (16,000) pounds. Weight of attached vehicle and load

Section 12. Authorized representatives of the State Highway Department shall have the right to stop vehicles that have indication of exceeding the prescribed limits of this Act, and weigh such vehicles, provided, it shall not delay the vehicle more than thirty minutes at the scales. Right to stop vehicles

Section 13. Whenever it is necessary to operate a vehicle in excess of the above weight, a special permit shall be obtained from the State Highway Department; this permit will regulate the time that the vehicle shall be operated and the owner of such vehicle shall be liable for any damage done to the State Highway. Permit to operate vehicle with excess weight

Section 14. Any person who shall operate a traction engine or tractor on any of the streets, roads or highways of this State while under the influence of intoxicating liquor, shall be deemed guilty of a nuisance, and shall be subject to such penalties as are now or hereafter may be applicable to persons operating motor vehicles. Operating while under influence of liquor
Penalty

Section 15. No traction engine or tractor shall be operated over the streets, roads or highways of this State at a rate of speed greater than three miles per hour. Speed

Section 16. When signaled to do so, by the driver of any horse or other animal of draft or burden, the operator of a traction engine or tractor shall stop, and if circumstances require it, shall stop his engine until the danger has Stopping upon signal of driver of horse drawn vehicle

MOTOR VEHICLES

Equipment
where
weight is
8,000 pounds
or less

lugs are so spaced that not less than two lugs on each driving wheel shall be in contact with the road's surface at all times. Traction engines or tractors weighing eight thousand pounds or less shall be equipped with regular cleats as furnished by the manufacturers. No bolt-heads, nuts, or rivet-heads shall be allowed to project, and the use of ice-picks or spuds of any kind extending beyond the cleats is prohibited on macadamized or paved Highways.

No unreason-
able weights
or use

The regulations prescribed by this Act, or made by the State Highway Department in pursuance to its provisions, shall not permit the owner or operator of any traction engine or tractor to haul unusual or unreasonable weights, or to use the public highways in an unusual or unreasonable manner; and shall not exempt the owners or operators of such engines or tractors from indictment for nuisance, or prevent the granting of injunctions against unusual or unreasonable use of the public highways of the State. Nor shall these regulations relieve the owner or operator of any traction engine or tractor from liability for damages to the public highways by reason of the careless, negligent, reckless, or wanton operation of such traction engine or tractor.

Liability for
damage to
highways

Special
permission to
move over
highways

The State Highway Department, upon application in writing, approved by the local authorities charged with the maintenance of the highways described in the application, may, at its discretion, grant special permission for the moving of extra-heavy engines, loads, objects or structures over the public highways, under such regulation as it may prescribe.

Refusal or
revocation
license or
permit by
Secretary of
State

Section 10. The Secretary of State, for sufficient reason, shall have authority to refuse to issue any form of license or permit to any applicant or to revoke any such license by him heretofore issued. Provided, however, that upon such refusal or revocation, such applicant shall have a right of appeal to the Court of General Sessions of the

Appeal

County in which he resides, but in the case of revocation such appeal shall not operate as a stay. Appeal not a stay

Section 11. All vehicles permitted or allowed by this Act to be attached to or hauled by traction engines or tractors over the public streets, roads, and highways of this State shall not exceed a gross maximum weight of ten thousand pounds. Nor shall the vehicle including the load thereon, exceed seven hundred (700) pounds upon any inch in width of the tire of each wheel, nor shall any vehicle have an axle load of more than sixteen thousand (16,000) pounds. Weight of attached vehicle and load

Section 12. Authorized representatives of the State Highway Department shall have the right to stop vehicles that have indication of exceeding the prescribed limits of this Act, and weigh such vehicles, provided, it shall not delay the vehicle more than thirty minutes at the scales. Right to stop vehicles

Section 13. Whenever it is necessary to operate a vehicle in excess of the above weight, a special permit shall be obtained from the State Highway Department; this permit will regulate the time that the vehicle shall be operated and the owner of such vehicle shall be liable for any damage done to the State Highway. Permit to operate vehicle with excess weight

Section 14. Any person who shall operate a traction engine or tractor on any of the streets, roads or highways of this State while under the influence of intoxicating liquor, shall be deemed guilty of a nuisance, and shall be subject to such penalties as are now or hereafter may be applicable to persons operating motor vehicles. Operating while under influence of liquor
Penalty

Section 15. No traction engine or tractor shall be operated over the streets, roads or highways of this State at a rate of speed greater than three miles per hour. Speed

Section 16. When signaled to do so, by the driver of any horse or other animal of draft or burden, the operator of a traction engine or tractor shall stop, and if circumstances require it, shall stop his engine until the danger has Stopping upon signal of driver of horse drawn vehicle

MOTOR VEHICLES

Operation
upon signal
from overtak-
ing vehicle

been avoided. When overtaken by any other vehicle legally traveling at a greater speed, the operator or driver of any traction engine or tractor, when signaled to do so, shall turn reasonably to the right or left of the center of the highway, allowing the other vehicle free passage to the right or left.

Penalties

Justice of
Peace to have
jurisdiction

Section 17. Any person violating any of the provisions of this Act, shall upon complaint before any Justice of the Peace of this State, and upon proof of the charge, be subject to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for the first offense, and not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred (\$200.00) for the second offense and for each subsequent offense, and in default of said fine shall be imprisoned for a term of not more than thirty days.

Section 18. All acts or parts of acts inconsistent with this Act are hereby repealed.

Approved April 6, 1931.

CHAPTER 13

STATE REVENUE

MOTOR VEHICLES

AN ACT Requiring the Secretary of State to Examine Certain Operators to Determine Their Fitness to Drive.

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

Section 1. That Chapter 10, Volume 36 of the Laws of Delaware be and the same is hereby amended by the addition of Paragraph (d) to Section 59 to read as follows: "The Department shall cause a special examination to be made of every person involved in a second accident resulting in personal injury, death or property damage to an apparent extent of One Hundred Dollars (\$100.00) or more within any 24 month period to determine any physical or mental impediment to the safe operation of a vehicle as a pre-requisite to the continuation of the operator's right to drive on the highways. The Department shall also cause to be examined any person whom the State Police Superintendent or the Chief of Police in the City of Wilmington recommends for such examination as the result of the bad operating record of any such person".

Chap. 10, Vol.
36, Laws of
Delaware
amended

Examination
of operators
when

Approved April 3, 1931.

CHAPTER 14

STATE REVENUE

MOTOR VEHICLES

AN ACT providing for Security for the Payment of Damages caused by the operation of motor vehicles.

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

Financial
responsibility
required

Section 1. The Vehicle Commissioner of the State shall require proof of financial responsibility to the extent of at least Five Thousand Dollars (\$5000.00) to satisfy any claim for damages founded upon personal injury to or the death of any person, and to the extent of at least One Thousand Dollars (\$1000.00) to satisfy any claim for damage to property, from every driver of a motor vehicle who, subsequently to the time when this Act takes effect, shall have been adjudged guilty in any Court having jurisdiction thereof of any of the divers offenses now punishable under the laws of the State of Delaware, inter alia, by the mandatory revocation of the license of the motor vehicle driver, so adjudged guilty, to drive a motor vehicle within the State of Delaware, namely :

Upon
conviction of
offenses
punishable
inter alia, by
revocation of
license

Manslaughter

1. Manslaughter resulting from the operation of a motor vehicle;

Assault,
death
resulting

2. The crime of assault in which a motor vehicle is used and the death of a human being results;

Driving while
under
influence of
intoxicating
liquor or drug

3. Driving a vehicle while under the influence of intoxicating liquor or narcotic drug;

Perjury or
false
affidavit

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;

MOTOR VEHICLES

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;

Felony under
motor vehicle
laws or
where motor
vehicle used

6. Conviction or forfeiture of bail upon three charges of reckless driving all within the preceding twelve months;

Reckless
driving

7. A conviction of a driver of a motor vehicle, involved in an accident resulting in the death or injury of another person, upon a charge of failing to stop and disclose his identity at the scene of the accident; or such proof of financial responsibility to satisfy any claim for damages as aforesaid may be required from the person, firm or corporation in whose name any such motor vehicle is registered; or from both. If such driver or registrant shall fail to furnish such proof, as shall be required by the Vehicle Commissioner under the provisions of this Act, then said Vehicle Commissioner may, until such proof shall be furnished, suspend the registration of such motor vehicle and/or refuse thereafter to issue to such driver a license to operate a motor vehicle in this State, and refuse thereafter to register any motor vehicle owned by such driver and/or registrant, or if such driver and/or registrant shall not be a resident or residents of or located in this State, withdraw from such driver and or registrant the privilege of operating any motor vehicle in this State, and the privilege of operation within this State of any motor vehicle owned by such driver and/or registrant, or refuse to register any motor vehicle transferred by such driver and/or registrant if it shall not appear to said Vehicle Commissioner's satisfaction that such transfer is a bona fide sale. In the event that the driver and or registrant is a non-resident, then it shall be the duty of the Vehicle Commissioner to transmit to the Commissioner of Motor Vehicles, or officer in charge of the issuance of operators' permits and registration certificates of the State of which the driver and/or registrant is a resident, a formal notice of his action in the premises.

Of driver or
owner

Suspension of
registration
upon failure
to comply

May refuse to
issue license

Non-residents
refused
privilege of
highways

Transfer

Notice to
State of
non-resident

MOTOR VEHICLES

Suspension of
license in case
of unsatisfied
judgment

Section 2. Upon receipt by the said Vehicle Commissioner of an abstract, duly certified by the Clerk of the Court rendering the judgment, showing the rendition of final judgment in the amount of One Hundred Dollars (\$100.00) or upwards of that amount, by a court of record in this State against any person to whom has been issued a license to operate a motor vehicle or against any person, firm or corporation in whose name has been issued a certificate of registration of such vehicle and also showing that such judgment was rendered against such defendant by reason of an accident, occurring subsequently to the time when this Act takes effect, in which such vehicle was involved, together with such further proof as may be required by the said Vehicle Commissioner to satisfy him that such judgment remains unsatisfied after thirty days from the time the same became final, he shall suspend such license or certificate of registration, or both, until such judgment is fully satisfied of record and shall require such licensee and/or registrant to furnish to him proof of financial responsibility as herein provided; and until such satisfaction is made and such proof of financial responsibility furnished such defendant shall be ineligible to receive a certificate of registration or a license to operate.

Continuation
of suspension

Proof of
financial
responsibility
of what to
consist

Section 3. Such proof of financial responsibility shall be furnished as shall be satisfactory to said Vehicle Commissioner. Such proof may consist of a showing that the driver, licensee, or registrant is possessed of resources reasonably sufficient to discharge any liability up to the sum of Six Thousand Dollars; or may consist of evidence of the insuring of such driver, licensee or registrant against public liability in at least the amount of Five Thousand Dollars and property damage in at least the amount of One Thousand Dollars, provided, the policy or policies of insurance shall be non-cancellable except after ten days notice to the Vehicle Commissioner; or such proof may be the bond of a Surety Company, or a bond with individual surety owning real estate in this State, which bond shall be conditioned for

MOTOR VEHICLES

the payment of said amounts. Such bond shall constitute a lien in favor of the State upon the real estate of any such surety upon the filing of notice of such bond by the said Vehicle Commissioner in the Office of the Prothonotary of any county in the State wherein any such real estate is located and such Prothonotary shall enter such lien in an appropriate docket kept by him for that purpose. Such lien shall exist in favor of and for the use of any holder of a judgment recovered for damages caused by the operation of a motor vehicle by any such driver or licensee or by the operation of a motor vehicle owned by any such registrant. Such proof of financial responsibility may also be evidence presented to the said Vehicle Commissioner of a deposit by such driver, licensee or registrant with the State Treasurer of a sum of money or collateral, the amount of which money or collateral shall be determined by and shall be satisfactory to said Vehicle Commissioner. The State Treasurer shall accept any such deposits and issue receipts therefor and the State shall pay interest on all such deposits that shall be made in cash at the rate of three per centum (3%) per annum. Additional evidence of financial responsibility shall be furnished the said Vehicle Commissioner at any time upon his request therefor.

Section 4. Such bond, money or collateral shall be held by the said Vehicle Commissioner or State Treasurer, as the case may be, to satisfy any execution issued against any such driver, licensee and/or registrant on any judgment recovered for damages caused by the operation of any motor vehicle by such driver or licensee or by any other person with the express or implied consent of the owner. Such policy or bond shall be in such terms as the Vehicle Commissioner shall deem adequate. A reasonable sum, not exceeding Ten Dollars (\$10.00), may be charged by said Vehicle Commissioner for investigation of the title of any surety's real estate or of collateral so deposited and of the value of the same and for the filing and entry fee to be paid to the said Prothonotary.

Bond to be
lien

Docket

Lien in favor
of holder of
judgmentDeposit of
money with
State
TreasurerInterest on
depositAdditional
evidenceBond money
or collateral
held to
satisfy
executionsCharge for
investigation
and filing

MOTOR VEHICLES

Vehicle
Commissioner
to furnish
operating
record

Fee for
certificate

Section 5. Upon the request of any insurance company, any person furnishing any money or collateral deposited under the provisions hereof, or any surety on any bond herein provided for, the said Vehicle Commissioner shall furnish such company, person or surety a certified abstract of the operating record of any person subject to the provisions of this act and, if there shall be no record of any conviction of such person of any offense mentioned or referred to in this Act nor any record of any injury or damage caused by such person, the said Vehicle Commissioner shall so certify. The said Vehicle Commissioner shall collect for each such certificate the sum of One Dollar (\$1.00).

Surrender of
certificates of
registration

Failure to
surrender

Penalty

Justice of the
Peace and
Municipal
Court given
jurisdiction

Fine payable
to State
Treasurer

Appeal

Section 6. Any registrant whose certificate or certificates of registration shall have been suspended as herein provided shall immediately return to the said Vehicle Commissioner his certificate or certificates of registration and the number plates issued thereunder and upon his failure so to do the said Vehicle Commissioner shall forthwith direct any State Highway police officer to secure possession thereof and to return the same to the office of the said Vehicle Commissioner. Any registrant failing to return such certificate or certificates and number plates shall be fined not more than Twenty-Five Dollars (\$25.00) and to the fine imposed the trial court shall add the expense of securing such registration and number plates. Any justice of the peace of the State of Delaware and the Municipal Court of the City of Wilmington is hereby given jurisdiction of any violation of the provisions of this Section. The amount of such fine and expense shall be paid to the State Treasurer for the use of the State Highway Department in the manner provided for the payment of fines for violation of the motor vehicle laws. There shall be a right of appeal under this Section to the Court of General Sessions of the State of Delaware.

MOTOR VEHICLES

Section 7. The said Vehicle Commissioner may cancel any such bond or return any such evidence of insurance, or the State Treasurer may, with the consent of the said Vehicle Commissioner, return any such money or collateral to the depositor thereof, provided three years shall have elapsed since the furnishing of such proof of financial responsibility during which time the person furnishing the same shall not have been convicted of any offence mentioned or referred to in this Act and provided no action shall be pending nor any judgment shall remain unsatisfied, arising out of the operation of a motor vehicle, against the person, firm or corporation furnishing such proof of financial responsibility.

Bond
cancelled,
deposit on
collateral
returned after
three years

Proviso

Section 8. The said Vehicle Commissioner shall make such rules and regulations as may be necessary for the administration of this Act.

Rules and
regulations

Approved April 22, 1931.

CHAPTER 15

STATE REVENUE

MOTOR VEHICLES

AN ACT to amend Chapter 6, Revised Code of Delaware, as amended, relating to motor vehicles and reducing operator's and chauffeur's license.

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

236 S. 199 of
Chap. 6, R. C.
as amended
by Ch. 5, Vol.
33, Laws of
Delaware.
amended

Section 1. That Chapter 6, Revised Code of Delaware, as amended by Chapter 5, Volume 33, Laws of Delaware, be and the same is hereby further amended by striking out the words "three dollars" appearing in the eleventh line of the second paragraph of 236 Sec. 199 thereof and by inserting in lieu thereof the words "one dollar and fifty cents."

Section 2. That this act shall take effect on the first day of March A. D. 1931.

Repeal

Section 3. That any act or any law or any part of any act or law inconsistent with the provisions of this Act be and the same are hereby repealed only to the extent of such inconsistency.

Approved February 11, 1931.

CHAPTER 16

STATE REVENUE

MOTOR VEHICLES

AN ACT directing the Secretary of State to furnish to Members of Judicial and Legislative Departments tags designating the Department with which the holder thereof is connected.

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

Section 1. That, beginning with the year 1931, the Secretary of State be, and he is hereby, authorized and directed to furnish to members of the Judicial and Legislative Branches of the State Government, automobile tags upon which shall be printed, in the case of the Judicial Department, the word "Judiciary" and in the case of members of the Legislature, the word "Legislative." The said tags shall be two inches wide and of the same length as the license tags to which they are attached; they shall be of the same general design or pattern to correspond with the license tags issued; and the Secretary of State shall furnish proper attachments with which to attach the same. Not more than two sets of tags shall be furnished any one person.

Tags to
Judicial and
Legislative
Departments

Section 2. It shall be unlawful for any person not authorized under the provisions of this Act to use or exhibit said tags on any motor vehicle and any person convicted thereof shall be fined not more than Fifty Dollars for each and every offense.

Unlawful to
use said tags
if not
authorized

Approved April 6, 1931.

CHAPTER 17

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 1931 and 1932.

Annual Tax
to Kent
County by
Maryland and
Delaware
Coast Railway
Company for
1931, 1932

Approved April 2, 1931.

CHAPTER 18

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 1931 and 1932.

Annual Tax to
State by
Maryland and
Delaware
Coast Railway
Company for
1931, 1932

Approved April 2, 1931.

CHAPTER 19

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:

Annual Tax to
Sussex
County by
Maryland and
Delaware
Coast Railway
Company for
1931, 1932

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 1931 and 1932.

Approved April 2, 1931.

CHAPTER 20

STATE REVENUE

PAYMENT OF CERTAIN SCHOOL BONDS

AN ACT making appropriations for the payment of certain School Bonds maturing during the fiscal years 1931-1932.

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 any monies in the State Treasury to the credit of the school fund not otherwise appropriated, the sum of One Hundred and Fifty One Thousand Two Hundred and Thirty Two Dollars (\$151,232.00), or so much thereof as may be necessary, for the purpose of paying the principal of certain school bonds issued by certain of the School Districts and Special School Districts of this State, and maturing during the fiscal year beginning July 1, 1931 and ending June 30, 1932; and there is hereby further appropriated, out of any monies in the State Treasury to the credit of the School Fund not otherwise appropriated, the sum of One Hundred and Eleven Thousand Two Hundred and Thirty-Two dollars (\$111,232.00), or so much thereof as may be necessary, for the purpose of paying the principal of certain school bonds issued by such School Districts or Special School Districts and maturing during the fiscal year beginning July 1, 1932 and ending June 30, 1933.

Section 2. The names of said School Districts and Special School Districts and the respective amounts of the bonds maturing during said two fiscal years respectively, referred to in Section 1 of this Act, for which said monies are appropriated are as follows:

Appropriation
to pay
certain school
bonds during
fiscal years
1931-1932

Names of
School
Districts and
amounts
appropriated
for each

PAYMENT OF CERTAIN SCHOOL BONDS

Year of Issue	Name of School Dis- trict or Special School District	Amount of principal of bonds matur- ing during fis- cal year begin- ning July 1, 1931 and end- ing June 30, 1932	Amount of principal of bonds matur- ing during fis- cal year begin- ning July 1, 1932 and end- ing June 30, 1933
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New Castle
County

NEW CASTLE COUNTY

1922			
&			
1928	Claymont	\$15,000.00	\$15,000.00
1922	Newark	6,000.00	6,000.00
1929	New Castle	2,000.00	2,000.00
1924	Arden	500.00	500.00
1924	Richardson Park	3,400.00	3,400.00
1928	Middletown	2,832.00	2,832.00
1927	Oak Grove No. 130	1,800.00	1,800.00
1929	Rose Hill	1,000.00	1,000.00
1929	Stanton	1,000.00	1,000.00
1929	Delaware City	1,000.00	1,000.00
1924			
1925	Wilmington	80,000.00	40,000.00
1928			

Kent County

KENT COUNTY

1929	Clayton	1,000.00	1,000.00
1929	Smyrna	2,500.00	2,500.00
1925	Dover	8,000.00	8,000.00
1916			
1920	Caesar Rodney	2,500.00	2,500.00
1929			
1911			
1929	Harrington	1,500.00	1,500.00
1928	Felton	1,000.00	1,000.00

PAYMENT OF CERTAIN SCHOOL BONDS

1929	Leipsic	200.00	200.00
1929	Farmington	300.00	300.00
1929	Milford	3,000.00	3,000.00
1930	Frederica	1,000.00	1,000.00

SUSSEX COUNTY

Sussex County

1929	Georgetown	3,000.00	3,000.00
1922	Lewes	2,000.00	2,000.00
1927	Gumboro	500.00	500.00
1927	Millsboro	1,000.00	1,000.00
1929	Bridgeville	2,000.00	2,000.00
1927	Delmar	1,000.00	1,000.00
1926	Selbyville	500.00	500.00
1928	Ellendale	1,000.00	1,000.00
1924	Rehoboth	500.00	500.00
1927	Laurel	2,000.00	2,000.00
1931	Lincoln	700.00	700.00
1928	Blades	500.00	500.00
1931	Greenwood	1,000.00	1,000.00

Total,	\$151,232.00	\$111,232.00
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Section 3. The State Treasurer is hereby authorized and directed to pay the several sums hereby appropriated to the holders of bonds described in Section 2 hereof when and as the same shall fall due within the respective fiscal years referred to, upon presentation to him of said bonds.

Section 4. No part of the monies hereby appropriated shall be used for the payment of any interest on any of said bonds, or for any purpose other than the payment of the principal of the bonds listed and described in Section 2 of this Act.

Section 5. The several Boards of Education and other taxing bodies, if any, of the several School Districts and Special School Districts listed in Section 2 of this Act are

PAYMENT OF CERTAIN SCHOOL BONDS

hereby expressly relieved from the duty of levying and collecting any taxes for the purpose of paying the principal amount of the said bonds listed and described in Section 2 of this Act; and no such tax shall be levied or collected for the purpose of paying the principal of the bonds mentioned and described in said Section 2 during the two fiscal years aforesaid; provided that nothing herein contained shall be construed as relieving said School Districts or Special School Districts of the payment of interest upon said bonds.

Taxes not
levied for
payment of
principal

District not
relieved of
interest
payments

Approved March 30, 1931.

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CHAPTER 21

STATE REVENUE

APPROPRIATIONS

AN ACT making appropriations for the expenses of the State Government for each of the two fiscal years ending June 30, 1932 and June 30, 1933.

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:

	Year Ending June 30	
	1932	1933
A-1 LEGISLATIVE		
Committee on Uniform Laws	\$ 250.00	\$ 250.00
A-2-10 GENERAL ASSEMBLY		
Salaries of State Senators		10,320.00
Salaries of State Representatives		21,120.00
Salary of President of Senate		720.00
Salaries of Attorneys, Clerks, etc.		35,000.00
Allowance to Members		13,000.00
Supplies		5,000.00

Appropriations for expenses of State Government during fiscal years ending June 30, 1932 and June 30, 1933

Unexpended funds to revert to State Treasury

Legislative Uniform Laws

General Assembly

APPROPRIATIONS

Printing and Stationery	13,000.00
Stamps	1,000.00
Telephone Service	600.00
	<hr/>
	\$ 99,760.00

Judicial

JUDICIAL

Court of
Chancery

B-1-5 COURT OF CHANCERY

(Salaries and Wages)

Salary of Chancellor	\$ 7,500.00	\$ 7,500.00
For Reporting	200.00	200.00
Salary of Stenographer	3,000.00	3,000.00
Salaries and Wages (Additional)	500.00	500.00
	<hr/>	<hr/>
	\$ 11,200.00	\$ 11,200.00
Office Expense	400.00	400.00
Repairs and Replacements	100.00	100.00
Chancellor's Reports	1,600.00	1,600.00
	<hr/>	<hr/>
	\$ 13,300.00	\$ 13,300.00

Department
of Justice

B-6-12 DEPARTMENT OF JUSTICE

(Salaries and Wages)

Salary of Chief Justice	\$ 7,500.00	\$ 7,500.00
Salaries of Associate Judges	29,000.00	29,000.00
Kent County Judge for Reporting	200.00	200.00
Salary of Court Stenographer	3,000.00	3,000.00
Salary Clerk to Supreme Court	300.00	300.00
Salaries and Wages (Additional)	2,900.00	2,900.00
	<hr/>	<hr/>
	\$ 42,900.00	\$ 42,900.00
Office Expense	390.00	390.00
Repairs and Replacements	10.00	10.00
Judge Harrington's Report		2,000.00

APPROPRIATIONS

(B-12½ Salaries and Wages)

Kent and Sussex Co. (Additional)	500.00	500.00
	<hr/>	<hr/>
	\$ 43,800.00	\$ 45,800.00

B-13-15 BOARD OF PAROLE

Board of
Parole

(Salaries and Wages)

Board Members	\$ 450.00	\$ 450.00
Parole Officer	2,400.00	2,400.00
Clerk	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 DETENTION HOME FOR JUVENILES

Detention
Home for
Juveniles

Salaries and Wages	\$ 2,000.00	\$ 2,000.00
	<hr/>	<hr/>

B-17 INDUSTRIAL ACCIDENT BOARD

Industrial
Accident
Board

Salaries and Wages	\$ 15,000.00	\$ 15,000.00
Office Expense	2,600.00	2,600.00
Travel	3,000.00	3,000.00
Repairs and Replacements	100.00	100.00
Equipment	300.00	300.00
	<hr/>	<hr/>
	\$ 21,000.00	\$ 21,000.00

EXECUTIVE

Executive

C-1-4 GOVERNOR

Governor

Salary of Governor	\$ 7,500.00	\$ 7,500.00
Contingent Expenses	2,500.00	2,500.00

APPROPRIATIONS

Governor's Conference	100.00	100.00
Printing and Compiling Budget ..	115.00	3,385.00
Portrait of Governor		500.00
Inaugural Expense		2,500.00
	<hr/>	<hr/>
	\$ 10,215.00	\$ 16,485.00

Board of
Pardons

C-5-6 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

ELECTIONS

Department
of Elections,
Wilmington

D-1 DEPARTMENT OF ELECTIONS, WILMINGTON, DEL.

Salaries and Wages	\$ 2,750.00	\$ 2,750.00
	<hr/>	<hr/>

Levy Courts

D-2 LEVY COURTS

(Salaries and Wages)

Registrars and Assistants	<hr/>	\$ 27,500.00
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D-3 OFFICE OF THE GOVERNOR

Presidential Electors	<hr/>	\$ 40.00
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LEGAL

Attorney
General

E-1-8 ATTORNEY GENERAL, GENERAL ADMINISTRATION

(Salaries and Wages)

Attorney General	\$ 3,600.00	\$ 3,600.00
Chief Deputy	2,000.00	2,000.00

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APPROPRIATIONS

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	7,200.00	7,200.00
Salaries and Wages (Additional)	3,475.00	3,475.00
	<hr/>	<hr/>
	\$ 21,275.00	\$ 21,275.00
Office Expense	1,200.00	1,200.00
Travel	1,500.00	1,500.00
Operation	2,000.00	2,000.00
Repairs and Replacements	1,100.00	1,100.00
Equipment	100.00	100.00
	<hr/>	<hr/>
	\$ 27,175.00	\$ 27,175.00

E-9 ATTORNEY GENERAL, REQUISITION EXPENSES

Salaries and Wages	\$ 200.00	\$ 200.00
Travel	800.00	800.00
	<hr/>	<hr/>
	\$ 1,000.00	\$ 1,000.00

E-8½ ATTORNEY GENERAL, EMERGENCY APPROPRIATION

General Expenses	\$ 10,000.00	\$ 10,000.00
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F-1-4 SECRETARY OF STATE, GENERAL ADMINISTRATION Secretary of State

(Salaries and Wages)

Secretary of State	\$ 6,000.00	\$ 6,000.00
Telephone Operator	900.00	900.00
Secretary—Board of State Supplies	1,800.00	1,800.00
Director—Automobile Department	2,400.00	2,400.00
Chief Clerk	1,680.00	1,680.00
Titling Officer	1,500.00	1,500.00
Three Inspectors	5,400.00	5,400.00
Salaries and Wages (Additional)	61,000.00	61,000.00
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	\$ 80,680.00	\$ 80,680.00

APPROPRIATIONS

Office Expense	11,850.00	11,850.00
Travel	3,200.00	3,200.00
Operation	2,500.00	2,500.00
Repairs and Replacements	2,500.00	2,500.00
Equipment	1,000.00	1,000.00
	<hr/>	<hr/>
	\$101,730.00	\$101,730.00

Assessors

F-5 ASSESSORS

Salaries and Wages	\$ 850.00	\$ 850.00
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State
Treasurer

F-6-8 STATE TREASURER, GENERAL ADMINISTRATION

(Salaries and Wages)

State Treasurer	\$ 3,500.00	\$ 3,500.00
Deputy	1,800.00	1,800.00
Salaries and Wages (Additional)	2,500.00	2,500.00
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	\$ 7,800.00	\$ 7,800.00
Office Expense	1,050.00	1,050.00
Travel	100.00	100.00
Repairs and Replacements	150.00	150.00
Equipment	200.00	200.00
	<hr/>	<hr/>
	\$ 9,300.00	\$ 9,300.00

F-9 STATE TREASURER, EMERGENCY APPROPRIATION

Salaries and Wages	\$ 475.00	\$ 475.00
Office Expense	500.00	500.00
Travel	25.00	25.00
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	\$ 1,000.00	\$ 1,000.00

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APPROPRIATIONS

F-10-12 STATE AUDITOR, GENERAL ADMINISTRATION

State Auditor

(Salaries and Wages)

State Auditor	\$ 3,600.00	\$ 3,600.00
Deputy	2,400.00	2,400.00
Salaries and Wages (Additional)	11,000.00	11,000.00
	<hr/>	<hr/>
	\$ 17,000.00	\$ 17,000.00
Office Expense	610.00	610.00
Travel	200.00	200.00
Repairs and Replacements	150.00	150.00
Equipment	225.00	225.00
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	\$ 18,185.00	\$ 18,185.00

F-13 STATE AUDITOR, EMERGENCY APPROPRIATION

Salaries and Wages	\$ 2,000.00	\$ 2,000.00
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F-14-15 STATE REVENUE COLLECTOR

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-16-17 STATE INSURANCE COMMISSIONER

State
Insurance
Commissioner

(Salaries and Wages)

Commissioner	\$ 3,500.00	\$ 3,500.00
Clerk	1,500.00	1,500.00
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	\$ 5,000.00	\$ 5,000.00
Office Expense	670.00	670.00
Travel	180.00	180.00

APPROPRIATIONS

Repairs and Replacements	100.00	100.00
Equipment	200.00	200.00
	<hr/>	<hr/>
	\$ 6,150.00	\$ 6,150.00

Registrars
of Wills

F-18 REGISTRARS OF WILLS

Salary of Registrar, New Castle Co.	\$ 400.00	\$ 400.00
Salary of Registrar, Kent County	200.00	200.00
Salary of Registrar, Sussex County	200.00	200.00
	<hr/>	<hr/>
	\$ 800.00	\$ 800.00

Oyster
Revenue
Collector

F-19-21 OYSTER REVENUE COLLECTOR

(Salaries and Wages)

Collector	\$ 960.00	\$ 960.00
Salaries Watch Boat Crew	4,200.00	4,200.00
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	\$ 5,160.00	\$ 5,160.00
Office Expense	10.00	10.00
Travel	90.00	90.00
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Operation	500.00	500.00
Repairs and Replacements	1,000.00	1,000.00
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	\$ 6,760.00	\$ 6,760.00

State Tax
Department

F-22-23 STATE TAX DEPARTMENT

(Salaries and Wages)

Commissioner	\$ 6,000.00	\$ 6,000.00
Employees	75,570.00	75,570.00
	<hr/>	<hr/>
	\$ 81,570.00	\$ 81,570.00
Office Expense	15,550.00	15,550.00
Travel	1,500.00	1,500.00

APPROPRIATIONS

Repairs and Replacements	100.00	100.00
Equipment	1,000.00	1,000.00
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	\$ 99,720.00	\$ 99,720.00

F-24-25 STATE BANKING COMMISSIONER

State Banking
Commissioner

(Salaries and Wages)

Commissioner	\$ 4,200.00	\$ 4,200.00
Employees	11,400.00	11,400.00
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	\$ 15,600.00	\$ 15,600.00
Office Expense	935.00	935.00
Travel	2,650.00	2,650.00
Repairs and Replacements	100.00	100.00
Equipment	70.00	70.00
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	\$ 19,355.00	\$ 19,355.00

DEBT SERVICE

Debt Service

G-1-12 STATE TREASURER

State
Treasurer

Interest:—

Certif. of Indebtedness, U. of D. \$	4,980.00	\$ 4,980.00
Certif. of Indebtedness, School Fnd.	10,727.10	
Farmers Bank, Dover, 1907 Issue	9,200.00	
Treasury Sinking Fund, 1897 Issue	800.00	
Farmers Bank, Wil., Farnhurst Bs.	1,000.00	900.00
Farmers Bk., Wil., College Bs, 1917	2,200.00	2,000.00
Farmers Bk., Wil., College Bs, 1925	8,712.50	8,500.00
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	\$ 37,619.60	\$ 16,380.00

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, 1915 Issue		5,000.00

APPROPRIATIONS

State Bond to School Fund	178,785.00
Sinking Fund, 1897 Issue	20,000.00
Farmers Bank, 1907 Issue	230,000.00

County Road Bonds:—

New Castle County	135,000.00	140,000.00
Kent County	75,000.00	75,000.00
Sussex County	75,000.00	75,000.00
	\$723,785.00	\$305,000.00
Total Debt Service	\$761,404.60	\$321,380.00

Health

HEALTH

H-1 STATE BOARD OF HEALTH

State Board
of Health

GENERAL ADMINISTRATION

Salaries and Wages	\$ 63,000.00	\$ 63,000.00
Office Expense	6,000.00	6,000.00
Travel	2,000.00	2,000.00
Operation	11,000.00	11,000.00
Repairs and Replacements	5,000.00	5,000.00
Equipment	3,000.00	3,000.00
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	\$ 90,000.00	\$ 90,000.00

H-2 STATE BOARD OF HEALTH

Laboratory

PATHOLOGICAL AND BACTERIOLOGICAL LAB.

Salaries and Wages	\$ 8,500.00	\$ 8,500.00
Office Expense	300.00	300.00
Travel	60.00	60.00
Operation	1,500.00	1,500.00
Repairs and Replacements	50.00	50.00
Equipment	90.00	90.00
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	\$ 10,500.00	\$ 10,500.00

APPROPRIATIONS

H-3 STATE BOARD OF HEALTH

EDGEWOOD SANITORIUM

Edgewood
Sanitorium

Salaries and Wages	\$ 7,000.00	\$ 7,000.00
Office Expense	300.00	300.00
Travel	50.00	50.00
Operation	9,650.00	9,650.00
Repairs and Replacements	1,700.00	1,700.00
Equipment	300.00	300.00
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	\$ 19,000.00	\$ 19,000.00

H-3½ STATE BOARD OF HEALTH

EDGEWOOD SANITORIUM

Extraordinary Repairs	\$ 3,000.00
Permanent Improvements	12,000.00
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	\$ 15,000.00

H-4 STATE BOARD OF HEALTH

BRANDYWINE SANITORIUM

Brandywine
Sanitorium

Salaries and Wages	\$ 22,500.00	\$ 22,500.00
Office Expense	500.00	500.00
Travel	100.00	100.00
Operation	37,900.00	37,900.00
Repairs and Replacements	3,000.00	3,000.00
Equipment	1,000.00	1,000.00
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	\$ 65,000.00	\$ 65,000.00

H-4½ STATE BOARD OF HEALTH

BRANDYWINE SANITORIUM

Extraordinary Repairs	\$ 5,000.00
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MOTOR VEHICLES

Medical and Surgical Apparatus ..	10,000.00	
Buildings	13,000.00	
	<u>\$ 28,000.00</u>	

Medical
Council of
Delaware

H-5 MEDICAL COUNCIL OF DELAWARE

Salaries and Wages	\$ 300.00	\$ 300.00
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State Board
of Pharmacy

H-6 STATE BOARD OF PHARMACY

Salaries and Wages	\$ 150.00	\$ 150.00
Office Expense	40.00	40.00
Travel	60.00	60.00
	<u>\$ 250.00</u>	<u>\$ 250.00</u>

Dentistry
and Dental
Board

H-7 DENTISTRY AND DENTAL BOARD

Salaries and Wages	\$ 250.00	\$ 250.00
Office Expense	50.00	50.00
Travel	200.00	200.00
	<u>\$ 500.00</u>	<u>\$ 500.00</u>

Public
Welfare
Governor

PUBLIC WELFARE

I-1 GOVERNOR

Board and Tuition, Deaf, Dumb, Blind and Idiotic Children ...	\$ 20,000.00	\$ 20,000.00
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State Board
of Charities

I-2-3 STATE BOARD OF CHARITIES

(Salaries and Wages)

Secretary	\$ 1,800.00	\$ 1,800.00
Clerk	900.00	900.00
	<u>\$ 2,700.00</u>	<u>\$ 2,700.00</u>

APPROPRIATIONS

Office Expense	130.00	130.00
Travel	170.00	170.00
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	\$ 3,000.00	\$ 3,000.00

I-4 BOARD OF BOILER RULES

Board of
Boiler Rules

Salaries and Wages	\$ 5,500.00	\$ 5,500.00
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I-5 DELAWARE CHILDREN'S HOME SOCIETY

Delaware
Children's
Home Society

Operation	\$ 3,000.00	\$ 3,000.00
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I-6 DELAWARE STATE HOSPITAL

Delaware
State
Hospital

Salaries and Wages	\$174,100.00	\$182,110.00
Office Expense	4,250.00	4,650.00
Travel	1,850.00	1,100.00
Operation	158,600.00	153,250.00
Repairs and Replacements	17,910.00	18,050.00
Equipment	10,725.00	12,525.00
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	\$367,435.00	\$372,685.00

I-8 STATE BOARD OF EDUCATION

State Board
of Education

Maintenance and Instruction to Blind Children	\$ 1,700.00	\$ 1,700.00
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I-9-12 MOTHERS' PENSION COMMISSION

Mothers'
Pension
Commission

Salaries and Wages	\$ 6,700.00	\$ 6,700.00
Office Expense	400.00	400.00
Travel	3,000.00	3,000.00
Repairs and Replacements	25.00	25.00
Pensions:—		
New Castle County	30,000.00	30,000.00

APPROPRIATIONS

Kent County	6,500.00	6,500.00
Sussex County	10,000.00	10,000.00
	<u>\$ 56,625.00</u>	<u>\$ 56,625.00</u>

St. Michael's
Day Nursery

I-13 ST. MICHAEL'S DAY NURSERY

Operation	\$ 5,560.00	\$ 5,560.00
Repairs and Replacements	940.00	940.00
	<u>\$ 6,500.00</u>	<u>\$ 6,500.00</u>

Delaware
Industrial
School for
Girls

I-14 DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

GENERAL ADMINISTRATION

Salaries and Wages	\$ 16,806.00	\$ 17,236.00
Office Expense	665.25	665.25
Travel	1,025.00	1,025.00
Operation	17,350.00	17,350.00
Repairs and Replacements	2,500.00	2,500.00
Equipment	1,800.00	500.00
	<u>\$ 40,146.25</u>	<u>\$ 39,276.25</u>

Delaware
Industrial
School for
Colored Girls

I-15 DELAWARE INDUSTRIAL SCHOOL FOR COLORED GIRLS

Salaries and Wages	\$ 17,654.00	\$ 17,654.00
Office Expense	675.00	675.00
Travel	2,000.00	2,000.00
Operation	18,845.00	18,845.00
Repairs and Replacements	3,625.00	3,625.00
Equipment	2,200.00	200.00
Permanent Improvements		500.00
	<u>\$ 44,999.00</u>	<u>\$ 43,499.00</u>

Layton Home
for Aged
Colored

I-16 LAYTON HOME FOR AGED COLORED

Operation	\$ 1,500.00	\$ 1,500.00
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APPROPRIATIONS

I-17 PALMER HOME, DOVER, DELAWARE

Palmer Home

Operation	\$ 3,000.00	\$ 3,000.00
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I-18-19 DELAWARE COMMANDER, G. A. R.

G. A. R.

Burial of Indigent Soldiers, Sailors

and Marines	\$ 600.00	\$ 600.00
Observance of Memorial Day ...	1,000.00	1,000.00
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	\$ 1,600.00	\$ 1,600.00

I-20 DELAWARE COMMISSION FOR THE BLIND

Delaware
Commission
for the Blind

Salaries and Wages	\$ 3,300.00	\$ 3,300.00
Office Expense	325.00	325.00
Operation	5,000.00	5,000.00
Working Capital, Materials	4,000.00	4,000.00
Repairs and Replacements	500.00	500.00
Travel	375.00	375.00
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	\$ 13,500.00	\$ 13,500.00

I-21 DELAWARE COMMISSION FOR FEEBLE-MINDED

Delaware
Commission
for the Feeble
Minded

Salaries and Wages	\$ 29,640.00	\$ 29,640.00
Office Expense	1,122.00	1,147.00
Travel	725.00	725.00
Operation	60,596.00	62,746.00
Repairs and Replacements	11,578.00	6,828.00
Equipment	9,575.00	2,880.00
Permanent Improvements	2,600.00	
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	\$115,836.00	103,966.00

I-21½ DELAWARE COMMISSION FOR FEEBLE-MINDED

DEFICIT APPROPRIATION 1930-31

Operation	\$ 10,000.00
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APPROPRIATIONS

American
Legion

I-22 AMERICAN LEGION

Operation	\$ 1,000.00	\$ 1,000.00
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Spanish War
Veterans

I-23 UNITED SPANISH WAR VETERANS

Operation	\$ 500.00	\$ 500.00
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Delaware
Society
Cruelty to
Animals

I-24 DELAWARE SOCIETY CRUELTY TO ANIMALS

Operation	\$ 500.00	\$ 500.00
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Veterans of
Foreign Wars

I-25 VETERANS OF FOREIGN WARS

Operation	\$ 500.00	\$ 500.00
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Ferris
Industrial
School

I-26 FERRIS INDUSTRIAL SCHOOL

Salaries and Wages	\$ 28,500.00	\$ 29,500.00
Office Expense	975.00	975.00
Travel	685.00	685.00
Operation	83,200.00	83,200.00
Repairs and Replacements	9,926.00	9,926.00
Equipment	4,860.00	4,860.00
Permanent Improvements	2,000.00	500.00
	<u>\$130,146.00</u>	<u>\$129,646.00</u>

I-26½ FERRIS INDUSTRIAL SCHOOL

DEFICIT APPROPRIATION 1930-31

Operation	\$ 2,850.00
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Children's
Bureau of
Delaware

I-27 CHILDREN'S BUREAU OF DELAWARE

Operation	\$ 4,000.00	\$ 4,000.00
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APPROPRIATIONS

1-28 DELAWARE STATE EMPLOYMENT BUREAU		Delaware Employment Bureau
Salaries and Wages	\$ 2,150.00	\$ 2,150.00
Office Expense	50.00	50.00
Travel	600.00	600.00
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	\$ 2,800.00	\$ 2,800.00

EDUCATION

J-1 UNIVERSITY OF DELAWARE

University of
Delaware

GENERAL ADMINISTRATION

Salaries and Wages	\$148,875.00	\$153,225.00
Office Expense	2,050.00	2,050.00
Operation	34,825.00	34,825.00
Repairs and Replacements	9,000.00	9,000.00
Equipment	1,400.00	1,400.00
Permanent Improvements	400.00	
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	\$196,550.00	\$200,500.00

J-1½ UNIVERSITY OF DELAWARE

DEFICIT APPROPRIATION 1930-31

Operation	\$ 5,000.00	
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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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APPROPRIATIONS

University of
Delaware

J-4 UNIVERSITY OF DELAWARE

SMITH-LEVER AGRICULTURAL EXTENSION

Salaries and Wages	\$ 8,780.11	\$ 8,780.11
Travel	5,500.00	5,500.00
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	\$ 14,280.11	\$ 14,280.11

J-5 UNIVERSITY OF DELAWARE

SCHOOL OF AGRICULTURE

Scholarships	\$ 500.00	\$ 500.00
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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	450.00	450.00
Travel	300.00	300.00
Operation	5,150.00	5,150.00
Repairs and Replacements	2,300.00	800.00
Equipment	300.00	300.00
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	\$ 21,500.00	\$ 20,000.00

J-8 UNIVERSITY OF DELAWARE

POULTRY AND ENTOMOLOGY

Salaries and Wages	\$ 4,000.00	\$ 4,000.00
Office Expense	200.00	200.00
Travel	1,200.00	1,200.00
Operation	1,200.00	1,200.00
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	\$ 6,600.00	\$ 6,600.00

APPROPRIATIONS

J-9 STATE COLLEGE FOR COLORED STUDENTS

State College
for Colored
Students

GENERAL ADMINISTRATION

Salaries and Wages	\$ 17,850.00	\$ 17,850.00
Office Expense	1,400.00	1,400.00
Travel	550.00	550.00
Operation	14,150.00	14,150.00
Repairs and Replacements	6,255.00	4,255.00
Equipment	3,550.00	
Permanent Improvements	500.00	500.00
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	\$ 44,255.00	\$ 38,705.00

J-9½ STATE COLLEGE FOR COLORED STUDENTS

DEFICIT APPROPRIATION 1930-31

Operation	\$ 5,460.00	
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J-10 STATE COLLEGE FOR COLORED STUDENTS

U. S. Government Appropriation	\$ 10,000.00	\$ 10,000.00
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J-11 STATE BOARD OF VOCATIONAL EDUCATION

State Board
of Vocational
Education

Children not under sixteen or over twenty-one years	\$ 300.00	\$ 300.00
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AGRICULTURE

K-1 STATE BOARD OF AGRICULTURE

State Board
of Agriculture

GENERAL ADMINISTRATION

Salaries and Wages	\$ 7,200.00	\$ 7,200.00
Office Expense	700.00	700.00
Travel	1,400.00	1,400.00
Operation	200.00	200.00

APPROPRIATIONS

Repairs and Replacements	400.00	400.00
Equipment	100.00	100.00
	<u>\$ 10,000.00</u>	<u>\$ 10,000.00</u>

State Board
of Agriculture

K-2 STATE BOARD OF AGRICULTURE

PENINSULA HORTICULTURAL SOCIETY

Office Expense	\$ 500.00	\$ 500.00
Travel	200.00	200.00
Operation	300.00	300.00
	<u>\$ 1,000.00</u>	<u>\$ 1,000.00</u>

K-3 STATE BOARD OF AGRICULTURE

ANALYZING FERTILIZERS AND FEEDS

Salaries and Wages	\$ 10,150.00	\$ 10,150.00
Office Expense	800.00	800.00
Travel	200.00	200.00
Operation	725.00	725.00
Repairs and Replacements	100.00	100.00
Equipment	25.00	25.00
	<u>\$ 12,000.00</u>	<u>\$ 12,000.00</u>

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
	<u>\$ 5,000.00</u>	<u>\$ 5,000.00</u>

K-5 STATE BOARD OF AGRICULTURE

FARMS PRODUCTS INSPECTION

Salaries and Wages	\$ 6,500.00	\$ 6,500.00
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APPROPRIATIONS

Office Expense	200.00	200.00
Travel	1,200.00	1,200.00
Operation	600.00	600.00
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	\$ 8,500.00	\$ 8,500.00

K-6 STATE BOARD OF AGRICULTURE

State Board
of Agriculture

BUREAU OF MARKETS

Salaries and Wages	\$ 5,300.00	\$ 5,300.00
Office Expense	950.00	950.00
Travel	550.00	550.00
Operation	500.00	500.00
Repairs and Replacements	600.00	600.00
Equipment	100.00	100.00
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	\$ 8,000.00	\$ 8,000.00

K-7 STATE BOARD OF AGRICULTURE

POULTRY DISEASES

Salaries and Wages	\$ 9,500.00	\$ 9,500.00
Office Expense	700.00	700.00
Travel	3,400.00	3,400.00
Operation	2,000.00	2,000.00
Repairs and Replacements	300.00	300.00
Equipment	100.00	100.00
	<hr/>	<hr/>
	\$ 16,000.00	\$ 16,000.00

K-8 STATE BOARD OF AGRICULTURE

CATTLE TUBERCULOSIS ERADICATION

Salaries and Wages	\$ 7,500.00	\$ 7,500.00
Office Expense	100.00	100.00
Travel	1,000.00	1,000.00
Operation	50,400.00	41,000.00

APPROPRIATIONS

Repairs and Replacements	950.00	350.00
Equipment	50.00	50.00
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	\$ 60,000.00	\$ 50,000.00

K-9 STATE BOARD OF AGRICULTURE

CORN GROWERS' ASSOCIATION

Salaries and Wages	\$ 50.00	50.00
Office Expense	25.00	25.00
Operation	425.00	425.00
	<hr/>	<hr/>
	\$ 500.00	\$ 500.00

State Board
of Agriculture

K-10 STATE BOARD OF AGRICULTURE

HOG CHOLERA ERADICATION

Operation	\$ 10,000.00	\$ 10,000.00
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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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APPROPRIATIONS

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K-13 STATE BOARD OF AGRICULTURE
JAPANESE BEETLE ERADICATION

State Board
of Agriculture

Salaries and Wages	\$ 8,500.00	\$ 8,500.00
Office Expense	100.00	100.00
Travel	100.00	100.00
Operation	900.00	900.00
Repairs and Replacements	800.00	800.00
Equipment	600.00	600.00
	<hr/>	<hr/>
	\$ 11,000.00	\$ 11,000.00

K-14 STATE BOARD OF AGRICULTURE
APPLE GRADING AND INSPECTION

Salaries and Wages	\$ 2,200.00	\$ 2,200.00
Office Expense	100.00	100.00
Travel	500.00	500.00
Operation	200.00	200.00
	<hr/>	<hr/>
	\$ 3,000.00	\$ 3,000.00

K-15 STATE BOARD OF AGRICULTURE
DELAWARE STATE POULTRY ASSOCIATION

Prizes and Expenses	\$ 600.00	\$ 600.00
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K-16 KENT AND SUSSEX FAIR

Operation	\$ 8,500.00	\$ 8,500.00
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INDUSTRY

L-1-4 LABOR COMMISSION OF DELAWARE

Labor
Commission
of Delaware

(Salaries and Wages)

Child Labor Inspector	\$ 2,100.00	\$ 2,100.00
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Labor
Commission
of Delaware

APPROPRIATIONS

Ten Hour Law Inspector	1,500.00	1,500.00
Secretary	100.00	100.00
Salaries and Wages (Additional)	1,870.00	1,870.00
	<hr/>	<hr/>
	\$ 5,570.00	\$ 5,570.00
Office Expense	1,380.00	1,380.00
Travel	250.00	250.00
Operation	400.00	400.00
Repairs and Replacements	350.00	350.00
Equipment	50.00	50.00
	<hr/>	<hr/>
	\$ 8,000.00	\$ 8,000.00

PUBLIC DEFENSE

National
Guard

M-1-3NATIONAL 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)	6,150.00	6,150.00
	<hr/>	<hr/>
	\$ 12,250.00	\$ 12,250.00
Office Expense	1,500.00	1,500.00
Travel	1,200.00	1,200.00
Operation	4,600.00	4,600.00
Repairs and Replacements	1,000.00	1,000.00
Equipment	500.00	500.00
Premium-Workmen's Compensation	1,500.00	1,500.00
	<hr/>	<hr/>
	\$22,550.00	\$22,550.00

M-4 NATIONAL GUARD

STATE RIFLE RANGE

Salaries and Wages	\$2,000.00	\$2,000.00
Operation	1,100.00	1,100.00

APPROPRIATIONS

Repairs and Replacements	225.00	225.00
Equipment	25.00	25.00
	<hr/>	<hr/>
	\$3,350.00	\$3,350.00

M-5 NATIONAL GUARD

National
Guard

BATTERIES, HEADQUARTERS AND BANDS

General Maintenance	\$ 10,900.00	\$ 10,900.00
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M-5½ NATIONAL GUARD

Maintenance of 5 Armories out- side of Wilmington	\$ 2,000.00	\$ 2,000.00
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M-5½ NATIONAL GUARD

Allowance for Regimental Band ..	\$ 2,500.00	\$ 2,500.00
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M-6 NATIONAL GUARD

Clothing Allowance to Officers ..	\$ 1,350.00	\$ 1,350.00
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M-7 NATIONAL GUARD

Emergency Appropriation	\$ 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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HIGHWAYS

N-1 STATE HIGHWAY DEPARTMENT

Maintenance of Wharf at Little Creek	\$ 100.00	\$ 100.00
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APPROPRIATIONS

LIBRARIES

State
Librarian

O-1-3 STATE LIBRARIAN

(Salaries and Wages)

State Librarian	\$ 1,200.00	\$ 1,200.00
Clerk	100.00	100.00
	<hr/>	<hr/>
	\$1,300.00	\$ 1,300.00
Office Expense	80.00	80.00
Repairs and Replacements	500.00	200.00
Equipment	500.00	500.00
	<hr/>	<hr/>
	\$ 2,380.00	\$ 2,080.00

State
Library
Commission

O-4 STATE LIBRARY COMMISSION

Salaries and Wages	\$ 4,700.00	\$ 4,700.00
Office Expense	450.00	450.00
Travel	550.00	550.00
Operation	530.00	530.00
Repairs and Replacements	700.00	700.00
Equipment	3,070.00	3,070.00
	<hr/>	<hr/>
	\$10,000.00	\$ 10,000.00

Rehoboth
Free Library

O-5 REHOBOTH FREE LIBRARY

Operation	\$ 37.50	\$ 37.50
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Dover Free
Library

O-5 DOVER FREE LIBRARY

Operation	\$ 250.00	\$ 250.00
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Corbit Free
Library

O-5 CORBIT FREE LIBRARY

Operation	\$ 50.00	\$ 50.00
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Milford Free
Library

O-5 MILFORD FREE LIBRARY

Operation	\$ 250.00	\$ 250.00
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APPROPRIATIONS

0-5 FRANKFORD FREE LIBRARY

Frankford
Free Library

Operation	\$	100.00	\$	50.00
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0-6 STATE FEDERATION OF CLUBS

State
Federation
of Clubs

Equipment (Books)	\$	100.00	\$	100.00
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HISTORICAL RECORDS

P-1 PUBLIC ARCHIVES COMMISSION

Public
Archives
Commission

Salaries and Wages	\$	5,200.00	\$	5,200.00
Office Expense		125.00		125.00
Travel		50.00		50.00
Repairs and Replacements		50.00		50.00
Equipment		575.00		575.00

	\$	6,000.00	\$	6,000.00
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P-2 HISTORICAL SOCIETY OF DELAWARE

Office Expense	\$	300.00	\$	300.00
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P-3 PORTRAIT COMMISSION OF DELAWARE

Portrait
Commission
of Delaware

Repairs and Replacements ..	\$	250.00	\$	250.00
Equipment		250.00		250.00

	\$	500.00	\$	500.00
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CARE OF STATE PROPERTY

Care of
State Property

Q-1 STATE CUSTODIAN

Custodian

(Salaries and Wages)

State Custodian	\$	1,500.00	\$	1,500.00
Janitors		4,920.00		4,920.00
Salaries and Wages (Additional)		700.00		700.00

	\$	7,120.00	\$	7,120.00
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Office Expense		100.00		100.00
Operation		7,500.00		7,500.00

APPROPRIATIONS

Repairs and Replacements	1,500.00	1,500.00
Equipment	940.00	940.00
	<hr/>	<hr/>
	\$ 17,160.00	\$ 17,160.00

Insurance
on State
Property

Q-2 STATE INSURANCE COMMISSIONER

Fire Insurance on State Property	\$ 30,000.00	\$ 30,000.00
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State Board
of Repairs

Q-3 STATE BOARD OF REPAIRS

Repairs and Replacements	\$ 5,000.00	\$ 5,000.00
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Robbins Hose
Company

Q-4 ROBBINS HOSE COMPANY

Operation	\$ 250.00	\$ 250.00
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Aetna Hose,
Hook and
Ladder
Company

Q-5 AETNA HOSE, HOOK AND LADDER COMPANY

Operation	\$ 250.00	\$ 250.00
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Good Will
Fire Company

Q-6 GOOD WILL FIRE COMPANY

Operation	\$ 250.00	\$ 250.00
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CONSERVATION OF NATURAL RESOURCES

State Forestry
Department

R-1 STATE FORESTRY DEPARTMENT

GENERAL ADMINISTRATION

Salaries and Wages	\$ 6,000.00	\$ 6,000.00
Office Expense	760.00	760.00
Travel	1,200.00	1,200.00
Operation	3,000.00	3,040.00
Repairs and Replacements	340.00	100.00
Equipment	300.00	600.00
Permanent Improvements	400.00	300.00
	<hr/>	<hr/>
	\$ 12,000.00	\$ 12,000.00

APPROPRIATIONS

R-1½ STATE FORESTRY DEPARTMENT

State Forestry
Department

SPECIAL FIRE PROTECTION AND EXTINCTION

Salaries and Wages	\$ 1,440.00	\$ 1,400.00
Office Expense	1,100.00	850.00
Travel	1,200.00	1,200.00
Operation	7,000.00	5,500.00
Repairs and Replacements	240.00	175.00
Equipment	1,680.00	95.00
Permanent Improvements	8,920.00	
	<hr/>	<hr/>
	\$ 21,580.00	\$ 9,220.00

R-2 GAME AND FISH COMMISSION

Game and
Fish
Commission

Salaries and Wages		\$ 22,500.00
Office Expense	\$ 1,535.00	1,535.00
Travel	6,275.00	6,275.00
Operation	7,686.35	8,405.00
Repairs and Replacements	900.00	900.00
Equipment	800.00	800.00
Permanent Improvements	200.00	200.00
	<hr/>	<hr/>
	\$ 17,396.35	\$ 40,615.00

GENERAL

S-1 BOND PREMIUMS

Bond
Premiums

State Officers	\$ 750.00	\$ 2,600.00
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S-2 STATE DEPARTMENTAL SUPPLIES

State
Supplies

Office Expense	\$ 45,000.00	\$ 45,000.00
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S-3 DELAWARE WATERFRONT COMMISSION

Delaware
Waterfront
Commission

Expenses of Commission	\$ 1,500.00	\$ 1,500.00
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Grand Total, General Fund	\$2,977,365.81	\$2,596,369.86
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APPROPRIATIONS

Repeal

All Acts or parts of Acts inconsistent herewith are hereby repealed insofar as the inconsistency may occur only.

Approved March 23, 1931.

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CHAPTER 22

STATE REVENUE
APPROPRIATIONS

AN ACT to provide for the payment of the bonded indebtedness of the State of Delaware out of the monies of the General Fund.

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

Section 1. That all monies in the General Fund of the State of Delaware, in excess of the sum of Three Million Dollars (\$3,000,000.00), at the close of the fiscal year ending June 30, 1932, or as much thereof as may be needed, shall be and are hereby made available and appropriated for the payment of any bonds of the State then outstanding and unpaid.

Money in
General Fund
in excess of
\$3,000,000 on
June 30, 1932,
applied to
bonded
indebtedness

Section 2. The amount of money herein made available for the payment and redemption of bonds of the State outstanding shall be paid into the Sinking Fund of the State by the State Treasurer, and in such amounts as needed, upon the request of the Governor, Secretary of State and Auditor of Accounts. Said request shall show the bonds intended to be paid or redeemed and the exact amount required. When such amounts have been paid into the Sinking Fund as herein provided, the redemption or payment of said bonds shall be made as provided by the Statutes of the State of Delaware. Such amounts as requested shall not at any time impair a balance of at least Three Million Dollars (\$3,000,000.00) as herein provided.

Excess paid
into Sinking
Fund

Approved April 25, 1931.

CHAPTER 23

STATE REVENUE

APPROPRIATIONS

AN ACT appropriating ten thousand dollars (\$10,000.00) for installing cost accounting systems in certain State institutions to be designated by the Governor.

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

Appropriation
for Cost
accounting
systems

Institutions
designated by
Governor

Auditor of
Accounts to
install

Section 1. The sum of Ten Thousand Dollars (\$10,000.00) is hereby appropriated out of the General Funds of the State of Delaware, not otherwise appropriated, for the purpose of installing cost accounting systems in such State institutions as may be designated by the Governor.

Section 2. The Auditor of Accounts shall, under the direction and subject to the supervision of the Governor, cause the installation of said cost accounting system, and the said Auditor of Accounts is hereby authorized to employ the services of such assistant or assistants as may be required for said work, and to pay for the same out of the fund hereby appropriated.

Approved April 25, 1931.

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CHAPTER 24

STATE REVENUE

STATE CONTINGENT FUND

AN ACT to create a State Contingent Fund to appropriate money therefor and provide the manner in which it shall be expended.

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 from the General Fund in the Treasury of the State of Delaware, not otherwise appropriated, the sum of Fifty Thousand Dollars (\$50,000.00) for the fiscal year from July 1st, 1931 to June 30th, 1932, and an additional sum of Fifty Thousand Dollars (\$50,000.00) for the fiscal year from July 1st, 1932 to June 30th, 1933, to be known as the "State Contingent Fund."

Section 2. Said appropriation shall be used and expended for the sole purpose of meeting any emergencies requiring the expenditure of money which may arise or exist in the administration of the affairs of any institution supported in whole or in part by funds appropriated by the General Assembly of the State of Delaware, or in the Executive or Judicial Departments of the State of Delaware.

Section 3. The expenditure of said money shall only be available and expended upon the approval in writing of The Governor, Secretary of State, Auditor of Accounts and State Treasurer, or upon the approval in writing of the Governor and any two of the Secretary of State, Auditor of Accounts, and the State Treasurer. The State Treasurer is authorized and directed to pay any warrants issued as herein provided, and charge the same to the aforesaid fund.

Section 4. The expenditure of any monies by reason of the power granted herein shall not exceed the sum of Fifty Thousand Dollars (\$50,000.00) during any one of the

STATE CONTINGENT FUND

Unexpended
balance to
revert

fiscal years as herein appropriated, and in the event that at the close of either two said years there remains to the credit of the said "State Contingent Fund" any unexpended balance, the said balance then remaining unexpended at the close of said fiscal year shall revert to the General Fund of the State of Delaware.

Same
conditions to
apply to
future appro-
priations

Section 5. Appropriations to the "State Contingent Fund" which may be made hereafter shall be subject to the same conditions as to the payment for specified purposes as those applying to the appropriation herein made.

Approved April 22, 1931.

CHAPTER 25

STATE REVENUE

APPROPRIATIONS

AN ACT making an appropriation for a survey of county government and taxation in the three counties 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 One Thousand Dollars (\$1,000) be and the same is hereby appropriated out of the General Fund of the State of Delaware to defray the cost of a survey of county government and taxation in the three counties of the State. The survey shall be made under the direction of the Governor, and the report thereof, with such recommendations as the Governor may deem advisable, shall be transmitted to the next session of the General Assembly of the State of Delaware.

Appropriation
for survey of
County
Government

Under
direction of
Governor

Report to
General
Assembly

Section 2. The said sum of One Thousand Dollars (\$1,000) so appropriated shall be paid by the State Treasurer from the General Fund upon vouchers approved by the Governor.

Amount

Section 3. This Act shall be known as a "Supplementary Appropriation Bill."

Approved April 22, 1931.

CHAPTER 26

STATE REVENUE

FIRE COMPANIES

AN ACT appropriating money to certain fire companies in the State of Delaware.

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

Appropriations to Fire Companies outside Wilmington

For maintenance of equipment

\$500.00

Section 1. That to each and every Fire Company in the State of Delaware, outside the limits of the City of Wilmington, which was, on the first day of January A. D. 1931, and is now, duly organized and equipped for the fighting of fires, there is hereby appropriated the Sum of Five Hundred Dollars annually for each of the years 1931 and 1932, to be used in the maintenance of apparatus and equipment.

The said sum of Five Hundred Dollars shall be paid by the State Treasurer to each of the said Fire Companies on the first day of July of each of the said years 1931 and 1932.

Section 2. That 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 March 30, 1931.

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CHAPTER 27

STATE REVENUE

KENT AND SUSSEX FAIR, INC.

AN ACT appropriating certain monies 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 Eighty-Five Hundred Dollars (\$8,500.00) 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, 1931, and ending June 30, 1932 and a like sum of Eighty-Five Hundred Dollars (\$8,500.00) for the fiscal year beginning July 1, 1932, and ending June 30, 1933. 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,

Appropriations to Kent and Sussex County Fair, Inc.

For Prizes

Awarded

Annual statement to State Auditor

Payment after statement audited

KENT AND SUSSEX FAIR, INC.

Amount

said sum shall not exceed Eighty-Five Hundred Dollars (\$8,500.00) for each of said years and should said sum be less than the amount appropriated by this Act, then the unused balance shall each year remain in and revert to the State Treasury and shall in no case be paid to said corporation.

Unused
funds to
revert

Section 2. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved April 3, 1931.

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CHAPTER 28

STATE REVENUE

SHADE TREES ON DOVER GREEN

AN ACT making an appropriation for the care and treatment of the Shade Trees on the Dover Green.

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

Section 1. That the sum of One Thousand Dollars be and the same is hereby appropriated to the credit of the State Forestry Department of the State of Delaware for the purpose of defraying one-half of the cost and expenses of the restoration, care and treatment, removal and replacement of the shade trees on the Dover Green, in the City of Dover, said amount to be paid during the next two years by the State Treasurer upon warrants drawn, from time to time, by the State Forestry Commission; provided, nevertheless, that each and every warrant drawn by the State Forestry Commission, as above stated, shall be for such an amount as shall represent only one-half of the cost and expenses then due and owing in accordance with this Act; and provided further, that no such warrant shall be paid by the State Treasurer, as above provided, until the City Council of the City of Dover shall first have advanced to the State Forestry Department a sufficient sum to pay one-half of the amount then due and owing as aforesaid.

Section 2. That all work in connection with the restoration, care and treatment, removal and replacement of the shade trees on the Dover Green, as provided for in this Act, shall be done under the direction of the State Forestry Department and the City Council of the City of Dover or such agency as the said City Council shall designate.

SHADE TREES ON DOVER GREEN

Section 3. That this Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the general fund of the State Treasury.

Approved April 25, 1931.

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CHAPTER 29

STATE REVENUE

LEWES WHARF

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, except railroad property, 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.

State Highway
Department
to acquire
land and
water rights
at Lewes

For piers,
wharves,
docks

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.

Acquired
rights part of
State Highway
System

Maintained
by State

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

Construction
under Laws of
State of
Delaware

LEWES WHARF

in the construction of the whole or a part of any such highway.

Charges for
use of, and
regulations
governing

Section 4. The State Highway Department shall prescribe 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.

\$60,000
appropriated

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 monies 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 6, 1931.

CHAPTER 30

STATE REVENUE

DEVRIES MONUMENT

AN ACT appropriating certain monies for the purpose of repairing and fencing in the DeVries Monument at Lewes.

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

Section 1. That the Governor be and he is hereby authorized and requested to select a Committee of three citizens of the town of Lewes, whose duty it shall be to have such repairs made to the DeVries Monument at Lewes as they, in their judgment, may deem proper. They shall also provide a suitable fence or railing around said monument to protect and beautify the same.

Committee of
Lewes Citizens
to have
repairs made
to DeVries
Monument

Section 2. That the sum of Seven Hundred and Fifty Dollars (\$750.00) is hereby appropriated from any moneys in the State Treasury not otherwise appropriated. The State Treasurer is directed to pay from this appropriation upon warrants signed by the Chairman of said Committee and approved by the Governor.

\$750
appropriated

Approved March 30, 1931.

CHAPTER 31

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, now the present site of Lewes, led directly to Delaware becoming an independent colony and State instead of a part of some other Commonwealth; and

WHEREAS, the last General Assembly provided for the appointment of a committee for the preparation of plans for a fitting celebration on the occasion of the three hundredth anniversary of such settlement; and

Report of
Committee
on Lewes
Celebration

WHEREAS, pursuant to the Act of the General Assembly, the Governor appointed a committee, which committee has made a report to the present General Assembly suggesting the erection in the town of Lewes of a building which should be a reproduction in reduced size of the town hall in the town of Hoorn in Holland from which the original settlers came, and have suggested the appointment of a commission to carry out the above plans; therefore,

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

Governor to
select Lewes
Tercentenary
Commission

Duty of
Commission

Section 1. That as soon as possible after the approval of this Act, the Governor be and is hereby authorized and requested to select a commission, to be known as the Lewes Tercentenary Commission, of seven residents of this State, whose duty it shall be to provide a site for the said building, the price of which site shall not in any event

CELEBRATION AT LEWES

exceed the sum of Five Thousand Dollars (\$5,000.00), for the erection thereof and to prepare for such celebration in connection with the erection of the said building as to the said commission may seem proper.

Certain
expenditure
not to exceed
\$5,000

Section 2. If the said Lewes Tercentenary Commission cannot agree with the owner or owners for the purchase of any land with or without improvements thereon in the town of Lewes deemed by the said commission necessary for the purpose of erecting the building mentioned in this Act to be used in connection with said memorial, the said Lewes Tercentenary Commission may apply to the Associate Judge of the State of Delaware, resident in Sussex County, first giving to the other party owner or owners at least five days' notice in writing of the intended application to the said resident Judge; if said other party owner or owners be unknown, or without the State, then such notice shall be published in some newspaper in Sussex County at least five days prior to the intended application; the said Associate Judge shall appoint five judicious and impartial free-holders to view the premises and assess the damages which the owner or owners will sustain by the reason of taking or using such land; the said free-holders shall be sworn or affirmed before some Judge, Justice of the Peace, or Notary Public before entering on the premises, faithfully and impartially to perform the duties assigned to them; they shall give ten days notice, in writing, to the owner or owners of the premises, or to his, her or their guardian or guardians duly appointed according to law, if within the State, and the same notice to the Chairman of the Lewes Tercentenary Commission of the time of their meeting to view the premises; the said condemnation commissioners shall certify their finding and award to both parties and to the said resident Judge; if either party is dissatisfied with the damages so assessed, such party may upon application to the Prothonotary of the Superior Court of the State of Delaware, in and for Sussex County within twenty days after such assessment sue out a writ of ad quod damnum requiring the Sheriff, in the usual form, to inquire

Condemnation
of land.

Notice to
owners

Proceedings if
either party
dissatisfied

CELEBRATION AT LEWES

Payment of
damages

If owner is
minor,
incapable or
non-resident,
deposit of
money

Expenses

\$55,000
appropriated
for land,
building and
celebration

of twelve impartial men of his bailiwick of the damages as aforesaid, and their report shall be final; the said condemnation commissioners shall, in assessing the damages as aforesaid, award the actual cash value, in their judgment, of the land so to be taken and used as aforesaid; upon the finding of the said condemnation commissioners, or the said Jury, the Lewes Tercentenary Commission shall pay the damages so assessed and the said lands shall thereupon be vested in the State of Delaware to be had, held, used and enjoyed by the said Lewes Tercentenary Commission for the purposes set out in this Act; in case any owner or owners of land, necessary and taken for the purposes as aforesaid, shall be a minor or non-resident or for any cause incapable of receiving or unwilling or neglecting to receive said damages, the said Lewes Tercentenary Commission may deposit the amount of said damages to the credit of such owner or owners in the Farmers' Bank of the State of Delaware, at Georgetown, subject to his, her, or their order; whereupon the said Lewes Tercentenary Commission for and in behalf of the State of Delaware and for the uses set forth in this Act shall be entitled to have, hold, use and enjoy the said lands described and condemned in said report and required for the purpose aforesaid for and on account of which said damages shall have been so assessed; the expenses of the assessment by the said condemnation commissioners of the damages aforesaid shall be paid by the Lewes Tercentenary Commission and the fees of the said Sheriff, Prothonotary and all costs incurred in the execution of the writ of ad quo damnum shall be paid by the party making the application for said writ.

Section 3. That the sum of fifty five thousand dollars (\$55,000.00) 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 commission in obtaining said land and erecting said building and providing for the celebration incident thereto. The

CELEBRATION AT LEWES

State Treasurer is directed to pay from the appropriation, ^{State Treasurer to pay upon warrants} upon warrants signed by the Chairman of said commission and approved by the Governor.

After the erection and completion of said building, the same shall be under the custody and control of the commission hereby created, subject to the further action of the General Assembly. ^{Building under control of Commission subject to action of General Assembly}

The members of the Lewes Tercentenary Commission, after the first appointment, shall hold office for the term of seven years. As soon as practicable after their first appointment the members of the Commission shall agree among themselves as to the length of term of each member so that the term of one member shall terminate at the expiration of each year. Annually thereafter there shall be appointed by the Governor one member of the Commission to fill the vacancy caused by the expiration of a term and any other vacancy in the Commission shall be filled by appointment of the Governor for the residue of the term. ^{Terms of members}
^{Appointments by Governor}

Approved April 25, 1931.

CHAPTER 32

STATE REVENUE

MEMORIAL DAY OBSERVANCE

AN ACT to amend Chapter 48, Volume 34, Laws of Delaware, making an appropriation to the American Legion, Department 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:

Chapter 48,
Vol. 34, Laws
of Delaware,
amended

Section 1. That Chapter 48, Volume 34, Laws of Delaware, be, and the same is hereby amended by repealing all of said Chapter, and substituting in lieu thereof the following:

Annual
appropriation

Section 2. That the sum of Two Thousand Dollars (\$2,000.00) 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 American Legion, Department of Delaware, for the purpose of defraying the expenses incurred by the several American Legion Posts in said State, in the proper observance of Memorial Day in the State of Delaware.

To American
Legion

For observ-
ance of
Memorial
Day

Apportion-
ment among
Posts

Section 3. The Executive Committee of the American Legion, Department of Delaware, shall annually apportion the said sum of Two Thousand Dollars (\$2000.00) in a just and equitable manner among the several American Legion Posts in this State, for the purpose of assisting in the proper observance of Memorial Day, and the said Finance Officer shall pay to the said several Posts the amount apportioned by said Department Executive Committee.

Section 4. This Act shall be known as a "Supplementary Appropriation Bill."

Approved April 25, 1931.

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CHAPTER 33

STATE REVENUE

BURIAL OF SOLDIERS, SAILORS AND MARINES

AN ACT making an appropriation to the United Spanish War Veterans of the State of Delaware for the burial of indigent soldiers, sailors and marines and for the care of and aid to same in times of distress.

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 to the United Spanish War Veterans of the State of Delaware for the burial of indigent Soldiers, Sailors and Marines and for the care of and aid to same in times of distress. The said sum shall be paid on or before the first day of May in each and every year by the State Treasurer of the State of Delaware to the duly elected Finance Officer of the United Spanish War Veterans of the State of Delaware upon warrants drawn by the State Auditor from time to time upon vouchers approved and submitted by the said Finance Officer.

\$500 appropriated to United Spanish War Veterans

For care and burial of indigent Soldiers, Sailors and Marines

Section 2. This Act shall be known as a Supplementary Appropriation Act and the sum hereby appropriated shall be paid out of the General Funds in the State Treasury not otherwise appropriated.

Approved April 22, 1931.

CHAPTER 34

STATE REVENUE

APPROPRIATION TO CERTAIN HOSPITALS

AN ACT appropriating moneys to certain hospitals in the State of Delaware.

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

\$11,700
appropriated
to Kent
General
Hospital

Section 1. That the sum of Eleven Thousand Seven Hundred Dollars (\$11,700.00) shall be and the same is hereby appropriated to the Kent General Hospital, at Dover, for its maintenance, equipment and operation, said sum of Eleven Thousand Seven Hundred Dollars (\$11,700.00) to be paid in equal installments of Five Thousand Eight Hundred Fifty Dollars (\$5,850.00) on the first day of July 1931 and on the first day of July 1932.

When payable

\$10,500
appropriated
to Milford
Emergency
Hospital

Section 2. That the sum of Ten Thousand Five Hundred Dollars (\$10,500.00) shall be and the same is hereby appropriated to the Milford Emergency Hospital, at Milford, for its maintenance, equipment and operation, said sum of Ten Thousand Five Hundred Dollars (\$10,500.00) to be paid in equal installments of Five Thousand Two Hundred Fifty Dollars (\$5,250.00) on the first day of July 1931 and on the first day of July 1932.

When Payable

\$9,000
appropriated
to Marshall
Hospital

Section 3. That the sum of Nine Thousand Dollars (\$9,000.00) shall be and the same is hereby appropriated to the Marshall Hospital, at Milford, for its maintenance, equipment and operation, said sum of Nine Thousand Dollars (\$9,000.00) to be paid in equal installments of Four Thousand Five Hundred Dollars (\$4,500.00) on the first day of July 1931 and on the first day of July 1932.

When payable

\$15,000
appropriated
to Beebe
Hospital

Section 4. That the sum of Fifteen Thousand Dollars (\$15,000.00) shall be and the same is hereby appropriated to the Beebe Hospital at Lewes, Incorporated, at Lewes, for

APPROPRIATIONS TO CERTAIN HOSPITALS

its maintenance, equipment and operation, said sum of Fifteen Thousand Dollars (\$15,000.00) to be paid in equal installments of Seven Thousand Five Hundred Dollars (\$7,500.00) on the first day of July 1931 and on the first day of July 1932. ^{When payable}

Section 5. 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 not otherwise appropriated, in accordance with the provisions of this Act.

Approved April 29, 1931.

TITLE FOUR

Public Arms and Defense

CHAPTER 35

DELAWARE NATIONAL GUARD

AN ACT to amend Chapter 8 of the Revised Code of the State of Delaware, as amended, relating to Public Arms and Defense.

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

Section 1. That 310 Sec. 18 of Chapter 8 of the Revised Code as amended by Chapter 22, Volume 32, Laws of Delaware and as further amended by Chapter 46, Volume 33, Laws of Delaware be and the same is hereby further amended by striking out all of 310 G Sec. 18 G thereof, and by substituting in lieu thereof a new section to be styled 310 G Sec. 18 G.

310 G Sec. 18 G 310 G Sec. 18 G. Fines; How Collected; Procedure Before Justice of the Peace; Commitment: Upon the finding of any such Court-Martial or summary Court imposing any of said fines, and upon the approval of the finding by the officer appointing said Courts, the fine or fines so imposed shall be and become at once payable to the Judge Advocate in the case of General or Special Courts-Martial and to the Summary Court Officer in the case of a Summary Court-Martial.

Section 2. All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 22, 1931.

CHAPTER 36

DELAWARE NATIONAL GUARD

AWARDING OF MEDALS

AN ACT to amend an Act entitled "An Act to Provide for the Awarding of Medals to the Officers and Enlisted Men of the Delaware National Guard for Distinguished Service" same being Chapter 35, 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 of Chapter 35, Volume 35, Laws of Delaware be and the same is hereby amended by inserting the word "have" between the word "shall" and the word "distinguished" appearing in the sixth line of said Section 1. Sec. 1, Chap. 35, Vol. 35, Laws of Delaware, amended

Section 2. That Section 1 of Chapter 35, Volume 35, Laws of Delaware be and the same is hereby further amended by adding a new paragraph at the end of said Section 1 to read as follows: Sec. 1, Chap. 35, Vol. 35, Laws of Delaware, amended

"Only one medal shall be awarded to any one person. For each service subsequent to the above, a gold star three-sixteenths of an inch in diameter, shall be given to the one who has earned the medal, which said star shall be affixed to the ribbon of said medal". Only one medal given to one person. Gold star added

Section 3. That Section 2 of Chapter 35, Volume 35, Laws of Delaware be and the same is hereby amended by adding at the end of said Section 2 a new paragraph to be numbered "5" which new paragraph shall read as follows: Sec. 2, Chap. 35, Vol. 35, Laws of Delaware, amended

"5. Only one medal shall be awarded to any one person. For each service subsequent to the above, a bronze star three-sixteenths of an inch in diameter, shall be given One medal awarded to one person

TITLE FOUR

Public Arms and Defense

CHAPTER 35

DELAWARE NATIONAL GUARD

AN ACT to amend Chapter 8 of the Revised Code of the State of Delaware, as amended, relating to Public Arms and Defense.

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

Section 1. That 310 Sec. 18 of Chapter 8 of the Revised Code as amended by Chapter 22, Volume 32, Laws of Delaware and as further amended by Chapter 46, Volume 33, Laws of Delaware be and the same is hereby further amended by striking out all of 310 G Sec. 18 G thereof, and by substituting in lieu thereof a new section to be styled 310 G Sec. 18 G.

310 G Sec. 18 G 310 G Sec. 18 G. Fines; How Collected; Procedure Before Justice of the Peace; Commitment: Upon the finding of any such Court-Martial or summary Court imposing any of said fines, and upon the approval of the finding by the officer appointing said Courts, the fine or fines so imposed shall be and become at once payable to the Judge Advocate in the case of General or Special Courts-Martial and to the Summary Court Officer in the case of a Summary Court-Martial.

Fines

Payable to

Section 2. All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 22, 1931.

CHAPTER 36

DELAWARE NATIONAL GUARD

AWARDING OF MEDALS

AN ACT to amend an Act entitled "An Act to Provide for the Awarding of Medals to the Officers and Enlisted Men of the Delaware National Guard for Distinguished Service" same being Chapter 35, 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 of Chapter 35, Volume 35, Laws of Delaware be and the same is hereby amended by inserting the word "have" between the word "shall" and the word "distinguished" appearing in the sixth line of said Section 1. Sec. 1, Chap. 35, Vol. 35, Laws of Delaware, amended

Section 2. That Section 1 of Chapter 35, Volume 35, Laws of Delaware be and the same is hereby further amended by adding a new paragraph at the end of said Section 1 to read as follows: Sec. 1, Chap. 35, Vol. 35, Laws of Delaware, amended

"Only one medal shall be awarded to any one person. For each service subsequent to the above, a gold star three-sixteenths of an inch in diameter, shall be given to the one who has earned the medal, which said star shall be affixed to the ribbon of said medal". Only one medal given to one person. Gold star added

Section 3. That Section 2 of Chapter 35, Volume 35, Laws of Delaware be and the same is hereby amended by adding at the end of said Section 2 a new paragraph to be numbered "5" which new paragraph shall read as follows: Sec. 2, Chap. 35, Vol. 35, Laws of Delaware, amended

"5. Only one medal shall be awarded to any one person. For each service subsequent to the above, a bronze star three-sixteenths of an inch in diameter, shall be given One medal awarded to one person

AWARDING OF MEDALS

Star added to the one who has earned the medal, which said star shall be affixed to the ribbon of said medal".

Section 4. All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 22, 1931.

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TITLE FIVE

Legislation

CHAPTER 37

RECORDING OF PRIVATE ACTS

AN ACT to revive and extend the Time for Recording Private Acts.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch 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 provision 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.

An Act to
revise and
extend time
for Recording
Private Acts

Not applicable
to void act
until Certified
Copy duly
Recorded

Must be
recorded
within year

RECORDING OF PRIVATE ACTS

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

Approved April 25, 1931.

CHAPTER 38

REVISION AND CODIFICATION OF PUBLIC LAWS

AN ACT providing for the Appointment of a Commission to Revise the Public Laws of the State of Delaware and Codify and Arrange the Same.

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

Section 1. That a commission, consisting of three commissioners, one of whom shall be a resident of each county in this State, who shall be citizens of the State of Delaware and attorneys of recognized ability and knowledge of State Legislation, to be known as The Revised Code Commission, be and the same is hereby created with authority and power to revise the public laws of the State of Delaware and codify and arrange the same.

Revised Code Commission qualifications

Authority to revise and codify laws

Section 2. That the Governor be and he is hereby authorized to select, at his earliest convenience, within the limitations of Section 1 of this Act, three commissioners to constitute the said The Revised Code Commission.

Governor to name Commissioners

In the event of any vacancy in said Commission before the completion of its work, occurring by death, resignation or otherwise, such vacancy shall be filled by like appointment of the Governor.

Vacancy to be filled by Governor

Section 3. That the said Commission is authorized and directed to revise, codify and arrange in a systematic and condensed form, all the statute laws of the State of Delaware of a public and general nature, which shall consist of the laws found in the Revised Code of Delaware, 1915, and all amendments thereto made both at the present and past sessions of the General Assembly, together with such additional Statutes of a public and general nature as have been enacted since the publication of the said Code of 1915 and such as may be enacted at the present session of the

Scope of Duties

REVISION AND CODIFICATION OF PUBLIC LAWS

General Assembly, so as to compress the whole into the smallest practical volume.

Commission to
revise, codify
and arrange
laws

Section 4. That the said Commission is authorized and directed to revise, codify and arrange the said laws in such manner, under such titles and in such language as to the said Commission shall seem best and as the nature and scope of the work may suggest, following as near as practically possible the general scheme and plan of the said Code of 1915, but in no case is the said Commission authorized to omit, add to, amend, alter, change or vary the meaning of any existing law to be embraced in said work.

Not to omit,
alter or amend
meaning of
existing law

Authority of
Commission

Section 5. That the said Commission is authorized to omit enactments that are redundant and have ceased to have any effect on existing rights and remedies, to reject superfluous words, to condense into as concise and comprehensive form as is consistent with a full, clear and exact expression of the will of the Legislature, all circuitous, tautological and ambiguous phraseology, and in a separate report to be made to the next biennial session of the General Assembly, to suggest any mistakes, omissions, inconsistencies and imperfections that may appear in the laws to be revised, codified and arranged in accordance with the provisions of this Act, and the manner in which they may be corrected, supplied and amended by act of the General Assembly.

Report to
General
Assembly
to suggest
corrections

Index to
proposed
code

Section 6. That the laws embraced within the said Code, as revised, codified and arranged by the said Commission, shall be comprehensively and accurately indexed.

Full report to
General
Assembly

Section 7. That the said The Revised Code Commission, in addition to the separate report hereinbefore referred to in Section 5 of this Act, shall make a full and complete report of its work to the next biennial session of the General Assembly, showing the work as completed. The said report shall further contain an accurate itemized statement of the expenses and disbursements of the said Commission, accompanied with vouchers therefor.

Report to
contain
itemized
statement
expenses of

REVISION AND CODIFICATION OF PUBLIC LAWS

Section 8. That the total cost to the State of Delaware shall not exceed the sum of Twenty-five Thousand Dollars and the said Commission is authorized to draw orders, from time to time, signed by all of the Commissioners, upon the State Treasurer for such sum or sums as shall be necessary for defraying its expenses and for paying from time to time reasonable compensation to the said Commissioners, and the State Treasurer, when drawn upon by such orders, shall pay the same out of any money in the general fund of the State Treasury not otherwise appropriated, not exceeding the limit fixed as aforesaid.

\$25,000
appropriated

Expenses and
compensation
of members
paid by State
Treasurer
upon orders

Approved April 29, 1931.

TITLE SIX

State Officers and Commissions

CHAPTER 39

SALARIES OF STATE OFFICERS

AN ACT to amend Chapter 12 of the Revised Code of the State of Delaware, being An Act Relating to "Salaries of State Officers".

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 the repeal of 396 Section 8 thereof and the insertion of the following in lieu of the same, to be styled 396 Section 8:

396 Sec. 8 of
Chap. 12 of
R. C.,
amended

396 Section 8. Attorney General: The salary of the Attorney General shall be Six Thousand Dollars (\$6,000.00) per annum.

396 Sec. 8
Salary of
Attorney
General

Approved March 31, 1931.

CHAPTER 40

SALARIES OF STATE OFFICERS

AN ACT to increase the salaries of the Deputy Attorneys General by amending Chapter 12 of the Revised Code of the State of Delaware.

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

Section 1. That Chapter 12 of the Revised Code of the State of Delaware, as amended by Chapter 54, Volume 34, Laws of Delaware, be and the same is hereby further amended by repealing 397, Section 9 thereof, and by substituting in lieu thereof the following section to be styled "397 Section 9":

397. Section 9. The salary of the Chief Deputy Attorney General shall be Three Thousand Dollars (\$3,000.00) per annum. The salary of the Deputy Attorney General, to be resident in New Castle County, shall be Three Thousand Dollars (\$3,000.00) per annum. The salaries of each of the deputies to be resident in Kent and Sussex Counties respectively, shall be Twenty-five Hundred Dollars (\$2,500.00) per annum.

Approved March 31, 1931.

CHAPTER 41

SALARIES OF STATE OFFICERS

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

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

That Chapter 12 of the Revised Code of the State of Delaware, as amended by Chapter 44, Volume 30, Laws of Delaware, be and the same is hereby further amended by the repeal of 395, Sec. 7, and the insertion in lieu thereof of the following paragraph, which shall be styled 395, Sec. 7:

395. Sec. 7 of
Chap. 12 of
R. C.
amended

395. Sec. 7

Salaries of
Chancellor
and Law
Judges

395. Sec. 7. Judiciary. That from and after the approval hereof by the Governor the Chancellor, Chief Justice and Associate Judges shall receive as compensation for their services the following salaries, to wit: The Chancellor shall receive annually the sum of Ten Thousand Five Hundred Dollars; the Chief Justice shall receive annually the sum of Ten Thousand Five Hundred Dollars; the Associate Judges shall each receive annually the sum of Ten Thousand Dollars.

Compensation
of Chancellor
for Reporting

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

Compensation
of Resident
Associate
Judge of Kent
County for
reporting

Approved March 31, 1931.

CHAPTER 42

SALARIES OF STATE OFFICERS

AN ACT to amend Chapter 12 of the Revised Code of 1915 of the State of Delaware, as amended, by increasing the compensation of the Insurance Commissioner and by providing for an Additional Clerk in the Office of the Insurance Commissioner and by providing a Contingent Fund for the Office of 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 the same has been heretofore amended, be and the same is hereby further amended by repealing all of 394 Sec. 6 of said Chapter 12, and substituting in lieu thereof a new Section to be known as 394 Sec. 6 as follows:

394. Sec. 6. Insurance Commissioner:—The Insurance Commissioner shall receive as full compensation for all the duties required of him by law, the sum of Four Thousand Dollars per annum. He shall also be allowed to appoint a Chief Clerk who shall receive the sum of Eighteen Hundred Dollars per annum, and a Clerk who shall receive the sum of Fifteen Hundred Dollars per annum. He shall also be allowed the sum of Two Thousand Dollars per annum to be used as a contingent fund for the necessary expenses incurred by him in the performance of the duties of his office, but only such part of such contingent fund may be used as is actually required for such expenses, and the unexpended part thereof at the end of the year shall revert to the State Treasury. All fees of every character received by him in the discharge of his office or by virtue thereof, shall be for use of the State, and he shall render an account thereof and pay over the same to the State Treasurer as provided by law.

394. Sec. 6. of
Chap. 12. R. C.
amended

394. Sec. 6

Salary of
Insurance
Commissioner

Salary of
Chief Clerk

Salary of
Clerk

\$2,000 for
contingent
expenses

Unexpended
balance to
revert

Fees for use of
State

Approved May 8, 1931.

CHAPTER 43

ASSISTANT SECRETARY OF STATE

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

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

Section 1. That Chapter 14 of the Revised Code of the State of Delaware be and the same is hereby amended by inserting after Section 454, Section 33 of said Chapter 14 a new section to be styled 454a. Section a, as follows:

Chapter 14 of
R. C. amended
454 A Section
A

Governor
authorized to
appoint
Assistant
Secretary of
State

Power of
Assistant
Secretary

454a Section a. Assistant Secretary of State, Affix Great Seal to Public Records. Use of Seal of Secretary of State:—The Governor is hereby authorized and empowered to appoint an Assistant Secretary of State, who in case of the absence of the Secretary of State from his office may transact all the business of the office of the Secretary of State, and the said Assistant Secretary of State shall have the power and is hereby authorized to make out and register commissions and affix the Great Seal thereto and to all other instruments and records required under the Great Seal, or of which it shall be the proper authentication. The Assistant Secretary of State shall have the power, and is hereby vested with the authority to affix the Seal of the Secretary of State and countersign with his own signature all licenses and other papers of the office of the Secretary of State that may require the signature of the said official.

Copies of
records and
papers duly
certified when
signed by
Assistant
Secretary

Copies of all records and other papers of the office of the Secretary of State, or legally in the custody of said officer, authenticated by the Great Seal or the Seal of the Secretary of State, made under the hand of the Assistant Secretary of State shall be deemed duly certified and shall be competent evidence as though said papers had been certified by the Secretary of State. The Assistant Secretary of

ASSISTANT SECRETARY OF STATE

State shall have authority to perform all the duties required of the Secretary of State except as ex-officio member of any State Commission or Board. The Assistant Secretary of State shall take the oath of office prescribed by the Constitution and serve at the pleasure of the Governor. The Assistant Secretary of State shall receive an annual compensation of Four Thousand Dollars (\$4,000.00) paid in monthly installments as other officers are paid.

To perform
duties as
Secretary of
State except
on Commis-
sions or
Boards

Salary

The term of office of the Assistant Secretary of State to be appointed by the provisions of this Act shall expire on the third Tuesday in January, 1933, and after said third Tuesday in January, 1933, the office of Assistant Secretary of State, created by the provisions of this Act, is hereby abolished.

Term

Office
abolished

Approved January 19, 1931.

CHAPTER 44

STATE TREASURER

AN ACT making the State Treasurer the Depository of the Revenues of certain State Boards, Departments, Commissions and Agencies of the State, and directing the manner in which their expenses shall be paid.

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

State
Treasurer
depository of
Revenues of
Certain
Boards,
Departments
Commissions
and Agencies
of the State

Disbursements
paid by State
Treasurer

Section 1. That from and after the first day of July, 1931, The State Military Board, Oyster Revenue Collector, Board of Boiler Rules, State Board of Undertakers, Board of Examiners of Barbers, State Board of Veterinary Medical Examiners, Medical Council of Delaware, State Board of Dental Examiners, Delaware State Board of Examiners in Optometry, State Board of Examiners of Graduate Nurses, State Board of Accountancy, State Board of Pharmacy, Delaware Real Estate Commission, State Librarian and Industrial Accident Board, shall, and are hereby required to make the State Treasurer the depository of all their income received from taxes, fees and/or operations, either directly or indirectly, and said deposits shall be credited to the General Fund. All disbursements made by the said Boards, Departments, Commissions or Agencies for salaries, expenses or other authorized expenditures shall only be paid by the State Treasurer out of funds appropriated by the General Assembly for that purpose on vouchers issued by the proper officer or officers of the Board, Department, Commission or Agency and approved by the Auditor of Accounts.

Governor may
require other
Departments
to comply
with Act

Section 2. State Boards, Departments, Commissions or Agencies of the State of Delaware, now existing or hereafter created, when not otherwise directed by the General Assembly, may be required by the Governor to comply with the provisions of this Act, either in whole or in part as may be decided by him to be economical and practical.

STATE TREASURER

Section 3. This Act shall not, however, apply to accounts representing funds received by any Board, Department, Commission or Agency from appropriations made pursuant to Acts of Congress of the United States or any endowment funds or gifts whose disposition is specially directed.

Act not to
apply to cer-
tain funds

Approved March 30, 1931.

CHAPTER 45

STATE TREASURER

AN ACT directing the State Treasurer to pay Vouchers of State Departments, Commissions or Boards upon the approval of such Vouchers by Officers of the Departments, Commissions or Boards, except Executive Vouchers.

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

Vouchers
paid without
approval of
Governor

Upon
certification
of proper
officers

Governor to
approve
expenditures
of Executive
Office

Section 1. That on and after the first day of July, 1931, all vouchers for the payment of money issued by any Department, Commission or Board of the State, heretofore requiring the approval of the Governor, shall be paid by the State Treasurer upon the certification by the proper officers of said Department, Commission or Board, and the approval thereof by the Auditor of Accounts, except expenditures of the Executive Office which shall be approved by the Governor as heretofore.

Section 2. Any and all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved April 6, 1931.

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CHAPTER 46

STATE TREASURER

AN ACT authorizing the State Treasurer to destroy matured, paid off, cancelled and called Bonds and Coupons and certain cancelled Duplicate Voucher Checks and Paid Bills and authorizing the State Auditor to destroy certain cancelled Duplicate Voucher Checks and Paid Bills.

WHEREAS, The State of Delaware has issued from time to time bond issues for different purposes, some issues of which have matured, been paid off, cancelled and redeemed; and

WHEREAS, There has been issued in recent years many bonds for the construction of Highways, several issues of which at the present time have been called for payment and cancelled, with indications that more of these issues will be called in the near future; and

WHEREAS, A permanent record has been made of the issues of bonds giving full details of each bond and the disposition of each bond, whether matured, called or cancelled, and the dates of such transactions; and

WHEREAS, The file of both the State Auditor's office and the State Treasurer's office are also congested with certain cancelled duplicate voucher checks and paid bills, which are of no legal value to the State of Delaware and only requiring filing space necessary for other uses; and

File of State Auditor and State Treasurer congested with duplicate vouchers checks and paid bills

WHEREAS, Adequate storage space for the safe keeping and preservation of abovementioned papers, coupons, etc., is not always available; now, therefore,

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

Section 1. The State Treasurer is hereby given au-

STATE TREASURER

State
Treasurer to
destroy
certain bonds

Certificate of
destruction

Witnesses

thority to destroy any paid off, matured, redeemed, called, or cancelled bonds and coupons of the State of Delaware, which he deems advisable, provided he shall retain a Certificate of Destruction or Cremation, which shall be witnessed by the Governor, Secretary of State, State Treasurer, State Auditor, and a representative of the Farmers Bank of the State of Delaware, or at least by a majority of the above referred to witnesses.

State
Treasurer and
State
Auditor
authorized to
destroy
checks and
bills

Section 2. The State Treasurer and State Auditor are hereby authorized to destroy certain cancelled duplicate voucher checks and paid bills of the State of Delaware in their possession which are of no legal value and which are more than five years old.

Section 3. All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 6, 1931.

CHAPTER 47

DEPUTY STATE TREASURER

AN ACT to amend Chapter 15 of the Revised Code of the State of Delaware, as amended, pertaining to the Salary of the Deputy State Treasurer.

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

Section 1. That Chapter 15 of the Revised Code of the State of Delaware, as amended, be, and the same is hereby further amended by the repeal of 456, Section 2 and the insertion in lieu thereof of the following section which shall be styled 456, Section 2.

456. Section 2. The State Treasurer is hereby authorized and empowered to appoint a Deputy at an annual salary of Twenty-four Hundred Dollars (\$2,400.00) to be paid in monthly installments. Said Deputy shall take the oath of office and shall have power to act in the absence or disability of the State Treasurer when so designated by that official, but he shall at all times be removable by the State Treasurer.

456. Sec. 2 of
Chap. 15, R. C.
amended

456. Sec. 2
State
Treasurer
may appoint
Deputy

Salary
Power of

Approved April 8, 1931.

CHAPTER 48

STATE TREASURER

AN ACT requiring the Board of Game and Fish Commissioners to make the State Treasurer the Depository of all its income, and directing the manner in which its expenses shall be paid.

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

State
Treasurer
made
depository of
funds of
Board of
Game and
Fish
Commissioners

Section 1. That from and after the first day of July, 1931, the Board of Game and Fish Commissioners, shall, and are hereby required to, make the State Treasurer the depository of all their income from fees, operations and all other sources, and said deposits shall be credited to the General Fund. All disbursements made by the said Board for their expenses or other authorized expenditures shall only be paid by the State Treasurer out of funds appropriated by the General Assembly for that purpose upon vouchers issued by the proper officers, designated by said Board, and approved by the Auditor of Accounts.

Section 2. The funds remaining in the possession of said Board on June 30, 1931, shall not revert to the General Fund, but shall be expended by said Board for its expenses during the fiscal year ending June 30, 1932, but not thereafter.

Approved April 29, 1931.

CHAPTER 49

AUDITOR OF ACCOUNTS

AN ACT to require all State Departments, Institutions or Agencies being supported entirely or in part by the State of Delaware to have their Fiscal Year end at the same time as the State's; and to require that annual reports shall be made.

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

Section 1. That from and after the first day of July, 1931, all Departments of the State and all Institutions, ^{Fiscal year of State Agencies, etc. to end at same time State fiscal year} bureaus, agencies, societies and commissions being supported entirely or in part by the State of Delaware are hereby required to have their fiscal year end at the same time as the fiscal year of the State of Delaware.

Section 2. That within thirty days after the close of the said fiscal year, a report covering the operation of said ^{Report of operations} Department, bureau, institution, agency and society for the year preceding shall be made and published. One copy of the said report shall be delivered to the Governor for his ^{Copies filed} use and a copy to the State Librarian for filing and preservation, and one copy to the Auditor of Accounts.

Section 3. That the annual reports herein required shall contain a complete statement of the receipts and expenditures for the preceding fiscal year and shall be in such ^{Annual reports to be complete statements} detail as may be required by the Auditor of Accounts or the Governor.

Section 4. That upon request, made to the Governor an extension of the date for filing said annual report may be made by him for a period not exceeding thirty days ^{Governor may extend time for filing} additional.

Approved March 30, 1931.

CHAPTER 50

AUDITOR OF ACCOUNTS

AN ACT to amend Chapter 30, Volume 32, Laws of Delaware, in reference to the Auditor of Accounts.

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

Sec. 19 of
Chap. 30,
Vol. 32. Laws
of Delaware
amended

Section 1. That Chapter 30, Volume 32, Laws of Delaware, entitled: "An Act in relation to the property and money of the State and the receipts and expenditures of State Money, and to the auditing of State Departments, bureaus, divisions, offices, boards and commissions", be and the same is hereby amended by striking out and repealing Section 19 thereof, and by inserting in lieu thereof a new section to be styled Section 19, as follows:

Auditor of
Accounts with
approval of
Governor may
employ
assistants to
audit accounts

\$15,000
appropriated

Section 19. By and with the approval of the Governor, the Auditor of Accounts shall have the right to employ accountants, expert bookkeepers, stenographers and additional clerks to assist him in the examination of the books and accounts of any State department, bureau, officer, board or commission and in settling the accounts thereof, provided that the amount expended under this Section shall not in any one year exceed the sum of Fifteen Thousand Dollars (\$15,000.00); and provided further that nothing in this Section contained shall be deemed to authorize the employment of any accountant, expert bookkeeper, stenographer, additional clerk, or other assistant except only in the examination and auditing of the books and accounts of State departments, bureaus, divisions, officers, boards or commissions, and only for the period of such examination and audit.

Approved April 22, 1931.

CHAPTER 51

AUDITOR OF ACCOUNTS

AN ACT to amend an Act entitled "An Act in Relation to the Property and Money of the State and the Receipts and Expenditures of State Moneys, and to the Auditing of State Departments, Bureaus, Divisions, Officers, Boards and Commissions", same being Chapter 30, Volume 32, Laws of Delaware and to amend Chapter 12 of the Revised Code of the State of Delaware as amended by Chapter 27, Volume 32, 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 10 of Chapter 30, Volume 32, Laws of Delaware, be and the same is hereby amended by striking out the last two lines of the first paragraph of said Section 10 and by substituting in lieu thereof the following:

"For other purposes, there may be advanced to it sums not exceeding One Thousand Dollars (\$1,000.00) at any one time".

Section 2. That Chapter 12 of the Revised Code of the State of Delaware as amended be, and the same is hereby further amended by the repeal of 393 Section 5 and by the insertion in lieu thereof the following Section which shall be styled 393 Section 5:

393 Section 5. Auditor of Accounts:—The annual salary of the Auditor of Accounts shall be Four Thousand Dollars as full compensation for all his services.

Section 3. All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as such inconsistency may occur only.

Approved May 6, 1931.

Sec. 10, Chap.
30, V. 32, Laws
of Delaware
amended

393. S. 5 of
Chap. 12, R. C.
amended

393. S. 5

Salary of
Auditor of
Accounts

CHAPTER 52

INSURANCE DEPARTMENT

AN ACT to amend, revise and consolidate the Laws regulating the business of Insurance in this State, and for this purpose to repeal certain existing Laws relating to the business of Insurance, and to substitute for the same the revision and consolidation set forth in this Act, such revision and consolidation to become and be Chapter 20 of Title Six of the Revised Code of the State of Delaware of 1915.

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 amending, revising and consolidating the laws regulating the business of insurance in this State, and of consolidating the same under one complete law, all of Chapter 20 of Title Six of the Revised Code of 1915 as the same has been heretofore amended, and also 3051. Sec. 19, 4232. Sec. 22, 4233. Sec. 23, and 4234. Sec. 24, of said Revised Code of 1915, and all other laws in conflict with or superseded by this Act, are hereby repealed, and the Insurance Laws hereinafter set forth in Section 2 of this Act are substituted and adopted and enacted in lieu thereof.

Chap. 20,
Title 6, R
of 1915 as
amended,
repealed

3051. S. 19
Repealed
4232. S. 22
Repealed
4233. S. 23
Repealed
4234. S. 24
Repealed

What not
affected by
repeal.

Nothing in this Act or in the repeal of said prior Laws, shall affect any act done, or any cause of action accruing or accrued or established, or any suit or proceeding had or commenced in any civil cause, or any plea, defense, bar or matter subsisting prior to this time; and all the provisions of said Laws shall be deemed to have remained in force from the time they began to take effect, so far as they may apply to any office or trust or any transaction or event or limitation or any right or obligation already affected by such Laws, notwithstanding this repeal of them.

INSURANCE DEPARTMENT

No offense committed or penalty or forfeiture heretofore incurred under any of said Laws shall be affected by said repeal; nor shall any suit or prosecution, pending at the present time, for any offense committed or for the recovery of any penalty or forfeiture, be affected by said repeal.

Not affected
by repeal

All unexpired Certificates of Authority to insurance companies and Licenses and Certificates of Authority to insurance agents, issued prior to the date when this Act becomes a Law, shall be and continue valid and in full force and effect until the date of expiration fixed therein, and during such period shall be in lieu of any similar Licenses or Certificates of Authority under this Act; and all taxes, fees and charges due and payable under existing law prior to the date when this Act becomes a Law, shall be payable and collected under the present existing Laws instead of under this Act.

Certificates of
authority and
licenses valid
until date of
expiration

Taxes, fees,
charges pay-
able under
existing Laws

Nothing in this Act shall affect the present Insurance Commissioner as to the term of his office or the times and methods of the election of the Insurance Commissioner as now existing and established, but the Office of Insurance Commissioner in all such respects shall continue as now established.

Term, and
election of
Insurance
Commissioner
not affected

Section 2. In lieu of the Insurance Laws repealed in Section 1 of this Act, the Laws regulating the business of insurance in this State are hereby revised and consolidated and amended and enacted as Chapter 20 of Title Six of the Revised Code of 1915, in manner and form as follows:

Chap. 20,
Title 6 of R. C.
re-enacted

INSURANCE DEPARTMENT AND INSURANCE LAWS

ARTICLE 1

INSURANCE COMMISSIONER

572. S. 1

Insurance
Department
createdInsurance
Commissioner
elected for
four years

572. Sec. 1. INSURANCE DEPARTMENT AND INSURANCE COMMISSIONER: There shall be a department charged with the execution of the laws relating to Insurance to be known as the Insurance Department, the chief officer of which shall be denominated the "Insurance Commissioner" of Delaware, who shall be chosen by the qualified electors of the State at general elections and be commissioned by the Governor to serve a term of four years.

To begin office
First Tuesday
of January
after electionInsurance
Commissioner
not to be
interested in
Insurance
Companies

He shall assume the duties of his office on the first Tuesday of January after his election. The Insurance Commissioner shall not be a Director, Officer or Agent of, or directly or indirectly interested in any insurance company, except as an insured.

Office in
State House

Vacancy

The principal office of the Insurance Commissioner shall be in the State House at Dover. When any vacancy occurs in the office of Insurance Commissioner, it shall be filled in accordance with the provisions of the Constitution of this State.

Bond of
Insurance
Commissioner

The Insurance Commissioner shall, before entering upon the duties of his office, give a bond in the penal sum of fifty thousand dollars, with surety or sureties to be approved by the Governor, such bond to be filed with the Secretary of State and conditioned as follows: "that if the above named _____ who has been duly elected (or appointed) to be Insurance Commissioner shall and do well and diligently execute his office of

INSURANCE DEPARTMENT

Insurance Commissioner as aforesaid and duly and faithfully fulfill and perform all the trusts and duties to the said office appertaining, and truly and without delay deliver to his successor in office the seal and all the books, records and papers belonging to said office safe and undefaced, and if the said shall truly and without delay pay over to the State Treasurer all the fees, taxes and money which it shall be his duty to collect, and which are to be paid to the State Treasurer, then this obligation shall be void and of no effect, or else shall remain in full force and virtue."

Bond of
Insurance
Commissioner

Before entering upon the duties of his office, said Insurance Commissioner shall also take and subscribe the oath or affirmation prescribed by Article XIV of the Constitution.

573. Sec. 2. OFFICIAL SEAL OF INSURANCE COMMISSIONER; PAPERS UNDER SEAL TO BE EVIDENCE: 573. S. 2

The Insurance Commissioner shall have a seal of office surrounded by the words "Insurance Commissioner of the State of Delaware." All certificates and other official papers shall be authenticated with an impression of this seal. Any instrument duly executed by the Insurance Commissioner, and authenticated by his seal of office, shall be received in evidence in the courts of this State, and copies of papers and records in his office, so authenticated, shall be received as evidence with the same effect as the originals.

Seal

Papers under
Seal to be
evidence

574. Sec. 3. GENERAL POWERS AND DUTIES OF COMMISSIONER: 574. S. 3

The Insurance Commissioner shall have general supervision, control and regulation of the business of insurance of every kind within this State, and shall carry out and enforce the laws of this State relating to the business of insurance and shall have power to make all reasonable rules and regulations necessary therefor. He shall have full power and control, under the provisions of

General
Powers and
Duties

INSURANCE DEPARTMENT

May issue
Certificates
of Authority

this Chapter, over the issuance of Certificates of Authority for the transaction of the business of insurance of any kind within this State, and may refuse such Certificate of Authority in proper cases, and may revoke any Certificate of Authority on cause shown.

Examination
of financial
affairs of
Domestic
Companies

He shall carefully examine the affairs of each domestic company as to its financial ability and condition at least once in three years. He shall also make an examination of any such company whenever he deems it prudent or advisable to do so. Such examination shall be made by the Commissioner personally or by his deputy or other accredited representative, and all proper charges incurred in making such examination, inclusive of expert assistance, shall be paid by the company examined.

May visit and
examine
foreign or
alien
insurance
company

Whenever he deems it prudent for the protection of policyholders in this State, he shall in like manner visit and examine, or cause to be visited and examined, by some competent person or persons he may appoint for that purpose, any foreign or alien insurance company applying for admission or already admitted to do business in this State, and such company shall pay the proper charges incurred in such examination including the expenses of the Commissioner or his deputy and the expenses of his assistants, including expert assistance, employed therein. In lieu of such examination, the Commissioner may accept the report of the examination made by or upon the authority of the supervisory insurance official of any other State.

Expenses paid
by company

May accept
report of
insurance
authorities
of
other states

Free access to
all records

For the purpose of such examinations, the Commissioner or his deputy or person making examination shall have free access to all the books and papers of the insurance company that relate to its business, and to the books and papers kept by any of its agents, and may summon and qualify as witnesses under oath and examine the directors, officers, agents and trustees of any such company or other insurer and any other persons in relation to its affairs,

May summon
and qualify
witnesses

INSURANCE DEPARTMENT

transactions and conditions. The refusal of any such Company to submit to and provide for such examination or to exhibit its books and records for inspection, shall be presumptive evidence that it has violated the provisions of this Chapter, and its Certificate of Authority shall be forthwith revoked, and it shall be subject to the penalties prescribed and imposed by this Chapter. If from such examination, after notice and hearing before the Commissioner, it appears that it has violated the provisions of this Chapter, its Certificate of Authority shall be forthwith revoked.

Refusal of company to co-operate presumptive evidence of violation

Certificate of Authority revoked. When

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

May revoke Certificate of Authority. When

May take charge of Domestic Companies

Duty of Attorney General

Receiver may be appointed by Chancellor

INSURANCE DEPARTMENT

At the request of any person, and on the payment of the fee, the Insurance Commissioner shall give certified copies of any record or papers in his office when he deems it not prejudicial to public interests so to do, and shall give other certificates as provided by law. He shall also carefully preserve in permanent form all papers and records relating to the business of his Department, and shall hand the same over to his successor in office.

Giving
Certified
Copies of
papers and
records

Records
preserved for
successor

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

Reports

Sent to
insurance
authorities
of other
States

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

Information
furnished to
insurance
authorities
of other
States.

He shall enforce the payment of all fees, charges and taxes which by law are required to be paid to him.

Shall enforce
payment of
fees, charges,
taxes

575. Sec. 4. CERTIFICATES OF AUTHORITY; BLANKS FOR, HOW ISSUED TO INSURANCE COMMISSIONER BY SECRETARY OF STATE; HOW ACCOUNTED FOR: The Secretary of State shall charge and deliver to the said Insurance Commissioner a certain number of Certificates of Authority to insurance companies and insurance agents and insurance brokers to do business

575. S. 4

Secretary of
State to
deliver
Certificates of
Authority to
Insurance
Commissioner

INSURANCE DEPARTMENT

in this State, which in his judgment he may deem necessary, and which may be increased from time to time upon the request of the said Insurance Commissioner, which Certificates of Authority shall be bound in book form, with stubs, and numbered consecutively. It shall be the duty of the Auditor of Accounts in auditing the accounts of the said Insurance Commissioner, to compare the stubs aforesaid with the report of the said Insurance Commissioner, and make him, the said Insurance Commissioner, account for all Certificates of Authority issued and charged to him but not issued by him.

In Book form

Auditor of
Accounts to
make
Insurance
Commissioner
account for
Certificates of
Authority

576. Sec. 5. INSURANCE ON STATE PROPERTY: 576. S. 5

The Governor of the State of Delaware, the State Auditor, and the Insurance Commissioner shall, from time to time, determine the amount of fire or other insurance to be effected and to be carried upon the property of the State, and it shall be the duty of the said Insurance Commissioner to have insured, and to keep insured, all State property in such manner as shall have been determined as aforesaid.

Insurance on
State
Property

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

Insurance
Policies and
record kept
by Insurance
Commissioner

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

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

Bill for
Premiums

INSURANCE DEPARTMENT

the same for payment to the State Treasurer, who shall pay the same.

Annual
Report of
Insurance on
State
Property to
Governor

Governor
to transmit
report

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

ARTICLE 2

GENERAL PROVISIONS

577. S. 6
Definitions

577. Sec. 6. DEFINITIONS: In this Chapter, unless the context otherwise requires:

Insurance
Company
defined

"Insurance Company", means a corporation or association duly incorporated or formed in conformity with the laws of the state or country of its domicile and place of creation, which is engaged as principal in the business of insurance or of guaranteeing the obligations of others, including life insurance, fire insurance, marine insurance, guarantee and casualty insurance, suretyship, workmen's compensation insurance, title insurance, and other insurance or guarantee.

Domestic
Company
defined

"Domestic Company", means an insurance company organized under the laws of this State.

Foreign
Company
defined

"Foreign Company", means an insurance company organized under the laws of any state of the United States other than this State, or of any territory or insular possession of the United States or of the District of Columbia.

Alien
Company
defined

"Alien Company", means a company organized under the laws of any country other than the United States or a territory or insular possession thereof or of the District of Columbia.

INSURANCE DEPARTMENT

"Insurance Agent", means a person, firm or corporation which, on behalf of any insurance company, solicits, negotiates or effects contracts of insurance or guarantee with any insured. Insurance Agent defined

"Insurance Broker", means a person, firm or corporation which, on behalf of any insured, solicits, negotiates or effects contracts of insurance with any insurance company. Insurance Broker defined

578. Sec. 7. NO COMPANY TO DO BUSINESS WITHOUT CERTIFICATE OF AUTHORITY: No Insurance Company of any kind shall directly or indirectly issue policies, cover risks or engage in or transact insurance business of any kind in this State without having a valid and unrevoked Certificate of Authority therefor, agreeably to the provisions of this Chapter. 578. S. 7
Necessary to have Certificate of Authority

All such Certificates of Authority shall be issued by the Insurance Commissioner under his seal of office, and shall bear the date of actual issuance, and shall expire on March First next following, but no abatement in fees or charges shall be made on account of the date of issuance. Issued by Insurance Commissioner
When to expire

579. Sec. 8. FOREIGN OR ALIEN COMPANY TO FILE COPY OF CHARTER AND APPOINTMENT OF INSURANCE COMMISSIONER AS ATTORNEY FOR SERVICE OF PROCESS: No Certificate of Authority shall be issued to any Foreign or Alien Insurance Company until it shall have filed with the Insurance Commissioner: 579. S. 8
Foreign or Alien Company to file papers

(a) A copy of its Charter, Certificate of Incorporation or Articles of Association, duly certified by the proper official in the state or country of its organization. Copy of Charter

(b) A copy of its By-Laws and regulations duly certified by its Secretary. Copy of By-Laws

INSURANCE DEPARTMENT

Copies of
forms of
policies filed

(c) Copies of the forms of policies which it is issuing or proposes to issue, and all the forms of applications therefor.

Evidence of
authority to
transact
business in
State or
County of
Incorporation

(d) Evidence that it has been duly authorized to transact the business of insurance in the state or country of its incorporation or organization.

Appointment
of Insurance
Commissioner
as Attorney
for service
of process

(e) A duly executed appointment in writing of the Insurance Commissioner of this State to be its attorney in this State, upon whom all lawful process, in any action or proceeding against it, may be served with the same effect as if the company, corporation, or association existed in this State. Said Power of Attorney shall stipulate and agree on the part of the company, corporation or association that any lawful process against the same which is served on said attorney shall be of the same legal force and validity as if served on the company, corporation, or association, and that the authority shall continue in force so long as any certificate of membership, policy, or liability remains outstanding against the company, corporation or association, in this State. A certificate of such appointment, duly certified and authenticated, shall be filed in the office of the Insurance Commissioner, and copies certified by him shall be sufficient evidence. Service upon such attorney shall be sufficient upon the principal.

Power of
Attorney to
continue as
long as there
is liability of
company

Certificate of
Appointment
filed with
Insurance
Commissioner

Process sent
by Insurance
Commissioner
to Secretary
of Company

Whenever lawful process against an insurance company, corporation, or association shall be served upon the Insurance Commissioner, he shall forthwith send by registered mail a copy of such process to the secretary of the company, or in the case of the companies of foreign countries, to the resident manager or last appointed general agent of the company in this country. Service of such process shall not be complete until the same shall have been so mailed and received, and the registry receipt shall be prima facie evidence of the completion of such service.

To resident
Manager of
Foreign
Companies

Registry
receipt
evidence of
completed
service

INSURANCE DEPARTMENT

Whenever service of process on any insurance company may be made, by law, on the Insurance Commissioner of this State, such Commissioner may from time to time designate some person in his office upon whom, in his absence, service of such process may be made; and such service shall be of the same force and effect as though made on the Commissioner personally.

Insurance Commissioner may designate someone in his office to accept service in his absence

580. Sec. 9. ADDITIONAL REQUIREMENTS FOR CERTIFICATE OF AUTHORITY: No original or renewed Certificate of Authority shall be issued to any Insurance Company, unless:

580. S. 9

Additional requirements for Certificate of Authority

1. It has furnished a full and complete statement of its financial condition and business, in form as prescribed in the next succeeding Section of this Chapter for the annual statements of Insurance Companies, attested as prescribed for such annual statements, and unless it has also fully complied with all the requirements of this Chapter which apply to Companies of its class; and unless it has paid all fees and charges required of it, and has also paid all taxes levied against it.

Complete financial statement

Must comply with requirements of law

Taxes must be paid

2. The Insurance Commissioner finds that it is in sound condition and has good and available assets in excess of its liabilities, and is financially able to carry on the business which it offers itself to undertake.

Insurance Commissioner must find company to be financially sound

3. It also complies with the following requirements:

Additional requirements

(a) If a capital stock company, it shall have a full paid capital stock of at least One Hundred Thousand Dollars and a surplus of at least Fifty Thousand Dollars; provided, however, that if its charter or certificate of incorporation permits it to transact what is commonly known as marine insurance, or title insurance, or workmen's compensation insurance, or public liability insurance, or to guarantee the fidelity of persons holding positions of trust, it shall have

Capital and surplus necessary for capital stock company

Capital and surplus necessary for certain other companies

INSURANCE DEPARTMENT

a full paid capital stock of at least Two Hundred and Fifty Thousand Dollars and a surplus of at least One Hundred and Twenty-five Thousand Dollars.

Requirements
for mutual
company

Foreign or
Alien
Mutual

Cash or
invested
surplus
necessary to
guarantee
fidelity of
persons.

Surplus of
assets
necessary in
case of Alien
Company

Deposit with
Insurance
Commissioner
of this State

On deposit
elsewhere

(b) If a mutual company, it shall have in force, or bona fide applications for, insurance covering not less than one hundred separate risks in not less than one hundred policies issued or to be issued to not less than one hundred members and shall have collected in cash at least one full annual premium on such policies, and if a foreign or alien mutual company it shall also have a cash or invested surplus of at least One Hundred Thousand Dollars in excess of all liabilities; provided, however, that no mutual company shall issue policies guaranteeing the fidelity of persons holding positions of trust unless such company shall have a cash or invested surplus of at least Three Hundred and Seventy-five Thousand Dollars in excess of all liabilities.

(c) If an alien company, it shall have a surplus of assets invested according to the laws of this State or of the state of the United States where it has its deposit in the United States, held in the United States in trust for the benefit and security of all its policyholders and creditors in the United States, over all its liabilities in the United States, of an amount equal to the surplus of assets required of a like foreign company; and shall have on deposit with the Insurance Commissioner of this State securities of the amount and value of One Hundred Thousand Dollars and of the classes in which like insurance companies are permitted by this law to invest, or satisfy the Insurance Commissioner that it has on deposit with the official of a state of the United States authorized by the law of such state to accept such deposit, securities of the amount and value of One Hundred Thousand Dollars of the classes in which like insurance companies of such state are permitted to invest, for the benefit and security of all policyholders of such company in the United States, and shall file with the Insurance Commissioner the Certificate of such Official of such deposit.

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INSURANCE DEPARTMENT

4. It shall furnish such other information respecting its business or affairs as may be required of it by the Insurance Commissioner.

Information to be furnished

581. Sec. 10. ANNUAL STATEMENT: Every insurance company doing business in this State shall file with the Commissioner on or before March First in each year a financial statement for the year ending December Thirty-first immediately preceding, on forms furnished by the Commissioner in accordance with this Section. Such statement shall be verified by the oaths of the President and Secretary of the Company or, in their absence, by two other principal officers. The statement of an alien company shall embrace its condition and transactions in the United States and shall be verified by the oath of its resident manager or principal representative in the United States; provided that an alien company may also file a statement embracing its entire business.

581. S. 10
Annual Statement by March First
Alien Company may file statement of entire business

The Commissioner shall, annually, in the month of December, furnish to each insurance company authorized to do business in this State and required to make an annual statement to the Commissioner, two or more blanks in form adapted for such statements, and which shall conform as nearly as may be to the form of statement from time to time adopted by the National Convention of Insurance Commissioners.

Commissioner to furnish blanks for annual reports

582. Sec. 11. REVOCATION OF CERTIFICATE OF AUTHORITY: The Insurance Commissioner shall have the right and power, after notice and hearing, to revoke any certificate of Authority issued to any Insurance Company for any violation of the law of this State, or whenever for good cause he shall deem it necessary or advisable.

582. S. 11
Insurance Commissioner may revoke Certificate of Authority for cause

583. Sec. 12. NO CERTIFICATE TO COMPANIES OF THE SAME OR SIMILAR NAMES: No certificate of Authority to transact the business of insurance in this

583. S. 12
Similar names

INSURANCE DEPARTMENT

No Certificate
to companies
of same or
similar names

Exception

State shall be granted to any Insurance Company applying therefor, if such Company has the same name as another Company authorized to transact such business in this State at the time of applying for such certificate, or a name so nearly resembling it as to be calculated to deceive; unless such other Company shall have previously filed with the Commissioner written consent to the use of such name.

584. S. 13

Insurance
Company
must conduct
business in
corporate
name

584. Sec. 13. BUSINESS TO BE CONDUCTED IN CORPORATE NAME: Every Insurance Company, foreign or domestic, shall conduct its business in this State in its own proper and corporate name and the policies and contracts of insurance issued by it shall be headed or entitled by its proper and corporate name.

Word
"Mutual"
necessary in
name. What
companies

Every Domestic Insurance Corporation, other than life insurance corporations, doing business on the mutual plan shall contain in its name, which shall be upon the first page in every policy and renewal receipt, the word "mutual".

585. S. 14

Deposits with
Insurance
Commissioner

585. Sec. 14. DEPOSITS WITH INSURANCE COMMISSIONER: When any insurance company is required by the laws of this State or of any state or country, or by other competent authority, to make a deposit with an insurance supervising official or other financial officer and the company desires to make such deposit in this State the Commissioner shall accept such deposit, if made in securities recognized by this law as lawful investments of the Company, and shall hold the same as Trustee upon such trust as shall be designated by the company and approved by the Commissioner. The State shall be responsible for the safekeeping of all securities deposited or delivered under authority of this law. So long as the company continues solvent and complies with the laws of the State it may collect the income on such securities. The company may substitute therefor other securities recognized by this law as lawful investments of the company, provided such substituted securities are of the amount and value required by

Income
collected
while company
solvent

Substitution
of securities

INSURANCE DEPARTMENT

the law of this State or of such other state or country or by the instrument of agreement under which the deposit was made. If the value of securities deposited by any company shall decline below the amount so required, the company shall make a further deposit and maintain a deposit in the amount and value so required.

Further
deposit if
value of
securities
declines

586. Sec. 15. WITHDRAWAL OF DEPOSITS: When an insurance company determines to discontinue its business or to cease to do business in this State and desires to withdraw its deposit made in this State pursuant to this law, the Commissioner shall upon the application of the company and at its expense give notice of such intention in a newspaper of general circulation in the State once a week for four weeks. After such publication he shall deliver to such company or its assigns the securities so deposited when he is satisfied upon examination and investigation made by him or under his authority and upon the oaths of the President and Secretary or other chief officers of the company that all debts and liabilities of every kind due and to become due which the deposit was made to secure are paid and extinguished.

586. S. 15

Withdrawing
of deposits

Publication

Payment of
debts and
liabilities

The Commissioner may also from time to time and upon like notice and proof deliver to a company or its assigns any portion of securities so deposited when satisfied that all debts and liabilities of the company due or to become due which the deposit was made to secure are less than the amount and value of the securities to be retained by the Commissioner.

Delivery of
portion of
securities to a
company,
when

Upon a company being reinsured, the Commissioner may deliver to it or to its assigns all securities deposited by it upon compliance with the following conditions: The reinsuring company shall assume and agree to discharge all liabilities of every kind due and to become due which the deposit of the reinsured company was made to secure. Such reinsuring company shall have a deposit in the State or

Delivery of
securities
when
company
reinsured

Agreement to
discharge
liabilities

INSURANCE DEPARTMENT

Deposit of
reinsuring
company

with some state official in the United States in securities recognized by this law as lawful investments of the company in an amount and value not less than the deposit required of the reinsured company. The deposit of the reinsuring company shall be such that it will subsist for the security of the obligations of the reinsured company assumed by the reinsuring company. The Commissioner shall give notice of such reinsurance agreement and of the application for the deposit once a week for four weeks in a newspaper of general circulation in the State before the delivery of such securities to the reinsuring company.

Notice of
reinsurance
agreement

587. S. 16

Reinsurance

587. Sec. 16. REINSURANCE: Any Insurance Company authorized to do business in this State may reinsure all or any part of an individual risk or all or any part of a particular class of risks in any other Insurance Company, or accept such reinsurance from any other Insurance Company; and, with the consent of the Insurance Commissioner, may reinsure all of its risks in any other Insurance Company authorized to transact business in this State, or reinsure all of the risks of any other company. But no credit shall be taken for the reserve or unearned premium liability on any such reinsurance, unless the company accepting the reinsurance is authorized to do business in this State or in another state or territory of the United States conforming to the same standards of solvency which would be required of such company if, at the time such reinsurance is effected, it was authorized in this State.

Credit for
reserve or
unearned
premium
liability

588. S. 17

Policies to be
countersigned
by Resident
Agent
Exception as
to Life
Insurance
Company

588. Sec. 17. POLICIES TO BE COUNTERSIGNED BY RESIDENT AGENT: No Foreign or Alien Insurance Company, other than a life insurance company, shall make, write, place or cause to be made, written or placed, any policy, duplicate policy, or contract of insurance of any kind or character, or any general or floating policy upon property situated or located in this State, except after the said risk has been approved in writing by an agent who is a resident of this State, regularly commissioned and

INSURANCE DEPARTMENT

licensed to transact insurance business herein, who shall countersign all policies or contracts so issued, and who shall receive the full premium paid thereon and the State shall receive the taxes required by law to be paid on the premiums collected for insurance on all property located in this State. No person other than the owner shall pay or forward any premiums, application for insurance, or, in any manner secure help or aid in the placing of any insurance or effect any contract of insurance upon real or personal property within this State, directly or indirectly, with a Foreign or Alien Insurance Company, unless such person or persons shall first secure a Certificate of Authority from the Insurance Commissioner of this State, as provided by law. Nothing in this Chapter shall be construed to prevent any such Insurance Company, authorized to transact business in this State, from issuing policies at its principal office or department offices covering property in this State, provided, that such policies are issued upon applications procured and submitted to such Company by agents who are residents of this State, and authorized to transact the business of insurance herein, and who shall countersign all policies so issued and receive the commission thereon when paid; provided, that no part of this Section is intended to or shall apply to direct insurance covering the rolling stock of railroad corporations or property in transit, while in the possession and custody of said class of railroad corporations or other common carriers, or to the property of said class of common carriers used or employed by them in their business as common carriers of freight, merchandise or passengers.

Certificate of Authority necessary if aid furnished in placing insurance

Insurance companies may issue policies at its principal office if procured by agents resident of this State

Not to apply to direct insurance covering Rolling stock of Railroad Corporations, not to property in transit

589. Sec. 18. REQUIREMENTS ON FILING CERTIFICATE OF INCORPORATION IN OFFICE OF SECRETARY OF STATE: The Secretary of State shall not file a certificate of incorporation for any stock Insurance Company, unless such certificate shall be accompanied by an affidavit made by the majority of the signers of such certificate setting forth that there have been bona fide

589. S. 18

Requirements on Filing Certificate of Incorporation in office of Secretary of State

INSURANCE DEPARTMENT

Subscriptions
to Capital
stock

subscriptions made to the capital stock of said proposed Company to the amount of at least One Hundred Thousand Dollars, and that five per cent of said subscriptions have been paid in cash and deposited with the Insurance Commissioner of this State; and in further proof that said deposit has been made the Secretary of State shall require to be filed with him before the filing of said Certificate of Incorporation a certificate from the Insurance Commissioner of this State setting forth that the said deposit has been made with him; provided, however, that when such Company in whose behalf the said deposit has been made, has organized, and has secured the certificate of authority of the Insurance Commissioner required by this Chapter, it may withdraw the said amount deposited with the Insurance Commissioner, and commence business; and further provided, that said Company shall not be authorized to commence business, within the State of Delaware or elsewhere, until it has conformed to all of the requirements of this Chapter.

Certificate
from
Insurance
Commissioner
that deposit
made

Withdrawal
of deposits

Not
authorized to
commence
business until
compliance
with Chapter

Filing
Certificate of
Incorporation
of mutual
company

The Secretary of State shall file a Certificate of Incorporation for any mutual insurance company, when the same shall conform to the requirements of the General Corporation Law of this State, but no such mutual insurance company as above described shall be authorized to issue any policies of insurance whatever until it shall have been duly granted a Certificate of Authority by the Insurance Commissioner in conformity with the provisions of this Chapter.

Certificate of
Authority
necessary

590. S. 19

Domestic
Company
must obtain
Certificate of
Authority

590. Sec. 19. DOMESTIC INSURANCE COMPANY TO OBTAIN DELAWARE CERTIFICATE OF AUTHORITY BEFORE TRANSACTING BUSINESS ELSEWHERE: No Domestic Insurance Company shall transact any kind of insurance business in any state, territory, district or foreign country, unless it holds a valid and unrevoked Certificate of Authority from the Insurance Commissioner to transact insurance business in this State. Any officer,

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manager, employee or agent of any insurance company violating the provisions of this Section shall upon conviction thereof be punished by a fine not exceeding Five Hundred Dollars and by imprisonment not exceeding six months or by both in the discretion of the Court.

Penalty for
violation

Any violation of the provisions of this Section shall constitute mis-use of the corporate powers of such corporation, and proceedings for forfeiture of the Charter of such corporation shall be taken by the Attorney General under the provisions of Section 67 of Chapter 65 of the Revised Code of 1915, being the General Corporation Law of the State of Delaware.

Forfeiture of
Charter for
violation

Action taken
by Attorney
General

591. Sec. 20. **POLITICAL CONTRIBUTIONS PROHIBITED:** No Insurance Company doing business in this State shall, directly or indirectly, pay or use or offer, consent or agree to pay or use any money or property for or in aid of any political party, committee or organization, or for or in aid of any corporation or association organized or maintained for political purposes or for or in aid of any candidate for political office, or for nomination for such office, or for any political purpose whatsoever, or for the reimbursement or indemnification of any person for money or property so used. Any officer, director, stockholder, attorney or agent of any company which violates any of the provisions of this Section, who participates in, aids, abets, or advises or consents to any such violation, and any person who solicits or knowingly receives money or property in violation of this Section, shall be guilty of a misdemeanor and be punished by imprisonment for not more than one year and a fine of not more than One Thousand Dollars, and any officer aiding or abetting in any contribution made in violation of this Section, shall be liable to the Company for the amount so contributed. No person shall be excused from attending and testifying, or producing any books, papers or other documents before any court or magistrate, upon any investigation, proceeding or trial for

591. S. 20

Political
contributions
prohibited

Penalty for
violations

Giving of
evidence

INSURANCE DEPARTMENT

No excuse
that evidence
may
incriminate

Evidence not
used against
person
testifying

a violation of any of the provisions of this Section, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate or degrade him; but no person shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be used against him in any criminal investigation or proceedings.

592. S. 21

False
swearing
deemed
perjury

592. Sec. 21. FALSE SWEARING: If any person making an oath or affirmation required by this Chapter, shall swear falsely, or make a false affirmation, he shall be guilty of the crime of perjury and shall be subject to the punishment prescribed for perjury under the laws of this State.

593. S. 22

Defamation of
rival
companies,
unlawful

Penalty for
violation

593. Sec. 22. DEFAMATION OF RIVAL COMPANIES: It shall be unlawful for any Insurance Company now or hereafter doing business in this State, or any officer, director, clerk, employee or agent thereof, or for any insurance broker, to make verbally or otherwise, publish, print, distribute or circulate, or cause the same to be done, or in any way to aid, abet or encourage the making, printing, publishing, distributing or circulating of, any pamphlet, circular, article, literature or statement of any kind which is defamatory of any other insurance company now or hereafter doing business in this State, which contains any false and malicious criticism or false and malicious statement calculated to injure such company in its reputation or business. Any officer, director, clerk, employee or agent of any insurance company or any insurance broker violating the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars (\$500), or by imprisonment for a term of not more than six months, or by both such fine and imprisonment.

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594. Sec. 23. UNLAWFUL TO TRANSACT INSURANCE WITHOUT AUTHORITY: No Insurance Company, directly or by brokers, agents, solicitors, surveyors, canvassers or other representatives of what ever designation, nor any such broker, agent, solicitor, surveyor, canvassers, or other representatives, shall solicit, negotiate or effect any contract of insurance of any kind, 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 duly authorized to do the same under the provisions of the Laws of this State.

594. S. 23
Unlawful to
transact
insurance
without
authority

595. Sec. 24. REBATES AND DISCRIMINATIONS PROHIBITED: No insurance company doing business in this State shall make or permit any distinction or discrimination in favor of individuals between risks of the same class and equal probability of loss or equal expectation of life in the amount or payment of premiums or rates charged for policies of insurance, or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of the contracts it makes; nor, except as otherwise expressly provided by law, shall any such company or agent thereof make any contract of insurance or agreement as to such contract, other than as plainly expressed in the policy issued thereon; nor shall any company or agent or broker pay or allow, or offer to pay or allow, as inducement to insurance, any rebate of premiums payable on the policy, or any special favor or advantage in the dividends or other benefits thereon, or any valuable consideration or inducement not specified in the policy contract of insurance; or give, or sell, or purchase or offer to give,

595. S. 24
Rebates and
discrimina-
tions
prohibited

Contract must
be expressed
in policy

INSURANCE DEPARTMENT

sell, or purchase as inducement to insurance or in connection therewith, any stocks, bonds, or other securities of any insurance company or other corporation, association, or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the policy; nor shall any agent or broker divide commissions with any person other than a duly licensed agent or broker.

No division of
Commissions
except with
licensed agent
or broker

No person
shall accept
rebates

Incrimination
no excuse for
failure to give
evidence

No prosecu-
tion of person
so testifying

No person shall receive or accept from any company or agent, sub-agent, broker, or any other person any such rebate of premium payable on the policy, or any special favor or advantage in the dividend or other benefits to accrue thereon, or any valuable consideration or inducement not specified in the policy of insurance. No person shall be excused from testifying or from producing any books, papers, contracts, agreements, or documents at the trial of any other person charged with violation of any provisions of this section, on the ground that such testimony or evidence may tend to incriminate, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him upon any criminal investigation or proceeding, except for perjury committed in so testifying.

Bonuses to
policyholders
lawful. In
what instance

In Industrial
Insurance,
percentage of
premiums
may be
returned to
policyholders.
When

Nothing in this Section shall be so construed as to prohibit any company issuing non-participating life insurance from paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from non-participating insurance; nor to prohibit any company transacting industrial insurance on the weekly payment plan from returning to policyholders who have made premium payments for a period of at least one year directly to the company at its home or district offices, a percentage of the premium which the company would have paid for the weekly collection of such premiums.

INSURANCE DEPARTMENT

Any company or any agent or other person who violates any of the provisions of this Section shall, upon conviction, forfeit and pay a fine not exceeding Five Hundred Dollars (\$500) for each offense, and the Insurance Commissioner shall have authority in his discretion to revoke the Certificate of Authority to transact business in this State theretofore issued to such company or agent or broker. Penalties for violation

596. Sec. 25. MISREPRESENTATIONS PROHIBITED: No insurance company doing business in this State, and no officer, director, solicitor, or other agent thereof, and no insurance broker, shall make, issue, or circulate, or cause to be issued or circulated, any estimate, illustration, circular, or statement of any sort misrepresenting the terms of any policy issued or to be issued by it or the benefits or advantages promised thereby, or the dividends or share of the surplus to be received thereon, or shall use any name or title of any policy or class of policies misrepresenting the true nature thereof. Nor shall any such corporation or officer, director, solicitor or agent thereof or any person, firm, or corporation make any misrepresentation to any person insured in any company for the purpose of inducing or tending to induce a policyholder in any company to lapse, forfeit, or surrender his insurance. 596. S. 25
Misrepresentations prohibited

The penalty for any violation of this Section shall be a fine of not more than One Hundred Dollars or imprisonment for not exceeding six months, or both, in the discretion of the Court. Penalty

597. Sec. 26. PROCESS AGAINST FOREIGN COMPANIES IN CERTAIN CASES: In case any foreign or alien insurance company, not having a Certificate of Authority to do business in this State, shall transact any business or issue policies of insurance within this State, suit may be brought on any such policy of insurance within any County in this State, and process may be served upon 597. S. 26
Process against Foreign Companies in certain cases

INSURANCE DEPARTMENT

Process may
be served
upon whom

the President, Director or Agent of the Company within the State, and such service shall be good and valid in law. For the purpose of such process, the collection and receiving of a premium on insurance for transmission to such company shall constitute the Receiver thereof to be agent of the Company for service of such process.

598. S. 27

General
Penalties

598. Sec. 27. GENERAL PENALTIES: Any insurance company or insurance agent or insurance broker who shall violate or fail to observe and comply with any of the provisions of this Chapter for which a penalty is not specifically provided, shall, upon conviction thereof, pay a fine of not more than One Thousand Dollars or be imprisoned for a term of not more than one year, or both, in the discretion of the Court. Any officer, manager or agent of such corporation wilfully violating or failing to observe or comply with the provisions of this Chapter, shall be punishable under this Section. All penal proceedings for the punishment of offenses against the provisions of this Chapter may be brought in the Court of General Sessions in any of the Counties of this State.

Proceedings
brought in
Court of
General
Sessions

599. S. 28

Proceedings in
Court of
Chancery

Chancellor
may make
appropriate
orders

599. Sec. 28. PROCEEDINGS IN COURT OF CHANCERY: The Insurance Commissioner may, through the Attorney General of this State, invoke the aid of the Court of Chancery to enforce any order made or action taken by him in pursuance of law, which proceedings may be instituted in any County of the State as may seem most convenient. In such proceedings, the Chancellor may make such orders, either preliminary or final, as he shall deem right and proper under the facts as presented and established before him.

600. S. 29

Appeal to
Court of
Chancery
from decision
of Insurance
Commissioner

600. Sec. 29. APPEAL FROM DECISIONS OF INSURANCE COMMISSIONER: Any insurance company or insurance agent or insurance broker, shall have the right of appeal from any decision of the Insurance Commissioner to the Court of Chancery of this State, such appeal to be

INSURANCE DEPARTMENT

filed within sixty days from notice of such decision, and the Chancellor shall have authority to stay any order of the Insurance Commissioner pending the proceedings before him in case he shall deem it right and proper to do so.

When filed
Chancellor
may stay
order

601. Sec. 30. REAL ESTATE; RESTRICTIONS:

601. S. 30

Every domestic life, fire, marine, casualty or workmen's compensation insurance company may acquire, hold, and convey real estate only for the following purposes and in the following manner:

Real Estate of
Insurance
Companies

How held

First. The building in which it has its principal office and the land upon which it stands.

Land and
Building
where
principal
office is

Second. Such as shall be requisite for convenient accommodation to the transaction of its business.

Requisite for
business

Third. Such as shall have been acquired for the accommodation of its business.

For accom-
modation of
business

Fourth. Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted or for money due.

Mortgaged
for loans or
money due

Fifth. Such as shall have been conveyed to it in satisfaction of debts previously contracted in course of its dealings.

Conveyed in
satisfaction of
debts

Sixth. Such as shall have been purchased at sales on judgments, decrees, or mortgages obtained or made for such debts.

Obtained at
sales on
judgments,
Etc.

All such real property specified in subdivisions three, four, five and six of this Section, which shall not be necessary for its accommodation in the convenient transaction of its business, shall be sold and disposed of within five years after the company shall have acquired the title to the same, or within five years after the same shall have ceased to be necessary for the accommodation of its business, and it shall not hold such property for a longer period unless it shall procure a certificate from the Insurance Commissioner

Certain real
estate not to
be held longer
than five
years
Exception

Certificate
from
Insurance
Commissioner

INSURANCE DEPARTMENT

Time of sale
extended by
Insurance
Commissioner

that its interests will suffer materially by the forced sale thereof, in which event the time for the sale may be extended to such time as the Insurance Commissioner shall direct in such certificate.

602. S. 31

Investment of
funds by
Domestic
Companies

602. Sec. 31. INVESTMENT OF FUNDS BY DOMESTIC COMPANIES: A domestic life, fire, marine, casualty or workmen's compensation insurance company may invest its funds only as follows:

Real Estate to
extent
authorized by
this Chapter

(1). In the purchase and acquisition of real estate to the extent, and only to the extent, as such company is authorized to hold real estate under the terms of this Chapter.

Trust funds
designated by
3875. S. 32,
Chap. 117,
R. C. of 1915

(2). In any of the securities designated for the investment of trust funds by "3875. Sec. 32" of Chapter 117 of the Revised Code of 1915, or by any alteration or amendment of such designation, whether such securities are included within the securities hereinafter authorized in this Section or not.

Bonds of
United States,
States of
U. S. or of
Dominion of
Canada

(3). In bonds or other evidences of indebtedness of the United States or of any state of the United States or of the Dominion of Canada or of any province thereof.

Bonds of
Counties,
Municipali-
ties, Etc.

(4). In bonds or other evidences of indebtedness of any county, city, town, village, school district or other municipal district within the United States or Dominion of Canada which shall be a direct obligation of the county, city, town, village or district issuing same.

Bonds or
notes secured
by mortgages
or deeds of
trust of real
estate

(5). In bonds or notes secured by mortgages or deeds of trust of unincumbered real estate or perpetual leases thereon in the United States or Dominion of Canada worth not less than fifty per cent more than the amount loaned thereon. Where improvements on the land constitute a part of the value on which the loan is made, the improvements shall be insured against fire for the benefit of the mortgagee in an amount not less than the difference be-

For 50% of
valuation

Insurance on
improvements

INSURANCE DEPARTMENT

tween two-thirds of the value of the land and the amount of the loan; provided, that for the purposes of this Section real estate shall not be deemed to be encumbered within the meaning of this Section, by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, or timber rights, rights of way, joint driveways, sewer rights, rights in walls, nor by reason of building restrictions, or other restrictive covenants, nor when such real estate is subject to lease in whole or in part whereby rents or profits are reserved to the owner.

When real
estate not
encumbered

Real estate
subject to
lease

(6). In mortgage bonds of the Farm Loan Banks authorized under the Federal Farm Loan Act or Acts amendatory thereof or supplementary thereto.

Mortgage
Bonds of
Farm Loan
Banks

(7). In bonds of any railroad or other public service corporation of any state or territory of the United States or of the District of Columbia or of the Dominion of Canada or of any province thereof.

Railroad and
other public
service
Corporation
bonds

(8). In stocks and bonds and other evidence of indebtedness of any solvent corporation of any state or territory of the United States or of the District of Columbia or of any province of the Dominion of Canada, including stock in its own corporation to the extent permitted under the general incorporation law of this State; provided that no such investment shall be made in or loan made upon the security of any such stocks or bonds upon which stocks dividends in cash during the period of five years next preceding such purchase amounting to not less than four per centum on all of such corporation's outstanding capital stocks in each fiscal year for said five years shall not have been paid and upon which bonds any regular interest payment shall have been defaulted any time within five years prior to such purchase or loan; and provided further that no life insurance 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, and that the

Stocks and
bonds of
solvent
Corporations

Dividends
necessary

No investment
if interest
payments
defaulted

Life Insurance
Company
restricted to
ten per
centum of
stock of
Corporation
on loans

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No more than
ten per
centum of
Capital and
Surplus of
Life Insurance
Company
invested in
one Company

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 life insurance company shall invest or loan any of its funds in or upon the security of any stock, other than bank or trust company stock, on account of which the owners or holders thereof may in any event be or become liable to any assessment, except for taxes; and provided further that the total amount invested in and loaned upon the stocks of other corporations by any life insurance company, shall not exceed a sum equal to the amount of its assets in excess of the amount required for its legal reserve.

Except bank
and trust
Company
stock

Investments
in other
Companies

Loans on
pledge of
securities not
to exceed
ninety per
centum of
market value

(9). In loans upon the pledge of any of the securities aforesaid, not exceeding ninety per cent of the market value thereof.

Bankers'
acceptances
and bills of
exchange

(10). In bankers' acceptances and bills of exchange of the kinds and maturities made eligible by law for rediscount 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 or any other bank or trust company which is a member of the Federal Reserve System.

Policies of
Life Insurance

(11). A life insurance company may also purchase for its own benefit any policy of life insurance or other obligation of the company and claims of the holders thereof and may lend to the holders of its life insurance policies sums not exceeding in any case the reserve value of the policy at the time the loan is made and, for the payment of any such loan, the policy and all profits thereon shall be pledged.

Loans to
policyholders
not to exceed
reserve value

Investments
in foreign
countries

(12). A company doing business in a foreign country may invest the funds required to meet its obligations in such country and in conformity to the laws thereof in

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the same kinds of securities in such foreign country that such company is allowed by law to invest in the United States.

(13). No loan or investment shall be made by any such company, unless the same shall have been authorized by the Board of Directors or by a committee thereof charged with the duty of supervising loans or investments. Loans must be authorized by Board of Directors

(14). No such company shall subscribe to or participate in any underwriting of the purchase or sale of securities or property, or enter into any transaction for such purchase or sale on account of said company, jointly with any other corporation, firm or person; or enter into any agreement to withhold from sale any of its securities or property; but the disposition of its assets shall at all times be within the control of the company. No participation with other Company
Disposition of assets in control of Company

(15). Nothing in this law shall prohibit a company from accepting in good faith, to protect its interests, securities or property, other than herein referred to, in payment of or to secure debts due or to become due the company. Accepting securities to secure debts

ARTICLE 3

PROVISIONS RELATING PARTICULARLY TO LIFE INSURANCE

603. Sec. 32. INSURANCE COMMISSIONER TO VALUE POLICIES: The Insurance Commissioner shall annually make valuations as of December 31 of the previous year of all outstanding policies, additions thereto, and all other life insurance and annuity obligations of every life insurance corporation doing business in this State. All valuations made by him, or by his authority, shall be made upon the net premium basis; and he may require every Company to furnish him on or before March First with a complete calculation of valuations on this basis. 603. S. 32
Insurance Commissioner to value policies
valuations made on net premium basis

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Valuation of
life insurance
contracts
issued before
January first
following
approval of
this Act

The legal minimum standard for the valuation of life insurance contracts issued before the first day of January next following the passage and approval of this Act shall be the method and basis of valuation heretofore applied by this State in the valuation of such contracts, and for life insurance contracts issued on and after said date shall be the one year preliminary term method of valuation, except as hereinafter modified, on the basis of the American Experience Table of Mortality with interest at three and one-half per centum per annum.

One year
preliminary
term method
of valuation

Reserve on
policies

If the premium charged for term insurance under a limited payment life preliminary term policy providing for the payment of all premiums thereon in less than twenty years from the date of the policy, or under an endowment preliminary term policy, exceeds that charged for like insurance under twenty payment life preliminary term policies of the same company, the reserve thereon at the end of any year, including first, shall not be less than the reserve on a twenty payment life preliminary term policy issued in the same year and at the same age, together with an amount which shall be equivalent to the accumulation of a net level premium sufficient to provide for a pure endowment at the end of the premium payment period, equal to the difference between the value at the end of such period of such a twenty payment life preliminary term policy and the full net level premium reserve at such time of such a limited payment life or endowment policy. The premium payment period is the period during which premiums are concurrently payable, under such twenty payment life preliminary term policy and such limited payment life or endowment policy.

Preliminary
term policy

How reserve
computed

Policies issued on the preliminary term method shall contain a clause specifying that the reserve thereon shall be computed in accordance with the modified preliminary term method of valuation provided for herein.

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The legal minimum standard for the valuation of annuities issued on and after the first day of January next following the passage and approval of this Act shall be McClintock's "Table of Mortality Among Annuitants" with interest at four per centum per annum, but annuities deferred ten or more years and written in connection with life insurance shall be valued on the same basis as that used in computing the consideration or premiums therefor, or upon any higher standard at the option of the company.

Valuation of annuities

McClintock's "Table of Mortality Among Annuitants"

The Commissioner may vary the standards of interest and mortality in the case of alien companies as to contracts issued by such companies in other countries than the United States, and in particular cases of invalid lives and other extra hazards; may value policies in groups, use approximate averages for fractions of a year and otherwise, and shall accept the valuation of the Insurance Department of any other state or country, if made upon a basis and according to standards producing a reserve not lower than herein required or authorized, instead of the valuation herein required, if the insurance official of such state or country accepts as sufficient and valid for all purposes the certificate of valuation of the Commissioner of this State.

Commissioner may vary standards of interest and mortality

Accepting valuations of other departments

If valuation of Commissioner of this State accepted

Provided, that this section shall not apply to organizations operating on the assessment plan.

Not to apply to organizations operating on assessment plan

604. Sec. 33. VALUATION OF FIXED TERM SECURITIES; AMORTIZATION: All bonds or other evidences of debt having a fixed term and rate held by any life insurance company authorized to do business in this State may, if amply secured and not in default as to principal or interest, be valued as follows: If purchased at par, at the par value; if purchased above or below par, on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield in the meantime the effective rate of interest at which the purchase was made; provided that the purchase price shall in no case be taken

604. S. 33

Valuation of Fixed Term Securities

Amortization

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Discretion of
Insurance
Commissioner

at a higher figure than the actual market value at the time of purchase; and, provided further, that the Insurance Commissioner shall have full discretion in determining the method of calculating values according to the foregoing rule.

605. S. 34

When life
insurance
company
must cease to
do business

605. Sec. 34. WHEN COMPANY MUST CEASE

BUSINESS: In case it is found, after notice and hearing by the Commissioner, that any life insurance company doing business in this State has not assets of a net cash value equal to the net value of all its policies in force computed by the rule of valuation established in this Chapter, after all other debts of the company and claims against it, inclusive of capital stock, if a stock company, have been provided for, it shall be the duty of the Insurance Commissioner to at once withdraw the authority of said company to do business in this State; provided that this action shall not apply to organizations operating on the assessment plan.

Not to apply
to organiza-
tion operating
on assessment
plan

606. S. 35

Standard
Provisions
required

606. Sec. 35. STANDARD PROVISIONS RE-

QUIRED: From and after the first day of January next following the date when this Act becomes a Law, no policy of life insurance other than industrial insurance, annuities and pure endowments with or without return of premiums or of premiums and interest shall be issued or delivered in this State or be issued by a life insurance company organized under the laws of this State, unless the same shall contain in substance the following provisions:

Premiums
payable in
advance

(1). A provision that all premiums after the first shall be payable in advance, either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers who shall be designated in the policy.

Thirty days
grace for
payment of
premiums

(2). A provision that the insured is entitled to a grace either of thirty days or of one month within which the payment of any premium after the first year may be

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made, subject at the option of the company to an interest charge not in excess of six per centum per annum for the number of days of grace elapsing before the payment of the premium, during which period of grace the policy shall continue in full force, but in case the policy becomes a claim during the said period of grace before the overdue premium or the deferred premiums of the current policy year, if any, are paid, the amount of such premiums, with interest on any overdue premium, may be deducted from any amount payable under the policy in settlement. Grace shall date from the premium-paying date stated in the policy.

(3). A provision that except as otherwise expressly provided by law, the policy shall constitute the entire contract between the parties and shall be incontestable after it has been in force during the lifetime of the insured for a period of not more than two years from its date, except for non-payment of premiums and except for violations of the conditions of the policy relating to naval or military service in time of war and, at the option of the company, provisions relative to benefits in the event of total and permanent disability and provisions which grant additional insurance specifically against death by accident may also be excepted; that all statements made by the insured shall, in the absence of fraud, be deemed representations and not warranties; and that no such statement or statements shall be used in defense of a claim under the policy unless contained in a written application and unless a copy of such statement or statements be endorsed upon or attached to the policy when issued.

(4). A provision that if it shall be found at any time before final settlement under the policy, that the age of the insured (or the age of the beneficiary, if considered in determining the premium) has been mis-stated, the amount payable under the policy shall be such as the premium would have purchased at the correct age, according to the company's published rate at date of issue.

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Policy to
participate in
surplus of
company

Payment of
dividends

Not to apply

Loans on
policies

(5). A provision that the policy shall participate in the surplus of the company, and any policy containing provision for participation at the end of the first policy year, and annually thereafter, may also provide that each dividend shall be paid subject to the payment of the premiums for the next ensuing year; and the insured under any annual dividend policy shall have the right each year to have the dividend arising from such participation paid in cash, and if the policy shall provide other dividend options, it shall further provide which of said options shall be effective if the insured shall not elect any such other option on or before the expiration of the period of grace allowed for the payment of the premium. This provision shall not apply to any form of paid-up insurance or temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies, or to non-participating policies.

(6). A provision that after the policy has been in force three full years, the company at any time, while the policy is in force, will advance, on proper assignment or pledge of the policy and on the sole security thereof, at a specified rate of interest, a sum equal to, or at the option of the insured less than the reserve at the end of the current policy year on the policy and on the dividend additions thereto, if any, exclusive of the reserve on account of return premium insurance and of total and permanent disability and additional accidental death benefits, less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto (the policy to specify the mortality table and rate of interest adopted for computing such reserve); and that the company will deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the current policy year, and may collect interest in advance on the loan to the end of the current policy year; which provision may further provide that such loan may be deferred for not exceeding six months

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after the application therefor is made. A company may, in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto, insert in the policy a provision that one-fifth of the said reserve may be deducted in case of a loan under the policy, or may provide therein that the deduction may be the said two and one-half per centum or the one-fifth of the said reserve at the option of the company. This provision shall not be required in term insurance, nor shall it apply to temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies. The policy may further provide that if the interest on the loan is not paid when due, it shall be added to the existing loan, and shall bear interest at the same rate.

(7). A provision that in event of default in premium payments, after premiums shall have been paid for three years, the insured shall be entitled to a stipulated form of insurance, effective from the due date of the defaulted premium, the net value of which shall be at least equal to the reserve at the date of default on the policy and on dividend additions thereto, if any, exclusive of the reserve on account of return premium insurance and on total and permanent disability and additional accidental death benefits (the policy to specify the mortality table and rate of interest adopted for computing such reserve), less a specified percentage (not more than two and one-half) of the amount insured by the policy and of existing dividend additions thereto, if any, and less any existing indebtedness to the company on or secured by the policy: Provided a company may, in lieu of the provision herein permitted for the deduction from the reserve of a sum not more than two and one-half per centum of the amount insured by the policy, and of any dividend additions thereto, insert in the policy a provision that one-fifth of said reserve may be deducted, or may provide therein that a deduction may be

Loans on
policies

Default of
premiums

Insured
entitled to
form of
insurance
upon default

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Policy
surrendered
for a cash
value

made of said two and one-half per centum or one-fifth of said reserve, at the option of the company: Provided further, that the policy may be surrendered to the company at its home office within one month of the due date of defaulted premium for a specific cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid; and provided, further, that the company may defer payment for not more than six months after the application therefor is made. This provision shall not be required in term insurance of twenty years or less.

Options
specified

(8). A provision specifying the options to which the policyholder is entitled in the event of default in a premium payment after three full annual premiums shall have been paid. This provision shall not be required in term insurance of twenty years or less. A provision may also be inserted in the policy that in event of default in a premium payment before such options become available the reserve on any dividend additions then in force may at the option of the company be paid in cash or applied as a net premium to the purchase of paid-up term insurance for any amount not in excess of the face of the original policy.

Loan values
and options
specified

(9). A table showing in figures the loan values and the options available under the policy each year upon default in premium payments, during at least the first twenty years of the policy or during the premium paying period if less than twenty years.

Reinstatement
within three
years

(10). A provision that if in event of default in premium payments the value of the policy shall have been applied to the purchase of other insurance as provided for in this Section, and if such insurance shall be in force and the original policy shall not have been surrendered to the company and canceled, the policy may be reinstated within three years from such default, upon evidence of insurability satisfactory to the company and payment of arrears of premiums and the payment or reinstatement of any other

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indebtedness to the company upon said policy, with interest on said premium and indebtedness at the rate of not exceeding six per centum per annum payable annually, and that such reinstated policy shall be contestable, on account of fraud or misrepresentation of material facts pertaining to the reinstatement, for the same period after reinstatement as provided in the policy with respect to original issue.

(11). A provision that when a policy shall become a claim by the death of the insured, settlement shall be made upon receipt of due proof of death.

(12). A table showing the amount of installments, if any, in which the policy may provide its proceeds may be payable.

(13). Title on the face and on the back of the policy, briefly describing its form.

Any of the foregoing provisions or portions thereof not applicable to single premium or non-participating or term policies shall to that extent not be incorporated therein; and any such policy may be issued or delivered in this State which in the opinion of the Insurance Commissioner contains provisions on any one or more of the several foregoing requirements more favorable to the policyholder than hereinbefore required. The provisions of this Section shall not apply to policies of reinsurance, or to policies issued or granted in exchange for lapsed or surrendered policies or to group insurance, or to policies issued by an organization operating on the assessment plan.

607. Sec. 36. PROVISIONS PROHIBITED: From and after the First day of January next following the date when this Act becomes a Law, no policy of life insurance other than industrial insurance, annuities and pure endowments with or without return of premiums or of premiums and interest, shall be issued or delivered in this

Reinstated
policy
contestable

Steelement
upon due
proof of death

Proceeds
payable in
installments

Provisions not
to apply to
certain
policies

607. S. 36

Provisions
Prohibited

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State or be issued by a life insurance company organized under the laws of this State if it contain any of the following provisions:

Limitations of actions

1. A provision limiting the time within which any action at law or in equity may be commenced to less than three years after the cause of action shall accrue.

Provision to take effect before application made

2. A provision by which the policy shall purport to be issued or take effect more than six months before the original application for the insurance was made.

Forfeiture

3. A provision for forfeiture of the policy for failure to repay any loan on the policy, or to pay interest on such loan, while the total indebtedness on the policy, including interest, is less than the loan value thereof.

Agent soliciting not to be agent of the insured

4. A provision to the effect that the agent soliciting the insurance is the agent of the person insured under said policy, or making the acts or representations of such agent binding upon the person so insured under said policy.

608. S. 37

Provisions required by laws of company's own State may be included in policy

Policies issued in another State may contain provisions required in that State

608. Sec. 37. PROVISIONS REQUIRED BY THE LAWS OF A COMPANY'S OWN STATE MAY BE INCLUDED IN POLICIES: The policies of a life insurance company not organized under the laws of this State may contain any provision which the law of the state, territory, district, or country under which the company is organized prescribes shall be in such policies when issued in this State, and the policies of a life insurance company organized under the law of this State, may, when issued or delivered in any other state, territory, district, or country, contain any provisions required by the laws of the state, territory, district or country, in which the same are issued or delivered, anything in this Act to the contrary notwithstanding.

609. S. 38

Policy Forms filed with Commissioner

609. Sec. 38. POLICY FORMS TO BE FILED WITH COMMISSIONER: A policy of life insurance shall not be issued or delivered in this State, until the form of the same

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has been filed with the Insurance Commissioner, nor if the Insurance Commissioner gives written notice within thirty days of such filing to the Company proposing to issue it showing wherein the form of such policy does not comply with the requirements of the laws of this State.

610. Sec. 39. EXTENSION OF TIME FOR PAY- 610. S. 39
MENT OF PREMIUMS: A life insurance company may enter into subsequent agreements with the insured, which need not be attached to the policy, to extend the time for the payment of any premium, or part thereof, upon condition that failure to comply with the terms of such agreement shall lapse the policy as provided in said agreement or in the policy. Subject to such lien as may be created to secure any indebtedness contracted by the insured in consideration of such extension, said agreement shall not impair any right existing under the policy.

Agreement
may be made
to extend
time for
payment of
premiums

611. Sec. 40. INTEREST ON LOANS MAY BE 611. S. 40
ADDED TO PRINCIPAL: In ascertaining the indebtedness due upon policy or premium loans, the interest, if not paid when due, shall be added to the principal of such loans and shall bear interest at the rate specified in the note or loan agreement.

Interest added
to loans.

612. Sec. 41. FALSE STATEMENT BY SOLICITOR 612 S. 41
OR AGENT: Any solicitor, agent, examining physician, or other person who shall knowingly or wilfully make any false or fraudulent statement or representation in or with reference to any application for life insurance or who shall make any such statement for the purpose of obtaining any fee, commission, money, or benefit from or in any company transacting business under this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Five Hundred Dollars (\$500) or imprisonment for not more than one year or both at the discretion of the court; and any person who shall wilfully make a false statement of any material fact or thing in a

False
statement
by solicitor
or agent.

Penalty

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Perjury to
make false
statement to
procure benefit

sworn statement as to death or disability for the purpose of procuring payment of a benefit named in a policy or certificate shall be guilty of perjury.

613 S. 42

Solicitor agent
of company

613. Sec. 42. SOLICITOR OF LIFE INSURANCE
THE AGENT OF THE COMPANY: Any person who shall solicit an application for insurance upon the life of another shall in any controversy between the assured or his beneficiary and the company issuing any policy upon such application be regarded as the agent of the company and not the agent of the assured.

614 S. 43

Rights of
creditors and
beneficiaries
under policies
of life
insurance

614. Sec. 43. RIGHTS OF CREDITORS AND BENEFICIARIES UNDER POLICIES OF LIFE INSURANCE:
If a policy of insurance, whether heretofore or hereafter issued, is effected by any person on his own life or on another life, in favor of a person other than himself, or, except in cases of transfer with intent to defraud creditors, if a policy of life insurance is assigned or in any way made payable to any such person, the lawful beneficiary or assignee thereof, other than the insured or the person so effecting such insurance, or his executors or administrators, shall be entitled to its proceeds and avails against the creditors and representatives of the insured and of the person effecting the same, whether or not the right to change the beneficiary is reserved or permitted, and whether or not the policy is made payable to the person whose life is insured if the beneficiary or assignee shall predecease such person; provided, that, subject to the statute of limitations, the amount of any premiums for said insurance paid with intent to defraud creditors, with interest thereon, shall enure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice, by

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or in behalf of a creditor, of a claim to recover for transfer made or premiums paid with intent to defraud creditors, with specification of the amount claimed.

615. Sec. 44. TO HOLD PROCEEDS OF CERTAIN POLICIES IN TRUST: Any Life Insurance Company organized under the laws of this State shall have power to hold the proceeds of any policy issued by it under a trust or other agreement upon such terms and restrictions as to revocation by the policyholder and control by beneficiaries and with such exemptions from the claims of creditors of beneficiaries other than the policyholder as shall have been agreed to in writing by such company and the policyholder. Such insurance company shall not be required to segregate funds so held but may hold them as a part of its general corporate assets.

615 S. 44

Proceeds of certain policies may be held in trust.

616. Sec. 45. REGISTERED POLICIES AND BONDS OF DOMESTIC LIFE INSURANCE COMPANIES; DEPOSIT OF SECURITIES TO PROTECT: Any domestic life insurance company may deposit with the Insurance Commissioner securities of the kind required and authorized by law for the investment of life insurance funds, to any amount not less than Ten Thousand Dollars, which shall be legally transferred by it to him as Insurance Commissioner and his successors, for the common benefit of the holders of its "registered" policies and bonds issued, which shall be held by him and his successors in office, in trust for the purposes and objects specified therein.

616 Sec. 45

Deposit of securities of domestic life insurance companies to protect Registered policies and bonds.

No such company shall issue a policy or bond known or designated as "registered" unless it bears a certificate in the following words: "This policy (or bond, as the case may be) is registered and secured by a deposit of approved securities with this department as provided by law," and unless such certificate shall be signed by the Insurance Commissioner or a duly authorized deputy and sealed with the seal of his office. Such policies and bonds shall be

Certificate on Registered policy or bond.

Signed by Insurance Commissioner.

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Samples of policies left in office of Insurance Commissioner. known as "registered" policies and bonds and a sample copy of each kind, class and issue shall be kept in the office of the Insurance Commissioner. All policies or bonds of each kind and class issued shall have imprinted thereon some appropriate designating letter, combination of letters or terms identifying the special forms of contract, and whenever any change or modification is made in the forms of contracts, policy or bond, the designating letters or terms thereon shall be correspondingly changed.

Policies or bonds designated by letters.

Insurance Commissioner to keep record of registered policies. The Insurance Commissioner shall prepare and keep such records of all "registered" policies and bonds as will enable him to ascertain the reserve required thereon at any time according to the American Table of Mortality and three and one-half per cent interest. Upon sufficient proof, attested by the President or Vice-President and Secretary of a company which shall have issued such "registered" policies or bonds, that any of them have been commuted or terminated, the Insurance Commissioner shall commute or cancel them upon his records. On the Thirty-first day of December in every year, or within sixty days thereafter, the Insurance Commissioner shall cause the registered policies and bonds in force in each company to be carefully valued and the net reserve thereon ascertained according to the American Table of Mortality and three and one-half per cent interest, and he shall thereupon furnish a certificate of the aggregate amount of such reserve to the respective companies. The Insurance Commissioner may employ a competent actuary to make such computation, who shall be paid by the company for which the services are rendered, or the Insurance Commissioner may accept the computations of any of the companies upon such proof as he may determine.

Annual valuation of registered policies and bonds.

May employ actuary.

Additional deposits with Insurance Commissioner. Each company which shall have made the deposit so provided for, shall make additional deposits from time to time, as the Insurance Commissioner may prescribe, in amounts of not less than Five Thousand Dollars, and of

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such securities as domestic life insurance companies are authorized by law to invest in, so that the market or amortized value of the securities on deposit shall always at least equal the net reserve required by the American Table of Mortality and three and one-half per cent interest, on all the registered policies and bonds in force in said company.

The Insurance Commissioner shall keep a careful record of the securities deposited by each company, and when furnishing the annual certificates of value, he shall enter thereon the amount and value of the securities deposited by such company. If at any time it shall appear from such certificates or otherwise that the value of the securities held on deposit is less than the reserve required by the American Table of Mortality and three and one-half per cent interest on all the registered policies and bonds in force in such company, it shall not be lawful for the Insurance Commissioner to execute certificates on any additional policies or bonds of such company, until it shall have made good the deficit. If any company fails or neglects to make good such deficit for sixty days it shall be deemed insolvent and shall be proceeded against in the manner provided by law in such cases.

Insurance
Commissioner
to keep record
of
securities
deposited.

Value of
securities
maintained.

Any company whose deposits exceed the net reserve required on all the registered policies and bonds it has in force, may withdraw such excess, or it may withdraw any of such deposits at any time by depositing other securities equal in value to those withdrawn and of the character authorized by law; and so long as such company shall remain solvent and keep its deposits as herein required, it may collect the interest and coupons on the securities deposited as the same accrue.

Withdrawal
of excess
deposits.

The Insurance Commissioner shall receive the securities to be transferred to and deposited with him, and shall give vouchers for same to the companies so depositing.

Insurance
Commissioner
to give to
vouchers for
deposits.

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Safe keeping
of securities
deposited.

Place of
deposit—
how opened.

It shall be his duty, upon receipt of securities from any Insurance Company, to forthwith deposit the same in the presence of the president, vice-president or authorized agent of that company, in a strong metal box, which shall require two distinct and different keys to unlock the same, one key to be kept by the Insurance Commissioner and the other by the company; and the box shall not be opened except in the presence of the Insurance Commissioner or a duly authorized deputy, and said president, vice-president or authorized agent of the company. Provided, however, that in case a company having securities on deposit shall be adjudged insolvent or be dissolved, the proper Court shall make and enforce the necessary orders to place said securities, or any part of them, at the sole disposal of the Insurance Commissioner.

Securities
kept at
Farmers Bank,
Dover, or
other
depository.

Responsibility
of Insurance
Commissioner.

Penalty.

The boxes in which the securities are deposited shall be kept in the vaults of the Farmers Bank at Dover, or other like depository to be selected by the Insurance Commissioner. If said Insurance Commissioner or his deputy shall wilfully fail, or refuse or neglect to faithfully keep, deposit, account or surrender, in the manner authorized or required by law, any such securities as aforesaid, transferred to and received by him or into his custody, under the provisions aforesaid, such Insurance Commissioner shall be responsible upon his official bond, and suit may be brought upon said bond by the person injured; and the said Insurance Commissioner or his Deputy so offending shall, upon conviction thereof, be adjudged guilty of a felony, and punished by a fine not exceeding Ten Thousand Dollars and by imprisonment for not less than two years or more than ten years.

617 S 46

Insurance
without
consent of
insured
prohibited.

617. Sec. 46. INSURANCE WITHOUT THE CONSENT OF THE INSURED PROHIBITED; MINORS: No policy or agreement for insurance, other than a policy of group life insurance, shall be issued upon the life or health of another or against loss by disablement by accident except

INSURANCE DEPARTMENT

upon the application of the person insured; except that, a wife may take a policy of insurance upon the life or health of her husband or against loss by his disablement by accident; an employer may take out a policy of insurance covering his employees collectively for the benefit of such as may suffer loss from injury, death or disablement resulting from sickness; a parent or guardian of a student or a college, school or other institution of learning, or the head or principal thereof, may take a policy of insurance against loss caused by the sickness or injury of a student or other person; and a person liable for the support of a child may take a policy of insurance thereon, the amount payable under which may be made to increase with advancing age and which, as to the ages specified in the following table, shall not exceed the sums specified, the ages wherein specified being the age at time of death:

Exceptions

Insurance on
minors

Under the age of one year	\$ 100
Between the ages of one and two years	200
Between the ages of two and three years	300
Between the ages of three and four years	400
Between the ages of four and five years	500
Between the ages of five and six years	600
Between the ages of six and seven years	700
Between the ages of seven and eight years	800
Between the ages of eight and nine years	900
Between the ages of nine and ten years	1000
Between the ages of ten and eleven years	1100
Between the ages of eleven and twelve years	1200
Between the ages of twelve and thirteen years	1300
Between the ages of thirteen and fourteen years	1400
Between the ages of fourteen years and fourteen years and six months	1500

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618. S. 47

Insurance on
husband for
benefit of
wifeProceeds free
from claims,
husband's
representativesPremiums
paid to
defraud
creditors

618. Sec. 47. INSURANCE OF HUSBAND'S LIFE FOR WIFE'S USE; MARRIED WOMAN MAY EFFECT; LIMITATION; IN CASE OF HER PRIOR DEATH; INSURANCE FOR BENEFIT OF CHILDREN OR GRAND-CHILDREN: A married woman may, in her own name, or otherwise, effect insurance for her sole use, on the life of her husband, for any definite period, or for the term of his life; and if she survive him, the sum due upon such insurance shall be payable to her, for her own use, and in case of the wife's death before the husband, the amount of such insurance may be made payable to her children, or grandchildren; and all proceeds and avails of such insurance shall be free from the claims of the representatives of the husband, or of any of his creditors, whether or not the right to change the beneficiary is reserved or permitted; provided that, subject to the statute of limitations, the amount of any premiums for said insurance paid out of the funds or property of the husband with intent to defraud creditors, with interest thereon, shall enure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice, by or in behalf of a creditor, of a claim to recover for premiums paid with intent to defraud creditors, with specifications of the amount claimed.

619 S. 48

Warranties in
applications

619. Sec. 48. WARRANTIES IN APPLICATIONS AND EFFECT OF; WRONG AGE GIVEN; COPY OF APPLICATION TO ACCOMPANY POLICY: Whenever the application for a policy of life insurance contains a clause of warranty of the truth of the answers therein contained, no misrepresentation or untrue statement in such application made in good faith by the applicant, shall effect a forfeiture or be a ground of defense in any suit brought upon any policy of insurance issued upon the faith of such application, unless such misrepresentation or untrue statement relate to some matter material to the risk.

INSURANCE DEPARTMENT

Whenever it shall be made to appear that a wrong age has been given in good faith in any application for a policy of life insurance, the company shall not be required to pay the face value of the policy, but such sum as the premium paid would have purchased at the applicant's real age at the time of effecting the insurance.

Payments—
wrong age
given

There shall be delivered with, incorporated in, or attached to each policy of life insurance issued in this State, a copy of the application for said policy made by the insured, so that the entire insurance contract may appear in or with said policy; in default of which, no defense shall be allowed to said policy on account of or by reason of anything contained in or omitted from such application and contained in the policy issued thereon.

Copy of
application
attached to
policy

It is declared to be the intent and meaning of this Section that the same shall effect and have to do only with the remedy and procedure in the enforcing of claims for insurance upon life insurance policies.

Meaning and
intent of
section

ARTICLE 4

PROVISIONS RELATING PARTICULARLY TO FIRE AND
MARINE INSURANCE

Fire and
Marine
Insurance

620. Sec. 49. JOINT POLICIES: Two or more stock, fire or marine insurance companies duly authorized to transact business in this State may issue a combination policy, using a distinctive title therefor, which title shall follow the titles of the several companies obligated thereby, and which policy shall be executed by the officers of each of such companies. Such policy shall state that it is a joint contract, and that each company is only liable for a specific percentage of any loss or damage occurring thereunder. Before any such companies shall issue such combination policy, they shall receive the express permission

Joint
Policies

620. S. 49

INSURANCE DEPARTMENT

of the Insurance Commissioner to issue the same, and the title shall be approved by him.

621 S. 50 621. Sec. 50. VALUED POLICIES; FIRE; TOR-
NADO; LIGHTNING; LIABILITY UNDER; ENTRY
THEREON; TO WHAT POLICIES APPLICABLE; JUDG-
MENT THEREON: Whenever any policy of insurance
shall be issued to insure any real property in this State
against loss by fire, tornado, or lightning, and the property
insured shall be wholly destroyed without criminal fault on
the part of the insured, or his assigns, the amount of the in-
surance stated in such policy shall be taken conclusively to
be the true value of the property insured and the true
amount of loss and measure of damages, subject to the
proviso herein; and every such policy, whether hereafter
issued or renewed, shall have endorsed across the face of
it the following: "It is agreed between insurer and insured
that the value of the insured property is the sum of
\$;" and this estimate shall be binding on both
parties as to value; provided, however, that nothing herein
contained shall, in case of loss, prevent the company insur-
ing from adjusting the loss by replacing the property
destroyed. And in case any owner shall effect any subse-
quent insurance on the same property, upon any larger
value than so agreed, all such insurance, that then existing
as well as that subsequently obtained, shall become void.

True value of policy

Agreement as to value

Company may replace property destroyed

Other Insurance

Section applies to what This Section shall apply to all policies of insurance made or issued upon real property in this State, and also to the renewal which shall be made, of all policies issued in this State, and the contracts made by policies and renewals shall be construed to be contracts made under the laws of this State.

Attorney's fee taxed as part of costs The Court upon rendering judgment against any insurance company upon any such policy of insurance, shall allow the plaintiff a reasonable sum as attorney's fee to be taxed as part of the costs.

INSURANCE DEPARTMENT

ARTICLE 5

SURETYSHIP AND TITLE INSURANCE

622. Sec. 51. CORPORATE SURETYSHIP SUFFICIENT; WHEN: Whenever any bond, undertaking, recognition or other obligation is by law or the charter, ordinances, rules or regulations of any municipality, board, body, organization or public officer, required or permitted to be made, given, tendered or filed with surety or securities, and whenever the performance of any act, duty or obligation, or the refraining from any act, is required or permitted to be guaranteed, such bond, undertaking, obligation, recognition or guarantee may be executed by a company qualified to act as surety or guarantor as hereinafter provided; and such execution by such company of such bond, undertaking, obligation, recognition or guarantee shall be in all respects a full and complete compliance with every requirement of every law, charter, ordinance, rule or regulation that such bond, undertaking, obligation, recognition or guarantee shall be executed by one surety or by one or more sureties, or that such sureties shall be residents or freeholders, either or both, or possess any other qualification, and shall be accordingly accepted and treated.

622 S. 51
Corporate
suretyship
sufficient

Every such corporation, qualified to act as surety or guarantor as herein provided, is fully invested with power to execute and deliver bonds insuring the fidelity of persons holding positions of responsibility and trust, public or private, and of becoming sole surety in any case where by law a bond or bonds with one or more sureties may be required or permitted for any legal purpose whatsoever, including the case of surety upon contracts, public and private official bonds, including bonds of all State, County and Municipal officers, and cases pending in any of the Courts of this State.

Surety
Companies
invested with
power to
execute what
bonds

INSURANCE DEPARTMENT

Approving
officer or
Department
may
accept surety
bonds

Any public officer or department of State, County or Municipal government, whose duty it may or shall hereafter be to approve the surety upon any bond or bonds, may in his or their discretion, accept and approve such bonds when executed by the principal therein and by any surety company qualified to act as surety or guarantor as herein provided. The Levy Court, of the several Counties of this State, is authorized in its discretion to accept such bonds as security for Collectors of County Taxes in lieu of the security provided for by the Laws of this State.

Surety bonds
executed by
regularly
authorized
officer or
agent

Provided that every such bond, undertaking, obligation, recognizance or guarantee, shall be executed on behalf of the said surety company, either by its regularly authorized officer, or its regularly authorized agent in that behalf, and, in case of a Foreign or Alien Company, countersigned by its regularly authorized resident agent in the State of Delaware, and all premiums due to said surety company therefor shall be paid to said resident agent and shall be subject to any and all taxes levied upon such premiums under the laws of the State of Delaware.

Premiums
paid to
agent of
Foreign or
alien
company

623 S. 52

Domestic
Surety
Company shall
file certificate
of
incorporation

Other
Requirements

623. Sec. 52. DOMESTIC SURETY COMPANIES; REQUIREMENTS: Every domestic corporation authorized by its Certificate of Incorporation to act as surety or guarantor, before transacting any surety or guaranty business in this State, shall file with the Insurance Commissioner a certified copy of its Certificate of Incorporation, copies of its By-Laws and regulations duly certified, and shall fully comply with the requirements in Sec. 9 of this Chapter, and shall also file a report signed by its President or Vice-President and its Secretary stating the amount of its paid-up capital stock, its assets, particularizing each item of investment, the amount of the current premium or existing bonds upon which it is surety or guarantor, the amount of liability for insured portions thereof estimated at the rate of fifty per centum of the current annual premiums, stating also the amount of its outstanding debts

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of all kinds, and such further information as may be prescribed by the Insurance Commissioner.

No such corporation shall act as surety or guarantor until it shall have made application for and secured a certificate of Authority from the Insurance Commissioner authorizing it to do business, after having fully complied with the provisions of Sec. 9 of this Chapter and the provisions of this Section. Before obtaining such Certificate of Authority it shall pay the annual State Fees provided by law, and in the case of a renewed Certificate of Authority, shall have paid the taxes levied against it for the year ending on December Thirty-first preceding. It must also have on deposit with the Insurance Commissioner of Delaware good interest-bearing and dividend-paying securities worth at market value at least Ten Thousand Dollars, to be held for the benefit of the holders of the obligations of such company; said securities deposited with said Insurance Commissioner shall remain with him in trust to answer any default of such company as surety upon such bond, undertaking, recognizance or other obligation established by final judgment upon which execution may lawfully be issued against said company, said Insurance Commissioner and his successors in office being hereby directed to so receive and thereafter retain such deposit under this Chapter in trust for the purposes hereof, such company, however, at all times to collect the interest, dividends and profits upon such securities, and from time to time withdraw said securities or portions thereof substituting therefor others of equally good character and value to the satisfaction of the Insurance Commissioner, and 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 without at least thirty days' notice to said company, specifying the time, place and manner of such sale and the process under which and purposes for which said securities are to be sold, accompanied by a copy of such process.

Certificate of
authority
necessary

Requirements
for
certificate

Deposit of
securities

Securities
exempt from
levy under
writ of
attachment

Thirty days
notice of
process

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624 S. 53

Foreign or
alien surety
company must
qualify under
laws of
State of
Incorporation

Comply with
laws of this
State

Must obtain
Certificate of
Authority

Other
Requirements

Statement

Securities
Deposited in
State of
Incorporation

624. Sec. 53. FOREIGN OR ALIEN SURETY COMPANIES; REQUIREMENTS: Every Foreign or Alien Surety Company applying to be qualified to act as surety or guarantor under this Chapter must be authorized under the laws of the state or country where it is incorporated and under its charter to transact the surety or guarantee business for which it is applying for a Certificate of Authority, and it must have been duly authorized to transact such business in the state or country of its incorporation. It must have complied with the requirements of the laws of this State applicable to such companies in doing business herein, and it must apply for and obtain from the Insurance Commissioner of this State a Certificate of Authority to do business in this State, and have paid the fees and taxes required by law. It must comply with the requirements set forth in Sections 8, 9 and 10 of this Chapter. It must comply with the minimum capital requirements for Surety Companies set forth in Sec. 9 of this Chapter, and must have good and valuable assets in excess of its liabilities, which said liabilities shall be taken to be its capital stock, its outstanding debts and a premium reserve at the rate of fifty per cent of the current annual premium on all outstanding risks in force. It must file a statement under oath of its President or Vice-President and its Secretary, stating the amount of its paid-up cash capital, particularizing each item of investment, the amount of the current premium on existing bonds upon which it is surety, the amount of liability for unearned portion thereof estimated at the rate of fifty per cent of the current annual premiums, stating also the amount of its outstanding debts of all kinds, and such further statements as may be required by the Insurance Commissioner or by the law of this State. It must also have good interest bearing or dividend paying securities with a market value of at least One Hundred Thousand Dollars and of the character in which it is allowed under the laws of the State where it is incorporated to invest its capital, or in which like companies under the laws of this State are allowed to invest their capital, which

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said securities shall be deposited with and held by the Insurance Commissioner or other corresponding officer of the state where such company is incorporated or has its principal office in the United States, in trust for the benefit of the policyholders of such company within the United States. It must also have on deposit with the Insurance Commissioner of Delaware securities at least Ten Thousand Dollars in value, in full accordance with the requirements required of domestic companies in the preceding Section.

Deposit with
Insurance
Commissioner
of Delaware

When any Foreign or Alien Surety Company shall have complied with the requirements in this Section, and shall have in all respects complied with the provisions of this Chapter and shall have satisfied the Insurance Commissioner that it should receive a Certificate of Authority to act as surety and guarantor in this State, the Insurance Commissioner shall issue a Certificate of Authority to said company authorizing it to become and be accepted as sole surety on all bonds, undertakings and obligations, required or permitted by law, or the charter, ordinances, rules and regulations of any municipality, board, body, organization or public officer, which said Certificate shall be prima facie evidence of such company's right to do business in this State; provided, however, that no such company shall within the limits of this State, by implication or construction, be deemed to possess the power to act in the capacity of executor, administrator, guardian, trustee, receiver, assignee, or agent, or in any other capacity than that of surety, anything in its charter or articles of incorporation to the contrary hereof notwithstanding.

Issuance of
Certificate of
authority

Companies to
act only as
Surety

625: Sec. 54. ANNUAL STATEMENT: All Surety Companies shall file with the Insurance Commissioner the annual statement provided for in Sec. 10 of this Chapter and such further statement as may be required by the Insurance Commissioner or by the laws of this State, and shall also furnish him with a certificate from the officer with whom the deposit mentioned in Section 57 is required

625 S. 54

Annual
Statement

INSURANCE DEPARTMENT

Certificate of Deposit to be made, describing such securities so deposited and the manner in which they are held by him and stating that he is satisfied that such securities are fully worth the amount so required to be deposited, and shall also furnish the Insurance Commissioner such other information touching its condition and credit as he may require.

Information about condition

626 S. 55

Discontinuance of business

Return of Securities

Bond for fulfillment of obligations

626. Sec. 55. DISCONTINUANCE OF BUSINESS; REQUISITES UPON; BOND; CONDITION OF; RETURN OF DEPOSITED SECURITIES: Any such surety company may at any time surrender to the Insurance Commissioner said Certificate of Authority, and shall thereafter cease to engage in said business of suretyship and indemnity in this State; such company shall thereupon be entitled to the release and return of any securities deposited by it, in the manner following: Said company shall file with said Commissioner a statement in writing, under oath, giving the date, name and amount of all its then existing obligations of suretyship or indemnity in this State, setting down the facts of each case, and said Commissioner after an examination of the facts, shall require said company to file with said Commissioner a bond to the State in the penalty of not less than Ten Thousand nor more than Twenty Thousand Dollars, executed by said company and two or more responsible Freeholders of this State, or a responsible surety company qualified as aforesaid, conditioned for the prompt fulfillment by said company of all its said outstanding obligations of suretyship or indemnity in this State and stipulating that the makers of said bond may be joined as defendants to any action upon any of the aforesaid obligations of suretyship or indemnity of said company, and that if judgment in such action be rendered against said company it may at the same time be rendered and enforced against the makers of said bonds without further or other action against the same, and such bond shall stand for the security and benefit of all persons interested in said outstanding obligations of suretyship and

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indemnity. Upon approving and filing such bond, the Insurance Commissioner shall deliver said securities to said Company.

627. Sec. 56. DEPOSIT OF MONEY AND ASSETS
BY PERSON GIVING BOND; WITHDRAWAL ONLY

UPON CONSENT OF SURETY: Any party of whom a bond or undertaking is required may agree with his sureties for the deposit for safe keeping of any and all moneys and other depositable assets for which such sureties are or may be held responsible with a trust company, safe deposit company or bank authorized by law to transact business as such in this State, if such deposit is otherwise proper, in such manner as to prevent the withdrawal of such moneys and assets or any part thereof, except with the written consent of such sureties, or an order of the court, made on such notice to them as such court may direct.

627 S. 56

Deposit of
money and
assets by
person giving
bondWithdrawal
only upon
consent of
surety

628. Sec. 57. RELEASE OF SURETY FROM LIABILITY; HOW:

The surety or representatives of any surety upon the bond of any trustee, committee, guardian, assignees, receiver, executor or administrator or other fiduciary, may apply by petition to the Court wherein said bond is filed or which may have jurisdiction of such trustee, committee, guardian, assignee, receiver, executor or administrator or other fiduciary or to a judge of said court, praying to be relieved from further liability as such surety, for the acts or omissions of the trustee, committee, guardian, assignee, receiver, executor or administrator or other fiduciary, which may occur after the date of the order relieving such surety, to be granted as herein provided for; and to require such trustee, committee, guardian, receiver, assignee, executor or administrator or other fiduciary, to show cause why he should not account and such surety be relieved from any such further liability as aforesaid, and such principal be required to give a new bond; and thereupon upon the filing of such petition, the court or judge thereof, shall issue such order, returnable at such time and

628 S. 57

Release of
Surety from
liability

How

INSURANCE DEPARTMENT

place and to be served in such manner, as such court or judge may direct, and may restrain such trustee, committee, guardian, assignee, receiver, executor or administrator or other fiduciary from acting except in such manner as it may direct to preserve the trust estate, and, upon the return of such order to show cause, if the principal in the bond account in due form of law and file a new bond duly approved, then such court or judge shall make an order releasing such surety filing the petition from liability upon the bond for any subsequent act or default of the principal; and in default of such principal thus accounting and filing such bond, such court or judge shall make an order directing such trustee, committee, guardian, assignee, receiver, executor or administrator, or other fiduciary to account in due form of law, and if the trust fund or estate shall be satisfactorily accounted for and delivered or properly secured, such surety shall be discharged from any and all further liability as such for the subsequent acts or omissions of the trustee, guardian, committee, assignee, receiver, executor or administrator, or other fiduciary, after the day of such surety being so relieved and discharged.

Order of
Court

Discharge

629 S. 58

May not deny
corporate
power

629. Sec. 58. SURETY COMPANY MAY NOT DENY ITS CORPORATE POWER: No company having signed any such bond, undertaking or obligation shall be permitted to deny its corporate power to execute such instrument or incur such liability, in any proceeding to enforce liability against it thereunder.

630 S. 59

Note to
guarantee—
titles to real
estate

Exception

630. Sec. 59. SURETY COMPANIES NOT TO BE CONSTRUED AS HAVING POWER TO GUARANTEE TITLES TO REAL ESTATE: Nothing herein shall be construed as conferring any power or right upon such surety companies to guarantee titles to real estate, except as expressly provided in 640. Sec. 69 of this Chapter.

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631. Sec. 60. CORPORATE SURETYSHIP; LIMITA-
 TION OF AMOUNT: No company qualified under the
 laws of this State to transact the business of executing
 bonds of suretyship, shall execute any bond, undertaking,
 recognizance or guarantee when the amount of said bond,
 undertaking, recognizance or guarantee is in excess of ten
 per cent of the aggregate of its paid-up capital stock and
 surplus, or its surplus if a mutual company, determined in
 accordance with the last annual report by it filed as pro-
 vided by law; unless it be secured for the excess of its
 liability thereunder above such percentage by the deposit
 with it, or pledge to it, of good and sufficient security; or
 by the deposit specified in Sec. 60, or by reinsurance in a
 corporation authorized to transact the fidelity or surety
 business in this State, provided that such reinsurance is in
 such form as to enable the Obligee or Beneficiary to main-
 tain an action thereon against the company reinsured
 jointly with such reinsurer, and, upon recovering judgment
 against such reinsured, to have recovery against such
 reinsurer for payment to the extent in which it may be
 liable under such reinsurance and in discharge thereof;
 or by the co-suretyship of such a corporation similarly
 authorized.

631 S. 60

Limitation
of amount of
corporate
suretyship

Exceptions

632. Sec. 61. BONDS EXECUTED MAY BE AC-
 CEPTED; BY WHOM: Whenever any bond, undertaking,
 recognizance, or guarantee has been duly executed in com-
 pliance with the terms of this Chapter by the principal or
 principals therein, and by a company, duly authorized under
 the law of the State of Delaware to transact the business
 of executing bonds of suretyship, then any officer, judge or
 any Department of the State, or of any County, or Muni-
 cipal Government, whose duty it may be to approve of the
 surety upon the bond, undertaking, recognizance, or guar-
 antee, may accept and approve such bond, undertaking,
 recognizance, or guarantee.

632 S. 61

Bonds
accepted

By whom

INSURANCE DEPARTMENT

633 S. 62

Expenses for
bonds

How Paid

Maximum
Cost

633. Sec. 62. EXPENSES FOR BONDS; HOW PAID; MAXIMUM COST: The expenses incurred by any public officer for suretyship upon any bond required by law of him, as well as the expenses for suretyship upon any bond required of any of his assistants or clerks shall, where the bond or bonds are required for the protection of the State, be paid for by the State, and where the bond or bonds are required for the protection of any of the several Counties, be paid for by the Levy Court of the said County, and where the bond or bonds are required for the protection of a Municipality, be paid for by the Municipality, and shall be charged to and considered a part of the expenses of the office held by the said official; Provided, however, that in no instance shall the cost of said bond exceed one-half of one per centum per annum of the penal sum named in the bond, with a permitted minimum premium of Ten Dollars.

634 S. 63

Corporate
Bonds
accepted
without
warrant of
attorney

634. Sec. 63. CORPORATE BONDS TO BE ACCEPTED WITHOUT WARRANT OF ATTORNEY: In all instances where corporate suretyship is offered in accordance with the provisions of this Chapter, and where the form of bond as now required by law contains a Warrant of Attorney, the said bond shall be accepted without said Warrant of Attorney being written therein.

635. S. 64

Court may
appoint
Domestic
Trust
Company to
act as
Trustee

635. Sec. 64. DOMESTIC TRUST COMPANIES MAY ACT AS TRUSTEE WITHOUT ADDITIONAL SURETY: Any court, judge or officer authorized by law to appoint any person or corporation to any office of trust or fiduciary position, may, in its or his discretion, appoint to such office or position any Trust Company incorporated under the laws of this State, and having its principal office or place of business in this State, provided the said Court, judge, or officer, shall be satisfied that the capital stock of such corporation shall have been fully paid in cash, and that such corporation is authorized by its charter to perform the duties of the said office.

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Whenever such corporation may be so appointed to such office of trust, the court, judge or officer making the appointment may, in its or his discretion, not require the said corporation to give surety on any bond given by it for the faithful performance of its duties, but all of the capital stock, surplus and property owned by such corporation shall be specially and primarily liable for the obligation of the said corporation while acting in such trust capacity. It is further declared that all liabilities and obligations arising from or growing out of any such trusts shall be made liens upon its real estate, prior and paramount to any other lien or incumbrance the said corporation may create or suffer respecting the same.

Without
additional
security

Liabilities
liens upon
real estate

636. Sec. 65. TITLE INSURANCE COMPANIES; CHARTER POWERS; CAPITAL; SECURITIES DEPOSITED; LICENSE FEES: A company to be qualified to act as a guarantor to owners of property, or mortgagees, 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 owners of or mortgagees or other persons interested in 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, and obtain a Certificate of Authority from the Insurance Commissioner to do business in this State, pursuant to this Chapter.

636 S. 65

Title
Insurance
Companies
must be
authorized

Comply with
Laws of
State

If incorporated under the Laws of any other State than the State of Delaware, such company must file with the Insurance Commissioner of this State a statement signed and sworn to by its President, or one of its Vice-Presidents, and its Secretary, or one of its Assistant Secretaries, show-

Statement
filed if
incorporated
in another
State

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Deposit of
securities in
State of
Incorporation

ing the amount of its paid-up cash capital, each item of investment, the amount of the current annual premiums in all outstanding risks in force and the amount of its outstanding debts of all kinds, and such further statements as are by this Chapter required of Foreign Insurance Companies for transacting business herein; and must have 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, of the market value of at least One Hundred Thousand Dollars, 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 with the statement provided herein to be filed with the copy of the Certificate of Incorporation.

Deposit with
Delaware
Insurance
Commissioner

If incorporated under the Law of the State of Delaware, such company must deposit with the Insurance Commissioner of this State good interest-bearing dividend-paying securities with a 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 and profits upon such securities, and from time to time withdraw said securities or profits thereof and substitute therefor others of equal 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 answer
default

Securities
exempt from
certain legal
process

INSURANCE DEPARTMENT

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.

637. Sec. 66. WORKMEN'S COMPENSATION INSURANCE: Insurance Companies transacting the business of Workmen's Compensation Insurance shall be subject to the provisions of this Chapter, including the requirements on the part of foreign and alien companies to appoint the Insurance Commissioner as attorney for the service of process in this State, and shall file such certificates and reports as are required of other insurance companies doing a surety business, and shall obtain a Certificate of Authority to do business in this State and shall pay the fees and taxes required by law. Such companies shall also be subject to the regulations and provisions of Article 6, Chapter 90 of the Revised Code of 1915, published as Chapter 204, Volume 30, Laws of Delaware, as now existing or hereafter amended.

637 S. 66
Companies
transacting
workmen's
compensation
insurance
subject to
laws of State

No Certificate of Authority shall authorize any Surety Company to transact the business of Workmen's Compensation Insurance, until such Company has been duly approved by the Industrial Accident Board of this State under the provision of said Article 6 of Chapter 90 of the Revised Code of Delaware.

Companies
approved by
Industrial
Accident
Board

ARTICLE 6

ASSESSMENT AND FRATERNAL ORGANIZATIONS

638. Sec. 67. ASSESSMENT ORGANIZATIONS: Companies, associations, societies and other organizations issuing or proposing to issue insurance on the assessment plan, providing for the payment of sick, accident, or death benefits through the collection of dues or charges assessed

638 S. 67
Assessment
organizations
not subject
to provisions
of Chapter

INSURANCE DEPARTMENT

Exceptions against their members, although insurance companies within the meaning of this Chapter, shall not be subject to any provisions of this Chapter which are not applicable to such assessment plan of operation; but before doing business in this State, each such organization shall first obtain a Certificate of Authority to do so from the Insurance Commissioner. No such Certificate of Authority shall be issued until such organization has filed with the Insurance Commissioner:

Certificate of
authority
necessary

Information
filed by
organization

(a) A duly certified copy of its charter, certificate of incorporation or articles of association.

(b) A duly certified copy of its by-laws and regulations.

(c) A full statement of its organization and plan of operation and forms of agreements with its members.

(d) A full statement of the dues and charges required to be paid by its members.

(e) A full statement of its financial condition.

(f) If a foreign or alien organization, a certificate that it has been duly authorized to transact such business in the state of its incorporation or organization.

(g) If a foreign or alien organization, a duly executed appointment in writing of the Insurance Commissioner of this State to be its attorney in this State upon whom all legal process in any action or proceeding against it may be served, as provided for in Paragraph (e) of Section 8 of this Chapter.

(h) Such further information and data as the Insurance Commissioner may require.

Must be
in sound
financial
condition

No Certificate of Authority shall be issued to any such organization until the Insurance Commissioner is fully satisfied that it is in sound financial condition and that the plan which it proposes to use will protect its members in accordance with its agreements with them.

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After the issuance of the original Certificate of Authority, every such organization shall file with the Insurance Commissioner, on the forms furnished by him, on or before March First in each year, a financial statement for the year ending December Thirty-first immediately preceding. The form of said statement shall be prescribed by the Insurance Commissioner and shall conform as nearly as may be to the form of statement from time to time adopted for such organizations by the National Convention of Insurance Commissioners. No renewed Certificate of Authority shall be issued until such statement has been filed with the Insurance Commissioner and until he is fully satisfied that the organization is in sound financial condition and that its further operation will not be prejudicial to the interests of its members or to the interest of the public.

639. Sec. 68. FRATERNAL ORGANIZATIONS: 639 S. 68

This Chapter shall not apply to fraternal orders, societies, associations or organizations, having a lodge system with a ritualistic form of work and a representative form of government, which provide sick, accident or death benefits for their members, but which do not operate for profit or employ paid solicitors; nor to beneficial or relief associations formed by churches, societies or employers, which provide sick, accident or death benefits, the privileges, benefits and membership in which are limited to the members of such churches or societies or to such employers and their employees; nor to any railroad relief association now operating in this State.

Chapter does not apply to certain fraternal organizations

Nor to Railroad Relief Association now operating in State

ARTICLE 7

AGENTS AND BROKERS

640 Sec. 69. CERTIFICATES OF AUTHORITY TO AGENTS AND BROKERS: 640 S. 69

Every insurance agent doing business in this State shall be required to have a valid and

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Agents to have
certificate of
authority unrevoked Certificate of Authority to act as agent for each
company represented by such agent. Such Certificate of
Authority shall be issued by the Insurance Commissioner
on the written application of the company to be repre-
sented by such agent and upon payment of the fee fixed
by law. Such Certificate of Authority may be revoked by
the Insurance Commissioner on the written request of the
company employing the holder thereof.

Revoked on
request of
companies

Insurance
broker to
have
certificate of
authority Every insurance broker doing business in this State
shall be required to have a valid and unrevoked Certificate
of Authority to do so. Such Certificate of Authority shall
be issued by the Insurance Commissioner on the written
application of the person, firm or corporation to which such
Certificate is to be issued, and upon payment of the fee
fixed by law.

Certificate of
authority necessary
to carry on
business No person, firm or corporation, shall engage in or
carry on within the limits of this State, the business or
occupation of insurance agent or insurance broker, without
having a valid and unrevoked Certificate of Authority to
do so as provided in this Section.

641 S. 70

Issuance of
certificate of
authority

641. Sec. 70. ISSUANCE OF CERTIFICATE OF
AUTHORITY: Before issuing any Certificate of Authority
to an insurance agent or insurance broker, the Insurance
Commissioner shall be satisfied that such proposed insur-
ance agent or insurance broker resides in this State, or
is duly incorporated under the law of this State, and is
properly qualified and equipped to carry on such business;
provided that residence or incorporation in this State shall
not be required in order to act as the agent of a life insur-
ance company.

What to
contain

Every such Certificate of Authority shall set forth the
name and principal place of business of the person, firm or
corporation to which it is issued, and, in case of an Agent's

INSURANCE DEPARTMENT

Certificate of Authority, the name and the place of the principal office of the insurance company for which it is granted.

All such Certificates of Authority shall be issued by the Insurance Commissioner under his seal of office, and shall bear the date of actual issuance, and shall expire on March First next following, but no abatement in fees or charges shall be made on account of the date of issuance.

642. Sec. 71. REVOCATION OF CERTIFICATE OF AUTHORITY: The Insurance Commissioner shall have the power to revoke or suspend the Certificate of Authority of any insurance agent or insurance broker if investigation by him shows that such Certificate was obtained by fraud or misrepresentation or that the holder has misrepresented the provisions, terms or conditions contained in any contract of insurance, or has rebated the whole or any part of any insurance premium to the applicant for such insurance, or has made any misleading representations or incomplete comparisons of policies to any person for the purpose of inducing or tending to induce such person to lapse, forfeit or surrender insurance then in force, or if the interests of the insurer or the insurable interests of the public are not properly served under said Certificate; provided, however, that before revoking or suspending any such Certificate of Authority, the Insurance Commissioner shall give to such agent or broker and the company, companies, person or persons represented by such agent or broker, reasonable notice of a hearing to be held by the Insurance Commissioner, at which hearing such agent or broker and the company, companies, person or persons represented by such agent or broker shall be given full opportunity to present such evidence as they deem pertinent to the issue involved.

643. Sec. 72. FIDUCIARY CAPACITY OF AGENTS: Every person appointed or acting in this State as agent of any insurance corporation, who receives or collects any moneys as such agent, shall be responsible in a trust or fiduciary capacity to such corporation therefor.

INSURANCE DEPARTMENT

644 S. 73

No
commissions
except to
agents or
brokers

644. Sec. 73. NO COMMISSIONS EXCEPT TO AGENTS OR BROKERS: No insurance company, insurance agent, or insurance broker shall pay or allow, either directly or indirectly, any commission for soliciting, negotiating or effecting contracts of insurance or guarantee within this State to any person, firm or corporation, unless such person, firm or corporation holds a valid and unrevoked Certificate of Authority to act within this State as an insurance agent for the insurance company effecting such insurance or as an insurance broker; nor shall any person, firm or corporation, other than such duly authorized insurance agent or insurance broker, accept any such commission.

645 S. 74

Non-Resident
Brokers

Reciprocity

645. Sec. 74. NON-RESIDENT BROKERS: Insurance brokers of any other state shall be permitted to solicit, negotiate and effect contracts of insurance within this State in companies authorized to do business in this State, but only if brokers of this State are permitted to transact business in such other state and then upon the payment of the same fees and under the same conditions, restrictions and requirements as are demanded of Delaware Brokers in such other state; provided that this Section shall not be construed to authorize such brokers to transact any business in this State which could not be transacted by an Insurance Broker of this State.

646 S. 75

No agent to
act for
unauthorized
company

Except in
suits at
law

646. Sec. 75. NO AGENT TO ACT FOR UN-AUTHORIZED COMPANY: No person, firm or corporation shall in this State procure or solicit any citizen or resident of this State to take out a policy of insurance in any insurance company not authorized to transact business within this State, nor act within this State as agent for such company, or otherwise in any manner, directly or indirectly, aid in the transaction of the business of or in the collection of any premiums, dues or assessments by or for such company or association, except in the prosecution of defense of suits at law.

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647. Sec. 76. PENALTY: The penalty for any viola- 647 S. 76
tion of this Article shall, upon conviction thereof, be a
fine not exceeding Five Hundred Dollars. Penalty for
violating
provisions

Approved March 30, 1931.

CHAPTER 53

INSURANCE DEPARTMENT

AN ACT to amend, revise and rewrite the State Revenue Laws relating to the Fees and Charges and Taxes to be paid by Insurance Companies, Insurance Agents and Insurance Brokers, on the business of Insurance in this State, by repealing all of the present provisions of Article 5 of Chapter 6 of Title Three of the Revised Code of 1915, as the same has been heretofore amended, and substituting in lieu thereof the provisions set forth in this Act.

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

Repeal of
provisions of
Article 5 of
Chapter 6 of
Title 3 of R.
C. of 1915.

Sec. 1. For the purpose of amending, revising and rewriting the State Revenue Laws relating to the fees and charges and taxes to be paid by insurance companies, insurance agents and insurance brokers, on the business of insurance in this State, all of the present provisions of Article 5 of Chapter 6 of Title Three, of the Revised Code of 1915, as the same has been heretofore amended, and all other laws in conflict with or superseded by this Act, are hereby repealed, and the provisions hereinafter set forth in Section 2 of this Act are substituted and adopted and enacted in lieu thereof, to be and become Article 5 of Chapter 6 of Title Three of the said Revised Code.

Prior or
pending
matters not
affected

Nothing in this Act or in the repeal of said prior Laws, shall affect any act done, or any cause of action accruing or accrued or established, or any suit or proceeding had or commenced in any civil cause, or any plea, defense, bar or

INSURANCE DEPARTMENT

matter subsisting prior to this time; and all the provisions of said Laws shall be deemed to have remained in force from the time they began to take effect, so far as they may apply to any office or trust or any transaction or event or limitation or any right or obligation already affected by such Laws, notwithstanding this repeal of them.

Prior laws to remain in force in certain cases

No offense committed or penalty or forfeiture heretofore incurred under any of said Laws shall be affected by said repeal; nor shall any suit or prosecution, pending at the present time, for any offense committed or for the recovery of any penalty or forfeiture, be affected by said repeal.

Offenses and suits not affected

All unexpired Certificates of Authority to insurance companies and Licenses and Certificates of Authority to insurance agents, issued prior to the date when this Act becomes a Law, shall be and continue valid and in full force and effect until the date of expiration fixed therein, and during such period shall be in lieu of any similar licenses or certificate of authority under this Act; and all taxes, fees and charges becoming due and payable under existing law prior to the date when this Act becomes a Law, shall be payable and collected under the present existing Laws instead of under this Act.

Certificates of authority to continue valid until date of expiration

Section 2. In lieu of the Laws repealed by Section 1 of this Act, the State Revenue Laws relating to the fees and charges and taxes to be paid by insurance companies, insurance agents and insurance brokers, on the business of insurance in this State, are hereby amended and revised and enacted as Article 5 of Chapter 6 of Title Three of the Revised Code of 1915, in manner and form as follows:

INSURANCE DEPARTMENT

STATE REVENUE—ARTICLE 5

INSURANCE COMPANIES, INSURANCE AGENTS AND
INSURANCE BROKERS

76 S. 39

Fees and
Taxes
collected by
Insurance
CommissionerSame powers
as State
Treasurer
has

76. Sec. 39. INSURANCE COMMISSIONER TO COLLECT FEES AND TAXES: All fees and taxes payable under the provisions of this Article shall be paid to and collected by the Insurance Commissioner for the use of the State, and it shall be his duty and he shall have the power to enforce the payment of such fees and taxes, and for this purpose all the provisions of law conferring powers and duties upon the State Treasurer shall apply to the Insurance Commissioner.

Accounting by
Insurance
Commissioner
for money
receivedAccounts
audited by
auditor of
accounts

Vouchers kept

The Insurance Commissioner shall on the First Tuesday of each month, or within five days thereafter, plainly state under his hand a full and true account of all moneys received by him during the preceding month under the provisions of the laws of this State, and the accounts and all the transactions of the office of the Insurance Commissioner shall at the time stated be examined and audited by the Auditor of Accounts. After the auditing and examination of his accounts as aforesaid, the said Insurance Commissioner shall immediately thereafter turn over to the State Treasurer the full amount of money in his hands as shown by said account and audit, and it shall be the duty of the State Treasurer to give the Insurance Commissioner a proper receipt therefor. The Insurance Commissioner shall keep vouchers for all the transactions in his office and shall issue receipts for moneys paid into his office on printed forms numbered in rotation. All his transactions shall be

INSURANCE DEPARTMENT

indexed both as to number and name and the vouchers and receipts shall be submitted to the Auditor at each monthly settlement.

Accounts
indexed

No Certificate of Authority to any insurance company, insurance agent or insurance broker, shall be issued by the Commissioner until the fees and charges therefor and all other fees, taxes, and other charges then due from the applicant under the provisions of this Article have been paid to him.

No certificate
of authority
issued until
fees and
charges paid

77. Sec. 40. FEES AND CHARGES: The following are hereby fixed and established as the legal fees and charges required to be paid to and collected by the Insurance Commissioner, for the filing fees, statements, certificates of authority and other services and things, required and provided for under the laws regulating the business of insurance in this State, as the same are set forth and established in Chapter 20 of the Revised Code, and every insurance company and every insurance agent and every insurance broker, operating in this State, shall pay the fees and charges required of it, him, her or them, as fixed and established in this Section:

Legal fees
and charges

Paid by
companies,
agents and
brokers

For filing every certified copy of Charter or Certificate of Incorporation or Articles of Association of an insurance company \$25.00

For filing every Annual Statement or original statement of an insurance company 25.00

For every Certificate of Authority issued to an insurance company 25.00

For every Certificate of Authority issued to an insurance agent 2.50

INSURANCE DEPARTMENT

Legal fees and
charges

For every Certificate of Authority issued to an
insurance broker 10.00

For every certified copy of a Certificate of
Authority to an insurance company, insur-
ance agent or insurance broker 1.00

For every copy of any paper filed in the Office of
the Insurance Commissioner; 20c. per folio
of one hundred words; and for certifying
and affixing official seal to same 1.00

For each certificate on registered policies or
bonds executed by the Insurance Commis-
sioner including seal: A fee of 10c for
those less than \$100; a fee of 15c. for those
amounting to \$100 and not exceeding \$500;
a fee of 25c. for those amounting to more
than \$500 and less than \$10,000; and 50c.
for those amounting to \$10,000 or more.

For official examinations of companies; the ac-
tual expenses incurred.

78 S. 41

Taxes on all
insurance
except
workmen's
compensation
insurance

78. Sec. 41. TAXES ON ALL INSURANCE EX-
CEPT WORKMEN'S COMPENSATION: Each and every
insurance company doing an insurance business of any kind
within the State of Delaware, excepting that of workmen's
compensation insurance, shall on the First day of March
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 col-
lected from insurance of every kind upon persons or on
the lives of persons resident in, or upon real and personal
property located within this State, or upon any other risks
insured within this State, by any such insurance company
or the authorized agent thereof, for the calendar year im-

INSURANCE DEPARTMENT

mediately preceding the date herein provided for such payments; provided, however, that in computing the gross amount of premiums received and assessments collected as herein defined, there shall be deducted dividends paid to policyholders.

Dividends
deducted
from gross
amount of
premiums

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 such premiums received and assessments collected and dividends paid to policyholders 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 statement shall be verified by the oath or affirmation of the President or Secretary or other responsible officer of said company, duly administered by some person authorized to administer oaths.

Statements of
receipts
delivered to
Insurance
Commissioner

The words "gross premiums", whenever used herein in reference to premiums received by insurance companies on policies covering risks located within the State of Delaware, shall be taken and held to mean all moneys collected as premiums on such policies, less dividends paid to policyholders, and less return premiums paid therefrom by reason of cancellation of policies, and less reinsurance premiums paid to companies authorized to do business in this State, which said reinsuring companies shall pay all taxes upon such reinsurance premiums so received.

Gross
Premiums"
defined

79. Sec. 42. TAXES FROM WORKMEN'S COMPEN-
SATION INSURANCE: Every insurance company carry-
ing workmen's compensation insurance within this State

79 S. 42

Taxes from
Workmen's
Compensation
Insurance

INSURANCE DEPARTMENT

Tax on
Workmen's
Compensation
or employer's
liability
Insurance

shall pay annually the tax upon all workmen's compensation or employer's liability premiums received for such insurance in this State, as such tax, with the permitted deductions therefrom, is now provided for and set forth in Article 6 of Chapter 90 of the Revised Code of 1915, enacted and published as Chapter 204, Volume 30, Laws of Delaware, or as it may be hereafter altered and fixed by law of this State.

80 S. 43

80. Sec. 43. SPECIAL TAX ON FIRE INSURANCE

Special Tax on
Fire
Insurance
Companies for
fire companies

COMPANIES: For the purpose of assisting in maintaining fire companies or departments in this State, every Fire Insurance Company doing business in this State shall annually pay to the Insurance Commissioner on or before the First day of March, in addition to the other taxes, fees and charges required by law, a tax equal to two per centum of the gross premiums, less return and re-insurance premiums, on all direct business received by such companies or by any agent, or agents of such company for such company in cash or otherwise from the insurance of property within the limits of this State during the preceding calendar year. In case of a mutual company the dividends paid or credited to members in this State shall be construed to be return premiums.

Money so
received used
to assist fire
companies,
where
payable

The money so received shall be set aside as a special fund for assisting in maintaining fire companies or departments in this State, and shall be paid out by the State Treasurer to the Treasurer of the City of Wilmington, and to the respective Treasurers of each County for the sole purpose of assisting in maintaining fire companies or departments in such Counties in such manner and in such proportions as is hereinafter provided.

INSURANCE DEPARTMENT

It shall be the duty of all active fire companies or departments in this State outside of the limits of the City of Wilmington, to register with their respective County Treasurer on or before the First day of April in each year on a blank provided for this purpose giving their location, apparatus, and equipment maintained.

Fire
Companies
outside of
Wilmington
to register

Every fire insurance company doing business in this State shall annually at the same time that such company files its annual report now required to be filed by law, deliver to the Insurance Commissioner a full detailed statement of all business done by such company in the City of Wilmington; in the County of New Castle, outside of the City of Wilmington; in Kent County; and in Sussex County; for the year ending on the previous Thirty-first day of December, which statement shall be verified by the oath or affirmation of the President or Vice-President and Secretary or other officer. Said statement shall be on blanks prepared and furnished by the Insurance Commissioner for that purpose.

Fire Insurance
Companies to
make reports
of business
done in City
of Wilmington
and in
Counties of
State

The Insurance Commissioner shall ascertain and report to the State Treasurer, on or before the Fifteenth day of April, in each year, the amount of business done by each Fire insurance Company in the City of Wilmington; in the County of New Castle, outside of the City of Wilmington; in Kent County and in Sussex County; and from such report the State Treasurer shall ascertain the amount due and owing to the City Treasurer of the City of Wilmington, and to the Treasurers of the respective counties of this State, under this Act, and on or before the First day of May of each year, shall pay to the Treasurers of the respective Counties in this State, the proportionate amounts due under this Act, which said amounts shall be used by the Levy Court of the respective Counties, exclusively for the purpose of assisting in maintaining fire departments in said

Insurance
Commissioner
to report to
State
Treasurer—
amount of
business done
by Fire
Insurance
Companies

INSURANCE DEPARTMENT

How many
distributed

Counties, and shall be distributed equally among all fire companies or departments regularly organized and motorized in such County.

Money
collected from
fire insurance
in Wilmington
to become
part of
Firemen's
Pension
Fund

Provided that the money realized under the provision of this Act from insurance on property within the incorporated limits of the City of Wilmington shall be paid to the Treasurer of the said City of Wilmington and shall be applied to, and become a part of the Firemen's Pension Fund of the Bureau of Fire of the City of Wilmington, and shall be used as directed in the by-laws and constitution of the said Bureau.

Rate not to
be increased
because of
Act unless
after hearing

And provided further, it shall be unlawful for any Fire Insurance Company to increase the rate of insurance premium upon any property affected by this Act because of the tax hereinbefore provided, unless the Insurance Commissioner after a hearing on the matter shall be satisfied that an increase is necessary, and in the event that the Insurance Commissioner shall be satisfied after such hearing that an increase in the premium rate is necessary, he shall authorize such reasonable increase as he shall deem fair and equitable.

Insurance
Commissioner
may increase
rate

81 S. 44

Retaliating
Taxes

81. Sec. 44. RETALIATING TAXES, FEES AND REGULATIONS: Whenever the existing or future laws of any other State or Territory of the United States or the District of Columbia shall require of insurance companies incorporated under the laws of this State, and having agencies in such other State, Territory or District, or of the agents thereof, any deposit of securities in such State, Territory or District for the protection of policyholders, or otherwise, or any payment for taxes, penalties, certificates of authority, license fees, or otherwise, greater than the amount required for such purposes from similar com-

INSURANCE DEPARTMENT

panies of other States, Territories or District of Columbia, by the then existing laws of this State, then, and in every such case, all similar companies of such States, Territories, or District of Columbia, establishing or having heretofore established an agency or agencies in this State, shall be required to make the same deposit, for a like purpose, with the Insurance Commissioner of Delaware, and to pay to said Insurance Commissioner for taxes, fines, penalties, certificates of authority, license fees, and otherwise, an amount equal to the amount of such charges and payments imposed by the laws of such States, Territories, or District of Columbia, upon companies of this State and agents thereof.

82. Sec. 45. NO COUNTY OR MUNICIPAL LI- 82 S. 45
CENSES OR TAXES, EXCEPT PROPERTY TAXES: The
fees, charges and premium taxes fixed under the provisions
of this Article shall be in lieu of all county and municipal
license fees and taxes upon the business of insurance in
this State, excepting property taxes.

83. Sec. 46. PENALTY: Any insurance company, 83 S. 46
its officers, agents or employees, or any insurance agent, or
any insurance broker, who fails to pay any of the fees,
charges or taxes required of it, him, her or them under the
provisions of this Chapter, shall be guilty of a misdemeanor,
and upon conviction thereof in the Court of General Ses-
sions, shall pay a fine not exceeding One Thousand Dollars,
or be imprisoned for not exceeding one year, or both, in the
discretion of the Court.

The Court of Chancery shall also have jurisdiction and
power, upon the applications of the Insurance Commissioner
on behalf of the State, to restrain by injunction process

Retaliating
taxes

No other taxes
except
property
taxes

Penalty for
failure to pay
fees, charges,
taxes

Court of
Chancery may
restrain by
injunction for
failure to
pay fees and
taxes

INSURANCE DEPARTMENT

any Insurance Company, which has neglected or failed to make payment of the fees and taxes provided for in this Article, from carrying on the business of insurance in this State.

Approved April 2, 1931.

CHAPTER 54

STATE BOARD OF AGRICULTURE

AN ACT to create an emergency fund for the use of the State Board of Agriculture.

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

Section 1. That 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, 1931, for the purpose of the eradication of tuberculosis in cattle.

Emergency
Fund for
eradication of
tuberculosis
in cattle

Approved February 18, 1931.

CHAPTER 55

STATE BOARD OF AGRICULTURE

AN ACT providing for the distribution of free 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:

Distribution
of free
anti-hog
cholera serum
and virus

Amount used
for one
owner

Section 1. That anti-hog cholera serum and virus purchased by money appropriated by the Legislature to the State Board of Agriculture for this purpose, shall be distributed by the state board of Agriculture to licensed veterinarians for the purpose of inoculating hogs of owners of the State of Delaware; provided, that not more than fifteen hundred cubic centimeters of free serum shall be used by the veterinarians on the stock of any one owner, except in the case of State and County institutions where enough serum and virus may be used to inoculate the entire herd. In the case of any herds, except those of State and County institutions, where more than fifteen hundred cubic centimeters of serum is necessary to inoculate the herd, the remainder of the serum shall be purchased by the veterinarian, at the owner's expense.

Reports by
Veterinarians

Section 2. That the veterinarians to whom such serum and virus is furnished shall render prompt reports to the State Board of Agriculture of all hogs inoculated.

Section 3. That all Acts or parts of Acts inconsistent herewith are hereby repealed only to the extent of such inconsistency.

Approved April 6, 1931.

CHAPTER 56

STATE BOARD OF AGRICULTURE

AN ACT providing for the testing of accredited herds of cattle for tuberculosis.

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

Section 1. That any owner of an accredited herd of cattle, whenever required to have such herd tested, shall be so notified by the State Board of Agriculture, and thereupon such owner may select the Accredited Practicing Veterinarian whom such owner wishes to make such test; and when such owner has notified the State Board of Agriculture as to whom such owner wishes to make such test, the Veterinarian so named by such owner shall be authorized and directed, in writing, by the State Board of Agriculture, to make such test, submitting the result thereof to the said Board at its office in Dover on the regular forms provided by said Board for such purposes.

Owner to select veterinarian

Report to State Board of Agriculture

Section 2. At the end of each month, the Veterinarian shall in each case submit his bill to the State Board of Agriculture for tests made during the month, giving the name and address of the owner of the herd, date of test, number of cattle tested, and result of the test; and, if this bill checks with the charts submitted by him during the month, his bill shall be paid by the State, as other such bills are paid.

Submission of monthly bill by veterinarians

Section 3. A charge of fifty cents per head shall be paid for the test in Sussex County, and a charge of forty-five cents per head shall be paid for the test in New Castle and Kent Counties.

Charges paid for test

Section 4. All tuberculin and other supplies shall be furnished by the Veterinarians, with the exception of ear tags and charts, which shall be supplied by the State Board of Agriculture.

Supplies. How furnished

STATE BOARD OF AGRICULTURE

State Board
of Agriculture
may have
test made by
certain
veterinarian

Section 5. When, at the discretion of the State Board of Agriculture, it is deemed necessary or advisable, the Board shall reserve the right to have the test on any accredited herd made by a regularly employed State or Federal Veterinarian.

Veterinarians
paid by State
only after
authorization
in writing to
test herds

Section 6. Accredited, Practicing Veterinarians shall be paid by the State for testing accredited herds only when authorization, in writing, from the State Board of Agriculture, to test such herds shall have been received by the Veterinarian before such herds are tested.

Rules and
Regulations

Section 7. The State Board of Agriculture shall have full and complete authority and power to make such rules and regulations governing the testing of cattle for tuberculosis as the said Board shall deem advisable; and, if any veterinarian shall violate any of the rules and regulations of the State Board of Agriculture or the Federal Bureau of Animal Industry, his name shall be removed from the accredited veterinarians list, and he shall not be permitted to test accredited herds or to be paid for such work, unless and until such time as he may be reinstated by the Board and the Federal Bureau.

Name of
veterinarian
removed from
list for
violation

Appropriations

Section 8. That the sum of Twenty-Five Thousand Dollars is hereby appropriated to the State Board of Agriculture for the year beginning July 1, 1931, and ending June 30, 1932, and the sum of Thirty Thousand Dollars for the year beginning July 1, 1932, and ending June 30, 1933, to defray all expenses of having the accredited herds of cattle of this State tested, upon order of the State Board of Agriculture, including the fees of the veterinarians, notifying the herd owners and the veterinarians, and other expenses pertaining thereto.

Section 9. That this Act shall be taken and deemed to be a Supplementary Appropriation Act and the funds hereby

STATE BOARD OF AGRICULTURE

appropriated shall be paid by the State Treasurer out of any monies in the General fund of the State not otherwise appropriated upon warrants drawn by the State Board of Agriculture.

Section 10. 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 10, 1931.

CHAPTER 57

STATE BOARD OF AGRICULTURE

AN ACT to provide for the proper advertising of the Agriculture advantages, manufacturing industries, and other natural advantages of the State of Delaware, and making appropriation for the same.

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

Director of
Bureau of
Markets
authorized to
print
publications
advertising
Delaware

Section 1. That the Director of the Bureau of Markets is hereby authorized and directed to have prepared and printed from time to time booklets, pamphlets, and such other advertising matter as he shall deem expedient, setting forth the agricultural advantages, manufacturing industries, natural advantages, and historical points of interest, and such other matters as he may deem advisable, as shall most properly advertise the aforesaid advantages of the State of Delaware.

Distribution
of printed
matter

Section 2. That the said Director of the Bureau of Markets is further authorized and directed to forward such booklets, pamphlets, and other advertising matter to any of the various State Departments of this State or of any other state or territory in the United States or to any foreign country requesting the same, and he is further authorized to send said booklets, pamphlets, or other advertising matter to Chambers of Commerce of the various cities in the United States and foreign countries, and to Rotary Clubs, Kiwanis Clubs, Lions Clubs, and other similar and kindred organizations making request for information regarding the advantages of Delaware.

Appropriation
for expenses

Section 3. That, for the purpose of defraying the expenses of printing, preparing, and mailing the above booklets, pamphlets, and other advertising matter, there is hereby appropriated to the Bureau of Markets, of the State

STATE BOARD OF AGRICULTURE

Board of Agriculture, the sum of two thousand dollars (\$2,000.00) out of any funds in the State Treasury not otherwise appropriated, and the State Treasurer is hereby directed to pay upon warrants drawn by the Director of the Bureau of Markets such sums from time to time from the above fund as the said Director of the Bureau of Markets shall require, said sums not to exceed in the aggregate the total sum of two thousand dollars (\$2,000.00). State Treasurer to pay upon warrants

Section 4. This Act shall be known and termed a supplementary appropriation bill.

Approved April 10, 1931.

CHAPTER 58

STATE BOARD OF AGRICULTURE

AN ACT appropriating fifteen 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:

Appropriations
for poultry
shows

Section 1. That the sum of Fifteen Hundred Dollars (\$1,500.00) annually for the years of 1931 and 1932 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 Treasurer 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 25, 1931.

CHAPTER 59

STATE BOARD OF HEALTH

AN ACT to amend Chapter 25 of the Revised Code of 1915 of the State of Delaware, as amended by Chapter 102, Volume 36 of the Laws of Delaware, Approved April 1, 1929, 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:

Section 1. That Chapter 25 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 824 J. Section 99 of said Chapter as found in Chapter 102, Volume 36, of the Laws of Delaware, and by inserting in lieu thereof the following to be known as 824 J. Section 99.

824 J. S. 99 as amended by Chap. 102, V. 36, Laws of Delaware, further amended

824 J. Section 99. All fees collected under the provisions of this Article 6 shall be paid to the State Board of Health and, when so paid, shall be turned over by said Board to the State Treasurer of the State of Delaware and credited to the General Fund of the State.

824 J. S. 99 Fees paid to State Board of Health

Section 2. That Chapter 25 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 824 M. Section 102 of the said Chapter as found in Chapter 102, Volume 36, of the Laws of Delaware, and by inserting in lieu thereof the following to be known as 824 M. Section 102.

824 M. Section 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 sepa-

824. M. S. 102 Penalty for violating laws, rules and regulations

STATE BOARD OF HEALTH

Total term of imprisonment rate offense; provided that the total term of imprisonment at any one time for additional offenses shall not exceed ten months. Every Justice of the Peace of the State of Delaware and the Municipal Court of the City of Wilmington shall, when the offense is committed within their respective jurisdictions, have summary authority to hear and determine all violations of the provisions of this Article 6 or the rules and regulations adopted thereunder, with the right of appeal to the defendant, as in other cases.

Jurisdiction
of magistrate
and municipal
court

Appeal

Separate
offense

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.

Revocation of
permits for
violations

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.

When
effective

Section 3. The provisions of 824 J. Section 99 as they appear in Section 1 of this Act shall become effective on the first day of July 1931.

Approved March 30, 1931.

CHAPTER 60

STATE BOARD OF HEALTH

AN ACT to amend Chapter 25 of the Revised Code of the State of Delaware, as amended, for the better control by the State Board of Health of communicable diseases.

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

Section 1. That Chapter 25 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended by striking out all of 756 A Section 21A, and by inserting in lieu thereof the following new Section to be known as 756A Section 21A :

756A Section 21A. The State Board of Health may by Regulation declare any disease to be a Notifiable Disease, whereupon the presence of this disease shall be reported to it by any physician, householder, parent, superintendent of any institution in which the patient may be, or by the patient himself, on forms to be provided for the purpose or otherwise. It may add or remove at any time the name of any disease to or from any list of diseases which it shall declare to be notifiable, and shall use every effort in order to see that all persons interested are made aware of the diseases which are upon the list. The regulations in respect to the Notifiable Diseases shall state the time within which the notification to the State Board of Health must be made, the individual by whom it is to be made, and the method, whether by writing, telegraph or telephone, in which it shall be made.

756 A. S. 21A
Notifiable
Diseases
reported

State Board of
Health may
change list

Notification

Section 2. That Chapter 25 of the Revised Code of the State of Delaware, as amended, be further amended by striking out all of 757 Section 22 thereof and by inserting in lieu thereof the following new Section to be known as 757 Section 22 :

STATE BOARD OF HEALTH

757 S. 22

Duty and
authority of
State Board of
Health
respecting
communicable
diseases

757 Section 22. From the list of Notifiable Diseases, the State Board of Health may at any time declare certain diseases to be communicable, and may by regulation lay down the procedure which is to be followed by the patient or person suffering therefrom, the parents of the patient, the householder, by the physician attending on the patient, or any individual brought into contact with or responsible for the care or maintenance of the patient, in order that the transference of the disease to other individual or individuals may be prevented. Such regulation respecting the Communicable Diseases shall provide for the quarantine or isolation of the patient, of any person or persons who have been exposed to the patient and therefore liable to have contracted the disease, or of any carrier of the disease; for placarding by a suitable sign intended to be recognizable by the public, the premises, house, tenement or room in which the person ill of, or exposed to the disease, may be; and for any other matter relating to the care of and due to the illness of the patient from such a communicable disease while the patient is living and ill from the disease, or to the disposal of his body when dead; for the removal of the patient from, and his return to school; or for any other matter or procedure of interest in the protection of the public.

Care of
persons
quarantined

When a house or other place is quarantined on account of contagious disease, it shall be the duty of the State Board of Health having jurisdiction to provide for all persons confined in such house or place, food, fuel, and all other necessities of life, including medical attendance, medicine, and nurses, when necessary; the expenses so incurred, except those for disinfection, quarantine or other measures strictly for the protection of the public, when properly certified to by the Executive Secretary of the State Board of Health, or Health Officer where there is no Board of Health, shall be paid by the person or persons quarantined, when able to make such payment, and when not, by the city, town or county in which he or they were quarantined.

STATE BOARD OF HEALTH

Any person violating the provision of the regulation made under Section 21 or 22 hereof, may be proceeded against in a Magistrate's Court, and on the production of satisfactory evidence shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Ten and not more than Fifty Dollars. All fines recovered under this Section of the Act shall be paid by the Magistrate before whom the case was tried to the Treasurer of the State of Delaware and applied to the General Fund of the State. The costs in all cases shall be paid by the person fined. Any person charged before any Justice of the Peace or other Magistrate under these Sections or any regulation made thereunder, shall have a right to appeal to the Superior Court of the County. The Bond and all proceedings under said appeal shall be the same as is prescribed under Section 53 of Chapter 74 of the Revised Code of the State of Delaware.

Penalty for
violationMagistrates
given
jurisdictionFines paid to
State
Treasurer

Appeal

Approved April 9, 1931.

CHAPTER 61

STATE BOARD OF HEALTH

AN ACT to amend Chapter 25 of the Revised Code of the State of Delaware, as amended, relative to the State Board of Health.

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

Section 1. That Chapter 25 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended by repealing all of 780 1 Section 45 1, as same appears in Chapter 63, Volume 34, Laws of Delaware, amending Chapter 25 of the Revised Code.

Section 2. That Chapter 25 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended, by adding at the end of 780 Sec. 45 a new section to be styled 780 M Sec. 45 M.

780 M. S. 45M

Penalty

780 M Sec. 45 M. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars.

Approved April 9, 1931.

CHAPTER 62

STATE BOARD OF HEALTH

AN ACT authorizing the Board of Health of the State of Delaware to appoint a corps of oral hygienists for work in connection with the Public School System of the State, and appropriating money to carry the same into effect.

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 Board of Health of the State of Delaware be and it is hereby authorized and directed to appoint a Corps of Registered Oral Hygienists to be known and designated as "The Corps of Oral Hygienists."

Section 2. That the said Corps shall be composed of Registered Oral Hygienists to be selected by the said Board of Health, from time to time, as shall be found necessary by the said Board of Health, to carry out the provisions of this Act, and shall serve during the pleasure of the said Board of Health, and receive such compensation for services actually rendered as shall be determined by the said Board of Health.

Section 3. That said corps so appointed as aforesaid shall render and perform, free of charge, such professional services in respect to the medical examination and sanitary cleaning of the mouths and teeth of the children in the public schools of this State, as shall be ordered and directed by the said Board of Health, and shall instruct the said children in oral hygiene and diet, when and as directed by the said Board of Health.

Section 4. That the sum of twelve thousand (\$12,000.00) dollars is hereby appropriated to pay for the maintenance and expenses incurred in carrying out the provisions of this Act for the year beginning July 1, 1931, and ending

STATE BOARD OF HEALTH

June 30, 1932, and shall be available on and after July 1, 1931, and shall be paid by the State Treasurer on vouchers signed by the said Board of Health.

Section 5. That the further sum of fourteen thousand (\$14,000.00) dollars annually is hereby appropriated for each year hereafter, beginning with the year commencing July 1, 1932, for the purposes of this act as aforesaid, said sum to be available each year hereafter on July 1 of each succeeding year.

Appropriation
for year
1932-1933

Section 6. That this Act shall be known as a Supplementary Appropriation Act and the sums hereby appropriated shall be paid out of the general funds of the State Treasury.

Approved April 29, 1931.

CHAPTER 63

STATE BOARD OF HEALTH

AN ACT respecting "Special Funds" received at the State Sanatoriums, Brandywine and Edgewood, for the tuberculous.

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

Section 1. That moneys received for board of patients at the State Sanatoriums for the tuberculous, Brandywine and Edgewood, and which have heretofore been accounted for as "Special Funds" shall, after the expiration of the fiscal year ending June 30, 1931, be paid to the State Treasurer and credited to the General Fund.

Moneys from
board of
patients at
Brandywine
and Edgewood
Sanatoriums
paid into
General Fund

Section 2. Gifts or donations of money made to the Superintendents of the named institutions for any definite or specified purposes shall be accounted for by the Superintendent of the institution concerned, under instructions received by him from the State Auditor.

Superintend-
ents to
account for
gifts or
donations

Approved April 8, 1931.

CHAPTER 64

STATE BOARD OF HEALTH

AN ACT to appropriate certain money out of the State Treasury to the State Board of Health for the construction of Buildings at Brandywine Sanatorium and at Edgewood Sanatorium, for the better control of Tuberculosis.

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

Appropriation
for building
construction
at Brandywine
and Edgewood
Sanatoriums

Section 1. That the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) be and the same is hereby appropriated out of the Treasury of the State of Delaware, from funds not otherwise appropriated, to the State Board of Health for certain building construction at Brandywine and Edgewood Sanatoriums at Marshallton, Delaware.

Not more than
\$5,000 for
construction
at Edgewood

Section 2. That of the above sum so appropriated, not more than Five Thousand Dollars (\$5,000.00) shall be expended for construction at Edgewood.

Construction
at Brandywine
Sanatorium

Section 3. The remaining One Hundred Forty-five Thousand Dollars (\$145,000.00) hereby appropriated, or as much thereof as is necessary, shall be expended at Brandywine Sanatorium for constructing and equipping a building to be used for adult and ambulatory patients, male and female, who are suffering from tuberculosis, and for the constructing and equipping the building to be used for the treatment of children suffering from tuberculosis, and for the constructing and equipping of quarters for the Superintendent and for the construction of, or addition to, sewage disposal, water supply, or heating systems now in existence. after July 1st, 1931.

Sum payable
to State Board
of Health
after July 1,
1931

Section 4. The above sum shall be payable to said State Board of Health, as required by them, at any time

STATE BOARD OF HEALTH

Section 5. This act shall be known as a Supplementary Appropriation Act.

Approved April 25, 1931.

CHAPTER 65

STATE BOARD OF HEALTH

AN ACT to provide for Maintenance of Additional Patients at Brandywine Sanatorium, not anticipated in budget estimate.

WHEREAS, There is now before the General Assembly of the State of Delaware, a bill authorizing the construction of certain buildings at Brandywine Sanatorium and appropriating money for same; and

WHEREAS, The Budget estimate for the maintenance of said institution was based upon a bed capacity of seventy-two patients; and

WHEREAS, If said building construction is authorized by the General Assembly and approved by the Governor, it will be necessary to provide for additional maintenance not anticipated in the budget; therefore

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

Section 1. That the Treasurer of the State of Delaware is hereby authorized and directed to pay to the State Board of Health an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) for said maintenance, out of any funds in the Treasury of the State of Delaware not otherwise appropriated.

Additional
appropriation
for
maintenance
at Brandywine
Sanatorium

Approved April 25, 1931.

CHAPTER 66

STATE BOARD OF HEALTH

AN ACT to appropriate certain monies from the Treasury of the State of Delaware to the State Board of Health to provide for Certain Deficits at Brandywine Sanatorium incurred during the Fiscal Year 1930-31.

THAT WHEREAS, The amount appropriated for the maintenance of Brandywine Sanatorium for the fiscal year ending June 30, 1931 was estimated on an average bed capacity of forty patients, or the equivalent of 14,600 bed days of treatment; and

WHEREAS, it is expected that 22,000 bed days of treatment will be applied for by patients and should be given them by the State during the year; therefore

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 from the General Fund of the State in the Treasury of the State of Delaware, an amount not exceeding Eighteen Thousand Dollars (\$18,000.00) to the State Board of Health for the above purpose and the Treasurer of the State is hereby directed to pay said amount from any funds not otherwise appropriated.

Additional
appropriation
to provide for
deficits at
Brandywine
Sanatorium

Approved April 10, 1931.

CHAPTER 67

STATE BOARD OF PHARMACY

AN ACT to amend Chapter 29 of the Revised Code of the State of Delaware, as amended by Chapter 56, Volume 35, Laws 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 29 of the Revised Code of the State of Delaware, as amended by Chapter 56, Volume 35, Laws of Delaware, be and the same is hereby further amended by striking out all of 875 A Sec. 23 thereof and by substituting in lieu thereof a new Section to be styled 875 A Section 23 A:

875 A. S. 23A

Name of
proprietor of
drug store to
be
conspicuously
displayed on
exterior

Affidavit to
State Board of
Pharmacy as
to ownership

875 A Sec. 23 A. Every person, partnership, association, or corporation doing business as the proprietor or proprietors of a pharmacy, drug store or other place of business wherein the retailing, compounding or dispensing of any drugs, chemical or poisons or the compounding of physicians' prescriptions is carried on, shall cause the name of the proprietor or proprietors to be displayed upon a sign conspicuously placed upon the exterior of said premises and, within thirty days after the passage and approval of this Act, every person, partnership, association or corporation conducting such a place of business as referred to herein, and every person, partnership, association or corporation which shall thereafter desire to conduct or establish such a place of business, shall make an affidavit to the State Board of Pharmacy as to the ownership of same. All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 2, 1931.

CHAPTER 68

STATE BOARD OF EXAMINERS OF GRADUATE NURSES

AN ACT to amend Chapter 29 of the Revised Code of the State of Delaware, authorizing the State Board of Examiners of Graduate Nurses to formulate and establish a Curriculum and Rules for Training Schools, increase the Salary of Secretary and Members of the Board, and the Fee to be deposited by those applying for Registration under said Act, and to define more fully the Qualifications of Applicants for Registration as Registered or Graduate Nurses.

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

Section 1. That Chapter 29 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 877 Sec. 2 thereof, and the insertion in lieu thereof of the following to be styled 877 Sec 2:

877 Sec. 2. The members of said State Board of Examiners shall, annually in the month of June, elect from their members a President, and a Secretary who shall also be the Treasurer. Three members of the Board shall constitute a quorum, special meetings of the Board shall be called by the Secretary upon written request of any two members. The said Board is authorized to frame such By-Laws as may be necessary to govern its proceedings, and to formulate a curriculum and rules to be complied with by Training Schools and Hospitals which have been duly accredited by said Board of Examiners. They shall also provide for a systematic inspection of all schools of nursing in this State and the Educational Advisor shall visit each school of nursing, whenever deemed necessary or desirable by said Board. The Secretary shall keep a record of all meetings of the Board, including a Register of the names of all nurses duly registered under this Chapter, which shall at all reasonable times be open to public scrutiny. The

877 S. 2

State Board of
Examiners of
graduate
nursesOrganization
and work ofRecord of
registered
nurses

STATE BOARD OF EXAMINERS OF GRADUATE NURSES

Salary of
SecretaryCompensation
of members
paid from feesOther monies
for expenses
of Board

Board shall cause the prosecution of all persons violating any of the provisions of this Chapter, and may incur necessary expenses in this behalf. The Secretary shall receive a salary to be fixed by the Board not to exceed Fifty Dollars (\$50.00) per month and also traveling and other expenses incurred in the discharge of her official duties which may include that of Educational Adviser to the Schools of Nursing. The members of the Board shall receive Ten Dollars (\$10.00) for each day actually engaged in service, and all legitimate and necessary expenses. Said expenses and salaries shall be paid from fees received by Board under the provisions of this Chapter and no part of salaries or other expenses of the Board shall be paid out of the State Treasury. All monies in excess of the said allowance and other expenses provided for, shall be held by the Treasurer for meeting expenses of the said Board and the cost of annual reports of the Board.

Section 2. That 878 Sec. 3 of Chapter 29 of Revised Code of the State of Delaware be and is hereby amended by the repeal of 878 Sec. 3, and the insertion in lieu thereof of the following to be styled 878 Sec. 3:

878 S. 3

Meeting

Examination
of applicants
for
registrationFee upon filing
application

878 Sec. 3. It shall be the duty of said Board of Examiners to meet not less frequently than once in every year, notice of which meeting shall be given in the press, and in one Nursing Journal one month previous to the meeting. At this meeting it shall be its duty to examine all applicants for registration under this Chapter, to determine their fitness and ability to give efficient care to the sick. Upon filing application for examination and registration each applicant will deposit a fee of Ten Dollars (\$10.00).

Section 3. That 879 Sec. 4 of said Chapter of the Revised Code of State of Delaware be and is hereby amended by repeal of 879 Sec. 4, and the insertion in lieu thereof of the following to be styled 879 Sec. 4:

STATE BOARD OF EXAMINERS OF GRADUATE NURSES

879 Sec. 4. The applicant shall furnish satisfactory ^{879 S. 4} evidence that he or she is twenty-one years of age, is of good moral character, and has graduated from a Training School for Nurses connected with a general Hospital where at least two years of training is given in Surgical, Medical, Obstetrical and Pediatric Nursing or has received instruction in different Hospitals for periods of time amounting to at least a two-year course as aforesaid, and then graduated which school or combination of schools must be on the approved list issued by the State Board of Examiners for registration of Nurses as hereinafter provided. And that previous to entering the school of Nursing each applicant has completed at least one year of High School Education or its equivalent and after January 1st, 1934, each applicant shall have completed four years of High School Education or its equivalent. ^{Qualifications of applicant} Provided that any nurse applying for registration and who graduated or was a student in an accredited school of Nursing, before Jan. 1st, 1934 and having one year High School Education shall upon complying with all other requirements of this Chapter be granted registration. ^{Provide, applicants who were students or graduates before Jan. 1, 1934} Provided also that a graduate nurse registered in any state or country where the requirements for registration in the judgment of the Board are at least equal to the requirements of law for such nurses in Delaware, may at the discretion of the Board be registered without examination, upon application in writing on forms provided by the Board and upon payment of fee of Ten Dollars (\$10.00). ^{Registration of nurses from other State or country} Fee

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

Approved March 19, 1931.

CHAPTER 69

DELAWARE STATE BOARD OF EXAMINERS IN OPTOMETRY

AN ACT to amend Chapter 31 of the Revised Code of the State of Delaware, as amended by Chapter 58, Volume 35, Laws of Delaware, relating to the "Delaware State Board of Examiners in Optometry".

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

Section 1. That said Chapter 31 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended by repealing 894 Section 2 thereof, and inserting in lieu thereof a new section to be known as 894 Section 2.

894 S. 2

Who deemed
to practice
optometry

894 Section 2. Any person shall be deemed to be practicing optometry within the meaning of this Act who shall display a sign, such as an eye, a pair of eyes, or who shall in any way advertise himself as an optometrist, or who shall examine the human eye, to ascertain the presence of defects or abnormal conditions which can be corrected or relieved or the effects of which may be corrected or relieved by the use of lenses, prisms, or ocular exercises, or employ any subjective or objective mechanical means to determine the accommodative or refractive states of the human eye or range or power of vision of the human eye, or have in his possession testing appliances for the purpose of the measurement of the powers of vision, or diagnose any ocular refractive deficiency or deformity, visual or muscular anomaly of the human eye, or prescribe or adapt lenses, prisms, or ocular exercises for the correction or relief of the same, or who holds himself out as being able to do so, or who shall use the title of Doctor of Optometry (O. D.), or any other letters or title in connection with his or her name, which in any way may convey the impression that he or she is engaged in the practice of optometry.

DELAWARE STATE BOARD OF EXAMINERS IN OPTOMETRY

Section 2. That said Chapter 31 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended by adding after 895 Section 3 a new section to be known as 895 A Section 3 A.

895 A Section 3 A. Said Board of Optometry shall have the power to make any rules and regulations, not inconsistent with the laws of this State, which it may deem necessary or expedient for the effective enforcement of this Chapter or for the full and efficient performance of its duties thereunder.

895 A. S. 3A
Power of
Board of
Optometry to
make rules
and
regulations

Section 3. That said Chapter 31 of the Revised Code of the State of Delaware, as amended, be further amended by repealing 904 Section 12 of said Chapter and inserting in lieu thereof a new section to be known as 904 Section 12.

904 Section 12. Said Board shall have power to revoke any certificate of registration granted by it under this Chapter for conviction of crime, habitual drunkenness for six months immediately before a charge is made, for gross incompetency or contagious disease, or where any person shall present to the State Board of Optometry any diploma, license or certificate that shall have been secured or issued unlawfully or under fraudulent representations, or upon being found guilty of unprofessional conduct; provided, that before any certificate shall be so revoked, the holder thereof shall have notice in writing of charges against him, and at a day specified in said notice, at least five days after the service thereof, be given a public hearing and have opportunity to produce testimony in his behalf and confront the witnesses against him. Any person whose certificate has been so revoked, may, after the expiration of ninety days, apply to have the same regranted, and the same shall be regranted to him, upon a satisfactory showing that the disqualification has ceased.

904 S. 12
Power of
Board to
revoke
certificate of
registration

Hearing

Certificate
regranted

DELAWARE STATE BOARD OF EXAMINERS IN OPTOMETRY

Section 4. That said Chapter 31 of the Revised Code of the State of Delaware, as amended, be further amended by repealing 905 Section 13 of said Chapter and inserting in lieu thereof a new section to be known as 905 Section 13.

905 S. 13

Right to use
drugs or
surgery not
conferred

905 Section 13. Nothing in this Act shall be construed as conferring on the holder of any certificate of registration for licensure, issued by the State Board of Examiners in Optometry, the right to make use of drugs or surgery in the examination of the human eye.

Section 5. That said Chapter 31 of the Revised Code of the State of Delaware, as amended, be further amended by repealing 906 Section 14, and inserting in lieu thereof a new Section to be known as 906 Section 14.

906 S. 14

Penalty

906 Section 14. Whoever shall violate any of the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than One Hundred Dollars nor more than Five Hundred Dollars, and in default of payment of said fine shall be imprisoned in the County Jail for the term of not less than one year.

Court of
General
Sessions given
jurisdiction

The Court of General Sessions of the County wherein the offence was committed shall have jurisdiction of the violations of this Chapter.

Section 6. That said Chapter 31 of the Revised Code of the State of Delaware, as amended, be further amended by repealing 907 Section 15, and inserting in lieu thereof three new sections to be known respectively as 907 Section 15, 907 A Section 15 A, 907 B Section 15 B.

907 S. 15

Not to
interfere with
sale of
spectacles or
eyeglasses in
ordinary
course of
trade

907 Section 15. Nothing in this Chapter shall be construed to prevent the sale of spectacles or eyeglasses in the ordinary course of trade, provided no part of this Chapter is violated in making such a sale; and provided further that those persons having the degree of Doctor of Medicine from

DELAWARE STATE BOARD OF EXAMINERS IN OPTOMETRY

a medical college approved by the American Medical Association and licensed to practice medicine and surgery in this State, shall be exempt from the provisions of this Chapter. Doctor of medicine exempt from provisions of chapter

907 A Section 15 A. In case for any reason any paragraph or any provision of this Chapter shall be questioned in any court of last resort and shall be held by such court to be unconstitutional or invalid, the same shall not be held to affect any other paragraph or provision of this Chapter.

907 B Section 15 B. All laws and parts of laws inconsistent or in conflict with this Chapter are hereby repealed. Repeal of inconsistent laws

Approved April 25, 1931.

CHAPTER 70

STATE BOARD OF EXAMINERS IN UNDERTAKING

AN ACT to amend Chapter 32 of the Revised Code of Delaware relating to "State Board of Examiners of Undertakers".

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

Section 1. That Chapter 32 of the Revised Code of Delaware be and the same is hereby amended by striking out 910 Sec. 3 thereof and inserting in lieu thereof the following :

910 S. 3

Exemptions
from
examination

910 Sec. 3. Exemptions from Examination; Certificate; Renewals; Fees:—Every person, firm or corporation, who or which was, on the nineteenth day of April, A. D. 1911, engaged in the undertaking business in this State, who or which within three months after said date, caused, in the case of a person his or her name, in the case of a firm the name of each member of said firm, and in case of a corporation the names of the president and secretary of said corporation, to be registered with said Board of Examiners, together with his, her or its place of business, and every person assisting in the conduct or management of the undertaking business in this State who, within said three months, caused his or her name to be registered with said board, together with the name of the person, firm or corporation engaged in the conduct or management of whose business he or she was then assisting, the statement, filed with said Board, of which person, firm or corporation, was verified under oath or affirmation, in such manner as was prescribed by the said Board, may continue to prosecute the said undertaking business, or assist in the conduct and management thereof. Every such person, firm or corporation is entitled to receive a certificate of such registration upon his, her or its payment to the said Board of Twenty-

Entitled to
certificate
upon payment
of fee

STATE BOARD OF EXAMINERS IN UNDERTAKING

five Dollars for such certificate. Every such person, firm or corporation shall pay annually to said Board the sum of Five Dollars for the renewal of said certificate. Annual fee

Section 2. That Chapter 32 of the Revised Code of Delaware as amended by Chapter 47, Volume 32, Laws of Delaware, be and the same is hereby further amended by striking out 911 Sec. 4 thereof and inserting in lieu thereof the following:

911 Sec. 4. Examinations; Certificates; Fees: Any 911 S. 4
 other person who shall desire to engage in the undertaking business in this State, or any other person who shall desire to assist in the conduct or management of said business, in this State, shall appear at the time hereinafter provided for, before said Board of Examiners, and any other firm or corporation who shall desire to engage in said undertaking business in this State shall cause one of the members of such firm, or corporation to appear before said Board of Examiners at the time hereinafter provided for, and such person so appearing shall be examined with reference to his or her knowledge and skill in the undertaking business, and if the examination of such person so appearing shall prove satisfactory to said Board of Examiners, the said Board, if they shall find that such person so examined, possesses the requisite qualifications, shall issue to such person or to such firm or corporation a certificate to that effect in accordance with the provisions of this Chapter, and upon payment of the sum of Twenty-five Dollars (\$25.00). Examination of others
 Such person, firm or corporation shall pay annually to said Board of Examiners the sum of Five Dollars for the renewal of said certificate. All certificates issued by said Board shall be signed by its officers, and said certificates granted as aforesaid shall be prima facie evidence of the right of the holder to engage in the undertaking business in the State of Delaware, or to assist in the conduct or management of said business. Issuance of certificate
Fee
Annual fee

STATE BOARD OF EXAMINERS IN UNDERTAKING

After approval of act, applicant must have high school education and be graduate of school of embalming

That after the approval of this Act no certificate shall be issued by said Board of Examiners unless the applicant has a high school education or the equivalent thereof, is a graduate from a regular recognized college of embalming, whose course of instruction is not less than six months. The name and address of such applicant shall be filed with the said Board of Examiners not less than two years next preceding his or her examination.

Time to file application

Section 3. That Chapter 32 of the Revised Code of Delaware be and the same is hereby amended by striking out 913 Sec. 6 thereof and inserting in lieu thereof the following:—

913 S. 6

Undertaking business without certificate unlawful

Exception

913 Sec. 6. Undertaking Business Without Certificate Unlawful:—It shall be unlawful for any person, partnership or corporation, who or which was not on the nineteenth day of April, A. D. 1911, engaged in the undertaking business in this State, or assisting in the conduct or management thereof, to engage in said business or assist in the conduct or management thereof, unless he, she or it shall have obtained a certificate as hereinbefore provided.

Section 4. That Chapter 32 of the Revised Code of Delaware as amended by Chapter 61, Volume 30, Laws of Delaware, be and the same is hereby further amended by striking out 915 Sec. 8 thereof and inserting in lieu thereof the following:—

915 S. 8

By-Laws

Application for examination

Meeting for examination

915 Sec. 8. By-laws; Applications for Certificates; Notice of Examinations:—The Board of Examiners shall have power to frame by-laws governing the Board. Any person desiring to be examined by the said Board for a certificate, shall make application to the Secretary of said Board, who shall notify the members thereof and they shall within fifteen days from receipt of such application meet to examine such person and give him or her proper notice of such meeting. If such application shall be made

STATE BOARD OF EXAMINERS IN UNDERTAKING

by a partnership, the same shall state the names and addresses of the persons composing said partnership, and every such application which shall be made by a corporation shall state the names and addresses of the officers and directors of said corporation.

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

Approved March 12, 1931.

CHAPTER 71

PUBLIC LIBRARIES

AN ACT Concerning Free Public Libraries, being an amendment of Chapter 34 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:

936. S. 4 Section 1. That Chapter 34 of the Revised Code of the State of Delaware be, and the same is hereby amended, by striking out 936, Section 4 and by inserting a new Section in lieu thereof as follows: "936. Section 4. SCHOOL DISTRICTS MAY RECEIVE AND HOLD DONATIONS FOR LIBRARY PURPOSES:—Any School District in this State may receive and hold any devise, bequest or donation for the foundation and establishment or for the maintenance, support and increase of a free public library within the same".

School district may receive donation for library purposes

937. S. 5 Section 2. That said Chapter 34 be further amended by striking out 937, Section 5, and by inserting a new Section in lieu thereof as follows: "937. Section 5. FREE PUBLIC LIBRARIES FOR SCHOOL DISTRICTS; HOW ESTABLISHED AND MAINTAINED:—Any School District in this State is authorized and empowered to establish and maintain a free public library, with or without reading room, provided either, that such establishment be approved at an election as hereinafter provided, or that funds for the maintenance and support of the library be donated or guaranteed as provided in Section 11 of this Chapter.

School district may establish free public library, if approved at election or funds donated

938 S. 6 Section 3. That said Chapter 34 be further amended by striking out 938. Section 6 and by inserting a new Section in lieu thereof as follows: "938. Section 6. CLASSIFICATION OF SCHOOL DISTRICTS:—For the purposes of this Chapter, all the School Districts in this State, are classified as follows:

Classification of school districts

PUBLIC LIBRARIES

Every District with a population of Three Thousand (3,000) or more shall be deemed a District of the First Class; every District with a population less than Three Thousand (3,000), but not less than Twelve Hundred (1,200), shall be deemed a District of the Second Class; every District with a population less than Twelve Hundred (1,200), shall be deemed a District of the Third Class”.

Section 4. That said Chapter 34 be further amended by striking out 939, Section 7 and by inserting in lieu thereof a new Section as follows: “939. Section 7. DISTRICT FREE PUBLIC LIBRARY; ELECTORS TO DECIDE UPON ESTABLISHMENT OF; ELECTION; WHEN HELD; NOTICE OF; HOW PETITIONED FOR:—Every Board of Education or Board of School Trustees shall submit the question as to the establishment of a free public library in the School District under the jurisdiction of the Board to the qualified Electors of such District, at a special election to be called by said Board whenever petitioned so to do by twenty (20) or more Electors of the District if the District be of the First Class or by ten (10) or more Electors of the District if it be of the Second or Third Class. Such special election shall be called by the Board for a day not later than sixty (60) days after such petition. The said Board shall give notice of the day or place and purpose of such special election by printed or written advertisements posted in at least fives (5) public places in the District at least ten (10) days prior to the day of such election. In case the Board shall neglect or refuse to give such notice, any qualified Elector of the District may do so and the notice so given shall be as effectual as though given by said Board.

939 S. 7

Electors of district to decide upon establishment of free public library

Special election upon petition

Notice

Section 5. That said Chapter 34 be further amended by striking out 940. Section 8. and by inserting in lieu thereof a new Section as follows: “940. Section 8. ELECTION; CONDUCT OF; VOTING; QUALIFICATION OF VOTERS; CERTIFIED RESULTS:—The Board of Educa-

940. S. 8

PUBLIC LIBRARIES

Conduct of election	tion or Board of School Trustees shall appoint the persons to conduct the election, but if the Board shall neglect or refuse to make such appointment, the Electors assembled at the polls may do so. Every person above the age of twenty-one (21) years, residing in the District and paying school taxes therein and who is not delinquent in such payment shall be entitled to vote at such election. The voting shall be by ballot, on which shall be written or printed the words "for a free library", or the words "against a free library". A majority of the votes cast at such election shall determine the question. The persons conducting the said election shall certify the result of said election to the Board of Education or the Board of School Trustees of the District".
Qualifications of voters	
Voting	
Results certified	

942 S. 10

Taxation to
establish and
maintain
Library

Amount in
each class of
Districts

Section 6. That said Chapter 34 be further amended by striking out 942. Section 10. and by inserting in lieu thereof a new Section as follows: "942. Section 10. TAXATION TO ESTABLISH AND MAINTAIN LIBRARY; WHEN; BY WHOM; AMOUNT IN EACH CLASS OF DISTRICTS; LIMIT OF; TAXES; HOW LEVIED AND COLLECTED:—If at any election the qualified Electors shall, in the manner aforesaid, declare in favor of the establishment of a Free Public Library in the District, the Board of Education of Board of School Trustees of the School District in which the election was held is hereby authorized, empowered and required to levy and raise by taxation, in each year, for the purpose of the establishment of such a library therein, and/or for the maintenance, increase and support of said library, such sum of money as the District Library Commission of the District shall certify to the Board of Education or Board of School Trustees as proper or necessary for the expenses of the library for the year in which such sum is to be levied and raised as aforesaid, provided that the sum so certified shall be not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) if the District be a District of the First Class, or not less than Two Hundred Dollars (\$200.00) nor

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more than Six Hundred Dollars (\$600.00), if the District be a District of the Second Class, or not less than One Hundred Dollars (\$100.00) nor more than Three Hundred Dollars (\$300.00) if the District be a District of the Third Class; the class to which the District belongs being determined by the classification as set forth in Section 6 of this Chapter.

All sums authorized to be levied and raised by taxation under this Chapter shall be levied, raised and collected as follows:

The Board of Education or Board of School Trustees shall cause to be made from the Assessment Records of the County in which the District is located a list of all the taxables of the District showing the property assessed against such taxables and the assessment of such property. There may also be added a poll tax on all persons twenty-one (21) years of age and upwards, residing in the District, of such amount as shall be determined by the Board. How levied

A copy of the assessment list shall be posted in some public place of the District for inspection and the Board shall advertise such posting in at least five (5) public places of the District, giving notice that such list is posted and where, and the day, hour and place (not less than five (5) days thereafter) of their sitting to hear objections. Upon such hearing the said Board shall make such corrections and additions as shall be right and proper.

Upon the completion of the assessment, the Board shall fix the rate sufficient to raise the amount determined to be raised at that time with an addition of ten per cent added thereto for delinquencies and costs of collection. The Board shall then execute and deliver its warrant with a duplicate of the assessment list to the collector specially appointed by the Board. Such collector shall be appointed by the Board Collector to
give bond

PUBLIC LIBRARIES

Duty of
Collector

and shall be required to give such bond as shall be required by the Board. The Board may appoint as such collector the official whose duty it is to collect County taxes in the County wherein the District is situated, and in such case, it shall be a duty of such official to act as the collector for the District. In collecting the said tax, the collector shall proceed in the manner and have all the powers of the collector of county taxes. He shall pay over all moneys collected by him to the Board, as collected and shall finally account to said Board when required to do so. Said Board shall in such final accounting allow such delinquencies and errors as are right and proper to be allowed and shall pay such collector a proper compensation for his services. The moneys raised by such levy shall be paid over to the Treasurer of the District Library Commission of the District.

Money paid to
Treasurer of
DistrictFailure to
perform duties
misdemeanor

Penalty

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".

943. S. 11

Section 7. That said Chapter 34 be further amended by striking out 943. Section 11. and by inserting in lieu thereof a new Section as follows: "943. Section 11. DISTRICT FREE PUBLIC LIBRARY; HOW CREATED, UPON DONATION OR GUARANTEE:—Whenever the Board of Education or Board of School Trustees of any School District in this State shall be guaranteed, for the maintenance and support of a free public library in such District, a sum equal to the minimum amount required to be raised by a District of its class under Section 10 of this Chapter, for each year for the three years next ensuing such guarantee, the Board of Education or Board of School Trustees of such District shall declare a free public library

PUBLIC LIBRARIES

to be established therein, and shall proceed to name a district library commission as provided in Section 12 of this Chapter. Such guarantee may be by gift or devise of money or securities, or other valuable property, or by subscription lists, or by other plan approved by the State Library Commission, provided that said guarantee has the sanction of the said State Library Commission.

District Free
Public
Library
established
upon Donation
or Guarantee

Section 8. That said Chapter 34 be further amended by striking out 944. Section 12 and 945. Section 13. and by inserting in lieu thereof two new Sections as follows:—

944 S. 12

“944. Section 12. District Library Commission; How Created; When; Number of; Terms of Office of; First Commission; Eligibility to Serve on Commission:—That the general administration and supervision of each free public library established under the provisions of this Chapter shall be vested in a District Library Commission which shall be composed of five members appointed from the residents of the School District wherein such library is established by the Resident Judge of the Superior Court of the State of Delaware of the County in which the School District is located. In case a district is located partly in each of two Counties the appointments shall be made alternately by the Resident Judges of the two Counties, the first appointment being made by the Resident Judge of the County in which the greater number of residents of the School District live. On the first day of May, nineteen hundred and thirty-one or as soon as practicable thereafter the Resident Judge as aforesaid shall appoint the members of a District Library Commission for each district of his County wherein a free public library has been established under the provisions of this Chapter. The said Judge shall appoint one member for the term of one year, one member for the term of two years and three members for the term of three years. Annually thereafter the said Judge shall fill vacancies in District Library Commissions caused by the expiration of the term of office of its members. Except in the case of the appointments made in the year nineteen hun-

District
Library
Commission

Number of
Appointed by
Resident
Judge

Terms

PUBLIC LIBRARIES

Vacancy

Members on
Jan. 1, 1931
to continue in
office. How
long

dred and thirty-one as above provided the term of office of a member of a District Library Commission shall be three years. A vacancy occurring from any cause other than expiration of the term of office shall be filled by the Resident Judge for the unexpired term. The members of District Library Commissions in existence on the first day of January in the year nineteen hundred and thirty-one shall continue in office until the first day of May in the year nineteen hundred and thirty-one or until new appointments have been made by the Resident Judge as provided in this Section.

944. S. 13

Organization

"945. Section 13. District Library Commission; Organization; Officers; Librarian; Meetings:—A District Library Commission shall organize by electing from its members a president, secretary and treasurer. The secretary and treasurer may be one and the same person.

Librarian

The Commission shall elect a librarian who may be one of its own members. The Commission shall have power to fix the compensation of the librarian.

Meetings

The Commission shall meet at least quarterly in each year. The Commission shall have power to adopt a rule that the failure of any member to attend a specified number of meetings of the Commission shall create a vacancy in the office of such member.

949 S. 17

State Funds
payable to
School
Districts for
Library
purposes

Section 9. That said Chapter 34 be further amended by striking out 949. Section 17. and by inserting in lieu thereof a new Section as follows: "949. Section 17. STATE FUNDS PAYABLE TO SCHOOL DISTRICTS FOR LIBRARY PURPOSES; WHEN:—Whenever the State Library Commission shall certify to the State Treasurer of the State of Delaware that any School District in this State has established a free public library therein, and has raised by taxation, subscription, gift, or otherwise, a sum not less than the minimum sum prescribed by Section 10 of this Chapter for the class to which such District belongs, for the

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support and maintenance of said library for the year then next ensuing such establishment, said State Treasurer shall pay to the District Library Commission of any such School District a sum equal to one-half ($\frac{1}{2}$) of the sum certified by the State Library Commission as aforesaid; and each year thereafter, the said State Treasurer shall pay to said District Library Commission a sum equal to one-half ($\frac{1}{2}$) of the sum certified to the said State Treasurer by the State Library Commission as having been raised by taxation, subscription, gift, or otherwise during the year in which the State Treasurer is to make such payment for the maintenance and increase of the District Library for such year. Provided, however, that the State Treasurer shall not in any one year pay to any District Library Commission any sum in excess of one-half ($\frac{1}{2}$) of the maximum sum prescribed for Section 10 of this Chapter for the Class to which the District belongs. All such sums, payable as provided in this Section, shall be paid by the State Treasurer out of any monies in his hands as such Treasurer not otherwise appropriated. All such sums, paid to any District Library Commission by the State Treasurer as aforesaid, shall be expended by such District Library Commission for books, approved by the State Library Commission. If any District Library Commission shall neglect or refuse to expend all monies received by such District Library Commission from the State Treasurer as aforesaid for books approved by the State Library Commission, then and in such event the State Library Commission is authorized and empowered to refuse to issue a certificate to the State Treasurer for any further or other payment to the District Library Commission so neglecting or refusing as aforesaid."

When payable

Limitation of Payments

How funds expended

Refusal of certificate by State Library Commission upon failure or neglect of District Library Commission

Section 10. That Chapter 34 be further amended by adding after 949. Section 17. a new Section to be styled, 949 A. S. 17A 949A. Section 17A. as follows: "The word "School District" and the word "District" shall be deemed and held to mean

Definition

PUBLIC LIBRARIES

Meaning of "School District" and "District" all kinds of school districts in this State, those that are special school districts and those that are not special school districts".

Approved May 1, 1931.

CHAPTER 72

STATE FORESTRY DEPARTMENT

AN ACT to supplement Chapter 50, Volume 35, Laws of Delaware, creating the State Forestry Department, by providing for the acquisition of lands for State forests and other purposes and the management thereof, the appointment of fire wardens and other officers and defining their powers and duties, providing penalties for the violation of laws for the protection of forest lands and for the promotion and encouragement of the establishment of forest plantations.

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

Section 1. The State Forestry Department shall have the power :

(A) To acquire in the name of the State of Delaware by purchase, gift or otherwise, lands for the establishment of State Forests, State Forest Parks, experimental stations and demonstration areas, and to hold, manage, regulate, control, maintain and utilize the same,—provided that the amount expended for the acquisition of such lands in any bi-ennial period shall not exceed the amount appropriated for the purpose and not otherwise used.

State Forestry
Department
given power to
acquire and
manage lands
for forestry
purposes

Limitation on
amount
expended

(B) To sell or exchange such forest lands whenever it shall be of advantage to the State forest interests,—provided that the sale or exchange of such lands shall be authorized by Resolution of the Commission, unanimously adopted at a meeting at which a majority of its members shall be present and voting, and provided further that such sale or exchange shall be approved by the Governor of the State. Any deed or evidence of title necessary to be given shall be executed on behalf of the State by the Governor, and shall be under the Great Seal of the State.

Power to sell
or exchange
lands

Under what
conditions

Deed executed
by Governor
and under
Great Seal of
the State

STATE FORESTRY DEPARTMENT

Power to
lease State
land for
certain
purposes

(C) To lease for any period not exceeding ten (10) years on such terms and conditions as may be reasonable, to any citizen, church, organization or school board, such portions of any State forest lands as may be deemed suitable as a site for a temporary building to be used by such citizen, church, organization or school for health or recreation.

Power to
preserve scenic
features

(D) To set aside within the said State forests, unusual or historic groves of trees or natural features particularly worthy of permanent preservation, and to make the same accessible and convenient for public use, and to dedicate them in perpetuity to the people of the State for recreation and enjoyment.

Section 2.

Commercial
Forest
plantation
exempt from
tax

Commercial
forest
plantation
defined

(A) From and after the passage of this Act, any landowner who shall establish a commercial forest plantation, as hereinafter defined, upon his land shall be entitled to tax exemption as hereinafter set forth. A commercial forest plantation within the meaning and purpose of this Act is hereby defined as a contiguous area of land of not less than five acres which is not primarily valuable for agricultural purposes and upon which the owner proposes to develop and maintain a forest either through planting or natural reproduction or both. Such land must at the time of listing as a commercial forest plantation actually carry sufficient forest growth of suitable character and so distributed as to give reasonable assurance that a stand of merchantable timber will develop therefrom. The intent and purpose of this section is to exclude from classification as a commercial forest plantation, land carrying any stand of trees over five (5) feet in height except mature trees that have been left for seed dissemination and to exclude land planted as a nursery, orchard, or for ornamental purposes.

(B) Any owner of such forest plantation, having complied with the aforementioned specifications for com-

STATE FORESTRY DEPARTMENT

mercial forest plantations, may make application to the State Forestry Commission to have such land listed. In making such application, he shall file with said Commission a sworn statement of compliance with the provisions of this section together with the location, description and acreage of the planted lands or the naturally reforested lands. The State Forestry Commission upon receipt of such application shall direct the State Forester to make or cause to be made a thorough examination of the property described in the application and report his findings to the Commission. If the Commission shall determine from said report that the owner has complied with the purpose of this section; namely, to develop and maintain upon his land a commercial forest, the Commission shall recommend to the Assessment Board in the County wherein the lands are situated that the said lands be removed from the list of assessable property for the period of thirty (30) years, and thereupon the said property shall be removed from the list of assessable property for the exemption period except as hereinafter provided.

Any owner of land listed as commercial forest plantation desiring to withdraw said land from operation of this section shall make written application to the State Forestry Commission for such withdrawal. Such application shall be granted only upon evidence that the owner has paid to the County Treasurer the amount of tax due on said land as determined by the County Board of Assessment. The said Board of Assessment shall determine the average value per year of said lands during the time such shall have been exempt from taxation and, further, shall determine the amount of tax due on said lands calculated according to the several yearly tax rates at the average valuation. Upon presentation to the State Forestry Commission of such application as herein provided the State Forestry Commission shall at once notify the County Board of Assessment of such action and thereupon the property described in said application shall be removed from classification and henceforth shall be taxed as other property.

Listing of land

State Forester
to examine
propertyProperty
removed from
assessment
list for thirty
years upon
recommendation
of State
Forestry
CommissionWithdrawal
of commercial
Forest
plantation
from operation
of Section

Application

Taxes must be
paidDetermination
of Tax

STATE FORESTRY DEPARTMENT

Dead and
injured
timbers used (C) The owner of any land listed under the provisions of this section shall have the right to fell and use any dead or injured timber, and also to cut and remove any live trees when such have been marked for removal with the approval and under the supervision of the State Forestry Department.

Inspections
by State
Forester The State Forester shall make periodic inspections of classified forest plantations, and shall report his findings in writing to the State Forestry Commission. If he shall find that the owner of listed lands has violated any of the provisions of this section, or has neglected or refused to take proper precautions against damage by fire, grazing or otherwise, he shall recommend to said Commission the removal of said property from classification as commercial forest plantation land.

Property
removed from
classification.
When

Notice to
owner In case the State Forester shall recommend the removal of any lands from classification as forest land the Commission shall notify the owner of the time and place of hearing upon such recommendation, which shall not be less than ten days from the date of said notice. The owner of said lands shall be entitled to be heard before said Commission in person or by attorney, and shall be allowed to present any pertinent evidence. The Commission shall thereupon determine the matter and shall either approve or disapprove the recommendation of the State Forester. If the recommendation of the State Forester shall be approved by the Commission, it shall notify in writing the County Board of Assessment thereof, and said Board of Assessment shall immediately restore said lands to the assessment lists; and shall also determine the amount of tax due upon said lands according to the average valuation of said lands at the tax rates prevailing during the period of exemption, and the total amount of taxes as calculated shall be certified to the Receiver of Taxes and County Treasurer of the County for collection as other taxes are collected, but with no penalty attached thereto.

Hearing

Calculation
and payment
of tax if lands
removed from
classified list

STATE FORESTRY DEPARTMENT

The owner of said lands shall have the right to appeal from the decision of the Commission to the Superior Court of the County by filing with the Prothonotary a certified copy of the recommendation of the State Forester as filed with the Commission and the determination of said Commission with respect thereto. The Certification shall be made by the Secretary of the Commission. Such appeal shall be filed within two terms next after the determination of the matter by the Commission, or the right of appeal shall be lost.

Appeal to
Superior
Court

Section 3.

The State Forester shall have the power to appoint suitable persons to serve under his direction either voluntarily or under compensation, as forest fire wardens and special forest fire wardens. Each person so appointed shall be given a certificate of his appointment under the hand of the State Forester and shall be issued a badge as his insignia of authority. Said appointee shall hold office until his appointment is revoked by the State Forester and upon the termination of such service or authority shall surrender to the State Forestry Department the certificate and badge issued to him.

Fire
Wardens

A permanent record of the appointment of each person as aforesaid shall be kept by the State Forester, which record shall show the date of appointment and date of termination of service.

Record of
appointment
of fire
wardens

Each person so appointed shall take and subscribe to the oath of office as provided by the Constitution of the State of Delaware and said oath as aforesaid subscribed, shall be kept in the files of said Department.

Oath of
appointees

STATE FORESTRY DEPARTMENT

Game wardens
and State
Police
officers are
fire wardens
ex-officio

Game wardens and State Police officers shall be forest fire wardens ex-officio and shall have the same power and authority as forest fire wardens appointed under this section.

Section 4.

Power of
persons
appointed

Each person appointed or designated under the provisions of the aforesaid section shall have power:

Power to
employ and
summon male
persons to
extinguish
fires

(A) To employ such other persons as may be suitable and needed to render assistance in extinguishing forest, brush or grass fire; and whenever it shall not be otherwise possible for such officer to secure immediately a sufficient number of persons, he shall have the power to summon and compel the attendance of any male persons of the age of eighteen years and upwards, and to require such person to render assistance in the extinguishment of fire as aforesaid.

To administer
oaths and
make
investigations

(B) To administer oath or affirmation in investigation of the causes of forest fires, claims for compensation for services rendered in extinguishing forest fires, in investigations of violations of this Act and other Acts for the protection of forests, and in the preparation of reports thereon.

To enter upon
property to
perform duties

(C) To enter upon any land at any time for the purpose of performing duties in accordance with this Act and no action for trespass shall lie against a fire warden or others employed by him while working under his direction,—provided that in entering a property, they shall exercise due care to avoid doing unnecessary damage.

Not guilty of
trespass

Arrest on view
and without
warrant
persons
violating
forest laws

(D) To arrest on view, without first procuring a Warrant, any person detected in the act of committing an offense against any of the Laws now enacted or hereafter to be enacted for the protection of forest, brush or wild lands from fire, or when he shall have a reasonable cause to sus-

STATE FORESTRY DEPARTMENT

pect that any person is committing or is about to commit some such offense, and upon such arrest to take the accused before a Justice of the Peace of the County for hearing and trial.

Accused taken
before Justice
of Peace

(E) To exercise the foregoing powers in any part of the State.

To exercise
Powers
anywhere in
the State

Section 5.

Each forest fire warden and special forest fire warden shall have the control and direction of persons, material, equipment and property engaged in extinguishing forest fires within the district assigned to him, and it shall be the duty of such officer:

Control of
fire
extinguishing
work

(A) When he shall discover a fire on or approaching woodlands, forest or wild lands, or whenever such fire has been reported to him, to take immediately such measures as may be necessary to control and extinguish the same.

To take
measures
necessary to
control fire

(B) To investigate promptly the cause of every fire in the district assigned to him, to collect all evidence possible relating thereto and other pertinent facts and report the same to the Department.

To investigate
cause of fires

(C) To keep an itemized account of all expenses incurred in combatting a fire, and upon the extinguishment thereof, to forward said account to the Department within ten days from the date of said fire; but nothing in this Act shall be so construed as to relieve the owner or lessee of lands upon which fires may burn or be started, from the duty of extinguishing such fires so far as may lie within his power, and no owner or lessee of land or anyone with a present vested interest in such land shall receive compensation from the State for helping or assisting in the extin-

Account of
expenses
forwarded to
Department

Duty of
Owner or
lessee to
extinguish
fires

STATE FORESTRY DEPARTMENT

Person starting fire not to receive compensation to help extinguish it

guishment of fires upon the lands to which his interest is attached, and no person who is responsible for starting a fire shall receive compensation for helping to extinguish such fire.

Section 6.

Penalty for wilfully or maliciously setting fire

Any person who shall wilfully or maliciously, in person or by agent, directly or indirectly, set fire to, or cause to be set on fire any wood lot, forest or wild land, or property, material or vegetation, being or growing upon the lands of another, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than Two Hundred Dollars (\$200.00), nor more than Five Thousand Dollars (\$5,000.00), or shall be imprisoned for a period not exceeding two years, or shall suffer both fine and imprisonment in the discretion of the Court; PROVIDED, HOWEVER, that this Section shall not apply to the setting of a backfire under the direction of a fire warden to extinguish a fire then burning; AND PROVIDED FURTHER, that this Section shall not apply to persons setting fire under the provisions of Section 3446 of the Revised Code of the State of Delaware, as amended by Chapter 238, Volume 29, Laws of Delaware.

Not to apply to backfire under direction of fire warden

Not to apply to 3446 of R. C. as amended by Chapter 238, Vol. 29, Laws of Delaware

Section 7.

Penalty for carelessly setting fire

Any person who carelessly sets on fire or in any manner causes to be set on fire any forest land, brush land, grain stubble, grass or other combustible material being or growing on lands not his own or in his possession or control; or any one who for any purpose whatsoever sets a fire or causes a fire to be set on his own land or lands in his possession or control, and negligently allows said fire to escape from his control, to the damage of the property of another shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00); provided that

STATE FORESTRY DEPARTMENT

nothing in this Act shall be construed to prohibit an owner from setting a backfire on his own land to prevent the progress of a fire then burning.

Owners may
set backfire
on his own
land

Section 8.

If any officer or warden shall fail to perform his duty under the provisions of this Act, or shall render a false or fraudulent statement of services performed or alleged to have been performed or shall fail to deliver checks due those who have rendered service after such checks have been delivered to him, he shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in a sum not exceeding Five Hundred Dollars (\$500.00), or shall be imprisoned for a term not exceeding six (6) months, or both in the discretion of the Court.

Penalty for
failure of
officer or
warden to
perform
duties

Section 9.

If any able bodied person being duly called by a proper officer under the provisions of this Act to assist in the suppression of fire, shall refuse or neglect to render assistance or to allow the use of property or equipment without reasonable excuse, he shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in the sum of not less than Ten Dollars (\$10.00), or more than One Hundred Dollars (\$100.00), and in default of payment of fine and costs, shall be imprisoned for a term not exceeding thirty (30) days.

Penalty for
refusal to
render
assistance

Section 10.

Any person who shall obstruct or prevent or attempt to obstruct or prevent any forest officer, forest fire warden, special forest fire warden, or ex-officio forest fire warden or any person employed under the direction of the above mentioned officers while in the performance of the duty assigned

Penalty for
obstructing
or preventing
Forest fire
work

STATE FORESTRY DEPARTMENT

to him, or required by this Act or in the exercise of the right of entry, access or examination by any warden, or officer, shall, upon conviction thereof be sentenced to pay a fine not less than Ten Dollars (\$10.00), or more than One Hundred Dollars (\$100.00), or in the default of payment of such fine and costs, shall be imprisoned for a term not exceeding thirty (30) days.

Section 11.

Person setting
fire carelessly
or maliciously
liable for
damages

Any person who shall wilfully, maliciously or carelessly set fire to forest lands, in addition to the penalties provided for such violation and the liability for damages to persons suffering loss thereby, shall be liable to the State of Delaware for all expenses incurred in combatting and extinguishing such fire.

Section 12.

Fines credited
to State
Forestry
Fund

All monies received from fines imposed under this Act, or other Acts enacted for the protection of forest lands, shall be paid to the State Forestry Department and shall be delivered to the Treasurer of the State of Delaware, to be by him credited to the State Forestry Fund.

Section 13.

Courts to
report and
remit fines to
State
Forestry
Department

Any Court before which any prosecution under the Forestry Laws of this State shall be finally concluded, shall within twenty (20) days thereafter, report in writing to the State Forestry Department the Result thereof, the amount of fine or forfeit collected, if any, and the disposition thereof, and at the same time shall remit to said Department all monies received from such fines and forfeitures.

STATE FORESTRY DEPARTMENT

Section 14.

This Act shall be construed to be supplemental to Chapter 50, Volume 35, Laws of Delaware, and no provision of said Chapter 50, Volume 35, Laws of Delaware, nor the provision of any other Statute heretofore enacted, shall be deemed to be repealed hereby unless this Act shall be manifestly inconsistent therewith; except Section 3449, Sec. 14 of the Revised Code which is hereby repealed.

Other laws not
repealed

Repeal of 3449
S 14 of R. C.

Approved March 12, 1931.

CHAPTER 73

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 84, Volume 34, Laws of Delaware, entitled "An Act Authorizing the State Highway Department to Appoint Traffic Officers."

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

Chap. 84, Vol.
34, Laws of
Delaware
amended

Sec. 1. That the Act entitled "An Act Authorizing the State Highway Department to appoint Traffic Officers," being Chapter 84, Volume 34, Laws of Delaware, be and the same is hereby amended by adding to Chapter 84 immediately after Sec. 4 the following three new sections to be known as Sec. 4A, Sec. 4B, and Sec. 4C.

Traffic
officers known
as State
Police

Sec. 4A. That the traffic officers authorized to be appointed by Sec. 1 of this Act shall be hereafter officially known and referred to as "State Police."

Standard
uniform

Sec. 4B. That all officers and privates of the State Police shall hereafter wear the following standard uniform when they shall be engaged in the performance of their duties as members of the State Police:

Winter
uniform

(a) Winter Uniform: blouse, navy blue whipcord with olive drab tabs on sleeves, breeches olive drab with navy blue stripe down each side of same material as blouse, cap of same material as blouse, black shoes and puttees, overcoat and helmet of black leather, revolver belt and holster of black leather; all according to State Police specifications.

Summer
uniform

(b) Summer Uniform: shirt, navy blue serge, olive drab breeches with blue stripe, cap of navy blue whipcord material, black shoes and puttees, black leather revolver belt and holster; all according to State Police specifications.

STATE HIGHWAY DEPARTMENT

Sec. 4C. That every person in this State and every employee, agent, officer or official, elected or appointed by any municipality or by any corporation, association or organization of any nature whatsoever is hereby prohibited and forbidden, directly or indirectly, to wear, use, or order to be worn or used, copy or imitate in any respect or manner, the above standard uniform as set out in this Act; and any person not a member of the State Police who shall directly or indirectly wear, use, or order to be worn or used, copy or imitate in any respect or manner the above standard uniform as set out in this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$50.00 nor more than \$500.00 or by imprisonment for not less than 30 days nor more than 1 year, or by both such fine and imprisonment.

State Police
uniforms not
to be
imitated

Penalty for
imitating
uniforms

Approved April 10, 1931.

CHAPTER 74

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 63, Volume 29, Laws of Delaware, entitled "An Act to Create a State Highway Department establishing a system of State Highways and providing for the improvement and maintenance thereof, and the appropriating and borrowing money therefor."

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

Chap. 63, Vol.
29, Laws of
Delaware
amended

Section 1. That the Act entitled "An Act to Create a State Highway Department Establishing a System of State Highways and Providing for the Improvement and Maintenance Thereof, and the Appropriating and Borrowing Money Therefore," being Chapter 63, of Volume 29, Laws of Delaware, be and the same is hereby amended as provided in Section 2 of this Act.

Section 2. That Section 12 of the Act aforesaid be amended by inserting immediately before the word "shall" in the fifth line of said Section the words—

"and except labor and material used in the grading and repairing of earth roads in the State where such grading or repairing is done solely by the regularly employed workmen of the department."

Approved April 10, 1931.

CHAPTER 75

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 63, Volume 29, Laws of Delaware, as amended by Chapter 69, Volume 30, Laws of Delaware, Chapter 53, Volume 32, Laws of Delaware, and Chapter 78, Volume 34, Laws of Delaware; 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, be and the same is hereby amended by adding thereto immediately after Section 5A thereof a new section to be known as Section 5B. Chap. 63 Vol. 29, Laws of Delaware amended

Section 5B. The State Highway Department is hereby authorized and empowered, upon the recommendation of the Chief Engineer, to widen, straighten, grade, reconstruct, otherwise improve and maintain any road, lane or entrance leading from any public road to any institution which is owned or controlled in whole or in part by the State of Delaware, the said Department to have the same rights, powers and privileges for the purpose of performing and carrying out the duty hereby imposed as have been heretofore granted to it for the purpose of constructing State Highways in general. State Highway Department—authorized recommendations of chief engineer to improve and maintain roads from public roads to State owned or controlled institutions

Approved April 10, 1931.

CHAPTER 76

STATE HIGHWAY DEPARTMENT

AN ACT to amend Chapter 84, Volume 34, Laws of Delaware, as amended by Chapter 64, Volume 35, Laws of Delaware relating to traffic officers.

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

Chap. 84, Vol.
34, as amended
by Chap. 64,
Vol. 35, Laws
of Delaware,
further
amended

Payment of
salaries

Section 1. That Chapter 84, Volume 34, Laws of Delaware, as amended by Chapter 64, Volume 35, Laws of Delaware, be further amended by adding at the end of Section 3 thereof the words "said salaries to be payable on the first and fifteenth of each and every month."

Approved May 6, 1931.

CHAPTER 77

STATE HIGHWAY DEPARTMENT

AN ACT to abolish the commission to open an inlet from the Atlantic Ocean to Indian River or Rehoboth Bay and to provide for the maintenance of said inlet by the State Highway Department and appropriating certain monies for said maintenance.

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

Section 1. That the Commission created under Chapter 69, Volume 36, Laws of Delaware, is hereby abolished. Indian River
Inlet
Commission
abolished

Section 2. That the duty of maintaining said tide gates and inlet be and the same is hereby imposed upon the State Highway Department with power to make expenditures therefor as in the judgment of said department may be necessary. State
Highway
Department
to maintain
inlet

Section 3. That the sum of Forty Thousand Dollars (\$40,000.00) is hereby appropriated out of the General Funds of the State of Delaware, not otherwise appropriated, to pay the expense of the maintenance of said project for the two years beginning July 1st, 1931 and ending June 30th, 1933. Appropriation

Section 4. If however, the sum appropriated by Section 3 of this Act be deemed insufficient by the State Highway Department, for the purposes of maintenance herein set forth, then the State Treasurer shall and is hereby directed to pay such additional warrants, when accompanied by proper vouchers, as may be drawn by the State Highway Department on the State Highway Fund in the same manner that other expenditures of said Highway Department are paid. Additional
money from
State Highway
Fund

Approved March 23, 1931.

CHAPTER 78

STATE HIGHWAY DEPARTMENT

AN ACT authorizing the State Highway Department to reset and more firmly establish the monument at Liston's Point.

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

Section 1. That the State Highway Department is hereby authorized to recover and reset and more firmly establish the monument at Liston's Point marking, on the Delaware side, the dividing line between the Delaware River and Delaware Bay, and corresponding to a similar monument now located on the New Jersey side, the said monument on the Delaware side of the said River and Bay being now almost undermined by the constant tides and being at time covered with water.

The State Highway Department is authorized to set the said monument back on the shore upon a firm foundation in line with the said New Jersey monument and on the same dividing line between the River and Bay as heretofore.

Section 2. That the State Highway Department is authorized to acquire by gift, purchase or by condemnation in the same manner as is now provided for obtaining land for public highway purposes by said State Highway Department, such land as may be found necessary to provide a firm and solid foundation for said monument.

Section 3. That the sum of Five Hundred Dollars, or so much thereof as shall be found necessary, is hereby appropriated to the State Highway Department for carrying out the purpose of this Act, and the State Treasurer is authorized and directed to pay the same upon warrant or warrants drawn by the State Highway Department.

STATE HIGHWAY DEPARTMENT

Section 4. This Act shall be taken and deemed to be a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the general fund.

Approved April 3, 1931.

CHAPTER 79

STATE HIGHWAY DEPARTMENT

AN ACT authorizing the State Highway Department to conduct an Educational Campaign on Street and Highway Safety.

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

Appropriations
for Safety
Campaign

Section 1. That the State Highway Department be and it is hereby authorized to expend during the years 1931 and 1932 an amount not exceeding Ten Thousand Dollars (\$10,000.00) per annum to conduct throughout the State of Delaware an educational campaign on street and highway safety; provided, however, that the expense of such campaign shall be paid by the State Treasurer from the fines, penalties and forfeitures received by him pursuant to Chapter 14, Volume 34, Laws of Delaware, relating to arrests procured by the authorized representatives of the State Highway Department.

How campaign
conducted

Section 2. That such campaign shall be conducted by the said State Highway Department in the manner which it deems most beneficial to accomplish the purpose thereof and the said State Highway Department is especially authorized to use and employ the facilities of the Delaware Safety Council or any similar organization.

Approved April 13, 1931.

CHAPTER 80

STATE HIGHWAY DEPARTMENT

AN ACT making an appropriation to the State Highway Department for the improvement of the National Guard Camp Site at Bethany Beach.

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 Thousand Dollars be and the same is hereby appropriated to the State Highway Department for the purpose of grading and graveling the National Guard Camp Site at Bethany Beach, Sussex County, Delaware.

Appropriation
for
improvement
of National
Guard Camp
site at
Bethany
Beach

Section 2. That this Act shall be taken and deemed to be a Supplementary Appropriation Act and the money hereby appropriated shall be paid to the State Highway Department by the State Treasurer out of any money in the general fund of the State Treasury not otherwise appropriated.

Approved May 14, 1931.

CHAPTER 81

BOARD OF BUDGET DIRECTORS

AN ACT to create a Board of Budget Directors, define their duties and to provide for the preparation and review of estimates for expenditures and revenue, to establish a budget system for all State departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies receiving or asking financial aid from the State of Delaware, and to define the duties of the Governor in connection therewith.

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

Board of
Budget
Directors
created

Three
members
appointed by
Governor

Secretary of
State member

Term

Organization

Section 1. There is hereby created a Board of Budget Directors, hereinafter designated as the Board, which shall consist of three members, appointed by the Governor, one of whom shall be the Secretary of State. The Board shall serve during the term of the Governor by whom they are appointed, or during the pleasure of the Governor. After their appointment the Board shall organize by the selection of such officers as they may deem necessary.

Department
of State
Government
to present
estimates of
expenditures
to Board

When

Requests made
by other
organizations

Section 2. That on or before the fifteenth day of September, biennially, in the year which next precedes the convening of the General Assembly, each of the several State departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies receiving or asking financial aid from the State of Delaware, shall report to the said Board, on official estimate blanks furnished for such purpose, an estimate in itemized form showing the amount needed for each fiscal year of the ensuing biennial period beginning with the first day of July next thereafter. Any organization, body, committee or person intending to request an appropriation from the General Assembly for any particular object or purpose, or for any expenditure, shall likewise present such a request to the Board, on official estimate blanks furnished for such purpose, on or before the

BOARD OF BUDGET DIRECTORS

fifteenth day of September in the year which next precedes the convening of the General Assembly. In case of any organization, body or committee making such request, the request shall be made by some person duly authorized therefor, and shall be sworn to by the person making the same.

Request made
by duly
authorized
person

Section 3. On or before August first, biennially, in the year next preceding the convening of the General Assembly, the official estimate blanks, which must be used in making these reports shall be furnished by the Board to each of the several State departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies receiving or asking financial aid from the State of Delaware. These blanks shall be uniform and shall clearly designate the kind of information to be given thereon. They shall provide for an itemized statement of the amount of money considered necessary for the proper maintenance, extension or improvement of the reporting department, bureau, division, officer, board, commission, institution or other agency, during each of the two fiscal years next ensuing beginning with the first day of July next thereafter; and the actual revenues and expenses for the last two prior fiscal years of such reporting bodies; and the amounts by which the estimates for each of the two fiscal years of the succeeding biennial period are larger or smaller than the corresponding items of expenditures for each of the two prior years, with full explanation of such changes in the estimates, provided, however, that all the salaries fixed by law shall be included without change in the itemized statement. They shall contain such other information and provide for such classification of accounts as may be justified by modern accounting practices and deemed necessary by the Board to fully and clearly explain the needs and purposes of any estimated expenditure.

Blanks
forwarded to
proper
Departments

When

Itemized
statement of
money needed

What to
contain

Section 4. On or before the fifteenth day of September, biennially, in the year next preceding the convening

Auditor of
accounts to
furnish
statements to
Boards

BOARD OF BUDGET DIRECTORS

Statements
classified

of the General Assembly, the Auditor of Accounts shall furnish the Board the following statements, classified and itemized in strict accordance with the budget classifications adopted by said Board;

Balances

(1) A statement showing the balance standing to the credit of the several appropriations for each department, bureau, division, officer, board, commission, institution or other agency of the State at the end of the last preceding fiscal year.

Monthly
expenditures
and
Revenues

(2) A statement showing the monthly expenditures and revenues from each appropriation account, and the total monthly expenditures and revenues from all the appropriation accounts, including special and all other appropriations, in the twelve months of the last preceding fiscal year.

Annual
expenditures
and revenues

(3) A statement showing the annual expenditures in each appropriation account, and the revenues from all sources, including expenditures and revenues from special and all other appropriations, for each fiscal year of the preceding biennial period, with a separate column showing any increase or decrease for each item.

Financial
Balance sheet
of the State

(4) An itemized and complete financial balance sheet of the State at the close of the last preceding fiscal year ending June 30.

Other
statements
requested by
Board

(5) Such other statements as the Board shall request.

Information
furnished to
Board by
Departments

Section 5. Any department, bureau, division, officer, board, commission, institution or other agency requesting or receiving financial aid from the State, upon request, shall immediately furnish to the Board, in such form as it may

BOARD OF BUDGET DIRECTORS

require any information desired by it in relation to their respective affairs or activities.

Section 6. On or before November fifteenth, biennially, in the year next preceding the convening of the General Assembly, the Auditor of Accounts shall furnish the Board a statement of the actual expenses of the last preceding legislative session. On or before November fifteenth, biennially, in the year next preceding the convening of the General Assembly, estimates of the financial needs of the State Judiciary for each of the two fiscal years of the ensuing biennial period, shall be furnished to the said Board by the Clerk of the Supreme Court, and certified by him. These estimates shall include without change, salaries of the State Judiciary as fixed by law; the estimates of other requirements for the State Judiciary for the ensuing biennial period shall be included as designated to the said Clerk by the Chancellor or the Chief Justice. All of the data relative to the legislative branch of the Government and the State Judiciary transmitted to the Board under this section shall be for its information and guidance in estimating the total financial needs of the State for the ensuing biennial period; but none of these estimates shall be subject to revision or review by the Board and must be included in the budget as prepared by it.

Auditor of accounts to furnish Board expenses of last preceding legislative session. When

Estimate of financial needs of State Judiciary furnished by Clerk of Supreme Court
When

What statements to contain

Estimates of financial needs of Legislative branch and State Judiciary included in budget without change

Section 7. The Board shall provide, by giving of such notice as it may deem necessary, for public hearings on any and all estimates to be included in the budget, which hearings shall be held beginning not later than November fifteenth in the year next preceding the convening of the General Assembly. These hearings shall be open to the public and to the press, and any citizens or authorized representatives of any organization, or group of citizens, may attend these hearings and be heard upon any subject matter properly in review. The head, or authorized representative, of any State department, bureau, division, office, board, commission, institution, or other agency of the State, re-

Hearings on estimates

When held

Open to public

Authorized head of Department to explain requests

BOARD OF BUDGET DIRECTORS

ceiving or asking financial aid may attend and be heard in explanation of any request for financial aid contained in any estimate submitted to the Board. In the years of the gubernatorial election, the Governor-elect may, and is hereby authorized and empowered to sit at these hearings and to ask such questions and require such information upon the estimates under review and revision as he may deem fit. The Governor-elect may also prepare a statement of any recommendation or suggestions in connection with the proposed budget, and such statement shall be presented to the General Assembly simultaneously with the presentation of the budget bill.

Governor-elect
empowered to
sit at
hearings

Governor-elect
may make
recommendations

Review
completed by
Board of
December
Fifteenth
preceding
meeting of
General
Assembly

Board given
power to
increase or
decrease
estimates

Section 8. On or before the fifteenth day of December immediately preceding the convening of the General Assembly, the Board must have completed its review and revision of the estimates of all the departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies of the State asking or receiving financial aid. The Board shall have the power, in making such review, to revise, by increasing or decreasing, any estimate submitted to it, except those of the Judiciary and the General Assembly, but where such revision is made it must be indicated in its report to the Governor, as hereinafter provided, together with the reasons for its revision.

Itemized plan
submitted to
Governor by
Board

What to
contain

Section 9. Upon the completion of said review and revision of estimates of all the departments, bureaus, divisions, officers, boards, commissions, institutions, and other agencies of the State asking or receiving financial aid, as herein provided, the Board shall submit to the Governor an itemized plan for the proposed expenditures of each State department, bureau, division, officer, board, commission, institution, or other agency of the State, classified by function, character and object and of the estimated revenues and expenditures, for each fiscal year in the ensuing biennial period, beginning with the first day of July thereafter. Opposite each item of the proposed expenditures the budget

BOARD OF BUDGET DIRECTORS

shall show, in separate parallel columns, the amounts appropriated for each of the fiscal years of the last biennial period, together with any increase or decrease.

Prior
appropriations
shown also
increase or
decrease

Accompanying the report submitted to the Governor, the proposed budget as prepared by the Board shall include—

Budget to
include

(1) A statement of the revenues and expenditures for each of the two fiscal years of the preceding biennial period, classified and itemized in accordance with the official budget classification.

Statement of
revenues and
expenditures
of preceding
biennial
period

(2) True copies of all estimates submitted to the Board under provisions of Section 1 of this Act.

True copies of
estimates
submitted

(3) A statement showing amount of State funds expended each fiscal year in the preceding biennial period under the general classifications of public highways, free public schools, charitable and benevolent institutions and organizations, agriculture and conservation, public health and other public welfare work, salaries and wages of State officers and employees, together with number of such officers and employees.

Statement of
State funds
expended
under general
classifications

(4) A statement of the condition of the several funds of the State.

Statement of
condition of
funds of State

(5) A statement of the State debt with dates of maturity, interest due, and condition of sinking fund, together with any increase or decrease in State debt and sinking fund during the preceding biennial period.

Statement
regarding
State debt and
sinking fund

(6) A statement of the classified sources of State taxes and other State revenues, together with total

Statement of
classified
sources of
State Revenue

BOARD OF BUDGET DIRECTORS

Amount
derived from
each source
in preceding
biennial
period

amount of revenue derived from each source during the preceding biennial period.

Statement of
total funds to
meet budget
for ensuing
biennial
period

(7) A statement setting forth the total funds required each year to meet the budget for the ensuing biennial period, together with any proposed plan for financing these requirements and measures, if any, which the Governor may deem necessary or advisable in relation to State Revenue.

Proposed plan
of financing
requirements

Other data
required by
Governor

(8) Such other statements or data as the Governor may think are necessary for a thorough understanding of the State's financial condition and requirements.

Governor may
change report

Section 10. The Governor upon receipt of the report of said Board may make such changes in the report as he may deem necessary or desirable in accordance with his own best judgment and conclusion and shall submit the budget report as prepared by him based upon the report of said Board, to each House of the General Assembly, within five days after the organization of both Houses, and at the same time he submits the proposed budget, he shall submit copies of a tentative bill for all proposed appropriations for the budget, clearly itemized and properly classified for each fiscal year in the ensuing biennial period. This bill shall be known as "The Budget Appropriation Bill."

Governor to
submit
"Budget
Appropriation
Bill" within
five days after
organization
of both
houses of
General
Assembly

Budget
appropriation
Bill and
Governor's
message to be
printed

The budget itself shall be in such form that it can readily be analyzed. "The Budget Appropriation Bill," together with the Governor's Message, and all data accompanying it, shall be a public document and shall be printed as soon as presented, and copies thereof shall be furnished to each member of the General Assembly, to each department, bureau, division, officer, board, commission, institution and other State agencies, to all of the newspapers published in the State of Delaware, and it shall be given such other publicity as the Governor shall deem proper.

BOARD OF BUDGET DIRECTORS

Section 11. The standing committees of each House in charge of "The Budget Appropriation Bill" shall sit jointly in open session while considering the budget and "The Budget Appropriation Bill" and they shall begin such joint meetings within five days after the budget and "The Budget Appropriation Bill" have been submitted to the General Assembly by the Governor. This joint committee may cause the attendance of heads or responsible representatives of the departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies of the State asking for financial aid, and compel the furnishing of such information and the answering of such questions as the joint committee shall require; and to these sessions all persons interested in the estimates under consideration, shall be admitted with the right to be heard. The Governor, or his representative, and the Governor-elect shall have the right to sit at these public hearings and be heard on all matters coming before the joint committee.

"Budget
Appropriation
Bill"
considered
by Joint
Committee

Governor and
Governor-elect
may be heard
on matters
coming before
committee

Section 12. The General Assembly may increase, decrease or eliminate items in "The Budget Appropriation Bill" in any way that is not contrary to the Constitution of the State of Delaware, except as hereinafter provided; but neither House shall consider further or special appropriations, except in case of emergency, which fact shall be clearly stated in the appropriation bill therefor, until "The Budget Appropriation Bill" shall have been finally acted upon by both Houses. Provided, however; no items providing for appropriations for payment of interest or principal due on State debt shall be decreased or eliminated; the total budget appropriation items may not be increased in the aggregate to a point where they would exceed the State revenue from all sources as estimated in the budget.

Changes
General
Assembly may
make in
"Budget
Appropriation
Bill"

Items
providing for
payment of
principal or
interest on
State debt not
decreased or
eliminated

Section 13. Any further or special appropriation shall be known as "Supplementary Appropriations." Every such appropriation shall be embodied in a separate bill limited to some single work, object or purpose therein stated, and called

Supplementary
appropriations

BOARD OF BUDGET DIRECTORS

Supplementary
Appropriation
Bill shall
designate
source of
revenue

When not
passed

herein a "Supplementary Appropriation Bill." Each Supplementary Appropriation Bill, shall, by its provisions, provide or designate the source from which the money therein appropriated is to be derived. No Supplementary Appropriation Bill shall be passed, if when added to the appropriations already authorized, the aggregate appropriations exceed in amount the state revenues from all sources for the ensuing biennial period as set forth in the budget.

Governor may
amend or
supplement
Budget Bill

Section 14. The Governor may, before final action thereon by the General Assembly, amend or supplement the Budget Bill to correct an error or oversight or in case of an emergency, by delivering such an amendment or supplement to both Houses; said amendment or supplement shall thereby become a part of "The Budget Appropriation Bill" as an addition to the items of said Bill, or as a modification or substitution for any item of said Bill, such amendment or supplement may affect.

Exclusive
consideration
after
fiftieth
legislative
day

Section 15. If "The Budget Appropriation Bill" has not been finally acted upon before the fiftieth legislative day of the legislative session, it shall then be considered to the exclusion of all other bills until it is finally disposed of.

Account of
receipts and
expenditures
kept by all
State
Departments
and agencies

Section 16. Each State department, bureau, division, officers, board, commission, institution or other agency receiving appropriations from the State shall keep a detailed account of all receipts and expenditures under such appropriate headings, classifications and arrangements as may be prescribed by the said Board and used in the budget estimates, and all bills, statements, letters, vouchers and documents pertaining to these receipts and disbursements, shall be preserved and systematically filed by said departments and agencies.

Section 17. Each State department, bureau, division, officer, board, commission, institution and other agency receiving an appropriation from the State shall immediately,

BOARD OF BUDGET DIRECTORS

upon the appropriation for its support being made, proceed to allot the appropriations so granted for the purposes set forth in the budget, but transfers of items in the allotments may be made upon written request by the spending agency to the Governor, State Treasurer and Auditor of Accounts, provided a majority of these three agree to the transfer of the item requested, and the request and their action is made a matter of record with the Auditor of Accounts.

Transfer of
items

Section 18. No money shall be drawn by any State department, bureau, division, officer, board, commission, institution or other agency from any fund in the State Treasury in excess of the amount appropriated by the General Assembly to said department, bureau, division, officer, board, commission, institution or other agency.

Expenditures
limited to
appropriations

Section 19. The fiscal year for all State departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies of the State of Delaware shall begin on July first in each calendar year, and end on June thirtieth of the succeeding calendar year.

Fiscal year

Section 20. The Board may call upon any other State officer for such assistance as it may require, and may employ such special help as it may require to carry out the provisions of this Act and shall fix the compensation of such persons as it may employ to be paid out of such fund as the General Assembly may appropriate for that purpose.

Assistance to
Board

Section 21. Any and all Acts or parts of Act inconsistent with the provisions of this Act are hereby repealed.

Repeal of
inconsistent
provisions

Section 22. This Act shall be liberally construed, and if any section thereof shall be declared unconstitutional by any court of competent jurisdiction, it shall not affect any other section thereof.

Act liberally
construed
Unconstitutionality of
one Section
not to affect
other
Sections

Approved April 25, 1931.

CHAPTER 82

DELAWARE REAL ESTATE COMMISSION

AN ACT to amend Chapter 63, Volume 35, Laws of Delaware, relating to Real Estate Brokers and Salesmen.

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

Chap. 63, Vol.
35, Laws of
Delaware,
amended

Section 1. That Chapter 63, Volume 35, Laws of Delaware, be and the same is hereby amended by repealing all of Section 14 thereof and by inserting in lieu thereof a new section to be styled Section 14 as follows:

No license
issued until
compliance
with
requirements
of Act

No certificate
issued to real
estate
salesman
until fees or
taxes paid

Other laws
not affected

Section 14. No license shall be granted by any Clerk of the Peace to any person, co-partnership, association or corporation to engage in the business of a real estate broker unless and until the applicant presents to the Clerk of the Peace from whom said license shall be requested, a certificate from this Commission showing his compliance with the requirements of this Act, and no certificate shall be issued to any real estate salesman until the regular license fees or taxes aforesaid shall have been paid by the broker by whom said salesman is employed. Nothing herein contained shall eliminate or change in any manner real estate broker's licenses, fees or taxes as now prescribed by the laws of this State or the ordinances of the Cities and Towns of this State.

Approved March 23, 1931.

CHAPTER 83

HISTORIC MARKERS COMMISSION

AN ACT authorizing the appointment of a commission to erect historic markers in the State of Delaware.

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

Sec. 1. The Governor is hereby authorized and empowered to appoint a Commission to be known as the "Historic Markers Commission" consisting of five (5) members. The said Commission shall hold office until June 30th, 1933, when said Commission shall cease to exist.

Sec. 2. The Commission is directed to select and determine points of historic interest throughout the State, and to design, purchase and erect monuments or markers which they may decide to be appropriate at such points, indicating the happening or the event or events commemorated and such other suitable inscription as seem needed.

Sec. 3. The Governor shall have the power to fill by appointment any vacancies occurring in the Commission from any cause.

Sec. 4. The members of the Commission shall serve without compensation, except for the necessary and actual expenses incurred by them in the performance of their duties.

Sec. 5. The Commission shall organize by the selection of such officers as they determine to be necessary. The Commission may employ expert assistance to aid it in its historic researches and any engineering or artistic skill it may deem necessary to effectively carry out the object for which it was appointed.

HISTORIC MARKERS COMMISSION

Expenses, how
paid Sec. 6. The expenses of the Commission shall be paid by the State Treasurer upon the certification of the Chairman of the Commission, and the approval of the Auditor of Accounts.

Appropriations Sec. 7. For the payment of the expenses of the Commission, there is hereby appropriated out of the General Funds of the State, not otherwise appropriated, the sum of Ten Thousand Dollars (\$10,000.00) for the fiscal year ending June 30, 1932, and an additional sum of Ten Thousand Dollars (\$10,000.00) for the fiscal year ending June 30, 1933. Any unexpended funds remaining of said appropriations on June 30, 1933, shall revert to the General Fund of the State.

Reports Sec. 8. The Commission shall make suitable reports of its activities and its expenditures to the Governor and the General Assembly.

Approved April 22, 1931.

CHAPTER 84

STATE ATHLETIC COMMISSION

AN ACT allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; and prescribing penalties.

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

Section 1. State Athletic Commission Established—State Athletic Commission
 Terms, Salaries, Offices.—That the Governor shall appoint three persons who shall constitute a State Athletic Commission, not more than two of whom shall be of the same political party. One of such commissioners shall hold office for a term to expire January first, one thousand nine hundred and thirty-two, one for a term to expire January first, one thousand nine hundred and thirty-three, and one for a term to expire January first, one thousand nine hundred and thirty-four. Their successors shall be appointed for a term of three years. Each member of the commission shall be reimbursed for his actual and necessary travelling and other expenses incurred by him in the performance of his official duties. The commission shall maintain in the City of Wilmington general offices for the transaction of its business. Members appointed by Governor Terms Members paid necessary expenses

Section 2. Organization—Quorum—The members of the Commission shall, at their first meeting after their appointment elect one of their number chairman of the commission, shall adopt such rules and regulations for the administration of their office, not inconsistent herewith, as they may deem expedient and they may thereafter amend or abrogate such rules and regulations. Two of the members of the commission shall constitute a quorum to do business, and the concurrence of at least two commissioners shall be necessary to render a determination by the commission. Organization Quorum

Section 3. Secretary—Salaries and Expenses—Clerks—Biennial Report. The commission shall assign one of its

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A member to be present at matches and exhibitions	members to be present at any place where sparring, boxing, or wrestling matches or exhibitions are to be held pursuant to the provisions of this Act, for which he shall receive a per diem compensation not to exceed ten dollars for each day engaged in the discharge of his duties, and all necessary traveling and hotel expenses expended outside the City of Wilmington. Such commissioner shall ascertain the exact conditions surrounding such match or exhibition and make a written report of the same in the manner and form prescribed by the commission. The commission may appoint, and at pleasure remove, a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its books, documents, and papers, prepare for service such notices and other papers as may be required of him by the commission, and perform such other duties as the commission may prescribe. The commission may employ only such clerical employees as may be actually necessary, and fix their salaries within the limits of the fund in the State Treasury being kept for such purposes; provided, however, the salary of the Secretary or any other employee shall not exceed the sum of Eighteen Hundred Dollars (\$1,800.00) in any one year. The commission shall biennially make a full report of its proceedings to the General Assembly and may submit, with such report, such recommendations pertaining to its affairs as it shall deem desirable.
Compensation	
Report of matches and exhibitions	
Secretary appointment and duties	
Other clerical assistance	
Salaries	
Reports and recommendations	

Boxing and wrestling exhibitions authorized

Jurisdiction of Commission

Section 4. Boxing and Wrestling Exhibitions Authorized—Jurisdiction of Commission—Permits to Persons and Corporations. Boxing, sparring, and wrestling matches or exhibitions, to be conducted where an admission fee is received, are hereby allowed, except on Sundays. The commission shall have, and hereby is vested with, the sole direction, management, control, and jurisdiction over all such boxing, sparring and wrestling matches or exhibitions to be conducted, held, or given within this State, and it is hereby authorized to issue licenses therefor. No such sparring, boxing, or wrestling match or exhibition shall be conducted, held, or given within the State except in accordance with the provisions of this

STATE ATHLETIC COMMISSION

Act. The commission shall issue, under its hand and seal, annual permits in writing for holding such boxing, sparring, or wrestling matches or exhibitions, but only to persons or corporations duly licensed as hereinafter provided by said commission, which permits may be revoked upon violation of any of the provisions of this Act or any rule, regulation, or order of the commission. The commission is hereby further given the sole control, authority and jurisdiction over all licenses to hold boxing, sparring, or wrestling matches or exhibitions for purses or where any admission fee is received, and over all licenses to any and all persons who participate in such boxing, sparring, or wrestling matches or exhibitions, as hereinafter provided.

Section 5. License to Persons and Corporations—The commission may, in its discretion, issue a license to conduct, hold, or give boxing, sparring or wrestling matches or exhibitions, subject to the provisions of this Act, to any corporation or to any person or persons. Such corporation, person or persons must hold a lease of a term of at least three months for the premises in which such match or exhibition is to be held. In the case of a corporation, the officers of such corporation must have been bona fide residents of the State of Delaware for at least three years immediately preceding the granting of such license; and in the case of any person or persons, such person or persons must have been a bona fide resident or residents of the State of Delaware for at least three years immediately preceding the granting of such license. No license shall be issued to conduct, hold, or give boxing, sparring, or wrestling exhibitions or matches in any City or incorporated town of this State which has adopted or shall hereafter adopt any Ordinance prohibiting such exhibitions or matches within its corporate limits; provided, however, that when such Ordinance prohibiting such exhibitions or matches within said limits has been adopted, or shall hereafter be adopted, no boxing, sparring, or wrestling matches or exhibitions shall be conducted, held, or given within five miles of said corporate limits.

Permits

License to
Persons and
Corporations

Cities or
incorporated
Towns may
prevent
matches
within five
miles of
corporate
limits

STATE ATHLETIC COMMISSION

Corporations
and persons
required to
procure
licenses

Definition of
"professional
boxer" or
"professional
wrestler"

Section 6. Corporations and Persons required to Procure Licenses—Definitions. All corporations or persons, physicians, referees, judges, matchmakers, timekeepers, professional boxers, professional wrestlers, their managers, trainers, and seconds, shall be licensed by the said commission, and no such corporation or person shall be permitted to participate, either directly or indirectly, in any such boxing, sparring or wrestling match or exhibition, or the holding thereof, unless such corporation and all such persons shall have first procured a license from the commission. For the purpose of this Act, a "professional boxer" or a "professional wrestler" is deemed to be one who competes for money, or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain; and any contest conforming to the rules, regulations, and requirements of this Act shall be deemed to be a boxing match and not a prize fight.

Application
for license

Not granted to
persons
immediately
connected
with
commission

Section 7. Application for License. Every application for a license shall be in writing, shall be addressed to the commission, shall be verified by the applicant, and shall set forth such facts as the provisions of this Act and the rules and regulations of the commission may require; provided, however, that applications for such license shall not be considered if the corporation or person or persons making application for the same are members, officers or employees of the said State Athletic Commission. The commission shall keep proper records, with the names and addresses of all persons and corporations receiving licenses.

Subpoenas by
commission

Procedure
where
summons
ignored

Section 8. Subpoenas by Commission—Oaths. The commission shall have the authority to issue, under the hand of its chairman and the seal of the commission, subpoenas for the attendance of witnesses and the production of books, papers, and documents, before the commission. If any person shall refuse to obey any such subpoena, or to testify or to produce any books, papers, and documents, then any member of the commission may apply to the Superior Court of the Coun-

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ty in which he or the commission may be sitting, and, thereupon, the said Court shall issue its subpoena requiring such person to appear and to testify or to produce such books, papers and documents. Any person failing to obey or refusing to obey a subpoena of the said Court shall be deemed guilty of contempt of court, and shall be punished accordingly. Any member of the commission shall have power to administer oaths. Any person who shall swear falsely to any matter before the commission shall be deemed guilty of perjury and shall be punished accordingly.

Contempt of Court to refuse to obey summons of Superior Court
False swearing perjury

Section 9. Buildings for Exhibitions. All buildings or structures used, or intended to be used for the purpose of holding or giving therein boxing, sparring, or wrestling matches or exhibitions shall be properly ventilated, and provided with fire extinguishers, fire exits, and fire escapes. Where such match or exhibition is authorized to be held in State or municipal armory, the provisions of the military law in respect thereto must be complied with. No such match or exhibition shall be held in a building partly used for dwelling purposes or for religious services, except that a keeper or caretaker and his family may reside in such building.

Buildings for Exhibitions

Section 10. Regulation of Conduct of Matches or Exhibitions. No corporation or person or persons to whom has been issued a license under the provisions of this Act to conduct, hold or give boxing, sparring or wrestling matches or exhibitions shall be permitted to give more than one such exhibition within any period of twenty-four hours. In no event shall such boxing or sparring exhibition consist of more than five bouts of a total duration of thirty rounds; provided, however, that not more than one of these five bouts shall be of eight rounds in length. In all boxing or sparring matches or exhibitions the rounds shall be not more than three minutes each. No boxer shall be allowed to participate in more than one bout, not to exceed eight rounds, within any twenty-four consecutive hours. The commission may, in respect to any bout or in respect to any class of contestants, limit the num-

Number of matches by person or corporation in twenty four hours

No more than five bouts in exhibition

Other Regulations

STATE ATHLETIC COMMISSION

Licensed Referee in attendance	ber of rounds of a bout within the maximum of eight rounds.
Powers of	At each boxing or sparring match or exhibition there shall be in attendance, at the expense of the corporation or person, a duly licensed referee, who shall direct and control the same. Before starting such contest, the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The referee shall have the power, in his discretion, to declare forfeited any remuneration or purse, or part thereof, belonging to the contestant or contestants, or one of them, if, in his judgment, such contestant or contestants are not honestly competing. Any remuneration or purse, or part thereof, so forfeited shall be paid into the State Treasury for the use of the State.
Judges	There shall also be in attendance, at the expense of the corporation or person or persons, two duly licensed judges, who shall, at the termination of each such boxing or sparring match, render their decision. If they are unable to agree, the decision shall be rendered by the referee. Each contestant shall wear during such contest gloves weighing not less than five ounces if such contestant is a light weight or in a class of less weight, and six ounces if such contestant is in a class heavier than the light weight class.
Decision	
Physician to be in attendance	Section 11. Physician to Be in Attendance. It shall be the duty of every corporation or person, at its own expense, to have in attendance at every boxing, sparring, or wrestling match or exhibition a physician who has had not less than three years' medical practice, whose duty it shall be to observe the physical condition of the boxers and wrestlers and advise the referee or judges with regard thereto. All boxers and wrestlers must be examined by such physician within three hours before entering the ring, and any boxer or wrestler who is, in the opinion of the physician, physically unfit to enter such match or exhibition shall be excluded from such match or exhibition. Every corporation or person shall

STATE ATHLETIC COMMISSION

file with the commission a report of medical examinations not later than twenty-four hours after the termination of a match or exhibition.

Section 12. Age of Participants and Spectators. No person under the age of eighteen years shall participate in any boxing, sparring, or wrestling match or exhibition; and no children under sixteen years of age shall be permitted to attend as spectators, unless accompanied by parents or guardians.

Age of
Participants
and
Spectators

Section 13. Financial Interest in Boxer Prohibited. No corporation or person shall have, either directly or indirectly, any financial interest in any boxer or wrestler competing on premises owned or leased by the corporation or person, or in which such corporation or person is otherwise interested.

Financial
Interest in
Boxer
Prohibited

Section 14. Sham or Collusive Exhibitions. Every corporation, and the officers thereof, and any person or persons, physicians, referee, judge, timekeeper, professional boxer, manager, trainer, and second, who shall conduct, give, or participate in any sham or collusive boxing, sparring, or wrestling match or exhibition, shall be deprived of his license by the commission.

Penalty for
sham or
collusive
exhibitions

Section 15. Revocation or Suspension of Licenses. Any license herein provided for may be revoked or suspended by the commission for the reason therein stated, that the licensee has, in the judgment of the said commission, been guilty of an act detrimental to the interests of boxing or wrestling.

Revocation or
suspension of
Licenses

Section 16. Bond. Before a license shall be granted to a corporation or person, such corporation shall execute and file with the commission a bond in the sum of One Thousand Dollars, to be approved as to form and sufficiency of sureties thereon by said commission, conditional for the faithful performance by said corporation or person of the provisions of

Bond given
by Person or
Corporation

STATE ATHLETIC COMMISSION

Penalty for
default in
performance

this Act, and the rules and regulations of the commission. No such license shall be issued until such bond is approved and filed. In case of default in the performance of any of the conditions prescribed by this Act or by the rules and regulations of the commission, the commission shall impose upon the delinquent corporation or person a penalty in the sum of not more than one thousand dollars for each offense, which shall be recovered by the Attorney General in the name of the State of Delaware, in the manner as other penalties are recovered by law. Any amount so recovered shall be paid to the State Treasurer for the use of the State.

License Fees

Section 17. License Fees. Each applicant for a license shall, before a license is issued by the commission and annually thereafter during the life of such license, pay to the commission a license fee as follows:—Corporation or person, in cities of one hundred thousand population or over, two hundred dollars; in cities of five thousand population and less than one hundred thousand population, one hundred dollars; in cities of less than five thousand population, and elsewhere, fifty dollars; physicians ten dollars; judges five dollars; timekeepers five dollars; professional boxers five dollars; professional wrestlers five dollars; managers twenty-five dollars; referees twenty-five dollars; matchmakers twenty-five dollars; trainers five dollars; seconds five dollars.

Weights

Section 18. Weights, Classes, and Rules. The weights and classes of boxers, and the rules and regulations of boxing, shall be determined by the said commission.

Limitation on
Difference in
Weight

Section 19. Limitations on Difference in Weight. No contest shall be allowed in which the difference in weight of the respective contestants shall exceed ten pounds. This provision shall not apply to boxers in the heavy and light-heavy weight class as determined by the commission.

Payment
Regulated

Section 20. Payments Regulated. No contestant shall be paid for services before the contest, and should it be de-

STATE ATHLETIC COMMISSION

terminated by the judges and referee that such contestant did not give an honest exhibition of his skill, such services shall not be paid for. When Refused

Section 21. Payments to State. Every corporation or person holding any boxing, sparring, or wrestling match or exhibition under this Act for which an admission is charged and received shall pay to the State Treasurer five per centum of the total gross receipts, exclusive of any Federal taxes paid thereon. Such payments shall be made within seventy-two hours after the holding of the contest. Five per centum of gross receipts payable to State

Section 22. Tickets to indicate Purchase Price. Admissions Not to Exceed Seating Capacity. All tickets of admission to any such boxing, sparring, or wrestling match or exhibition shall bear clearly upon the face thereof the purchase price of same, and no such ticket shall be sold for more than such price as printed thereon. It shall be unlawful for any such corporation or person to admit to such contest a number of people greater than the seating capacity of the place where such contest is held. Tickets to indicate purchase price
Seating capacity not exceeded

Section 23. Penalty. Any person or persons, association or corporation directly or indirectly holding any boxing, sparring, or wrestling match or exhibition, except where all contestants are amateurs, without first having procured a license, as hereinbefore prescribed, shall be guilty of a misdemeanor, and, on conviction, shall be sentenced to pay a fine not exceeding five thousand dollars. Penalty for holding exhibition without license

Section 24. Penalty-Betting. Whosoever shall bet or wager any money or valuable thing on the result of any such boxing, sparring, or wrestling match or exhibition shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined in a sum not exceeding one thousand dollars, and imprisoned in the workhouse or jail of the proper county for a period not exceeding two years, or either or both, at the discretion of the court. Penalty for Betting

STATE ATHLETIC COMMISSION

All monies
paid to State
Treasurer

Section 25. All monies paid to State Treasurer. All monies collected and realized under the provisions of this Act shall be paid, within five days after the receipt of any such monies, by the secretary of the Commission to the State Treasurer, who shall keep the monies collected and realized under the provisions of this Act, as a fund separate and apart, in the State Treasury for the payment, upon proper warrants signed by the Chairman and Secretary of the State Athletic Commission and approved by the State Auditor, of the salaries and actual and necessary expenses of the officers and employees of the Commission, and all other necessary expenses incident to the administration of this Act; provided, however, that in no case shall any warrant be paid by the State Treasurer for the expenses of any contest until the monies collected and realized for said contest have been paid to said official by the said secretary. All monies remaining in said fund at the expiration of any fiscal year shall revert to the General Fund of the State. The Secretary of the Commission shall give a Surety Bond to the State of Delaware in such sum as the Commission may determine, premium on such Bond shall be regarded as a proper and necessary expense of the Commission, and shall be paid out of the fund herein created.

Secretary of
Commission to
give Bond

Exhibitions
not for profit
may be given

Section 26. The provisions of this Act shall not prohibit any duly constituted organization or association, organized for lawful purpose, from having boxing, sparring, and wrestling matches or exhibitions in connection with entertainments, when such matches or exhibitions are conducted not for profit.

Repeal

All other Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved January 28, 1931.

CHAPTER 85

STATE OLD AGE WELFARE COMMISSION

AN ACT to create the State Old Age Welfare Commission; to define the powers and duties of said Commission; to provide for the assistance of old age persons through the agency of said Commission, under certain limitations and restrictions; to make appropriations of public funds for carrying out the purposes of this Act; and to prescribe penalties for the violation of its provisions.

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 the State Old Age Welfare Commission, consisting of four members, one from the City of Wilmington, one from Rural New Castle County, one from Kent County and one from Sussex County.

Members of
State Old Age
Welfare
Commission

Section 2. The first members of said Commission shall be appointed by the Governor, within thirty days after the approval of this Act; one for one year, one for two years, one for three years, and one for four years. Vacancies occurring in said Commission, from any cause, shall be filled by the Chief Justice. Appointments by the Chief Justice shall be only for the unexpired term of a member of the Commission holding office under an original appointment; but in every case where a vacancy shall occur, by reason of the expiration of the full term of a member of the Commission, the appointment by the Chief Justice shall be for the full term of four years; provided, that if a majority of the Commission shall request the removal of a member of the Commission, the Chief Justice may, upon a full presentation of the facts, remove such member from the Commission and fill the vacancy thus created.

First
members
appointed by
Governor

Terms

Appointment
by Chief
Justice

Removal of
member

Section 3. The members of said Commission shall be duly sworn or affirmed, according to law, to faithfully perform the duties of their office. They shall serve without sal-

Oath

STATE OLD AGE WELFARE COMMISSION

Fee and expenses ary, but shall be entitled to receive a fee of Five Dollars (\$5.00) for attending each meeting of the Commission, and, in addition, a reasonable allowance for actual expenses incurred in the performance of their duties.

To assist old age persons Section 4. It shall be the duty of the said Commission, and it is hereby authorized and empowered, to grant assistance to old age persons, under the limitations and restrictions and in the manner hereinafter provided; and for this purpose, and generally for the exercise of its power and the performance of its duties, the said Commission shall adopt such rules and regulations as may be deemed advisable or necessary.

Rules

Subordinate officers Section 5. The said Commission shall have power to appoint subordinate officers, who shall hold office during the pleasure of the Commission. The Commission shall define the duties of such subordinate officers and fix their salaries, which salaries shall not exceed in any one case Thirty-six Hundred Dollars (\$3600.00) annually.

Salaries

Old age person defined Section 6. An old age person, within the meaning and for the purposes of this Act, and under its limitations and restrictions, is hereby defined to be a person, man or woman, sixty-five years of age or over, who has been a resident of the United States for fifteen years and who has resided in the State of Delaware for not less than five years, (temporary absence from the State not being considered); who has no child or any other person capable and responsible for the support of such old age person, without undue sacrifice on the part of such child or other person, or his or her wife or husband, or his or her children; who has not deprived himself or herself, directly or indirectly, of any property or income, for the purpose of obtaining assistance from the State, and who by assistance from the State can enjoy the essentials of life, of which he or she would be otherwise deprived.

Amount of assistance allowed Section 7. The amount of assistance allowed in each case of an old age person shall be limited by the circumstances

STATE OLD AGE WELFARE COMMISSION

of such case as ascertained, after full and complete investigation, by the said Commission. The amount of assistance allowed in each case shall be determined by the Commission with due regard to the circumstances, but in no case shall it be an amount which, when added to the income of the old age person, including income from property or other sources, as ascertained by the Commission will be equal to or exceed Assistance Limited Three Hundred Dollars (\$300.00) annually. In no case shall the amount of assistance allowed exceed Twenty-five Dollars (\$25.00) monthly.

Section 8. An old age person desiring assistance from Application for assistance the State shall make application in writing, under oath or affirmation, to the Commission in such form as the Commission may prescribe, setting forth that the statements in such application are just and true; and upon receiving such application the Commission shall cause an investigation to be Investigation made to verify the statements contained in said application and to ascertain all the circumstances surrounding the applicant. In each case the Commission shall include in its investigation careful inquiry as to every possible source of income of the applicant. In ascertaining the applicant's income and determining the amount of assistance to be allowed, the applicant's income for the last year preceding the application shall be deemed the annual income, and the property owned at the end of that year as the accumulated property of the applicant; provided that, if the applicant should show to the satisfaction of the Commission a decrease of income the amount of such decrease shall be deducted from the income of the preceding year in determining the amount of assistance to be allowed. For the purpose of such investigation the Commission shall have power to compel, by subpoena issued under its authority, the attendance and testimony of witnesses and the production of books and papers. All witnesses shall be examined under oath or affirmation, which may be administered by any member of the Commission.

STATE OLD AGE WELFARE COMMISSION

Certificate of allowance	Section 9. Upon the determination by the Commission that the application of an old age person should be granted, it shall cause a certificate to be issued to such person, in form prescribed by the Commission, stating the amount of assistance allowed, to be paid monthly, which said certificate shall be good for one year from the date thereof, unless sooner revoked for cause, and shall be renewable by the Commission annually upon ascertaining that the old age person is entitled to such renewal. The Commission shall report to the State Treasurer the granting of the application and the issuance of the certificate, and the renewals thereof, and the State Treasurer shall pay to the person named therein the amount set forth in said certificate. If, however, the old age person to whom assistance has been allowed shall be found incapable of taking care of his or her money, or himself or herself, on the testimony of at least three credible witnesses, not members of his or her immediate family, the Commission may direct the payment of the amount set forth in said certificate to be made to a person of good reputation who will expend the same for the benefit of such old age person.
Renewable	
Report to State Treasurer	
When money payable to another for benefit of old age person	
Burial allowance	Section 10. Upon the death of an old age person, to whom a certificate allowing assistance has been issued, further allowance for reasonable funeral expenses, not exceeding One Hundred Dollars (\$100.00) may be made by the Commission, if warranted by the circumstances of the case, and the amount so allowed shall be paid by the State Treasurer, together with such unpaid installments as may be due under said certificate, to the legal representative of the deceased.
No other assistance from State	Section 11. During the continuance in full of a certificate allowing assistance to an old age person, such person shall not receive any other assistance from the State, or from any political subdivision thereof, except for medical or surgical treatment, and then only in an extreme emergency.
Exception	

Section 12. If at any time during the continuance of a certificate allowing assistance to an old age person, the said

STATE OLD AGE WELFARE COMMISSION

old age person, or the husband or wife of such person, shall become possessed of any property, or income, in excess of the amount of which he or she was possessed at the time of making application for assistance, the Commission may either cancel the certificate or vary the amount thereof during the period of such certificate; and it shall be the duty of such old age person immediately to notify the Commission of the receipt and possession of any such property or income.

Improvement
of financial
condition of
old age person

Section 13. If at any time the Commission shall have reason to believe that the certificate issued to an old age person has been improperly obtained, it shall cause special inquiry to be made, and, if necessary, may suspend payments under said certificate; and if it should appear that the certificate was improperly obtained, the same shall be cancelled.

Certificate
improperly
obtained

Section 14. In case of forfeiture of a certificate allowing assistance to an old age person, the person whose certificate is so forfeited shall be disqualified from making application for another allowance until the expiration of one year from the date of the forfeiture.

Disqualifica-
tion for year
after
forfeiture

Section 15. When an old age person to whom assistance has been allowed under this Act, shall become an inmate of any charitable or benevolent institution, the amount of assistance shall cease and determine and the certificate issued to such person shall be cancelled.

Certificate
cancelled
when person
becomes
inmate of
institution

Section 16. No assistance shall be allowed to an old age person who is an inmate of any prison, jail, workhouse, infirmary, insane asylum, almshouse, or any public reform or correctional institution, or who, during a period of one year prior to making application for assistance, shall have been a professional tramp or beggar.

No assistance
to certain
inmates or
professional
beggar or
tramp

Section 17. If any old age person, to whom assistance has been allowed under this Act, shall be convicted of any crime, misdemeanor, or felony, or other offense, punishable by

Payments not
made during
imprisonment

STATE OLD AGE WELFARE COMMISSION

imprisonment for one month or any longer period, the Commission shall direct that payments be not made during such period.

Allowance
affected by
changes in
law

Section 18. Every allowance to an old age person of assistance under the provisions of this Act shall be deemed to have been allowed under and shall be held subject to the provisions of any amending or repealing Act that may hereafter be passed, and no old age person receiving assistance under this Act shall have any claim for compensation by reason of the allowance for assistance being affected in any way by any such amending or repealing Act. .

Certificates
inalienable

Section 19. All certificates allowing assistance to old age persons shall be absolutely inalienable by any assignment, sale, charge, execution or otherwise, and in case of bankruptcy the assistance allowed shall not be payable to any attorney, assignee, receiver or trustee acting on behalf of the creditors of such old age person.

Property of
assisted
person not
subject to
tax

Section 20. The property of old age persons to whom assistance has been allowed shall be wholly exempted from taxation and assessment for public purposes by the State, or any political subdivision thereof, whether county, hundred, city or town, but such exemption shall be terminated upon the discontinuance of the assistance allowed such old age person.

Penalty for
misrepresentation

Section 21. Any person who by wilful false statements, or misrepresentation, or other fraudulent devise, obtains or attempts to obtain, or aids or abets any other person to obtain a certificate allowing assistance to an old age person, to which he or she shall not be legally entitled, or a larger amount than he or she shall be legally entitled to receive, or the payment of a forfeited or forbidden installment under a certificate, or aids or abets in the buying or in any way disposing of the property of an old age person without the knowledge or consent of the Commission shall be guilty of a

STATE OLD AGE WELFARE COMMISSION

misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding Five Hundred Dollars (\$500.00) or to undergo imprisonment not exceeding three years, or both in the discretion of the Court.

Section 22. All expenses incurred by the Commission and all salaries fixed by the Commission shall be paid from the appropriation named in Section 24 of this Act as appropriated, by the State Treasurer, upon vouchers duly verified and presented by the Commission. Expenses and salaries paid upon vouchers

Section 23. The Commission shall report annually to the Governor, within ninety days after the close of each calendar year, all expenditures made by it, or under its authority, and such other information regarding its procedure as will fully and clearly set forth all the particulars of such procedure, including the number of old age persons to whom certificates allowing assistance have been granted, classified as to men and women according to their color, the number of certificates cancelled and the number of applications denied. Annual report to Governor

Section 24. The sum of Two Hundred Thousand Dollars (\$200,000.00) annually is hereby appropriated for the period of two years beginning July 1, 1931, out of the General Funds in the State Treasury for the purposes of this Act. Appropriation

Approved January 28, 1931.

CHAPTER 86

STATE TAX DEPARTMENT

AN ACT to provide for the disposal of property and records of the State Tax Department which have lost any further useful value.

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

Destruction of
tax returns
and forms for
1924 and prior
years

Section 1. That the State Tax Commissioner is hereby authorized by and with the consent of the State Tax Board to destroy by burning in the presence of two witnesses who shall certify to the State Tax Board of such destruction, all income tax returns and related correspondence and forms, exclusive of all accounting and cash accountability records, for the income year 1924 and all preceding years which may in his discretion be destroyed without impairing the list of taxables and delinquent taxables recorded or to be recorded by the State Tax Department.

Approved April 22, 1931.

TITLE SEVEN

County Government

CHAPTER 87

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 the Levy Courts of New Castle, Kent and Sussex Counties and maturing during the fiscal biennium of the State of Delaware, ending June 30, 1933.

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, 1931, 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 the said Counties during the fiscal biennium of the State of Delaware beginning on July 1, 1931, and ending on June 30, 1933.

Levy Court
to certify
amounts to
pay bonds

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 Volume 24, Laws of Delaware, Chapter 101 of Volume 29, Laws of Delaware, Chapter 97 of Volume 30, Laws of Delaware, Chapter 98 of Volume 30, Laws of Delaware, Chapter 88 of Volume 32, Laws of Delaware, Chap-

Bonds
affected

COUNTY GOVERNMENT

LEVY COURTS

ter 94 of Volume 33, Laws of Delaware and Chapter 103 of Volume 34, Laws of Delaware; Kent County Bonds authorized under the following Acts: Chapter 23 of Volume 31, Laws of Delaware, Chapter 97 of Volume 33, Laws of Delaware and Chapter 104 of Volume 34, Laws of Delaware; Sussex County Bonds authorized under the following Acts: Chapter 105 of Volume 29, Laws of Delaware and Chapter 105 of Volume 34, Laws of Delaware.

Appropriations 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, 1931 up to June 30, 1933, both inclusive.

State
Treasurer to
pay amounts
to Counties

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.

COUNTY GOVERNMENT

LEVY COURTS

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.

Amounts to
pay
maturities of
certain bonds
not considered
in fixing tax
rate

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 April 8, 1931.

CHAPTER 88

LEVY COURTS

REGIONAL PLANNING

AN ACT to provide for the Future Development of New Castle County, excepting such portions of said County as are included within the Corporate Limits of any City or Town.

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

Words and
phrases
construed

Section 1. The words and phrases used in this Act, unless the same shall be inconsistent with the context, shall be construed as follows: (1) "Commission" shall refer to and mean "Regional Planning Commission of New Castle County" created by this Act; (2) "District" shall refer to and mean "Regional Planning District of New Castle County" created by this Act; (3) "Highway Department" shall refer to and mean "State Highway Department of the State of Delaware"; (4) "Levy Court" shall refer to and mean "Levy Court of New Castle County"; (5) "Council" shall refer to and mean "The Council of The Mayor and Council of Wilmington"; (6) "County Engineer" shall refer to and mean "County Road Engineer of New Castle County"; (7) "Road" shall include any "street", "highway", "thoroughfare" or "parkway".

Purposes

Section 2. That for the purpose of promoting health, safety, prosperity and general welfare, as well as for the purpose of securing co-ordinated plans for roads, streets, highways, thoroughfares, railways, public buildings, parks, parkways, playgrounds, civic centres, water supplies, sewers and sewage disposal drainage and other improvements and utilities in that portion of New Castle County which is not included within the corporate limits of any City or Town, and as well as for the purpose of preventing the unnecessary duplication of such improvements or utilities, a department

Portions of
New Castle
County
affected

LEVY COURTS

REGIONAL PLANNING

to be known as the Regional Planning Commission of New Castle County is hereby created and the said area shall be known as Regional Planning District of New Castle County.

Regional
Planning
Commission of
New Castle
County

Section 3. That the said Regional Planning Commission of New Castle County shall consist of seven members as follows:

Seven
members

The Chief Engineer of the Street and Sewer Department of the City of Wilmington, the County Road Engineer of New Castle County, and five members to be appointed during the month of June, A. D. 1931, one of whom shall be appointed by the State Highway Department of the State of Delaware; two of whom shall be appointed by the Levy Court of New Castle County, and two of whom shall be appointed by the Mayor, of "The Mayor and Council of Wilmington".

Officials

Others—How
appointed

The member first appointed by the said State Highway Department shall be appointed for the term of one year. The members first appointed by the said Levy Court shall be appointed for the terms of two years and four years respectively and the members first appointed by the said Mayor shall be appointed for the terms of three years and five years respectively. Thereafter said members shall be appointed for the term of five years as follows:

Terms

During the month of June, A. D. 1932 and every fifth year thereafter, the said State Highway Department shall appoint a member to said Commission. During the month of June, A. D. 1933 and every fifth year thereafter, the said Levy Court shall appoint a member to said Commission. During the month of June A. D., 1934, and every fifth year thereafter the said Mayor shall appoint a member to said Commission. During the month of June, A. D. 1935 and every fifth year thereafter the said Levy Court shall appoint a member to said Commission. During the month of June, A.

Terms

Appointing
Powers

LEVY COURTS

REGIONAL PLANNING

Vacancy D. 1936 and every fifth year thereafter the said Mayor shall appoint a member to said Commission. The members so appointed shall be residents of New Castle County and their terms of office shall commence on the first day of July following their appointment. When any vacancy occurs in said Commission either by death, resignation or otherwise of any person so appointed, the vacancy shall be filled for the unexpired term by the body or person which appointed the member to the office in which such vacancy occurred. The members of said Commission shall serve without compensation, but shall be paid their necessary expenses incurred in the performance of their duties.

Organization Section 4. That on the first Monday of July in each year the said Commission shall convene and organize by electing one of its members Chairman. Before entering upon the duties of the office each member shall take and subscribe the oath or affirmation as prescribed by the Constitution.

Oath

Maps of District Section 5. That on or before the first day of July, A. D. 1933, the said Commission shall make or cause to be made a map or maps of the said District showing all systems of roads, streets, highways, thoroughfares, railways, public lands, public buildings, parks, parkways, playgrounds, civic centres, water supplies, sewers and sewage disposal and other improvements and utilities and shall cause the same to be recorded in the office of the Recorder of Deeds in and for New Castle County and thereafter the said Commission for said District shall make or cause to be made and adopt a master plan for the physical development of the said District. Such master plan, including maps, plats, charts and descriptive matter shall show the said Commission's recommendations for the development of said district, including among other things such matters as the general location, character and extent of roads, streets, highways, thoroughfares, railways, parks, parkways, playgrounds, civic centres,

Recorded

Plan

LEVY COURTS

REGIONAL PLANNING

water supplies, sewers, and sewage disposal and other improvements and utilities. The said Commission may from time to time, amend, extend or add to the said master plan.

Amendment
of Plan

Section 6. Whenever the said Commission shall have adopted a master plan or any amendment, extension or addition thereto, it shall submit the said master plan or such amendment, extension or addition thereto to the said Levy Court for its approval and upon the approval of the said master plan of such amendment, extension or addition thereto, the said Commission shall cause the said master plan or such amendment, extension or addition thereto to be recorded in the said Recorder's Office within thirty days after such approval.

Master Plan
submitted to
Levy Court

Recording

Section 7. In the preparation of such maps, plats, charts and descriptive matter, the said Commission shall have free access, without expense, to all State, County, City and other public records and its members, agents, servants and employees shall have the authority to go upon either public or private lands for the purpose of making surveys thereof.

Access to
records

Authority to
go upon land
for surveys

Section 8. That upon the request of the said Highway Department or the said Levy Court, or the said Council, it shall be the duty of the said Commission at the expense of the body making the request, to prepare plans and supply information relating to any of the matters set forth in Section Five of this Act.

Plans and
information
upon request

Section 9. That on and after the first day of July, A. D. 1931, the location, proposed grades and drainage of all roads, intended to be dedicated by the owner thereof to the public use or for the use of owners of property abutting thereon or adjacent thereto within the limits of the said District, may be submitted to said Commission for its adoption and the approval of the said Levy Court and it shall be unlawful on and

Road plans
submitted to
Commission

LEVY COURTS

REGIONAL PLANNING

Adoption by
Levy Court

And
recording
constitute
dedication

No duty to
maintain

after the first day of July, A. D. 1931, to record any plan or map showing the location of any new or proposed road, in any public office in New Castle County unless such plan or map shall show thereon by endorsement its adoption by said Commission and its approval by the said Levy Court. The adoption of such plan or map by the said Commission and the approval thereof by the said Levy Court endorsed upon such plan or map shall, when recorded, be deemed and taken as an acceptance of the intended dedication of the roads appearing thereon, but shall not impose any duty upon the said Levy Court or upon the said Highway Department respecting the maintenance or improvement thereof, excepting as hereinafter set forth. Such plan or map shall, when recorded, become a part of said master plan if said master plan has then been made, and if said master plan has not then been made, then when such master plan is made.

Penalty if
Recorder files
or records

Any recorder who receives for filing or recording any plan or map contrary to the provisions of this Section shall be guilty of a misdemeanor and upon conviction shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) in the discretion of the Court.

Levy Court
may construct
and maintain
roads shown
on plan

Section 10. The said Levy Court in addition to the authority now conferred on it by law relating to public roads in New Castle County, is authorized and empowered to construct, maintain and improve any other existing or proposed roads, as shall be shown on any plan or map that may hereafter be adopted by said Commission and recorded in said Recorder's Office which have not heretofore been either opened and laid out or maintained as public highways in the manner hereinafter set forth, after the public has acquired the use thereof for highway purposes by dedication, condemnation, deed, devise, gift or otherwise. Said roads for the purpose of such construction, maintenance and improvement shall be divided into four classes as follows:

Four classes
or roads

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Class A which shall consist of such arterial and major roads as shall be, in the sole judgment of the said Levy Court, primarily necessary and convenient for the general use of the traveling public.

Arterial and
major Roads

Class B which shall consist of such arterial and minor roads as shall be in the sole judgment of the said Levy Court primarily necessary and convenient for the general use of the traveling public resident in the Hundred in which said Highway is located.

Arterial and
minor Roads

Class C which shall consist of such roads as shall be in the sole judgment of the said Levy Court, primarily necessary and convenient for the general use of the owners of the property abutting thereon or adjacent thereto, which were dedicated to the public use or the use of such owners of property abutting thereon or adjacent thereto, prior to the first day of July, A. D. 1931.

Roads
necessary to
abutting
property
owners

Dedicated
prior to July
1, 1931

Class D which shall consist of such roads as shall be in the sole judgment of the said Levy Court primarily necessary and convenient for the general use of the owners of the property abutting thereon or adjacent thereto which were dedicated to the public use or the use of said owners of property abutting thereon or adjacent thereto on or after the first day of July, A. D. 1931.

Roads
dedicated
after July 1,
1931

Section 11. The said Levy Court is authorized and empowered to acquire by dedication, condemnation, deed, devise, gift or otherwise, the land and right of way necessary for the laying out and opening of any road included in Class A, for the use of the public for highway and road purposes and to improve the same under the provisions of Sections 21 to 31 of Chapter 55 of the Revised Code, A. D. 1915, and the acts amendatory thereof and supplemental thereto.

Acquisition of
land for
class A
roads

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Acquisition of
land for
class D
roads

Section 12. The said Levy Court is authorized and empowered to acquire by dedication, condemnation, deed, devise, gift or otherwise, the land and right of way necessary for the laying out and opening of any road or highway included in Class D for the use of the public for highway and road purposes and to improve the same under the provisions of Sections 1 to 12, inclusive, of Chapter 55 of the Revised Code, A. D. 1915, and the acts amendatory thereof and supplemental thereto.

Acquisition of
land for
class C
roads

Section 13. Whenever in the judgment of the said Commission any portion of said District in which any roads, included in Class C are located, is sufficiently developed to warrant the expenditure of the moneys collected for taxes for road purposes from the owners of the properties located within said portion of said District for the maintenance and improvement of the said roads included in Class C, located in said portion of said District, the said Commission shall certify that fact to the said Levy Court together with a description of the boundaries of said portion of said District and upon the receipt of said certificate and description of said boundaries, the said Levy Court is authorized and empowered to acquire by dedication, condemnation, deed, devise, gift or otherwise for the use of the public for highway purposes the land and right of way included within the right of way lines of the said roads included in Class C, within said portion of said District and upon such acquisition to improve and maintain the same under the provisions of Sections 1 to 12 inclusive, of Chapter 55 of the Revised Code, A. D. 1915 and the acts amendatory thereof and supplemental thereto, out of the road taxes thereafter levied and collected in said portion of said District.

Section 14. The said Levy Court shall adopt rules and regulations specifying conditions under which the roads included in Class D will be taken over for improvement and

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maintenance. In such rules and regulations it shall be required that the said roads be brought to the grade established on the said plan and for the full width between gutters with designated crown for the width and grade imposed and that the necessary culverts and bridges of sufficient size and character be installed. Whenever in the judgment of the said Commission any portion of said District, in which any roads included in Class D, are located, is sufficiently developed to warrant the expenditure of the moneys collected for taxes for road purposes from the owners of the properties located within said portion of said District for the maintenance and improvement of said roads included in Class D, located in said portion of said District, the said Commission shall certify that fact to the said Levy Court together with a description of the boundaries of said portion of said District and upon the receipt of said certificate and description of said boundaries, the said Levy Court is authorized and empowered to acquire by dedication, condemnation, deed, devise, gift or otherwise, for the use of the public for highway purposes, the land and right of way included within the right of way lines of said roads included in Class D, within said portion of said District and upon such acquisition to improve and maintain the same under the provisions of Sections 1 to 12 inclusive, of Chapter 55, of the Revised Code, A. D. 1915, and the acts amendatory thereof and supplemental thereto, out of the road taxes thereafter levied and collected in said portion of said District.

Rules and
regulations
governing
class D
roads

Acquisition of
necessary
land

Maintenance

Section 15. The said Commission with the approval of the said Levy Court, shall have the right and authority to take from, add to, or sub-divide any of said portions of said District which has been laid out and described pursuant to the provisions of the last two preceding sections.

Change of
Districts

Section 16. Whenever it shall be necessary for the Levy Court to take and occupy any land or other property for the

LEVY COURTS

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Condemnation
proceedings

purpose of opening, laying out, building, improving, repairing or maintaining any road, appearing on any map or plan that may hereafter be adopted by the said Commission and recorded in said Recorder's Office, and the same cannot be acquired by the said Levy Court by deed, gift or otherwise with the consent of the owner thereof, the proceedings therefor shall be in accordance with Article 7 of Chapter 55 of the Revised Code of the State of Delaware, A. D. 1915, and of the acts amendatory thereof and supplemental thereto, excepting as to the location of and necessity for said road. Said location as shown on said map or plan shall be adopted by the Commission or Commissions appointed in said proceedings and the necessity therefor shall be taken and deemed by the said Commission or Commissions to be conclusive.

Appropriation
for carrying
out
provisions

Section 17. That the said Levy Court of New Castle County shall be and is hereby authorized and empowered to annually appropriate a sum not exceeding Ten Thousand Dollars (\$10,000.00) for the purpose of carrying out the provisions of this Act, not including therein the maintenance and improvements of said roads, to be paid as other County expenses out of moneys collected for taxes for County purposes.

Act not to
affect certain
powers and
duties of State
Highway
Department

Section 18. That nothing herein contained shall change, alter, affect, or modify the rights, powers and duties conferred upon the State Highway Department by Chapter 63, Volume 29, Laws of Delaware and the acts amendatory and supplemental thereto.

Powers and
duties of
municipal
Corporations
not affected

Section 19. That nothing herein contained shall change, alter, affect or modify the rights, powers and duties heretofore conferred upon any municipal corporation over, in or upon any lands lying outside of the corporate limits of said municipal corporation.

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Section 20. The invalidity of any provision of this Act shall not affect the validity of the remaining provisions.

Invalidity not
to affect
remaining
provisions

Approved March 30, 1931.

CHAPTER 89

LEVY COURT, NEW CASTLE COUNTY

AN ACT to authorize the Levy Court of New Castle County to borrow the sum of Two Hundred Thousand Dollars (\$200,000.00) in order to provide money for The Board of Trustees of the New Castle County Workhouse for the enlargement and improvement 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:

Levy Court of
New Castle
County
authorized to
borrow money
for
Workhouse

Section 1. That the Levy Court of New Castle County be and is hereby authorized and empowered to borrow upon the faith and credit of said New Castle County as hereinafter provided, a sum not exceeding Two Hundred Thousand Dollars, to be paid over to the Board of Trustees of the New Castle County Workhouse for the purpose of enlarging and improving the said New Castle County Workhouse and for the purpose of securing the payment of such sum, to issue bonds in denominations of One Thousand Dollars each, bearing such rate of interest not exceeding five percentum per annum, as the said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually each and every year from the date of issuance thereof.

Bonds

Section 2. Said bonds shall be paid at their face value as follows:—

When
Payable

Five Thousand Dollars annually in the years 1934 to 1949, both inclusive, and Ten Thousand Dollars annually in the years 1950 to 1961, both inclusive.

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

LEVY COURT, NEW CASTLE COUNTY

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

Bonds—How
prepared

Section 4. Whenever in the judgment of the Board of Trustees of the New Castle County Workhouse it shall be deemed desirable or advisable that any part or all of the said bonds shall be sold, the said Levy Court shall sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. The request of the said Board of Trustees for the sale of any or all of the said bonds shall be certified to the said Levy Court under the hand of the President of the said Board of Trustees and upon the receipt thereof, the said Levy Court shall proceed forthwith to sell the bonds as therein requested. No commission or other compensation shall be charged or paid to any member of the said Levy Court or to any member of the said Board of Trustees for effecting the sale or negotiation of said bonds.

Selling of
Bonds

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

Principal and
Interest
payable at
Farmers' BankRate of
Taxation

LEVY COURT, NEW CASTLE COUNTY

County
Treasurer to
Pay

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

Bonds dated
and
numbered

Money
expended by
Workhouse
Trustees

Section 6. The said bonds shall bear such date or dates as the said Levy Court shall authorize and direct and shall be numbered from one to two hundred, both inclusive. All money received from the sale of any or all of the said bonds after the payment of the charges and expenses connected with the preparation and sale thereof shall be deposited by the County Treasurer in the Farmers' Bank at Wilmington to the credit of the Board of Trustees of the New Castle County Workhouse, in a separate account and payments thereof shall be made in the same manner as other payments by said Board of Trustees, provided that no part of the money thus obtained except as in this Section provided, shall be used for any other purpose than for the enlargement and improvement of the New Castle County Workhouse, and provided further that the purchasers or holders of said bonds shall not be bound to see to or be affected by the application of said money realized from the sale of said bonds.

Form of
Bonds

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

UNITED STATES OF AMERICA

STATE OF DELAWARE

No.

LEVY COURT, NEW CASTLE COUNTY
NEW CASTLE COUNTY WORKHOUSE LOAN

Form of
Bonds

Fourth Series

\$1,000.00

\$1,00.00

New Castle County, in the State of Delaware, for value received hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, Delaware, on the day of , A. D. 19 , the sum of One Thousand Dollars, with interest thereon, at the rate of percentum per annum, payable semi-annually, on the day of and , in each year. This bond is one of the authorized issue of two hundred bonds, aggregating Two Hundred Thousand Dollars, by virtue and in strict conformity with the Act of the General Assembly of the State of Delaware, approved A. D., 1931, entitled "An Act to authorize the Levy Court of New Castle County to borrow the sum of Two Hundred Thousand Dollars (\$200,000.00) in order to provide money for The Board of Trustees of the New Castle County Workhouse for the enlargement and improvement of the New Castle County Workhouse."

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

IN WITNESS WHEREOF the County Treasurer, President of the Levy Court and the Clerk of the Peace of New Castle County, have hereunto set their hands and seal of the Levy Court of New Castle County, at the City of Wilmington, in Delaware, this day of , A. D. 19 .

County Treasurer of New Castle

County.

LEVY COURT, NEW CASTLE COUNTY

President of the Levy Court of
New Castle County.

Clerk of the Peace of New Castle
County.

Additional
Provisions

Section 7. Said bonds shall contain such provisions in addition to those set forth in Section 5 of this Act and not inconsistent with the requirements of this Act, as said Levy Court shall determine.

Sinking Fund
to pay principal and
interest

Section 8. The said Board of Trustees shall on or before the Thirtieth day of June in each year, pay to the said Levy Court the full amount expended by said Levy Court during the preceding year as interest on and for the redemption of any of said bonds issued under the provisions of this Act and for the purpose of paying the said principal and interest the said Board of Trustees is directed to create out of the net earnings of the New Castle County Workhouse a Sinking Fund which is to be used expressly for such purpose and no other.

Approved April 25, 1931.

CHAPTER 90

LEVY COURT, NEW CASTLE COUNTY

AN ACT authorizing the Levy Court of New Castle County to sell certain real estate situate in said County.

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

Section 1. The Levy Court of New Castle County is hereby authorized, if it shall deem it advisable, to sell the lot of land belonging to said County, situate in New Castle Hundred, bounded on the Northwest by the Christiana River, on the Northeast by the road leading from New Castle to Newport and on the Southeast and Southwest by land of E. I. duPont deNemours & Company, for such sum as it may be able to obtain and which it may deem advisable to accept.

Levy Court of
New Castle
County may
sell Lot

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

Sufficient
Deed
Executed

Approved April 25, 1931.

CHAPTER 91

LEVY COURT, NEW CASTLE COUNTY

AN ACT authorizing and directing the Levy Court of New Castle County to appropriate money for the Wilmington General Hospital for the care of certain indigent persons resident in New Castle County, suffering from certain contagious diseases:

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

Levy Court,
New Castle
County to
appropriate
annual sum
for Hospital
care of
indigent

Section 1. That on and after the first day of July, A. D. 1931, the Levy Court of New Castle County is authorized and empowered, directed and required to appropriate annually the sum of Ten Thousand Dollars (\$10,000.00) to the Wilmington General Hospital for the care, support, nursing, medical and surgical treatment of indigent persons, resident in New Castle County, suffering from contagious diseases, sent to and admitted in said hospital.

Money
Provided

Section 2. The Levy Court in fixing the rate of taxation shall annually provide for the said sum of Ten Thousand Dollars (\$10,000.00).

Wilmington
General
Hospital to
care for
contagious
cases

Section 3. It shall be the duty of the said Wilmington General Hospital to admit and care for indigent persons, resident in New Castle County, suffering from contagious diseases, except from the contagious disease commonly known as smallpox; provided, however, that such Wilmington General Hospital shall not be obliged to care for more than twenty-five of such indigent persons at any one time.

Limitation

Money—How
Payable

Section 4. The said Levy Court is hereby authorized, empowered, directed and required to pay to the said Wilmington General Hospital, the said sum of Ten Thousand Dollars (\$10,000.00) annually, in twelve equal monthly installments of Eight Hundred Thirty-three dollars and thirty-three cents (\$833.33) each, on or before the 10th day of each

LEVY COURT, NEW CASTLE COUNTY

and every month, upon the said Wilmington General Hospital certifying to said Levy Court that it has complied with the provisions of this Act during the preceding calendar month. Certification
of compliance

Section 5. This Act may be amended or repealed, at the pleasure of the Legislature.

Approved April 3, 1931.

CHAPTER 92

LEVY COURT, NEW CASTLE COUNTY

AN ACT to amend an act entitled "An Act for the Relief of the Indigent Sick Resident in New Castle County," as amended by Chapter 71, Volume 35, of the 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 73, Volume 33, Laws of Delaware as amended by Chapter 71, Volume 35, of the Laws of Delaware, be and the same is hereby further amended by repealing Section 1 thereof and inserting in lieu thereof the following:

Appropriation
for indigent
sick in New
Castle County

Section 1. That on and after the first day of July, A. D. 1931, the Levy Court of New Castle County is authorized and empowered, directed and required to appropriate annually, the sum of Ninety thousand dollars (\$90,000.00) for the relief of the indigent sick resident in said County.

Section 2. That Chapter 73, Volume 33, Laws of Delaware as amended by Chapter 71, Volume 35, of the Laws of Delaware, be and the same is hereby further amended by repealing Section 2 thereof and inserting in lieu thereof the following:

Money
Provided

Section 2. The Levy Court in fixing the rate of taxation shall annually provide for the said sum of Ninety thousand dollars (\$90,000.00).

Approved April 10, 1931.

CHAPTER 93

LEVY COURT, KENT COUNTY

AN ACT to authorize the Levy Court of Kent County to borrow not exceeding Eleven Thousand Dollars (\$11,000) to be expended for the payment of the cost of the erection of a bridge over Old Duck Creek and for the payment of the cost of building Woodland Beach Road:

WHEREAS, The Levy Court of Kent County in the year 1914 awarded to James R. Mott a contract for constructing the bridge over the branch of Duck Creek originally known as Old Duck Creek, in Duck Creek Hundred, at or near the place where the line of the road leading from Woodland Beach to the Bayview Road crosses said branch of Duck Creek, and for building the road across marshland lying between said bridge and the terminus of the concrete road leading to Smyrna, for the sum of Fifteen Thousand, Four Hundred and Thirty-two Dollars (\$15,432);

AND WHEREAS, the said road and bridge have been built and accepted by the Levy Court of Kent County;

AND WHEREAS, the said James R. Mott agreed to pay one-third of the cost of both the bridge and road;

AND WHEREAS, nothing has been paid the said James R. Mott for the work and labor performed and the material furnished for building the said bridge and road;

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 Levy Court of Kent County be, and is hereby, authorized and empowered to borrow upon the faith and credit of said County, as hereinafter provided, a sum not exceeding Eleven Thousand Dollars (\$11,000) to be

Kent County
authorized to
borrow money
for bridge
near Woodland
Beach

LEVY COURT, KENT COUNTY

Bonds Issued

expended for paying the cost of the erection of the said bridge over Old Duck Creek and for the payment of the cost of building the said public road lying between said bridge and the terminus of the concrete road leading to Smyrna, and for the purpose of securing the payment of such sum, to issue bonds in denominations of One Thousand Dollars (\$1,000) each bearing such rate of interest not exceeding five per centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

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

Classes of
Bonds

One Thousand Dollars (\$1,000) annually in the years 1931 to 1941, both inclusive.

Bonds--How
Prepared

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

Selling of
Bonds

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

LEVY COURT, KENT COUNTY

other compensation shall be charged or paid to any member of said Levy Court for effecting the sale or negotiation of said bonds.

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

Principal and
Interest
Payable at
Farmers' Bank

Money
Provided

County
Treasurer to
Pay

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

Bonds dated
and numbered

Money in
separate
account

LEVY COURT, KENT COUNTY

Money used
for Bridge
and Road

provided, shall be used for any other purpose than for the payment of the cost of the construction of said bridge and the building of said road hereinbefore mentioned; and provided further, that the purchasers or holders of said bonds shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds.

Form of
Bonds

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

UNITED STATES OF AMERICA

STATE OF DELAWARE

Number

KENT COUNTY-WOODLAND BEACH BRIDGE

AND ROAD BOND.

\$1,000.00

\$1,000.00

Kent County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Dover, on the day of , A. D. 19 , the sum of One Thousand Dollars with interest thereon at the rate of per centum per annum, payable semi-annually on the day of and in each year. This Bond is one of the authorized issue of eleven bonds aggregating Eleven Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved A. D. 1931, entitled "An Act to authorize the Levy Court of Kent County to borrow not Exceeding Eleven Thousand Dollars to be expended for the payment of the cost of the erection of a bridge over Old Duck Creek and for the payment of the cost

LEVY COURT, KENT COUNTY

of building Woodland Beach Road," and in pursuance of a ^{Form of} resolution of the Levy Court of Kent County, adopted ^{Bonds}
 , A. D.

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

IN WITNESS WHEREOF, the County Treasurer, President of the Levy Court and Clerk of the Peace of Kent County, have hereunto set their hands and seal used by the Levy Court of Kent County, at the City of Dover, in Delaware, this
 day of A. D. 19 .

County Treasurer of Kent County.

President of the Levy Court of Kent County.

Clerk of the Peace of Kent County.

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

Section 9. The bonds issued under the provisions of this Act shall be exempt from State, County, Municipal and ^{Exempt from} other taxes. ^{certain taxes}

Approved April 6, 1931.

CHAPTER 94

LEVY COURT, KENT COUNTY

AN ACT authorizing the Levy Court of Kent County to borrow on the credit of the County a sum of money not exceeding Twenty Thousand Dollars for the purpose of building a jail for said County:

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

Levy Court
Kent County
authorized to
borrow money
for new Jail

Section 1. The Levy Court of Kent County is hereby authorized to build a new jail for Kent County, which shall include a residence for the Sheriff, and to arrange by agreement or contract therefor.

Site

Section 2. The said Levy Court may either acquire by purchase or by condemnation a new site for said jail in or near to the City of Dover, or may adopt and use for said jail any part of the land on which the present jail is situated or appurtenant thereto.

Law governing
condemnation
of Land

If it shall be necessary to exercise the power of eminent domain for the purpose of acquiring a site for said jail the proceeding shall be in the name of the State of Delaware and shall be, with the necessary changes, according to the proceeding set forth in Section 11, Chapter 63, Volume 29, Laws of Delaware, being the Act creating a State Highway Department.

Land acquired
vested in
State of
Delaware

Lands acquired by the Levy Court of Kent County for the purpose aforesaid shall be vested in the State of Delaware.

Official Jail

Section 3. Any new site for said jail and the said structure or building shall be the official jail of Kent County.

Section 4. The Levy Court of Kent County is authorized to enter into contracts and agreements with persons, firms

LEVY COURT, KENT COUNTY

or corporations relative to the building and construction of a new jail for Kent County, and to this end may require of said persons, firms or corporations proper security for the faithful performance of the work to be done. The said Levy Court may engage the services of competent architects who shall prepare proper plans and specifications, and shall award any contract to the lowest responsible bidder, but with the right to reject any and all bids.

Section 5. The Levy Court is hereby authorized to borrow upon the faith and credit of Kent County, in addition to such sum as may be received from the State of Delaware for the site of the present jail and the land appurtenant thereto, a sum not exceeding Twenty Thousand Dollars (\$20,000) to be expended in the acquirement of a site and for the building of a new jail, and for the purpose of securing the payment of such sum, to issue bonds in such denominations, at such rate of interest not exceeding Five per centum per annum, as the Levy Court may deem expedient.

Section 6. The interest upon said bonds shall be paid semi-annually in each year from the date of the issue. The Levy Court shall decide upon and determine the classes and times of maturity of said bonds and the aggregate of each class. The bonds may at the option of the Levy Court contain a provision for redemption at any time after the expiration of five years from the date thereof at a premium not to exceed five per cent. The bonds may contain provisions for the registration thereof as the Levy Court may determine. The bonds shall bear the same date and shall be numbered serially.

Section 7. The bonds shall be prepared under the supervision of the Levy Court and shall be signed by the Receiver of Taxes and County Treasurer, the President of the Levy Court and the Clerk of the Peace of Kent County, and shall be under the seal used by said Levy Court. The signature of the Receiver of Taxes and County Treasurer shall be

LEVY COURT, KENT COUNTY

Execution of Bonds engraved or printed on each coupon or interest warrant. It shall be the duty of the officers named to execute said bonds when directed by the Levy Court so to do, and it shall be the

Record duty of the Receiver of Taxes and County Treasurer and of the Levy Court to keep a record of said bonds.

Exempt from certain taxes Section 8. The bonds shall be exempt from all state, county, municipal and other taxation, and the purchaser thereof shall not be obliged to see to or in any manner be responsible for the application of the purchase money; the

Allowed Form and Provisions bonds may be of such form and may contain such provisions as will not conflict with the provisions hereof.

Selling of Bonds Section 9. The Levy Court shall determine when the bonds or any number thereof may be sold, and until sold shall remain in the custody of the Levy Court. Whenever it shall be deemed advisable that any part or all of said bonds shall be sold, the Levy Court shall sell and dispose of the same after having advertised them in the public press at least once each week for at least three weeks. No commission or other compensation shall be charged or paid to the Levy Court, or any member therefor, for effecting the sale or negotiation of said bonds.

Principal and Interest payable at Farmers Bank Section 10. The bonds, principal and interest, shall be payable at the Farmers Bank of the State of Delaware, at Dover, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard, out of money from time to time appropriated for that purpose by the Levy Court; and the Levy Court is directed to pay the interest on the bonds to said Farmers Bank when and as the same shall become due, and to pay said bonds when and as the respective classes mature.

Money Provided The Levy Court in fixing the rate of taxation shall annually, until the first class of said bonds shall become due and payable, provided for a sum equal to the amount of interest due each year upon said bonds, and as and when said

LEVY COURT, KENT COUNTY

bonds shall mature and become due and payable, shall in like manner provide for a sum equal to the aggregate of said bonds so maturing, which amount shall be set apart by the Receiver of Taxes and County Treasurer to be applied to the payment of interest on said bonds and the redemption thereof as they mature.

Section 11. All money received from the sale of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited in the Farmers Bank aforesaid to the credit of the Levy Court in a separate account, and payment therefrom shall be made by the Levy Court by a special warrant upon which shall be printed or endorsed "Kent County Jail Warrant."

Money
deposited in
separate
account in
Farmers' Bank

Payment by
special
warrant

Section 12. The Levy Court is authorized also to enter into contracts for the purchase and installation of all necessary jail equipment.

Jail
Equipment

Approved April 25, 1931.

CHAPTER 95

LEVY COURT, KENT COUNTY

AN ACT authorizing the Levy Court of Kent County to appropriate County moneys to David C. Harrison Post No. 14, Inc., American Legion, for the maintenance of ambulance.

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

Levy Court,
Kent County
may
appropriate
money for
ambulance

Amount
Limited

Section 1. That the Levy Court of Kent County shall be, and is hereby, authorized and empowered to appropriate public moneys toward the maintenance of the ambulance furnished by David C. Harrison Post No. 14, Inc., American Legion, at Smyrna, for the benefit of residents of Kent County in amounts not to exceed two hundred and fifty dollars in any one year.

Approved April 22, 1931.

CHAPTER 96

LEVY COURTS, KENT AND SUSSEX COUNTIES

AN ACT to amend Chapter 71, Volume 30, Laws of Delaware entitled "An Act Regulating the Amounts of Money to be Appropriated by the Levy Courts of Kent and Sussex Counties to Incorporated Towns."

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

Section 1. That Section 1 of Chapter 71, Volume 30, Laws of Delaware entitled "An Act Regulating The Amounts of Money to Be Appropriated By The Levy Courts of Kent and Sussex Counties To Incorporated Towns" be and the same is hereby amended by adding a new paragraph at the end of Section 1 as follows:

That for the purpose of any apportionment of any amount set aside under the provisions of this Act and which apportionment shall be based on the total mileage of streets included within the said incorporated town or incorporated towns, the said incorporated town or incorporated towns may include any and all streets which are under the supervision and maintenance of the said incorporated town, but shall not include any street or roads which are maintained and kept up by the State Highway Department of this State..

Money
apportioned
to Towns in
Kent and
Sussex
Counties

Roads
maintained
by State
Highway
Department
not Included

Approved April 25, 1931.

CHAPTER 97

LEVY COURTS, KENT AND SUSSEX COUNTIES

AN ACT to amend an act 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 Section 1 of Chapter 91, Volume 34, as amended by Chapter 120, Volume 36, Laws of Delaware, be and the same is hereby amended by striking out all of said Section 1 and substituting in lieu thereof the following:

Money for
Indigent sick
in Kent and
Sussex
Counties

"Section 1. Beginning May 1, 1931, the Levy Court of Kent County is hereby authorized and directed to appropriate and set aside the sum of Twelve Thousand Dollars (\$12,000.00) annually and the Levy Court of Sussex County is hereby authorized and directed to appropriate and set aside the sum of Nine Thousand Dollars (\$9,000.00) annually, to provide Hospital treatment and care for the indigent sick of said respective counties."

Section 2. That Section 3 of Chapter 91, Volume 34, Laws of Delaware, be and the same is hereby amended by striking out all of said Section 3 and substituting in lieu thereof the following:

Records of
cases kept by
Hospitals

"Section 3. Said Hospitals shall keep correct records of such indigent sick upon forms prescribed by said Levy Courts respectively. Such forms shall show the name and place of residence of each indigent sick person, the day each patient was received and discharged, the disease or injury treated and the expense incident to such treatment and such other facts as said Levy Courts respectively shall require. Said Hospitals shall keep their lists of indigent sick who are residents of Kent County on one form and of those who are residents of Sussex County on another form and said Hospitals shall transmit monthly to the Levy Court of Kent County its

LEVY COURTS, KENT AND SUSSEX COUNTIES

list or form covering the indigent sick of Kent County who have been cared for and treated and shall likewise transmit to the Levy Court of Sussex County its list or form covering the indigent sick residents of Sussex County who have been cared for and treated. Said respective Levy Courts are hereby authorized and directed to carefully examine said lists and forms and shall have full power to make proper inquiry concerning the same, to examine the accounts of said Hospitals with respect to such indigent sick, to visit said Hospitals for the purpose of ascertaining whether such indigent sick are receiving proper care and to investigate whether or not such patients are in fact indigent and unable to pay their Hospital bills or any part thereof. When said Levy Courts respectively shall have approved said lists such approval shall be certified thereon in writing. Said Levy Courts shall respectively have the power to amend or correct said lists or any of them in their discretion. When said lists shall have been received and approved as aforesaid the said Levy Courts are hereby respectively authorized and directed to pay the amounts due said Hospitals respectively as shown by said lists provided that the total amount paid in any one year, namely from July 1st to June 30th next ensuing shall not exceed the sum of Twelve Thousand Dollars (\$12,000.00) for Kent County or the sum of Nine Thousand Dollars (\$9,000.00) for Sussex County and provided further that no indigent patient receiving the benefits of this Act shall be charged for at a higher rate than Four Dollars (\$4.00) per diem nor shall any such indigent patient receive aid provided for under this Act, during any one sickness, for a longer period than 42 days except in extraordinary cases where the nature of the patient's illness or injury shall render it impossible to remove such patient from the Hospital at the expiration of said 42 days, in which case the Hospital shall transmit to the Levy Court a full written statement showing the nature of the patient's illness or injury and certifying that the patient is indigent and could not be safely removed at the end of 42 days; if the Levy Court to which the bill for such last mentioned indigent sick patient is to be presented shall approve an exemption of

Records sent
to Levy
CourtsWork
examinedApproval by
Levy CourtsPayments
made

Rate

Time aid
given

LEVY COURTS, KENT AND SUSSEX COUNTIES

Hospital treatment beyond said 42 days it shall notify said Hospital to that effect and shall indicate in writing how long it will approve of such treatment beyond said 42 day period.

Expenditures
in various
months, in
Kent County

The Levy Court of Kent County shall not expend under this Act for the months of July, August and September in each year more than Three Thousand Dollars (\$3,000.00); nor for the months of October, November and December more than Three Thousand (\$3,000.00) in addition to any sum which may be unused out of the first mentioned Three Thousand Dollars (\$3,000.00), nor for the months of January, February and March more than Three Thousand Dollars (\$3,000.00) in addition to any sums which may be unused for the six months before mentioned; nor for April, May and June more than the sum of Three Thousand Dollars (\$3,000.00), in addition to what may be unused for the nine months before mentioned.

Expenditure
in various
months in
Sussex County

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 Two Thousand Two Hundred Fifty Dollars (\$2,250.00); nor for the months of October, November and December more than Two Thousand Two Hundred Fifty Dollars (\$2,250.00) in addition any sum which may be unused out of the first mentioned Two Thousand Two Hundred Fifty Dollars (\$2,250.00); nor for the months of January, February and March more than Two Thousand Two Hundred Fifty Dollars (\$2,250.00) in addition to any sums which may be unused for the six months before mentioned; nor for April, May and June more than the sum of Two Thousand Two Hundred Fifty Dollars (\$2,250.00) in addition to what may be unused for the nine months before mentioned; the purpose of the provisions of these paragraphs 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 2, 1931.

CHAPTER 98

LEVY COURT, SUSSEX COUNTY

AN ACT authorizing the Levy Court of Sussex County to acquire by purchase or by condemnation proceedings certain property and property interests in Sussex County for County purposes.

WHEREAS, portions of the land belonging to Sussex County, situate in Georgetown, and fronting on Market Street and Cherry Lane, and adjoining the jail property were leased to certain persons and corporations, which leases will not expire for a long period of time:

AND WHEREAS, the need for more office space in the Court House of Sussex County is becoming more pressing year by year, and for the housing of officers and records it will soon be necessary to enlarge the present Court House.

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

Section 1. The Levy Court of Sussex County is authorized to acquire by purchase or by condemnation proceedings the outstanding leasehold interests of all persons and corporations in respect of that piece or parcel of land belonging to Sussex County, situate in Georgetown, and fronting on Market Street and Cherry Lane and the property devoted to the uses of the jail.

Levy Court of
Sussex County
may acquire
leasehold
interests in
County land

Section 2. If the Levy Court aforesaid shall not be able to acquire said leasehold interests by purchase from the persons or corporations owning and holding the same, the said Levy Court is hereby authorized to proceed to condemn the same in manner and according to the provisions of Section 11, Chapter 63, Volume 29, Laws of Delaware, being an Act creating the State Highway Department.

Condemna-
tion—Law to
govern

LEVY COURT, SUSSEX COUNTY

What
acquired

The said Levy Court shall have the right to purchase or acquire in respect of said above mentioned property, all property rights, leaseholds, easements or other interests therein.

Rent due
deducted from
value

Section 3. In fixing the value of said property any sum or sums of money owing by the lessees to Sussex County for and on account of rent due shall be deducted from the value thereof as the same may be ascertained.

Property and
interests—
acquired held
for County
purposes

Section 4. The said property and interests therein, acquired by purchase or condemnation, shall not be sold by the Levy Court but shall be held for future County purposes.

Approved March 12, 1931.

CHAPTER 99

LEVY COURT, SUSSEX COUNTY

AN ACT authorizing the Levy Court of Sussex County to borrow on the credit of the County a sum of money not exceeding One Hundred Thousand Dollars for the purpose of building a jail for said County, or to provide for the alteration and repair of the existing jail of said County.

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

Section 1. The Levy Court of Sussex County is hereby authorized to build a new jail for Sussex County or to remodel, alter or repair the present jail of said County, and to arrange by agreement or contract therefor. Levy Court of Sussex County authorized to build jail

Section 2. The said Levy Court may either acquire by Site purchase or by condemnation a new site for said jail in or near to the town of Georgetown, or may adopt and use for said jail the lands on which the present jail is situated.

If it shall be necessary to exercise the power of eminent Condemnation domain for the purpose of acquiring a site for said jail the proceeding shall be in the name of "The Levy Court of Sussex County" and shall be, with the necessary changes, according to the proceeding set forth in Section 11, Chapter 63, Volume 29, Laws of Delaware, being the Act creating a State Highway Department. Law applicable

Lands acquired by the Levy Court of Sussex County for the purpose aforesaid shall be vested in the State of Delaware. Lands acquired vested in State of Delaware

Section 3. If the said Levy Court shall determine to Official Jail acquire a new site for said jail and to erect a new structure thereon, the said structure or building shall be the official

LEVY COURT, SUSSEX COUNTY

Present site
held for
County
Purposes

jail of Sussex County; and the lands comprising the site of the present jail and the premises appurtenant thereto shall not be sold or conveyed but shall be held for future county purposes.

Building of
Jail

Section 4. The Levy Court of Sussex County is authorized to enter into contracts and agreements with persons, firms or corporations relative to the building and construction of a new jail for Sussex County, or for the remodeling, alteration and repair of the present jail, and to this end may require of said persons, firms or corporations proper security for the faithful performance of the work to be done. The said Levy Court may engage the services of competent architects who shall prepare proper plans and specifications, and shall award any contract to the lowest responsible bidder, but with the right to reject any and all bids.

\$100,000 may
be borrowed

Section 5. The Levy Court is hereby authorized to borrow upon the faith and credit of Sussex County a sum not exceeding One Hundred Thousand Dollars to be expended in the acquirement of a site and for the building of a new jail, or for the remodeling, alteration and repair of the existing jail, as hereinbefore set forth, and for the purpose of securing the payment of such sum, to issue bonds in such denominations, at such rate of interest not exceeding five per centum per annum, as the Levy Court may deem expedient.

Bonds issued

Interest
payable
semi-annually

Classes and
maturity of
Bonds

Redemption

Registration

Dates
numbers

Section 6. The interest upon said bonds shall be payable semi-annually in each year from the date of the issue. The Levy Court shall decide upon and determine the classes and times of maturity of said bonds, and the aggregate of each class. The bonds may at the option of the Levy Court contain a provision for redemption at any time after the expiration of five years from the date thereof at a premium not to exceed five per cent. The bonds may contain provisions for the registration thereof as the Levy Court may determine. The bonds shall bear the same date and shall be numbered serially.

LEVY COURT, SUSSEX COUNTY

Section 7. The bonds shall be prepared under the supervision of the Levy Court and shall be signed by the Receiver of Taxes and County Treasurer, the President of the Levy Court and the Clerk of the Peace of Sussex County and shall be under the seal used by said Levy Court. The signature of the Receiver of Taxes and County Treasurer shall be engraved or printed on each coupon or interest warrant. It shall be the duty of the officers named to execute said bonds when directed by the Levy Court so to do, and it shall be the duty of the Receiver of Taxes and County Treasurer and of the Levy Court to keep a record of said bonds.

Preparation
of Bonds

Record

Section 8. The bonds shall be exempt from all state, county, municipal and other taxation, and the purchaser thereof shall not be obligated to see to or in any manner be responsible for the application of the purchase money; the bonds may be of such form and may contain such provisions as will not conflict with the provisions hereof.

Exempt from
Certain TaxesForm and
Provisions

Section 9. The Levy Court shall determine when the bonds or any number thereof may be sold, and until sold shall remain in the custody of the Levy Court. Whenever it shall be deemed advisable that any part or all of said bonds shall be sold, the Levy Court shall sell and dispose of the same after having advertised them in the public press at least once each week for at least three weeks. No commission or other compensation shall be charged or paid to the Levy Court, or any member thereof for effecting the sale or negotiation of said bonds.

Selling of
Bonds

Section 10. The bonds, principal and interest shall be payable at the Farmers Bank of the State of Delaware, at Georgetown, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard, out of money from time to time appropriated for that purpose by the Levy Court; and the Levy Court is directed to pay the interest on the bonds to said Farmers Bank when and as the same shall become due, and to pay said bonds when and as the respective classes mature.

Principal and
Interest
payable at
Farmers'
Bank

LEVY COURT, SUSSEX COUNTY

Money
Provided for
Interest and
Principal

The Levy Court in fixing the rate of taxation shall annually, until the first class of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall mature and become due and payable, shall in like manner provide for a sum equal to the aggregate of said bonds so maturing which amount shall, be set apart by the Receiver of Taxes and County Treasurer to be applied to the payment of interest on said bonds and the redemption thereof as they mature.

Money
Deposited in
separate
account

Section 11. All money received from the sale of said bonds, after the payment of the charges and expenses connected with the preparation and sales thereof, shall be deposited in the Farmers Bank aforesaid to the credit of the Levy Court in a separate account, and payment therefrom shall be made by the Levy Court by a special warrant upon which shall be printed or endorsed "Sussex County Jail Warrant".

Jail
Equipment

Section 12. The Levy Court is authorized also to enter into contracts for the purchase and installation of all necessary jail equipment.

Approved February 25, 1931.

CHAPTER 100

LEVY COURT, SUSSEX COUNTY

AN ACT authorizing and empowering the Levy Court of Sussex 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 Sussex 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.

Levy Court of Sussex County may insure Employees and officers

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.

Workmen's Compensation

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.

Levy Court to judge Insurance

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.

Inconsistent Acts repealed

Approved March 12, 1931.

CHAPTER 101

LEVY COURT, SUSSEX COUNTY

AN ACT authorizing the Levy Court of Sussex County to appropriate County Moneys to Sussex Post No. 9, American Legion, for the Maintenance of Ambulance.

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

Levy Court,
Sussex County
may appropriate
money for
Ambulance

Section 1. That the Levy Court of Sussex County shall be, and is hereby, authorized and empowered to appropriate public moneys toward the maintenance of the ambulance furnished by Sussex Post No. 9 (American Legion, at Georgetown, for the benefit of residents of Sussex County in amounts not to exceed Two Hundred and Fifty Dollars in any one year.

Amounts
Limited

Approved March 12, 1931.

CHAPTER 102

LEVY COURT, COUNTY ENGINEER

AN ACT to amend Chapter 43 of the Revised Code of Delaware as amended by Chapter 76, Volume 28, Laws of Delaware, in relation to the Qualifications and Compensation of the County Engineer of 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 43, of the Revised Code of Delaware, as amended by Chapter 76, Volume 28, Laws of Delaware, be and the same is hereby further amended by striking out the words: "shall be a graduate of some reputable engineering school or college", as they appear in the fifth paragraph of 1080 B. Sec. 68 B, of said Chapter 43 as amended as aforesaid, and by inserting in lieu thereof the following words: "shall have attended some reputable engineering school".

County
Engineer,
Sussex
County.
qualifications

Section 2. That Chapter 43, of the Revised Code of Delaware, as amended by Chapter 76, Volume 28, Laws of Delaware, be and the same is hereby further amended by striking out the words: "of Eighteen Hundred Dollars", as they appear in the sixth paragraph of 1080 B. Sec. 68 B, of said Chapter 43 as amended as aforesaid, and by inserting in lieu thereof the following words: "not to exceed Three Thousand Dollars".

Compensation

Approved March 23, 1931.

CHAPTER 103

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT to amend Chapter 44 of the Revised Code of Delaware, as amended by Chapter 72, Volume 29, Laws of Delaware, in reference to Compensation of the Members of the Board of Assessment 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 44 of the Revised Code of Delaware, as amended by Chapter 72, Volume 29, Laws of Delaware, be and the same is hereby further amended, by repealing 1103B. Sec. 6B. thereof, and by inserting in lieu thereof a new Section to be styled 1103B. Sec. 6B., as follows:

Compensation
of members,
Board of
Assessment,
N. C. County

Traveling
Expenses

1103B. Sec. 6B. Each member of the Board of Assessment for New Castle County as compensation for his services shall receive the sum of Three Thousand Dollars (\$3,000.00) per year, payable in equal monthly installments. The necessary traveling expenses of the members of the Board shall be made up monthly and duly verified by the members of the Board and shall be paid by the Levy Court after due investigation.

Approved April 8, 1931.

CHAPTER 104

COUNTY TREASURER

AN ACT to amend Chapter 45 of the Revised Code of the State of Delaware relating to County Treasurer.

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

Section 1. That Chapter 45 of the Revised Code A. D. 1915, of the State of Delaware be and the same is hereby amended by adding thereto a new section to be styled 1145-A, Sec. 1-A.

1145-A, Sec. 1-A. Duties of Treasurer of the Poor imposed on County Treasurer; Bond:

All the duties imposed upon, power vested in and acts required of the Treasurer of the Poor of New Castle County by the laws of this State are imposed upon, vested in and required of the County Treasurer for New Castle County. Said County Treasurer for the discharge of the said duties of said Treasurer of the Poor, shall not be required to give extra or additional bond to secure his fidelity.

Duties of
Treasurer of
the Poor
imposed on
County
Treasurer,
N. C. County
No extra
Bond

Approved April 22, 1931.

CHAPTER 105

COUNTY TREASURER

AN ACT to amend Chapter 84 of Volume 33 Laws of Delaware entitled "An Act in Relation to the Collection of Taxes in Kent County providing for the election of a Receiver of Taxes and County Treasurer and prescribing the duties of said office".

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 84 of Volume 33, Laws of Delaware, be amended by striking out all of said Section and substituting in lieu thereof a new section to be styled Section 1 as follows :

Election of
Receiver of
Taxes and
County
Treasurer,
Kent County

Term

No person
elected twice
in eight years

Section 1. At the general election in the year A. D. One Thousand Nine Hundred and Thirty Four, and at the general election to be held in every fourth year thereafter, there shall be voted for and elected by the qualified voters of Kent County a suitable person, being a resident of Kent County, to fill the office of Receiver of Taxes and County Treasurer. The person so elected shall hold office for the term of four years, commencing on the first Tuesday in June next succeeding his election, or until his successor shall be duly qualified. The present Receiver of Taxes and County Treasurer shall hold and enjoy said office until the first Tuesday in June, A. D. 1935, or until his successor shall be duly qualified. No person shall be twice elected Receiver of Taxes and County Treasurer in any term of eight years".

Section 2. That Section 6 of Chapter 84 of Volume 33, Laws of Delaware, be amended by striking out the first paragraph of said Section and substituting in lieu thereof a new paragraph, as follows :

Notices

"In pursuance of public notices, the said Receiver of Taxes and County Treasurer shall attend in person, or by

COUNTY TREASURER

deputy, not less than once in every month during the months of July, August, September, October, November and December of each year, at some convenient and public place in each representative district in Kent County, there to receive the Taxes of any taxable in said representative district, or of any taxables in any adjoining representative district, and at such times and places he, or his deputy, shall sit at least six hours on every day so appointed".

To sit to
receive taxes

Where

Section 3. That Section 10 of Chapter 84, Volume 33, Laws of Delaware, be amended by striking out the first two paragraphs of said Section and by inserting in lieu thereof two new paragraphs as follows:

"The annual salary of the Receiver of Taxes and County Treasurer shall be Two Thousand Dollars, which shall be paid to him by warrants of the Levy Court of Kent County in equal monthly installments.

Salary

"He may select and employ one deputy at an annual salary of Twelve Hundred Dollars, which salary shall be likewise paid to said deputy by warrants of the Levy Court in equal monthly installments. He may employ such other clerical assistance as, in the judgment of the Levy Court of Kent County, may from time to time be necessary, said Levy Court to fix their compensation".

Salary of
Deputy

Other
clerical
help

Section 4. That Section 12 of Chapter 84, Volume 33, Laws of Delaware, be amended by striking out all of said Section and substituting in lieu thereof a new section to be styled Section 12, as follows:

"Section 12. All taxes assessed and levied shall be due and payable on the first day of July in each year and no demand therefor shall be necessary".

Taxes due
July 14

Section 5. That Section 15 of Chapter 84 of Volume 33, Laws of Delaware, be amended by striking out all of said

COUNTY TREASURER

Section and substituting in lieu thereof a new section to be styled Section 15, as follows:

Return of
sale of land
to Superior
Court

Deed given, if
sale approved

Other sale

"Section 15. Every sale of lands and tenements shall be returned by the Receiver of Taxes and County Treasurer, in office at the time of said sale, to the Superior Court in and for Kent County at the next term thereof, and the Court shall inquire into the circumstances and either approve said sale or set it aside. If it be approved, the Receiver of Taxes and County Treasurer making said sale shall make a deed to the purchaser which shall convey the title of the taxable, or of his alienee, as the case may be; if it be set aside, the Court may order another sale, and so on until the tax due be collected. The certificate filed, together with the return and deed, shall be presumptive evidence of the regularity of the proceedings".

Section 6. That Section 30 of Chapter 84 of Volume 33, Laws of Delaware, be amended by adding a new paragraph at the end of said section as follows:

1929 and 1930
taxes collected
by official in
office then

Powers

"For the purpose of the collection of the taxes due Kent County for the years 1929 and 1930, the Receiver of Taxes and County Treasurer in office during said years is hereby given all the powers and authority as in this Act are conferred on the Receiver of Taxes and County Treasurer now in office".

Approved March 12, 1931.

CHAPTER 106

COUNTY TREASURER

AN ACT to amend an Act entitled "An Act to Provide for the More Efficient Collection of Taxes in Sussex County, by establishing the Office of Receiver of Taxes and County Treasurer, and prescribing the duties of said office, and Abolishing the Office of County Treasurer and the Office of Collector of Taxes".

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

Section 1. That Section Three of Chapter 82 Volume 28, Laws of Delaware be, and the same is hereby amended, by striking out Section Three thereof and inserting in lieu thereof the following section:

Section 3. At the general election in the year A. D. One Thousand Nine Hundred and Sixteen, and at the general election held in every fourth year thereafter, there shall be voted for and elected by the qualified voters of Sussex County, to fill the office of Receiver of Taxes and County Treasurer. The person so elected shall hold office for the term of four years, commencing on the first Tuesday in June next succeeding his election, or until his successor shall be duly qualified. The present Receiver of Taxes and County Treasurer shall hold and occupy said office until the first Tuesday in June A. D. 1933. No person shall be twice elected Receiver of Taxes and County Treasurer in any term of eight years, but the person appointed by the Governor as the first Receiver of Taxes and County Treasurer hereunder shall be eligible for re-election.

Election of
Receiver of
Taxes and
County
Treasurer,
Sussex County

Term

No person
twice elected
in eight year
period

Approved April 2, 1931.

CHAPTER 107

RECORDER OF DEEDS, NEW CASTLE COUNTY

AN ACT to amend Chapter 53, Revised Code of Delaware, and providing for "Index Clerks" in the office of the Recorder of Deeds 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 53, Revised Code of Delaware, as amended by Chapter 82, Volume 32, Laws of Delaware, be and the same is hereby further amended by striking out all of 1439 B. Sec. 7 B., and by inserting in lieu thereof a new section as follows:

Index clerks
in office of
Recorder of
Deeds, N. C.
County

Compensation

1439 B. Sec. 7 B. In New Castle County, the Recorder of Deeds shall be empowered to designate two of the clerks employed in his office as "Index Clerks", who shall, under the direction of the Recorder, be responsible for the entries in all the indices in said Recorder's Office. The said Index Clerks shall each receive the same compensation as is provided for the Deputy Recorder in said office.

Approved March 30, 1931.

CHAPTER 108

RECORDER OF DEEDS, KENT COUNTY

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 R. Harry Wilson, 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.

New seal for
Recorder of
Deeds,
Kent County

Present Seal
Destroyed

Section 2. The Levy Court of Kent County shall pay the necessary costs of procuring said new seal.

Approved April 6, 1931.

CHAPTER 109

RECORDER OF DEEDS, SUSSEX COUNTY

AN ACT to authorize the Recorder of Deeds in and for Sussex County to make New Indices for Deeds.

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

New Copy of
Indices to
deeds, Sussex
County

Section 1. That the Recorder of Deeds in and for Sussex County be and he is hereby authorized and required to make or cause to be made, pursuant to the Campbell system of indices, a true and correct copy of the indices to deeds recorded in his office; and he is hereby authorized to procure such books as shall be necessary and proper for that purpose, the cost of which shall be paid by the Levy Court of Sussex County.

Commissioners
to examine
Copy

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, whose duty it shall be to examine such copy as aforesaid, and if they approve of the execution and exactness thereof, they shall certify the same to be a true and correct copy of said indices and then and after such certification the said copy shall become and be the indices of the said County in lieu of those heretofore and now in use.

Compensation
paid for the
necessary
work

Section 3. That the said Recorder of Deeds 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 Recorder of Deeds is also authorized to employ necessary clerical assistance at a compensation to be determined and paid by the Levy Court of Sussex 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 19, 1931.

CHAPTER 110

PRESERVATION OF PROBATE RECORDS

AN ACT providing for the Preservation and Reproduction of Land and Probate Records.

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 and the Register of Wills, in each of the Counties of this State, upon the advice and approval of the Resident Associate Judge of the particular county, may deliver to the Public Archive Commission, with the consent of the State Archivist, for preservation in the Public Archives of the State of Delaware, at Dover, any volume of land records or probate records in their official custody, the age and conditions of which render its continued use by the public inadvisable, and the Recorder or Register shall take a receipt for the same and said receipt shall be recorded in the office from which such Volume or record is taken.

Old Land and Probate records preserved by Public Archive Commission

Within a reasonable time after any such Volume or record has been delivered to the said Commission as aforesaid, the State Archivist shall make a photostat copy of its contents and shall certify that such contents are complete and correct, and such certificate shall be included in such photostat copy. Such photostat copy shall be substantially bound, shall match the current volumes of land records or probate records as the case may be so far as is practicable and shall be delivered to the Recorder or Register from whom the original Volume was received, and the said Recorder or Register, as the case may be, is authorized to issue certified copies of any photostat copy of any records contained in such volume, and any such certified copy shall be admissible evidence in any Court of Justice in the same manner and entitled to the same weight as certified copies made from the original volume.

Photostat Copy made

Bound

Certified Copies of photostat copy admissible evidence

PRESERVATION OF PROBATE RECORDS

State
Archivist may
issue Certified
Copies of
records
delivered to
Commission

Such copies
admissible in
evidence

The State Archivist is authorized to issue certified copies of any instrument or record or other matter contained in any such volume, so delivered to the said Commission as aforesaid, which certified copy, shall be admissible in evidence in any Court of Justice in the same manner and entitled to the same weight as certified copies made by the official from whose office such volume was received.

Approved April 22, 1931.

CHAPTER 111

CONSTABLES

AN ACT relating to the Fees and Duties of Constables 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 on and after the passage of this Act the following shall be the legal fees for services of a constable in Sussex County: Fees of Constables, Sussex County

For serving and returning a summons, or scire facias on one or more defendants, including all services in a cause before judgment, \$1.00.

For serving and returning a subpoena \$1.00 for the first two persons and 50c for each additional person.

Mileage in serving and returning a summons subpoena or scire facias at the rate of five cents for each mile necessarily traveled.

If no service be made, there shall be no fee except in case of a scire facias when judgment shall be rendered thereon, but mileage shall be allowed.

Giving notice of an application for, or time of a new trial, \$1.00.

For summoning referees (only one fee to be allowed unless there be a new trial and then only two), \$1.50.

Mileage in summoning referees' notice of new trial the same as in the case of witness.

For summoning witness, 50 cents.

CONSTABLES

Fees of
Constables,
Sussex County

And five cents for each mile necessarily traveled, to be counted as if all the witnesses for the same party were named in the same writ and summoned at the same time.

For summoning garnishees on execution, or other attachment, for each garnishee (and mileage as in the case of witnesses), \$1.00.

For posting advertisements of attachment (all) with mileage at the rate of five cents per mile, going to and returning from the Court House, where one of said advertisements must by law be posted, \$1.00.

For taking goods on attachment (other than execution attachment) returning inventory and appraisement if the goods do not exceed \$100.00 in value, \$2.50.

If they exceed that sum, \$3.50.

And mileage as in the case of witnesses.

But if the goods be sold on execution, no fee shall be charged for taking on that execution.

ON EXECUTIONS

For taking goods in execution	\$1.50
Making inventory, appraisement and return	1.00
Advertising, selling goods	2.00

Together with five per cent of all the moneys collected.

Collecting on execution, without sale	2.00
Notice to plaintiff in each case	.50
For a return of "No Goods"	.75

IN WRITS OF REPLEVIN

For taking goods under writ	\$2.50
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CONSTABLES

Mileage on execution, the same as in case of summoning witnesses. Fees of Constables, Sussex County

For conveying a person to jail 2.00
 Mileage the same as in case of summoning witnesses.

For serving a warrant in a criminal case, or for
 bastardy 2.00

In cases of a search warrant, upon which a search is made of the premises, the above fee to be allowed.

Mileage in all cases the same as in service of summons.

Conveying defendant from one county to another (five cents per mile going and returning), \$2.00.

Summoning witnesses and conveying a person to jail and for levying execution in a bastardy case, the same fees as for like services on civil process.

Serving attachment to bring body (and mileage at five cents per mile), \$2.00.

Attendance at Magistrate's Court during hearing, \$1.00.

In case of constable being deputized to assist another regular county constable the deputized officer shall be entitled to mileage at five cents per mile. Mileage paid to deputized Constable

The above fees, mileage, etc., shall apply not only to the regular constables authorized by law for Sussex County, but to all special constables of said County appointed therein, and all special constables of said County are hereby vested with the same powers and duties as heretofore have been vested Special Constables entitled to same fees, mileage
 Special Constables have same powers, duties of regular Constables

CONSTABLES

in regular constables ; all acts or part of acts to the contrary notwithstanding.

Approved March 30, 1931.

CHAPTER 112

ROADS AND BRIDGES

AN ACT to amend an Act entitled "An Act to Amend Chapter 55, Section 120 of the Laws of Delaware in Relation to Laying Out, Widening, Changing and Vacating Public Roads".

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

Section 1. That Chapter 55, Section 120, of the Revised Code of the State of Delaware as amended by Chapter 95, Volume 30, Laws of Delaware, be and the same is hereby amended by striking out 1600 Section 120 of said Chapter and inserting in lieu thereof a new Section to be known as 1600 Section 120 as follows:

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

Width of
public roads
hereafter laid
out in New
Castle County

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

In Kent
County

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

In Sussex
County

Approved May 1, 1931.

CHAPTER 113

ROADS AND BRIDGES

AN ACT to amend Chapter 55, Revised Code of Delaware, and providing for the widening, straightening or altering the course of Small Runs or Creeks in New Castle County.

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

Section 1. That Chapter 55, Revised Code of Delaware, be and the same is hereby amended by adding immediately after 1523, Section 43, of said Chapter 55, the following new Section to be styled 1523 A, Section 43 A.

1523 A. Section 43 A. In case the Levy Court of New Castle County, upon the advice of the County Engineer of said County, shall deem it advisable to widen, straighten or alter the course of any part of any small run or creek in said County, such as Chestnut Run or Little Mill Creek at Forest Park, in Christiana Hundred, in said County, the said Levy Court and the said County Engineer shall have authority to enter upon any land for the purpose of surveying and locating the changes necessary to widen, straighten or alter the course of any part of such run or creek. Any person or corporation owning land which it will be necessary to procure for the purpose aforesaid may dedicate the same for such purpose, and the said Levy Court may enter into negotiations with such owner or owners for that purpose, and may secure the necessary conveyance or dedication of such land. The said Levy Court may also purchase such land from the owner or owners thereof upon such terms as said Levy Court may deem advisable. All conveyances and dedications shall be to the State of Delaware, for the use of New Castle County, and all conveyances, dedications and other papers relating to the acquirement of such land for such purpose as aforesaid shall be and remain a part of the records of the office of the said County Engineer.

Levy Court of New Castle County may widen, straighten, alter course of small runs or creeks.

May go upon land to survey and locate Changes

Land may be dedicated

Levy Court may purchase land

Records of land acquired

ROADS AND BRIDGES

In case the said Levy Court cannot agree with the owner or owners of such lands, the said Levy Court may apply to the Associate Judge of the Superior Court of the State of Delaware, resident in New Castle County, and cause the same to be condemned, and acquire the same under the provisions of Sections 122 to 125 inclusive of Chapter 55, Revised Code of Delaware. <sup>Condemnation
of land</sup>

Approved March 5, 1931.

CHAPTER 114

ROADS AND BRIDGES

AN ACT to vacate Riddle's Road in the City of Wilmington.

WHEREAS, A certain ancient road or highway, commonly called Riddle's Road, and also sometimes called Gilpin's Road, formerly used for travel to and from the Gilpin and Riddle Mills situated on the Brandywine Creek, has long been abandoned as to so much thereof as lies South of the Southerly side of Wawaset Street (or Avenue) or an extension thereof, and the bed of said road has in many instances been built upon or enclosed in private property; and

WHEREAS, In one or more instances the owners of the bed of said road or highway have made conveyances in fee of a part or parts of such bed, subject to such easement or right of way as might still belong to the public; therefore

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

Part of
Riddle's Road
vacated

Section 1. That all that part of the said Riddle's Road lying South of its intersection with the Westerly side of Dupont Street between Gilpin and Shallcross Avenues in the City of Wilmington, be and the same is hereby vacated.

Section 2. This Act shall be deemed and taken to be a public act and all acts and part of acts inconsistent herewith are hereby repealed.

Approved February 25, 1931.

CHAPTER 115

ROADS AND BRIDGES

AN ACT authorizing the Levy Court of Kent County to issue Bonds for the Rebuilding of Certain Bridges in Kent County.

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

Section 1. That the Levy Court of Kent County is hereby authorized and empowered to borrow upon the faith and credit of Kent County a sum of money not exceeding Ten Thousand Dollars (\$10,000.00) for the purpose of rebuilding the three bridges crossing Green's Branch, within the limits of the town of Clayton, to-wit: at Bassett Street, Rodney Street, and on the road leading from the school house to the Kenton road; and for the purpose of securing the payment of the money so borrowed said Levy Court is authorized and empowered to issue and sell bonds of Kent County, with coupons attached, to an amount not exceeding Ten Thousand Dollars (\$10,000.00); said bonds are to be known as "Kent County Bridge Improvement Bonds".

Levy Court,
Kent County,
authorized to
borrow money
for bridges in
Clayton

Bonds issued

Section 2. Said bonds shall be of the denomination of One Thousand Dollars (\$1,000.00) each and shall bear interest at such rate, not exceeding five (5) per centum per annum, as the said Levy Court of Kent County may from time to time fix and designate in any resolution directing the issuance and sale of the same, or any part thereof.

Denomination
entered

The interest on said bond shall be payable semi-annually in each and every year from the date of issue appearing therein, and all of said bonds shall bear the same date and shall be numbered consecutively from one to ten inclusive.

Interest
payable
semi-annually

How
numbered

Section 3. Said bonds shall be divided into ten (10) classes and shall be paid at their face value, as follows:

Classes of
bonds

ROADS AND BRIDGES

Classes of bonds	Class	Amount	Year of Maturity
	A	1,000	1936
	B	1,000	1937
	C	1,000	1938
	D	1,000	1939
	E	1,000	1940
	F	1,000	1941
	G	1,000	1942
	H	1,000	1943
	I	1,000	1944
	J	1,000	1945

Bonds prepared and executed

Section 4. Said bonds shall be prepared under the supervision of the Levy Court of Kent County and shall be signed by the Receiver of Taxes and the County Treasurer, the President of the Levy Court and the Clerk of the Peace of Kent County, and shall be under the seal used by the said Levy Court of Kent County. It shall be the duty of such officers to execute said bonds, or any part thereof, from time to time, when directed by the Levy Court to do so, and it shall, also, be the duty of the said Receiver of Taxes and the County Treasurer and of the Levy Court to keep a record of said bonds. The bonds issued under the provisions of this Act shall be exempt from State, County, Municipal or other taxes.

Record of bonds

Exempt from taxes

Selling of bonds

Section 5. Said bonds, or any part thereof, may be issued and sold from time to time, when and as the said Levy Court of Kent County shall, by resolution to that effect, direct, and until sold shall remain in the custody of the Receiver of Taxes and the County Treasurer of Kent County.

To advertise for bids

Whenever the said Levy Court shall deem it advisable to sell any of said bonds, and by a resolution to that effect shall so direct, it shall be the duty of the said Receiver of Taxes and the County Treasurer, the President of the Levy Court, and the Clerk of the Peace of Kent County to advertise that sealed bids will be received for the purchase of the

ROADS AND BRIDGES

same at such place or places and under such regulations as they shall designate in said advertisements. Said advertisements shall be published at least, twice a week for four consecutive weeks in such newspapers in and out of the State of Delaware, as said Levy Court, in its judgment may deem necessary and proper. The accrued interest between the date appearing in said bonds and the time of the sale and delivery thereof and payment therefor, shall be adjusted with the purchaser thereof under such regulations as the said Receiver of Taxes and the County Treasurer, the President of the Levy Court and the Clerk of the Peace of Kent County may direct in said advertisements. Provided, however, that any and all overdue coupons attached to said bonds shall be cancelled before the sale and delivery of the same. And provided further that said officers shall have the right to reject any and all bids for said bonds, if in their judgment they are deemed insufficient.

Accrued
interest
adjusted

Right to
reject bids

If no bids are received for said bonds, or if the bids received are rejected because of being inadequate, the said Receiver of Taxes and the County Treasurer, the President of the Levy Court and the Clerk of the Peace of Kent County may sell the same at private sale for the best price obtainable therefor. Provided, however, that they shall not be sold at private sale for less than par and accrued interest. No commission, or other compensation, shall be charged or paid to any of said officers for effecting the sale of said bonds.

May sell at
private sale

Sold at not
less than par
and accrued
interest

Section 6. Both the principal and interest of said bonds shall be payable at the Farmers Bank, of the State of Delaware, at Dover, in gold coin of the United States of America, equal in weight and fineness to the present standard and out of moneys from time to time appropriated for that purpose by the said Levy Court of Kent County, as hereinafter provided. The said Levy Court of Kent County is hereby authorized and directed to pay the interest on said bonds at the said Farmers Bank from time to time and when and as the same shall become due and payable, and to

Principal and
interest
payable at
Farmers
Bank, Dover

ROADS AND BRIDGES

pay said bonds at said bank when and as the respective classes shall mature or become due and payable, in accordance with the schedule set forth in Section 3 hereof, or in accordance with any of the other provisions of this Act.

Levy Court to
raise money
by taxation
for principal
and interest

In fixing the rate and amount to be raised by taxation for County purposes, the said Levy Court of Kent County shall annually provide a sufficient amount to pay any and all interest charges that may or can be due and payable on any of said bonds during the year for which said rate and amount are fixed and said tax levied and assessed, and as and when said bonds, or any part thereof, shall mature and become due and payable, under the provisions of Section 3 hereof, or under any of the other provisions of this Act, the said Levy Court of Kent County shall, in like manner, provide by taxation for county purposes, as other county taxes are now or may hereafter be raised, a sum sufficient for the payment or redemption of both the principal and unpaid interest thereof.

Taxes so
provided
placed in
separate fund

All of such taxes provided, as aforesaid, shall when collected and paid to the Receiver of Taxes and the County Treasurer of Kent County, be set apart by him in a separate account to be opened for that purpose, and the moneys so set apart shall be applied by the said Receiver of Taxes and the County Treasurer to the payment of the interest on said bonds and to the payment and redemption of said bonds, as the said interest and as the said principal shall become due and payable under the provisions of this Act.

Levy Court to
provide fund
for payment
of bonds

Section 7. That the said Levy Court of Kent County is hereby authorized and expressly directed from time to time to create, establish, collect and accumulate a sufficient and adequate fund for the payment of all the bonds provided for by this Act, when and as they, or any of them, shall mature and become due and payable under the provisions of Section 3.

That in order to carry out the provisions of this Section, the said Levy Court of Kent County is hereby authorized

ROADS AND BRIDGES

and expressly directed to levy and collect from time to time by taxation, beginning with the year 1931 and annually thereafter, up to and including the year 1935, if any of the bonds hereinbefore provided for shall so long remain unpaid, a sufficient and adequate amount of money to fully pay the whole of said bonds at least by the maturity thereof under Section 3 hereof, as aforesaid.

Levy Court
directed to
collect taxes
to pay bonds,
when

That said money is to be raised by taxation from time to time, in the same manner as other County taxes are now, or may hereafter be levied and collected, and as a part thereof, but in addition to the amounts heretofore raised.

In addition to
other taxes

That said funds when collected from time to time shall, also be paid to the said Receiver of Taxes and the County Treasurer of Kent County and shall be deposited by him to the special account provided for in Section 6 hereof, and shall be applied to the payment of the principal sum due on said bonds, and for no other purpose, whatever.

Funds
Collected
deposited by
Receiver of
Taxes and
County
Treasurer

Section 8. All moneys received from the sale of any or all of said bonds after the payment of the proper charges and expenses incident to the preparation and sale thereof, shall also be deposited with the Receiver of Taxes and County Treasurer in a separate account, to be opened by him for that purpose and shall be used for the purpose of rebuilding the three bridges crossing Green's Branch, within the limits of the town of Clayton, to-wit, at Bassett Street, Rodney Street, and on the road leading from the school house to Kenton road, hereinabove referred to and for no other purpose, whatever.

Money derived
from sale of
bonds used
only for
certain
bridges

Section 9. The bonds, herein provided for, shall be in the following form, subject, however, to the provisions of Section 11 hereof:

Form

ROADS AND BRIDGES

Form of
bonds

UNITED STATES OF AMERICA

STATE OF DELAWARE

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

"KENT COUNTY BRIDGE IMPROVEMENT BONDS"

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

This bond is one of the authorized issue of ten bonds aggregating Ten Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved..... A. D. 1931 and providing for the rebuilding of certain bridges in Kent County, Delaware, and in pursuance of a resolution of the Levy Court of Kent County, adopted..... A. D. 19... . It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and the faith and credit of said Kent County are pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF the Receiver of Taxes and the County Treasurer, of Kent County, the President of the Levy Court and Clerk of the Peace of Kent County, have hereunto set their hand and seal of the Levy Court of Kent County, at the Town of Dover, in Delaware, this
 day of..... A. D. 19...

.....
 Receiver of Taxes and the County Treasurer of Kent County

ROADS AND BRIDGES

..... Form of
President of the Levy Court of Kent County bonds

.....
Clerk of the Peace of Kent County

Section 10. That the coupons attached to said bonds shall be in the following form:

No.

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

"KENT COUNTY BRIDGE IMPROVEMENT BONDS"

Dated 19.....

Receiver of Taxes and the County Treasurer of Kent County

Section 11. Said bonds may, also, contain such other provisions not inconsistent with this Act, as said Levy Court shall by resolution to that effect, determine. Other provisions

Section 12. When and as any of the bonds herein provided for shall be paid, or redeemed under any of the provisions of this Act, they shall be cancelled by marking or stamping the word "paid" and the date of such payment, across the face thereof, and also, by tearing the signatures and the corporate seal used by the Levy Court of Kent County therefrom. The said bonds so cancelled as aforesaid, shall then be pasted in a book, kept by the Receiver of Taxes and the County Treasurer for that purpose. Cancelling of bonds
Record of Cancelled bonds

Approved April 29, 1931.

CHAPTER 116

ROADS AND BRIDGES

AN ACT to Amend Chapter 55 of the Revised Code of the State of Delaware relative to the Laying Out, Widening, Changing and Vacating of 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 Chapter 55 of the Revised Code of the State of Delaware, be and the same is hereby amended, by adding to said Chapter the following Section to be known as 1602A. Sec. 122A:

Widening,
changing,
straightening
public roads
in Sussex
County

Notice to
President of
Levy Court
before
presentation
of Petition
to Resident
Judge

Inquiry by
Levy Court

Report to
Judge

1602A. Sec. 122A. With respect to the laying out of new public roads, or the widening, changing or straightening of public roads in Sussex County, notice in writing, signed by the persons interested therein, or someone or more of them, shall be delivered to the President of the Levy Court for Sussex County at least ten (10) days before the day fixed for the presentation of the petition to the Resident Judge, in which notice there shall be given a description of the road to be laid out, or widened, or changed, or straightened, or the part thereof, as the case may be, with the points of beginning and termination, so that it may be readily identified, and the time and place of the presentation of the petition to said Judge. Thereupon, the Levy Court, with the advice and assistance of the County Engineer, shall make or cause to be made inquiry into the matter, to determine the necessity therefor, the probable benefit to the public accruing therefrom and the probable cost thereof; and the Levy Court shall make its report in writing to said Judge at the time of the presentation of the petition, including in said report all pertinent facts as disclosed by the inquiry, and their recommendation considering the necessity, probable benefit and cost.

ROADS AND BRIDGES

If the recommendation of the Levy Court in respect of the matter contained in said petition shall be adverse to the prayer of the petition, the said Judge is authorized and empowered to refuse the prayer thereof, and to decline to appoint the Commission of Freeholders as provided in this Chapter.

Adverse
recommenda-
tion of Levy
Court
Authorizes
Judges to
refuse
favorable
action

Section 2. That said Chapter 55 be further amended, by adding thereto a new Section to be known as 1602B. Sec. 2B. as follows:

1602B. Sec. 2B. In all cases where existing public roads in Sussex County have been superseded, or their necessity has ceased to exist, by improved roads constructed by the State Highway Department, by the Levy Court of Sussex County, or by the said Department, and said County, the Levy Court of Sussex County shall have power to cause to be vacated or abandoned such existing public roads or parts thereof, and to determine who shall enclose the same. The procedure, therefor, shall be as follows:

Vacating
superseded
roads

Levy Court to
decide who to
enclose

Whenever the necessity for the continuation of an existing public road in Sussex County, or a portion thereof, shall cease by reason of the construction of an improved road, as hereinabove stated, the Levy Court of Sussex County shall by resolution fix a time and place, at which persons interested may be heard with respect to the vacation or abandonment thereof. A copy of said resolution shall be published in a newspaper of Sussex County in at least two (2) issues thereof, prior to the date fixed for said hearing, and likewise, a copy of said resolution shall be sent by mail addressed to the owners of land touching upon said road, or part or portion thereof, at least ten (10) days before the day fixed for said hearing. The said copies shall be addressed to the owners at their last known post office addresses, if such can be ascertained by reasonable inquiry, otherwise the publication of said resolutions shall be deemed to be sufficient.

Hearing
before
vacating road

Hearing
advertised

Abutting
owners
notified

ROADS AND BRIDGES

Hearing

The Levy Court shall on the day and at the time fixed, proceed to hear persons interested, and shall consider any objection to the vacation or abandonment of said road, or part thereof, and shall determine concerning the same. If the Levy Court shall determine that no necessity exists for continuing the said public road, or part thereof, they may order the same to be vacated or abandoned and may determine who shall enclose the same. The order of the Levy Court shall be entered in the Road Books or Records of Sussex County, together with a description of the road, or that part thereof, ordered to be vacated or abandoned, and thereupon the said road, or part thereof, shall cease to exist as a public road of Sussex County, and the persons entitled to enclose the same may proceed to use and occupy the abandoned road, or part thereof.

Order of
Levy Court
recorded

Not to apply

The provisions of Sections 1602A. Sec. 122A. and Section 1602B. Sec. 122B. shall not apply to any public road laid out by special act of the General Assembly, and all Acts inconsistent herewith are hereby repealed.

Approved April 13, 1931.

TITLE EIGHT

Elections

CHAPTER 117

REGISTRATION OF VOTERS

AN ACT to Repeal certain sections of Chapter 56 of the Revised Code of the State of Delaware as amended entitled "Registration of Voters", and to substitute in lieu thereof new sections providing for the Registration of Voters.

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

Section 1. That 1619 Sec. 1 of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1619 Sec. 1 and inserting in lieu thereof the following new Section to be known as 1619 Sec. 1.

1619. Section 1. REGISTRATION OFFICERS OUTSIDE OF WILMINGTON; APPOINTED BY GOVERNOR; DIVISION BETWEEN POLITICAL PARTIES; COUNTY EXECUTIVE COMMITTEE TO FURNISH NAMES; WHEN; FAILURE TO FURNISH NAMES; ALTERNATE REGISTRARS OUTSIDE OF WILMINGTON; TERMS OF OFFICE; POWERS AND DUTIES; VACANCIES; OATHS; WHO MAY ADMINISTER; REGISTRARS INELIGIBLE TO OFFICE: The Governor shall, sometime in the month of June in each year in which a general election is held, appoint in each election district in this State outside of the City of Wilmington, three capable persons, who shall be voters and resident in the election district for which they shall be appointed, who shall be the registration officers of the election district for which they are appointed; one of whom shall be designated as "Registrar" and the other two "Assistant Registrars," and not more than two of them shall be of the same political faith; provided, that the num-

Governor to
appoint
registration
officers
outside of
Wilmington,
when

Number
Political
affiliation

REGISTRATION OF VOTERS

Division
between
political
parties

ber of registration officers in each Representative District shall be divided as equally as possible between the two leading political parties, as the same shall be determined upon by the Governor at the time of making the appointments.

County
Executive
Committee to
furnish
names: when

The County Executive Committee of each of the two principal political parties, as determined by the Governor as aforesaid, shall, on or before the first day of May of the year in which said appointments are made, furnish the Governor with a list of five names of properly qualified persons for each election district outside the City of Wilmington, as the nominees of such political party for the registration officers of such election district, and the Governor shall make his appointments from such lists. Provided, however, that if the said lists of names are not furnished as aforesaid, then and in that event, the Governor shall appoint some suitable person or persons of such political party having all the qualifications provided by this Section.

Failure to
furnish
names

Terms of
office

The terms of office of such registration officers shall begin on the first day of July next after their appointment and shall continue for two years thereafter, and until their successors shall be duly chosen and qualified.

Alternate
Registrars
outside of
Wilmington

It shall be the duty of the Governor, when appointing registration officers for the several election districts of this State, at the same time to appoint in each election district in the State, outside the City of Wilmington, one capable person, who shall be a voter and resident in the election district for which he shall be appointed, to be "Alternate Registrar" for the said election district. The term of office of said "Alternate Registrar" shall be the same as that of the Registrar, and whenever the Registrar provided for by this chapter shall be incapable, from any cause whatsoever, of performing the duties required of him by the laws of this State, the "Alternate Registrar" in the same election district shall act in his stead, and while acting shall possess all the powers and do and perform all the duties of a registrar.

Terms of
office

Powers and
duties

Political faith

The Alternate Registrar shall be of the same political faith as the Registrar of the Election District for which the appointment is made, and shall be selected from the lists of

REGISTRATION OF VOTERS

names furnished by the County Executive Committees, as hereinbefore provided.

But nothing herein contained shall authorize or empower the Alternate Registrar to act at any time when there is a Registrar of the election district able and willing and present to act. If any registration officer or Alternate Registrar shall remove from the election district for which he shall be appointed or shall cease to be a voter therein, his office shall thereupon become vacant. Vacancy

If any vacancy or vacancies should occur in the office of Registrar, Assistant Registrar or Alternate Registrar before the expiration of such term, from any cause whatsoever, the Governor shall appoint some suitable person or persons to fill such vacancy or vacancies, who shall serve for the residue of such unexpired term or terms, who shall possess the same qualifications and be of the same political faith and be qualified in the same manner, possess the same powers and perform the same duties as the original appointee or appointees. Each Registrar, Assistant Registrar and Alternate Registrar appointed for an election district under the provisions of this chapter, before entering upon the duties of his office, shall take and subscribe before the Clerk of the Peace of the County in which he shall reside, the following oath or affirmation: Vacancies filled

"I, _____, residing in _____
 Election District of _____ Representative Dis-
 trict, in _____ County, do solemnly swear (or
 affirm) that I will support the Constitution of the United
 States, and the Constitution of the State of Delaware, and
 that I will faithfully discharge the duties of the office of
 Registrar (or Assistant Registrar or Alternate Registrar)
 for _____ Election District in _____
 Representative District in _____ County, ac-
 cording to the best of my ability."

REGISTRATION OF VOTERS

Clerks of
Peace to
administer

The Clerk of the Peace of the County is authorized and empowered to administer such oath or affirmation, but no fee shall be charged therefor.

Vacancy if
appointee
becomes
Candidate
before
assuming
duties

Should any Registrar, Assistant Registrar or Alternate Registrar, after taking said oath and before entering upon the active duties of said office, become a candidate for any office to be voted for by the electors of the election district for which he is appointed Registrar, Assistant Registrar or Alternate Registrar, the said office shall ipso facto become vacant and be filled by the appointment of another person to the same. After any Registrar, Assistant Registrar or Alternate Registrar shall have entered upon the active duties of his office he shall thereby become ineligible to any office to be voted for at the next ensuing general election.

Registrars
ineligible for
office after
assuming
duties

Fee for
qualifying

For appearing before the Clerk of the Peace of the respective Counties to qualify according to law, each registration officer shall be paid Five Dollars.

Registration
officers until
July, 1932

The several registration officers appointed by the Governor during the year 1930 shall be deemed the registration officers for their respective election districts until the first day of July of the year 1932 and until their successors are duly chosen and qualified; provided, however, that if any of the said registration officers shall remove from or cease to be a voter in the election district for which he was appointed, his office shall be deemed to be vacant, and all vacancies, for any cause whatever, shall be filled by the Governor as in this section before provided.

Vacancies
filled by
Governor

Section 2. That 1621 Sec. 3 of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1621 Sec. 3 and inserting in lieu thereof the following new Section to be known as 1621 Sec. 3.

1621. Section 3. REGISTRATION BOOKS; PRE-

REGISTRATION OF VOTERS

PARED BY WHOM; AT WHOSE EXPENSE; DESIGNATION OF; ENTRIES IN; SIZE; HOW RULED:—It shall be the duty of the Governor in the year 1932 and every four years thereafter to cause the following books to be prepared, at the expense of the State, for the use of the said Registration Officers in each election district in this State, including those in the City of Wilmington, for the registration of any and all facts following, to wit:

Governor to
have
registration
books
prepared
every four
years

First. Two books for the registration officers in each election district, including those in the City of Wilmington, to be known by the general name of "Registers" and to be so arranged as to admit of the convenient entry of the following particulars:

Number, to correspond with the number in the books of registered voters.

2. The name of the person applying to be registered—the surname to be written first in full, followed by the Christian name in full and the initial or initials of any middle name or names.

3. His age—by the entry "over 21" when the applicant is twenty-one years of age or over at the time of his registration, or by the entry "21 on _____" giving the day, month and year when the applicant will reach maturity, if under twenty-one at time of registration or has attained the age of twenty-one years after the first day of January 1900, or after that date has become a citizen of the United States, and is challenged on the ground that he is unable to read the Constitution of this State in the English language, or to write his name, and that this is not due to physical disability.

4. Nativity.

5. The place of his residence, street and number, if any, and his post office address.

REGISTRATION OF VOTERS

Registers

6. The term of his residence in the State, County and Election District in which he shall apply to be registered.

7. If naturalized. Date of naturalization and before what Court.

8. If registered Voter.

9. If disqualified and why.

10. Date of application for registration.

11. If challenged.

12. Cause of challenge.

13. Appeal.

14. Remarks, explanatory and supplementary.

Such registers shall be uniform in their general character and shall be made up of such paper and with such binding as to insure durability. They shall be ruled in parallel columns, and shall be of such size as to permit the registration of at least eighteen hundred voters.

The ruling and the hearing in the above described registers shall be substantially in the form following, to wit:

Name	
Age	
Nativity	
Residence	
State	
County	
Election District	
Naturalized—date	
Court	
	Term of Residence

REGISTRATION OF VOTERS

Registers

.....	Registered Voter
.....	Disqualified and why
.....	Date of application
.....	If challenged
.....	Cause of challenge
.....	Appeal
.....	Remarks

Second. Two books for the registration officers of each election district, to be known by the name of "Books of Registered Voters" for alphabetical lists of all persons whose names are entered on the registers aforesaid as "registered voters," said books to be ruled in parallel columns and so arranged as to admit of the convenient entry of number and the name of every person entered on the Registers aforesaid as a "Registered Voter", and in the parallel columns opposite the name of such person, his residence and his age, as contained in the Registers.

Books of
Registered
Voters

The said books shall contain at least fourteen parallel columns for entries of the word "Voted" together with the date of voting opposite the name of each registered voter.

The said books shall be uniform in their general character, each page shall be so ruled as to admit of the convenient entry of the name of twenty voters and shall be made up of such paper and with such binding as to insure durability, and shall be of such size as to contain the names of at least eighteen hundred voters.

Section 3. That 1622 Sec. 4 of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1622 Sec. 4 and inserting in lieu thereof the following new Section to be known as 1622 Sec. 4.

1622. Section 4. DELIVERY OF BOOKS BY GOVERNOR; WHEN; TO WHOM; BY SHERIFF; WHEN; TO WHOM; BY DEPARTMENT OF ELECTIONS FOR

REGISTRATION OF VOTERS

Sheriff to
deliver Books
to each
Registrar.
When

In New Castle
County

Governor to
deliver books
to Depart-
ment of
Elections.
When

Department
of Elections
to deliver
books. When

Governor
to cause
delivery of
books at least
five days
before first
Saturday of
July, 1932

WILMINGTON; WHEN; TO WHOM:—The Sheriff of each County shall, sometime previous to the first Saturday in July in the year 1932, deliver to the Registrar of each election district of his County, two of the books known as "Registers" and two of the books known as "Books of Registered Voters;" provided, however, that the Sheriff of New Castle County shall not deliver said books for the several election districts in the City of Wilmington to the Registrars of each election district in said city, but the Governor shall, previous to the first Saturday in July of the year 1932, deliver to the Department of Elections for the City of Wilmington two of the books known as "Registers" and two of the books known as "Books of Registered Voters;" and provided further, however, that the Department of Elections for the City of Wilmington, shall, within one week before the first day of registration of voters in the year 1932, deliver to the Registrar of each election district in the City of Wilmington, two of the books known as "Registers" and two of the books known as "Books of Registered Voters;" all of which said books, addressed to the Registrar of each election district of the County, the Governor shall cause to be delivered to the Sheriff in each of the Counties of this State and to the Department of Elections for the City of Wilmington respectively at least five days before the first Saturday of July in the year 1932.

Section 4. 1624 Sec. 6 of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1624 Sec. 6 and inserting in lieu thereof the following new Section to be known as 1624 Sec. 6.

General
Registration
of Voters in
1932, and
every four
years
thereafter

1624. Section 6. GENERAL REGISTRATION OF VOTERS IN 1932; SUPPLEMENTARY REGISTRATION THEREAFTER:—During the year 1932, and every four years thereafter there shall be a registration, known as a general registration, of all the qualified voters resident in each election district of this State. No person whose name

REGISTRATION OF VOTERS

appears in the said general registration shall be required to register again until the next general registration, unless he shall become disqualified or cease for any reason to be a qualified voter in the election district in which he is registered. In the year 1934 and every four years thereafter there shall be a registration, known as a supplementary registration, of all qualified voters resident in each election district of this State whose names do not appear as qualified voters on the registration of the next previous general registration.

Supplementary
registration
in 1934 and
every four
years
thereafter

Section 5. That 1625 Sec. 7. of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1625 Sec. 7 and inserting in lieu thereof the following new Section to be known as 1625 Sec. 7.

1625. Section 7. REGISTRATION OFFICERS; DUTIES; PLACES; HOURS, DAYS AND NOTICE OF SITTING:—In those years in which a general registration is had, as provided in Section 6 of this Chapter, it shall be the duty of the Registrar and two Assistant Registrars appointed in each election district in this State to register the names of all qualified voters in each of such election districts as provided in this Chapter. And to that end they shall sit for the purpose of ascertaining and registering the persons who are qualified to enjoy the right of an elector at the next general election to be held in this State, and who shall apply in person for registration, at such public and suitable places in their respective election districts as will in their judgment, be most convenient for the voters thereof, from eight A. M. until seven o'clock P. M. with an intermission from twelve to one o'clock on the third Saturday in July, on the first Saturday in August, on the second Thursday in August, on the third Saturday in September and on the third Saturday next preceding the day of election in said year.

Registration
officers at
General
Registration

Duties, places
of sitting

Hours, days
of sitting

REGISTRATION OF VOTERS

Registration
officers at
supplementary
registration

Duties

Hours and
days of
sitting

Notice of
registration
outside of
Wilmington

Names
stricken off
for failure to
vote, posted

Lists delivered
by Clerks of
The Peace

Notice of
Registration
in Wilmington

In those years in which a supplementary registration is had, as provided for in Section 6 of this Chapter it shall be the duty of the Registrar and two assistant Registrars appointed in each election district in this State to register the names of all qualified voters in each such election district, whose names do not already appear as qualified voters on the registers of the next previous general registration. And to that end they shall sit for the purpose of ascertaining and registering the persons who are qualified to enjoy the right of an elector and who shall apply in person for registration, and whose names do not already appear as qualified voters on the Register of the next previous general registration, at such public and suitable places in their respective election districts as will, in their judgment, be most convenient for the voters thereof, from eight o'clock A. M. until seven o'clock P. M. with an intermission from twelve to one o'clock on the third Saturday in July, on the third Thursday in August and on the third Saturday next preceding the day of election.

Outside of the City of Wilmington each of said Registrars, at least ten days prior to the first sitting for the purpose of registration as aforesaid, shall give public notice, by advertisement, posted in ten or more of the most public places in his election district, of the places where the Registration officers shall sit for the registration of voters as aforesaid, and the day or days when they will sit at each of said places. The said Registrar shall at the same time and in the same manner as aforesaid post at least ten lists of the names of persons stricken from the Registration Books covering his election district, for failure to vote; the aforesaid lists shall be delivered to the Registrar by the Clerk of the Peace for the County as hereinafter provided. In the City of Wilmington the Department of Elections for the City of Wilmington, shall, at least ten days prior to the first day set for the purpose of registration as aforesaid, give public notice by advertisements, posted in ten or more of the most public places in each election district, in the City of Wilmington,

REGISTRATION OF VOTERS

of the places where the registration officers shall sit for registration of voters as aforesaid, and the day or days when they will sit at each of said places. The said Department of Elections shall at the same time and in the same manner as aforesaid, post at least ten lists of the names of persons stricken from the Registration Books by the said Department of Elections, in the several and respective election districts in the City of Wilmington.

Posting of
lists of
names
stricken off
for failure to
vote in
Wilmington

Section 6. That 1627 Sec. 9 of Chapter 56 of the Revised Code of the State of Delaware as amended be and the same is hereby further amended by repealing all of that second paragraph of said 1627 Sec. 9 marked "First" and substituting in lieu thereof the following new paragraph to be designated as "First".

First. At every general registration they shall record, in ink in the Registers in the column headed "Name" and the name of every person who shall personally appear before them and apply to be registered and at every supplementary registration they shall record, in ink, in the Registers in the column headed "Name" the name of every person who shall personally appear before them and apply to be registered and whose name does not already appear as a registered voter in the Register of the next previous general registration, writing first his surname in full, then his Christian name in full and then the initial or initials of his middle name or names. The names of said applicants for registration shall be written on the Registers and Books of Registered Voters in the alphabetical order of their surnames, that is, all applicants whose surnames begin with the letter "A" shall be grouped together, all those whose surnames shall begin with the letter "B" shall be grouped together and so on, as to the first letter of each surname. No name of any letter group shall be written on any page containing a name or names of any other letter group.

Entry of
names of
persons
applying for
registration
at general
and
supplementary
registrations

Section 7. That 1630 Sec. 12 of Chapter 56 of the Re-

REGISTRATION OF VOTERS

vised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1630 Sec. 12 and inserting in lieu thereof the following new Section to be known as 1630 Sec. 12.

1630. Section 12. — GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW SETS OF REGISTRATION BOOKS SUPPLIED; WHEN; NEW GENERAL REGISTRATION; WHEN AND HOW MADE: —The Registration made under the provisions of this Chapter in the year 1932 and every four years thereafter in each election district of this State, shall be known as "The General Registration of Qualified Voters in Election District of Representative District in County" and when the said general registration in an election district has been completed, revised and corrected as in this Chapter provided, the Registrar shall, immediately after the last name appearing in each Register of registered names write the words "Close of the General Registration" and shall date and sign such entry. The two Assistant Registrars shall likewise sign the said entry.

General Registration

Entries on books by registrars

The registration made in each year in which there is a general election, in the year 1934 and every four years thereafter, in each election district of this State, shall be known as "The Supplementary Registration of Qualified Voters in Election District of Representative District in County for the year " stating the year in which it is made; and when the supplementary registration in any election district in any year shall have been completed, revised and corrected as in this Chapter provided, the Registrar shall, immediately after the last name appearing in each Register of registered names, write the words "Close of the Supplementary Registration for the year " filling in the proper year, and shall date and sign such entry. The two Assistant Registrars shall likewise sign the said entry.

Supplementary registration

Entries on books by Registrars

REGISTRATION OF VOTERS

The books known as "Registers" and the books known as "Books of Registered Voter", which were used in making a general registration shall also be used in making the supplementary registrations.

Books used for general registration also used for supplementary registration

The supplementary registration succeeding a general registration shall start in the Registers immediately after the general registration as follows:

Where supplementary registration starts

On each page of the Register where the entry of the close of a general registration appears as hereinbefore provided, the Registrar shall write the words "The Supplementary Registration of Qualified Voters in Election District of Representative District in County for the year," and shall, on the line immediately below such entry, begin with the entries concerning persons applying for registration at such supplementary registration.

Entries

If, at the completion of the general registration in any year, it shall appear that the Registers containing the registration in any election district, or the Books of Registered Voters of any District, will not be available for the supplementary registration, either from lack of space or because the Registers have become worn, or for any other reason whatever, it shall be the duty of the registration officers immediately to certify this fact, to the Clerk of the Peace of their County, if such election district be outside the City of Wilmington, or, shall notify the Department of Elections if such district be within the City of Wilmington, and it shall be the duty of the Clerk of the Peace of each County, or the Department of Elections as the case may be, to examine all the Registration Books immediately after their delivery to him or them as in this Chapter hereafter provided, and to notify the Governor forthwith whether any and what Registration Books will be required for the supplementary registration in any election district in this State, and it shall be the duty of the Governor at least five days prior to the

When books used for general registration not available for supplementary registration

REGISTRATION OF VOTERS

New books
supplied by
Governor

first Saturday in July in the year of holding the next succeeding general election to supply all Registration Books needed by any election district for the supplementary registration as aforesaid, of the form and design hereinbefore provided, and the books so delivered shall become and be the "Registers" of "Books of Registered Voters" for the supplementary registration in said election district, and the "Registers" shall be endorsed upon the back and at the head of each thereof with the words "Supplementary Register of Election District of

Books—how
endorsed

Representative District in County" together with the day, month and year when the same were received by the Registrar. "Such entry or endorsement shall be signed by the Registrar". The Registers so received shall be known as "Supplementary Registers" and all the provisions of this Chapter relative to Registers shall apply to them. The Books of Registered Voters supplied as aforesaid shall be known as "Supplementary Books of Registered Voters" for the district for which they were furnished and shall be so endorsed, and all the provisions of this Chapter relative to Books of Registered Voters shall apply to them.

Books for
new general
registration.
When
supplied by
Governor

If any Register containing the general registration or supplementary registration in any election district, or if the Books of Registered Voters of any Election District, shall be lost or destroyed, or become mutilated or defaced, so that they are no longer available, then and in such event it shall be the duty of the registration officers to certify such fact to the Governor without delay, who shall, prior to the first Saturday in July of the year of holding the general election next succeeding, supply the registration officers in said election district (if such election district be outside of the City of Wilmington, or shall supply the Department of Elections if the said election district be within the City of Wilmington) with the necessary books for a new general registration in such district of the same form and design as hereinbefore described, which said new general registration

REGISTRATION OF VOTERS

shall be effective only until such time as another general registration is had as in this Chapter hereinbefore provided. And it shall be the duty of the Clerk of the Peace of each County in this State or the Department of Elections, as the case may be, to examine all the Registration Books immediately after the delivery to him or them as in this Chapter provided, and if it shall be found that any of the Registration Books of any election district are missing or mutilated or defaced, so that they are no longer available for registration purposes, the Clerk of the Peace of the County (if the election district be outside the City of Wilmington, and the Department of Elections shall, if the election district be within the City of Wilmington), forthwith certify the fact to the Governor; or if any Registration Books shall, after their delivery to the Clerk of the Peace or the Department of Elections be lost or destroyed or become mutilated or defaced, so that they are no longer available for registration purposes, he or they shall forthwith certify this fact to the Governor; and the Governor shall supply all Registration Books that may be needed in any election district for any of the causes aforesaid, prior to the first Saturday of July in the year of holding the next succeeding general election, to be used for a new general registration in such district, the said books to be of the same form and design as hereinbefore described, which said new general registration shall be effective only until such time as another general registration is had as in this Chapter hereinbefore provided. The Registrar shall forthwith endorse on the back and at the head of the first page of each of said books the same entry as in the case of the original books, except that he shall prefix the word "duplicate" at the beginning of such endorsement, and he shall add the date on which the said books were received and shall sign each such endorsement. The said books shall be known as the Duplicate Registers or Duplicate Books of Registered Voters for Election District of Representative District of County. It shall be the duty of the registration officers to register in the Duplicate Registers aforesaid the names of all

Books for new
general
registration
supplied by
Governor.
When

Duplicate
books—how
endorsed

Registration
officers to
register names
in Duplicate
Registers

REGISTRATION OF VOTERS

Sittings	qualified voters in such election district, and to that end to sit for the purpose of ascertaining and registering the persons who are qualified to enjoy the right of an elector in said election district, and who shall apply in person for registration at the places and on the days stated in the advertisement hereinafter provided for, from eight o'clock A. M. until seven o'clock P. M., with an intermission from twelve to one o'clock. In making such new general registration the registration officers shall, in the same manner as provided in Section 9 of this Chapter, record in the Registers the names of all persons applying in person for registration, and shall enter opposite each name the statements and facts set forth in the said Section 9, and they shall make up the Books of Registered Voters in the same manner as provided in Section 11 of this Chapter. If said election district shall be outside the City of Wilmington the Registrar shall, at least ten days prior to the first day set for the purpose of registration as aforesaid, give public notice, by advertisements posted in ten or more of the most public places in his election district, that the original Registers are no longer available and that it has become necessary to have a general registration in said election district, and of the places where the registration officers shall sit for the registration of voters as aforesaid and the day or days when they will sit at each of said places. If said election district shall be within the City of Wilmington the Department of Elections for the City of Wilmington shall, at least ten days prior to the first day set for the purpose of registration as aforesaid, give public notice by advertisement posted in ten or more of the most public places in each election district in the City of Wilmington, that the original Registers are no longer available, and that it has become necessary to have another general registration in such election district, and of the places where the registration officers shall sit for registration of voters as aforesaid, and the day or days when they will sit at each of said places.
Days	
Hours	
Law applying to new general registration	
Notice of new general registration outside of Wilmington	
Notice if new general registration held in Wilmington	

"Provided, however, that no new general registration

REGISTRATION OF VOTERS

need be had in any election district because of the loss, destruction, mutilation or defacement of any of the Registration Books if one of the "Registers" and one of the "Books of Registered Voters" of such district be intact, but in such event it shall be the duty of the Clerk of the Peace of the County in which the election district is located (if the election district be outside the City of Wilmington, and it shall be the duty of the Department of Elections for the City of Wilmington if the election district be within the City of Wilmington) to cause to be made a full and exact transcription from the intact "Register" of all the entries appearing therein, into the new "Register" supplied by the Governor as aforesaid, and to make a full and exact transcription from the intact "Book of Registered Voters" of all the entries appearing therein, into the new "Books of Registered Voters" supplied by the Governor as aforesaid. Such transcription shall be verified by the oath or affirmation and the affidavit signed shall be appended to each book in which the transcription has been made as aforesaid." Provided, however, that names struck from the list of registered voters under the provisions of this Chapter shall not be copied into the new "Register" or "Book of Registered Voters".

No new general registration need be had if one "Register" and one "Book of Registered Voters" intact

Transcripts made. By what officials

Transcription verified by oath or affirmation

Names struck from list under provisions of chapter not copied

Provided, further, that when a "Register" or "Book of Registered Voters" has been transcribed as hereinbefore provided for, the said "Register" or "Book of Registered Voters" shall be compared as to its correctness by a representative of each of the two leading political parties.

Comparison of transcribed books

The cost of transcribing and comparing and all necessary expense connected therewith (except registration books furnished by the Governor as in this Chapter provided) shall be paid by the Levy Court of the County wherein the election district is located.

Cost of transcribing and comparing paid by Levy Courts

Section 9. That 1632 Sec. 14. of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1632 Sec. 14 and

REGISTRATION OF VOTERS

inserting in lieu thereof the following new Section to be known as 1632 Sec. 14.

1632. Section 14. REMOVAL FROM DISTRICT AFTER REGISTRATION; TRANSFER OF REGISTRATION TO DISTRICT OF RESIDENCE; WHEN; ENTRIES UPON APPLICATION FOR REMOVAL:—If any person registered as a registered voter, in any election district in this State, shall after he is so registered, remove from the district in which he is so registered, (whether such removal be voluntary or by reason of changes in the boundary lines of election districts) to any other district in the State, he may apply in person to the registration officers of the election district in which he is registered and have his name stricken from the "Registers" and from the "Books of Registered Voters" in which his name shall appear, and may obtain from said registration officers a certified copy of the entries in the Register and Books of Registered Voters relating to him, together with a certificate that his name has been stricken from the Register and Books of Registered Voters, as aforesaid; and it shall be lawful for him, after his name shall be so stricken from said Registers and Books of Registered Voters, to cause himself to be registered in the election district to which he may have removed, upon producing the aforesaid certificate and copy of entries in said Registers and Books of Registered Voters; provided that by the next following general election he will have acquired in the election district to which he has removed, and in the County, if the removal has been to another County, the residence required by the Constitution. The registration officers to whom such person may apply to have his name stricken from the Registers and Books of Registered Voters shall draw a line in ink through his name and all the entries opposite his name in said Registers and Books of Registered Voters, and in the column in the Registers headed "Remarks" shall enter "removed from this election district into

Election Dis-
Representative Dis-

Removal from
district after
registration

Transfer.
When

Residence in
new district
must be
acquired

Entries upon
application
for removal

REGISTRATION OF VOTERS

trict of County" and shall prepare and deliver to him the certified copy of entries and the certificate aforesaid.

Provided, however, that if any person, having been previously registered in any election district in this State, shall by his removal therefrom have attained a legal residence in any election district in any other County in this State, such persons shall have the right to register as a qualified voter in such other election district in such other County at any registration, subsequent to his or her aforesaid previous registration, upon proper proof to the registration officers of such other election district, to which such person has removed as aforesaid and to whom he or she shall apply for registration and if qualified and registered as a qualified voter in such election district to which application has been made as aforesaid, then and in any such case, such person shall cease to be a qualified voter in the election district from which he has removed as aforesaid. This provision shall be taken to be an exception to the provisions of 1645. Section 27, of Chapter 56 of the Revised Code of Delaware, as amended.

Registration
if residence
acquired in
another
County

Section 9A. That Chapter 56 of the Revised Code of Delaware as amended be and the same is hereby further amended by adding at the end of 1637. Section 19, of said Chapter the following:

In order that no appeal shall be taken under the provisions of this Chapter without good and probable cause, it is hereby provided that, in every case of an appeal being taken from the decision of any Registration Officers, as provided for in this Chapter, and, upon the hearing of such appeal, the said appeal is finally dismissed by the Judge hearing the same, then and in such case the person who made the affidavit in taking such appeal shall pay all the costs of such appeal, said costs to be fixed by the Judge and taxed upon the appellant at the time of such dismissal.

Costs paid by
appellant
from decision
of registration
officers When

REGISTRATION OF VOTERS

Section 10. That 1640 Sec. 22 of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1640 Sec. 22 and inserting in lieu thereof the following new Section to be known as 1640 Sec. 22.

1640. Section 22. REGISTRAR TO DELIVER BOOKS TO INSPECTOR, ETC., WHEN; CERTAIN BOOKS AND PAPERS RETAINED; OPEN FOR INSPECTION; COPIES MAY BE MADE; AFTER GENERAL ELECTION, REGISTERS AND BOOKS OF REGISTERED VOTERS DELIVERED TO CLERK OF THE PEACE; CLERK OF PEACE TO DELIVER REGISTRATION BOOKS TO REGISTRARS; DUTY OF CLERK OF PEACE WITH RESPECT TO REGISTRATION BOOKS DELIVERED TO HIM:—It shall be the duty of the Registrar in the respective election districts of this State, on the morning of the day of the general election and one hour before the opening of the polls for said election, to deliver to the Inspector, or other person authorized to hold said election in his, the said Registrar's election district one of said "Registers" and both of said "Books of Registered Voters" in his possession, certified to as hereinbefore provided. The other of said "Registers" and all other papers or documents relating to the registration of voters, he shall retain in his possession and safely keep, but the same shall at all proper times be open to the inspection of anyone desiring to examine the same, without fee or reward; and anyone desiring to do so may be permitted to make copies or partial copies of any of said lists, books, documents or papers.

Registrar
to deliver
books to
inspector.
When

Register to
retain other
books and
papers

Open for
inspection
Copies made

Register
delivered to
Clerk of the
Peace. When

Within one week after the following general election he shall deliver the said "Register" in his possession to the Clerk of the Peace of the County in which he resides.

Each Inspector or other officer authorized by law to hold the election, shall, on the day next after the general election, deliver into the office of the Clerk of the Peace of

REGISTRATION OF VOTERS

his County the "Register" and two "Books of Registered Voters" delivered to the said Inspector by the Registrar as in this Section hereinbefore provided.

Inspector to deliver books to Clerk of Peace. When

After the delivery to the Clerk of the Peace of the "Registers" and "Books of Registered Voters" of each election district of the County, as aforesaid, the said Clerk of the Peace shall safely keep the said "Registers" and "Books of Registered Voters" of each election district of the County, in his office, and the same shall be open to the inspection of the public at all convenient times, as other public records in said office, provided that the Clerk of the Peace for New Castle County, shall, within ten days after the delivery of the "Registers" and "Books of Registered Voters" as aforesaid, deliver to the Department of Elections all "Registers" and "Books of Registered Voters" for the election districts within the City of Wilmington, where they shall be safely kept, and the same shall be open to the inspection of the public at all convenient times, as are other public records.

Duties of Clerk of Peace respecting books delivered to

It shall be the duty of the Clerk of the Peace, five days before the third Saturday of July in the year in which a general election is held, to deliver the two "Registers" and the two "Books of Registered Voters" of each election district in the County to the Sheriff of said County, who shall, sometime previous to the third Saturday in July of said year, deliver the said two "Registers" and the said two "Books of Registered Voters" of each election district of the County to the Registrar of said election district; and the said Department of Elections shall, sometime prior to the third Saturday in July of said year, deliver to the Registrar in each election district in the City of Wilmington, the registration books for such district; provided, further that in any year in which there is a special election the registration books for the election districts in which the special election is to be held, shall be delivered by the Clerk of the Peace to the Sheriff one week prior to the sitting of the registration officers for the purpose of registration for such

Clerk of Peace to deliver "Registers" and "Books of Registered Voters" to Sheriff in year of General Election. When

Sheriff to deliver books to Registrar. When

Department of Elections to deliver books to Registrar

Special Election. Delivery of books

REGISTRATION OF VOTERS

special election, and the Sheriff or the Department of Elections, as the case may be, shall forthwith make delivery of the said registration books to the proper Registrars.

Section 11. That 1642 Sec. 24 of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1642 Sec. 24 and inserting in lieu thereof the following new Section to be known as 1642 Sec. 24.

1642. Section 24. COMPENSATION; REGISTRAR; ASSISTANT REGISTRAR; ALTERNATE REGISTRAR; ASCERTAINMENT AND CERTIFICATION; BY WHOM PAID; COST OF PRINTING, POSTING, NOTICES, INK AND STATIONERY PAID BY LEVY COURT; COST OF REGISTRATION BOOKS AFTER 1932 TO BE PAID FOR BY THE STATE:—East Registrar shall receive Seven Dollars and Fifty Cents per day for each day of actual service, either when sitting for the purpose of registration or in attendance upon the hearing of appeals before the Resident Associate Judge of the County, or such Judge of the Supreme Court as may sit for hearing such appeals, or for delivering his books to the Clerk of the Peace.

Compensation
of Registrar

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

Compensation
of Alternate
Registrar

Each Alternate Registrar shall receive Seven Dollars and Fifty Cents per day for each day of actual service, when sitting in the place of the Registrar for registration, or in attendance upon the hearing of appeals before the Resident Associate Judge of the County or such Judge of the Supreme Court as may sit for hearing such appeals, or for delivering his books to the Clerk of the Peace.

Levy Court to
ascertain

It shall be the duty of the Levy Court in each of the Counties in this State, at its November session, to ascer-

REGISTRATION OF VOTERS

tain the amount of compensation under this Chapter due the Registrars, Alternate Registrars and Assistant Registrars in their respective Counties; and when so ascertained, the President of the said Levy Court shall certify the same to the State Treasurer, who shall thereupon pay to the persons entitled the sums severally due them out of any money appropriated for that purpose.

And Certify
Compensation

State
Treasurer to
pay

Provided, however, that it shall be the duty of the Department of Elections for the City of Wilmington during the month of November to ascertain the amount of compensation under this Chapter due the Registrars, Alternate Registrars and Assistant Registrars in the City of Wilmington; and when so ascertained the President of the said Department of Elections for the City of Wilmington shall certify the same to the State Treasurer, who shall thereupon pay to the Department of Elections for the City of Wilmington the amount of compensation due the Registrars, Alternate Registrars and Assistant Registrars in the City of Wilmington, so certified as aforesaid, and the said Department of Elections shall thereupon pay to the persons entitled the sums severally due them out of the money so received from the State Treasurer.

Department
of Elections,
Wilmington
to ascertain
and Certify
Compensation

State
Treasurer to
pay

The cost of printing and mailing the notices required by this Chapter and the rent of the room or rooms used by the said registration officers in the performance of the duties required by this Chapter, the cost of printing any forms or blanks that may be required, and the cost of the necessary ink and stationery used by them, as provided for by this Chapter, shall be paid by the Levy Court of the Respective Counties upon proper vouchers.

Levy Court to
pay other
expenses

The cost of registration books supplied by the Governor shall be paid for by the State.

State to pay
for registra-
tion books

Section 12. That 1646 Sec. 28 of Chapter 56 of the Revised Code of the State of Delaware be and the same is

REGISTRATION OF VOTERS

hereby amended by striking out all of said 1646 Sec. 28 and inserting in lieu thereof the following new Section to be known as 1646 Sec. 28.

Special
Elections

Registration
for

Entries on
Registration
Books

1646. Section 28. SPECIAL ELECTIONS; REGISTRATION FOR; ENTRIES HOW AND WHEN MADE; CUSTODY, SAFE KEEPING AND DELIVERY OF BOOKS:—In any case of a special election held in this State, other than a Special election to fill a vacancy occurring or existing in either House of the General Assembly while it is in session or within twenty days prior to the convening of said General Assembly in regular or special session, it shall be the duty of the registration officers of the respective election districts of the State, hereinbefore provided for, to wit on the third and fourth Saturdays immediately preceding the day of such special election, from eight o'clock A. M. until seven P. M., with an intermission from twelve to one, at the place where the following special election will be held, or at some convenient and suitable place in the town or village in which such election will be held, and at such sittings to add to the Registers and Books of Registered Voters aforesaid of their respective election districts the names of all qualified voters of said District whose names do not already appear as registered voters on the Registers containing the general registration or the supplementary registration subsequent to said year, and who shall apply in person for registration.

Entries

It shall be the duty of such registration officers, in adding any new names, to make the same entries in the Registers and Books of Registered Voters aforesaid, as they are hereinbefore required to make when sitting as registration officers before any general election.

Safe Keeping
and Delivery
of Books

The provisions of this Chapter relative to the custody, safe keeping and delivery of the registration books shall be deemed to apply to the case of special elections as aforesaid, as well as to general elections.

REGISTRATION OF VOTERS

Section 13. That 1656 Sec. 38 of Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 1656 Sec. 38 and inserting in lieu thereof the following new Section to be known as 1656 Sec. 38.

1656. Section 38. ADDITIONAL REGISTRATION DAY FOR ELECTION DISTRICTS IN THE CITY OF WILMINGTON; GENERAL PROVISIONS CONCERNING REGISTRATION ON SUCH DAY:—In addition to the registration days in this Chapter hereinbefore provided for, there shall be, for each election district in the City of Wilmington, one registration day in each year in which a municipal election is held in said City, which registration day shall be the third Saturday of April next before the day set for holding the election for municipal officers in the said city. It shall be the duty of the Department of Elections to advertise the day of such registration and the places at which the registration officers are to sit, as hereinbefore provided with respect to other registration days. It shall be the duty of the registration officers in each election district in the City of Wilmington to sit, in accordance with the said advertisement, for the purpose of registering qualified voters in such election district whose names do not appear as registered voters in the general registration or the supplementary registration thereafter. The duties of the registration officers on the said additional registration day shall be the same as those prescribed in relation to the other registration days in this Chapter. All the provisions of this Chapter relating to registration in general shall apply, so far as pertinent, to the said additional registration day. The Registration officers shall keep hung up in room in which they sit, a list of the names of all persons stricken from the registration books for failure to vote as in this Section provided.

Additional
Registration
Day in
Wilmington
in year of
Municipal
Election

Duties of
Registration
officers

Law to apply
to additional
Registration
Day

Appeals

It shall be the duty of the Resident Associate Judge of New Castle County, or in case of his disability or absence

REGISTRATION OF VOTERS

Appeals

from the county, it shall be the duty of any Judge entitled to sit in the Supreme Court, to sit in the County Court House for New Castle County, on the Wednesday next following the said additional registration day, at ten o'clock in the morning on said day, on which day he shall receive all appeals, applications and motions as in this Chapter hereinbefore provided with respect to registration and registration days in the year in which a general election is held, and shall hear and determine the same, and may adjourn from day to day until the same have been disposed of. His decisions shall

Law to apply
to appeals

be final. All the provisions of this Chapter with respect to appeals, applications and motions to the Resident Associate Judge of the County, concerning registration or registration books, in the year in which a general election is held, and all of the provisions of said Chapter with respect to notices in the case of motions, applications and appeals to such Judge, shall be deemed to apply to motions, applications and

Law to apply

appeals made under this Section. All the provisions of this Chapter with respect to the duties and powers of registration officers or other officials, and with respect to penalties, prohibitions and other matters connected with registration in the year in which a general election is held, shall apply to the registration made on the registration day in the year in which a municipal election is held in the City of Wilmington.

Registration
on additional
Day good
until next
General
Registration.
Exceptions

The registration made on said day, as revised and corrected by the Judge as aforesaid, shall constitute and be a part of the registration for general election purposes, and no person whose name appears as a registered voter on the Registration Books as made up on said additional registration day and as revised and corrected as aforesaid, shall be required to register again for any subsequent municipal election in the City of Wilmington, nor for any general election in his election district until the next general registration is had unless he shall cease to be a resident of the election district in which he was thus registered, or unless his name shall be stricken from the said general registration

REGISTRATION OF VOTERS

as hereinbefore provided, or unless a new general registration shall be had in the election district in which he is a resident, as hereinbefore provided.

Section 14. That if any of the provisions of this Act should be found to be in conflict with any other law, or any other Act or Acts or part or parts of any Act or Acts, not specifically repealed by this Act, in any and all such cases the provisions of this Act shall always be deemed and taken to be the law.

Act to
supersede
inconsistent
provisions

Approved April 3, 1931.

CHAPTER 118

DEPARTMENT OF ELECTIONS—WILMINGTON

AN ACT to Repeal 1663. Section 6. Chapter 57 of the Revised Code of the State of Delaware entitled, "Department of Elections for the City of Wilmington," and to substitute in lieu thereof a new Section providing for the Registration of Voters in New Election Districts 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 1663. Section 6. Chapter 57 of the Revised Code of the State of Delaware, entitled, "Department of Elections for the City of Wilmington," be and the same is hereby repealed, and a new Section substituted in lieu thereof as follows:

1663. Section 6. DIVISION OF CITY INTO ELECTION DISTRICTS; NUMBER OF VOTERS IN DISTRICT; EACH ELECTION DISTRICT WITHIN ONE REPRESENTATIVE DISTRICT; DESIGNATION OF DISTRICTS; REGISTRATION OF VOTERS IN NEW DISTRICT:—

The Department of Elections shall, on or before the first day of June, in the year nineteen hundred and twenty-two, and in every sixth year thereafter, on or before the first day of June, divide the City into as many election districts as they shall deem necessary, and shall establish the boundaries thereof. Each election district shall contain as near as may be, not more than five hundred, nor less than one hundred qualified voters. Each of said election districts shall be entirely within the boundaries of one representative district. On or before the first day of June commencing in the year nineteen hundred and twenty-four, and biennially thereafter, said Department of Elections may divide such election districts, and such only as, by the election last preceding such division shall be found to contain a greater number of voters than can conveniently vote

Division of
City into
Districts

Number of
Voters in
Districts

Election
District within
Representative
District

What Districts
Divided

DEPARTMENT OF ELECTIONS—WILMINGTON

therein. They shall also designate each of said election districts by appropriate titles or distinctions. ^{Designations}

When the boundaries of any election district in the City of Wilmington shall be changed, as aforesaid, a new general registration shall be held in each election district affected by such change of boundary; and the Department of Elections for the City of Wilmington shall, at least ten days prior to the first day set for the purpose of registration, give public notice by advertisements posted in ten or more of the most public places in each election district affected by any change in boundary, that it has become necessary to have a new general registration in such election district, the place where the registration officers shall sit for the registration of voters and the day or days when they shall sit at such place. All the provisions relating to the registration of voters in general as provided in Chapter 56 of the Revised Code of the State of Delaware, shall apply as far as pertinent, and the duties of the registration officers shall be the same as those prescribed in relation to other registration days. ^{Registration of Voters in new Districts}

Approved April 25, 1931.

CHAPTER 119

DEPARTMENT OF ELECTIONS—WILMINGTON

AN ACT to Repeal 1666, Section 9, Chapter 57 of the Revised Code of the State of Delaware, entitled "Department of Elections for the City of Wilmington," and to substitute in lieu thereof a New Section providing for the Time When Names Shall be Submitted for the Appointment of Registration Officers.

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

Section 1. That 1666, Section 9, Chapter 57 of the Revised Code of the State of Delaware entitled, "Department of Elections for the City of Wilmington," be and the same is hereby repealed and a new section be substituted in lieu thereof as follows:

Appointment
of Registration
officers in
Wilmington

1666. Section 9. Registration Officers. APPOINTMENT; WHEN; QUALIFICATIONS; DIVISION BETWEEN PARTIES; POLITICAL COMMITTEES TO FURNISH LISTS; IN DEFAULT OF SUCH LISTS; DEPARTMENT MAY APPOINT; TERMS OF OFFICE:—They shall, in the month of June, in each year in which a general election is held, appoint for each election district in the City of Wilmington, three capable persons, who shall be voters and residents in the election district, for which they shall be appointed who shall be registration officers of the Election District for which they are appointed; one of whom shall be designated as "Registrar," and the other two "Assistant Registrars", and not more than two of them shall be of the small political faith; provided, that the total number of registration officers in each representative district shall be divided as equally as possible between the two leading political parties, as the same shall be determined upon by the Department of Elections at the time of making the appointments. And further, for each appointment accredited to any political party under this section, the City Execu-

DEPARTMENT OF ELECTIONS—WILMINGTON

tive Committee of such political party shall furnish the Department of Elections on or before the first day of May of the year in which said appointment is to be made, a list of three names of properly qualified persons from which the Department of Elections shall make its appointments. If the said lists of names are not furnished as aforesaid, then and in that event the Department of Elections shall appoint some suitable person or persons, of such political faith having all the qualifications provided by this section.

Names
submitted

The terms of office of such registration officers shall begin on the first Tuesday in July next after their appointment and shall continue for two years thereafter, and until their successor shall be duly chosen and qualified, unless sooner removed as provided in this Chapter.

Terms of
Registration
officers

Approved April 25, 1931.

CHAPTER 120

DEPARTMENT OF ELECTIONS—WILMINGTON

AN ACT to Repeal 1677 A. Section 21. Chapter 57 of the Revised Code of the State of Delaware as amended, entitled, "Department of Elections for the City of Wilmington," and to substitute in lieu thereof a new Section providing for the Appointment of Clerks 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 1677 A. Section 21. Chapter 57 of the Revised Code of the State of Delaware as amended, entitled, "Department of Elections for the City of Wilmington", be and the same is hereby repealed and a new Section substituted in lieu thereof as follows:

Appointment
of Clerks of
election in
Wilmington

Names
submitted

1677A. Section 21. CLERKS; APPOINTMENTS; LISTS; TERM; DUTIES; REFUSAL TO SERVE; PENALTY:—That the Department of Elections for the City of Wilmington shall, sometime in the month of October in each year in which a general election is held, appoint in each election district of said city two capable persons who shall be clerks of election of the election district for which they are appointed; one of whom in each election district shall be a member of one of the leading political parties in said city, and the other of whom shall be a member of the other leading political party of said city. For each appointment of clerk accredited to any political party under this Act, the County executive Committee of such party shall furnish said Department of Elections for said City, on or before the first day of September of the year in which the appointment is to be made a list of three names of properly qualified persons for each appointment so accredited, from which lists the said Depart-

DEPARTMENT OF ELECTIONS—WILMINGTON

ment of Elections shall appoint the Clerks of Elections as aforesaid. Provided, however, that if the said lists of names are not furnished as aforesaid, then and in that event the said Department of Elections shall appoint some suitable person or persons of such political party as aforesaid, and having all the qualifications provided by this Section. The terms of the said Clerk of Elections shall be two years commencing on the date of their appointment.

Appointment
if names not
submitted

Terms

The Clerks of Election shall during their term of office discharge and perform at all elections held in the Election District for which they are appointed (other than primary elections and elections for Members of the Board of Public Education) all duties which are now or hereafter may be by law imposed upon Clerks of election. Any vacancies occurring in the office of clerks of election in any election district in the City of Wilmington shall be filled by said Department of Elections for the unexpired term, and when filling such vacancies the said Department of Elections shall select some person of the same political party as the Clerk who has been originally appointed.

Duties of
Clerks

Vacancies

If any Clerk of Election, who having been appointed under the provisions of this Act, shall refuse to qualify or having qualified shall fail or refuse to perform any of the duties of said office, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than Fifty nor more than One Hundred Dollars.

Penalty for
refusal—to
qualify and
serve

Approved April 25, 1931.

CHAPTER 121

PRIMARY ELECTIONS

AN ACT to Repeal 1705. Section 28. Chapter 58 of the Revised Code of the State of Delaware entitled, "Primary Elections", and to substitute in lieu thereof a new Section providing for Roped or Chained Area at Voting Places.

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

SECTION 1. That 1705. Section 28. Chapter 58 of the Revised Code of the State of Delaware entitled "Primary Elections" be and the same is hereby repealed and a new Section substituted in lieu thereof as follows;

Primary
Elections

Roped or
Chained Area
at Voting
window

Penalty for
being on
inside of
roped area
except for
voting

1705. Section 28. ROPED OR CHAINED AREA AT VOTING WINDOW; VOTERS ONLY ALLOWED WITHIN ENCLOSED AREA; VIOLATION A MISDEMEANOR; PENALTY:—The Sheriff of the respective Counties shall furnish at every polling place where a primary election is held outside the City of Wilmington, two pieces of rope or chain. The officers holding such a primary election shall place the said rope or chain at a distance not less than six feet on either side of the window or door where a primary election is held; the said rope or chain shall be at least twelve feet in length, and shall be at least twenty-four inches from the ground and shall so remain during the time such primary election is in progress. No person shall be permitted to be on the inside of said rope or chain excepting to cast his ballot, after which he shall immediately retire. Any person violating the provisions of this Section shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall for every such offense be punished by a fine of ten dollars.

Approved April 22, 1931.

CHAPTER 122

GENERAL ELECTIONS

AN ACT to Amend Chapter 60 of the Revised Code of 1915 of the State of Delaware by changing the Voting Place in the Second Election District of the Sixth Representative District 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 60 of the Revised Code of 1915 of the State of Delaware be and the same in hereby amended by repealing that part of 1737 Sec. 17 designated as "N. C. 2" and by substituting in lieu thereof a new section to be styled "N. C. 2".

N. C. 2. The Second Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded by a line beginning on the Carr Road at its intersection with Quarryville Creek, and running thence in a westerly direction by the center line of said Road to a point where said Road runs into the Shipley Road, thence Southerly by the center line of said Shipley Road to Dixon's Corner, where said Shipley Road is joined by the Weldin Road; thence Westerly by the center line of said Weldin Road until it runs into Faulk Road; thence Southerly by the center line of said Faulk Road to the Wilmington and Great Valley Turnpike, commonly called Concord Pike; thence Southerly by the center line of the said Turnpike and Elliott Avenue to the City line of the City of Wilmington; thence Westerly by the course of said City line to Brandywine Creek; thence Northerly up said Brandywine Creek by the several meanderings thereof until it crosses the Pennsylvania State line; thence Easterly along said State line to a point where the Grubb Road, if extended North of Naaman's Creek Road in a direct line with the last course of said Grubb's Road would intersect said State line; thence

Boundaries
of Second
Election
District of
Sixth Rep-
resentative
District in
New Castle
County

GENERAL ELECTIONS

Southerly along said extended line of the Grubb Road, crossing Naaman's Creek Road and following the center line of said Grubb Road Southerly and Easterly to where it intersects the Faulk Road at Miller's Corner; thence Southerly by the center line of said Faulk Road to where it intersects Lodge Road at Tally's Corner; thence Easterly along the center line of said Lodge Road to the point where it crosses Quarryville Creek; thence down said Quarryville Creek with its several meanderings to the point where it crosses the Carr Road, being the point or place of Beginning.

Voting Place

All persons entitled to vote in said Second Election District shall vote at Talleyville Grange Hall.

Approved March 19, 1931.

CHAPTER 123

GENERAL ELECTIONS

AN ACT to Amend Chapter 60 of the Revised Code of 1915 of the State of Delaware, as amended by Chapter 131 of Volume 36 Laws of Delaware, by changing the Voting Place of the Seventh Election District of the Sixth 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 by Chapter 131 of Volume 36 Laws of Delaware be, and the same is hereby further amended by repealing that part of 1737 Section 17 designated as "N. C. 3 D" and by substituting in lieu thereof a new section to be styled "N. C. 3 D".

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; thence up the said River to Holly Oak or Tide Creek, the point of beginning.

Boundaries of
Seventh
Election
District of
Sixth Repre-
sentative
District in
New Castle
County

All persons entitled to vote in said Seventh Election District shall vote at Holly Oak Community House.

Place of
Voting

Approved March 19, 1931.

CHAPTER 124

GENERAL ELECTIONS

AN ACT to amend Chapter 60 of the Revised Code of the State of Delaware, A. D. 1915, relating to Election Districts in the Seventh Representative District 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 60 of the Revised Code of the State of Delaware, A. D., 1915 as amended, be and the same is hereby further amended by striking out all of the paragraphs of Section 17 of Code paragraph 1737 as amended; designated as "N. C. 4", describing the boundaries of the First Election District of the Seventh Representative District in New Castle County; designated as "N. C. 8. A.", describing the boundaries of the Sixth Election District of the Seventh Representative District in New Castle County; designated as "N. C. 8. C." describing the boundaries of the Eighth Election District of the Seventh Representative District in New Castle County; and designated as "N. C. 8. D." describing the boundaries of the Ninth Election District of the Seventh Representative District in New Castle County and inserting in lieu thereof the following:

N. C. 4. The First 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 with the center line of Marsh road; thence Southeasterly along the center line of Marsh road and the center line of the Marsh road extended to the Northerly side of the Christiana Creek; thence along the Northerly side of the Christiana Creek in a general Westerly direction to its intersection with Red Clay Creek; thence along the center line of Red Clay Creek Northerly to its intersection with the line dividing lands now or lately owned by George M. D. Lynam

Boundaries of
First Election
District of
Seventh Rep-
resentative
District in
New Castle
County

GENERAL ELECTIONS

and now or lately owned by Richard Rothwell; thence extending Easterly along the said line to the lane leading from the property now or lately owned by Richard Rothwell; thence Northerly along said lane to its intersection with the Black road; thence along the center line of the said Black road in an Easterly direction to the intersection of said road with the Newport and Gap Turnpike; thence with the center of the Newport and Gap Turnpike Northwesterly to the road leading to Price's Corner; thence in a Northerly direction along the center of the road leading to Price's Corner to a point in the center line of the Boxwood road; thence Easterly along the center line of the Boxwood road to a point in the division line between lands now or formerly of Mary Lattimer and lands now or formerly of Bernard Beste; thence Southeasterly along said division line and along the line dividing lands now or formerly of the said Mary Lattimer and lands now or formerly of Anna D. Justis, called Lyndalia to the center line of the said Newport Pike; thence along the center line of the said Newport Pike, Southwesterly to the place of Beginning.

All persons entitled to vote in the said First Election Voting Place District of the Seventh Representative District shall vote at Red Men's Hall in the Town of Newport.

The Inspector of Election, elected in the First Election Inspector District of the Seventh Representative District of New Castle County at the general election shall be the Inspector of Election of said First Election District as created by this Act until his successor is duly elected and qualified.

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 the Newport Pike and the boundary line of the City of Wilmington; thence Southwesterly along the center line of Newport Pike to the center

Boundaries of
Sixth Election
District of
Seventh Rep-
resentative
District in
New Castle
County

GENERAL ELECTIONS

line of West Summit Avenue; thence Westerly along the center line of West Summit Avenue to the division line of the tract called Elmhurst and land now or formerly of Jacob Mroczka; thence along said division line Northerly to the center of Mill Creek; thence along the center of Mill Creek in an Easterly direction to its intersection with Silverbrook; thence Northerly along the center line of Silverbrook in its various courses to a point in the division line between lands now or lately of the Estate of Dr. J. P. Stidham, and the Northerly side of the right of way of the old Delaware and Western Railroad; thence Easterly along said division line between the lands now or lately of the Estate of Dr. J. P. Stidham and the Northerly side of the said right of way to the intersection of said side of said right of way with the boundary line of the City of Wilmington and thence along said boundary line to the place of Beginning.

Voting Place All persons entitled to vote in the said Sixth Election District of the Seventh Representative District shall vote at Community Hall at Richardson Park.

Inspector The Inspector of Election, elected in the Sixth Election District of the Seventh Representative District of New Castle County at the general election shall be the Inspector of Elections of said Sixth Election District as created by this Act until his successor is duly elected and qualified.

Boundaries of 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 formed by the center line of the Newport Pike and the boundary line of the City of Wilmington; thence along the center line of said Newport Pike, Southwesterly to its intersection with the center line of the Marsh road; thence Southeasterly by the center line of the Marsh road and the center line of the Marsh road extended, to the Northerly side of the Christiana Creek; thence in a general Northeasterly direction along the said side of the said Christiana Creek to its intersection with the boundary line

GENERAL ELECTIONS

of the said City of Wilmington; thence by the said boundary line of the said City of Wilmington, to the place of Beginning.

All persons entitled to vote in the said Eighth Election District of the Seventh Representative District shall vote at the Richardson Park School House.

The Governor shall appoint some qualified voter in the said Eighth Election District of the Seventh Representative District of New Castle County as herein created, 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 and the center line of West Summit Avenue; thence Southwesterly along the center line of the said Newport Pike to its intersection with the boundary line between lands now or formerly of Anna D. Justis, called Lyndalia, and land now or formerly of Mary Lattimer; thence Northwesterly along said division line and the division line between lands now or formerly of the said Mary Lattimer and lands now or formerly of Bernard Beste, to the center line of Boxwood road; thence along the center line of Boxwood road in a Westerly direction to the center line of Price's Corner road; thence along the center line of Price's Corner road in a Northerly direction to the Southerly side of the Baltimore and Ohio Railroad; thence along the Southerly side of the said Baltimore and Ohio Railroad in an Easterly direction to the center of Mill Creek; thence along the center of Mill Creek in a Southeasterly direction to a point in the division line between lands now or formerly of Jacob Mrocza and the tract called Elmhurst; thence in a Southerly direction along said division line to the center line of West Summit Avenue

GENERAL ELECTIONS

and thence along the center line of West Summit Avenue in an Easterly direction to the place of Beginning.

Voting Place All persons entitled to vote in the said Ninth Election District of the Seventh Representative District shall vote at Hastings Garage in Elmhurst.

**Governor to
appoint
Inspector** The Governor shall appoint some qualified voter in the said Ninth Election District of the Seventh Representative District of New Castle County as herein created, 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 March 5, 1931.

CHAPTER 125

GENERAL ELECTIONS

AN ACT to Repeal 1738, Section 18, Chapter 60, of the Revised Code of the State of Delaware entitled "General Elections" and to substitute in lieu thereof a new section providing for Ropes or Chains used at Polling Places.

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

Section 1. That 1738. Section 18, Chapter 60, of the Revised Code of the State of Delaware entitled "General Elections", be and the same is hereby repealed and a new Section substituted in lieu thereof as follows:

1738. Section 18. ROOM FOR HOLDING ELECTIONS; INSPECTOR TO PROVIDE; LOCATION; PLAN OF; ENTRANCE; CHANGE OF VOTING PLACE; NOTICE; FURNITURE; BOOTHS; DUTY OF THE DEPARTMENT OF ELECTIONS AS TO:—It shall be the duty of each Inspector of Elections in this State, outside the City of Wilmington, to provide a room for the holding of any general or special election in his Election District, which shall be adapted to the requirement of this Chapter. Said room shall be at the place established by law in each election district for the holding of elections, or in as close proximity thereto as practicable, having due regard to the convenience of the voters. If the Inspector shall select a place for the holding of any general or special election in his Election District, other than the one established by law, he shall do it in time to give the notice of holding such election required by law. Said room shall have a door or entrance of easy or convenient access, and, if practicable, a separate means of exit. It shall be provided on the outside with a passage at least four feet wide and with a railing, rope or wire on each side, commencing at least thirty feet away from and leading to the entrance to such place of election

Inspector to
provide room
for holding
General or
Special
Election
outside of
Wilmington

Requirements
of Room

GENERAL ELECTIONS

and thence along the center line of West Summit Avenue in an Easterly direction to the place of Beginning.

Voting Place

All persons entitled to vote in the said Ninth Election District of the Seventh Representative District shall vote at Hastings Garage in Elmhurst.

Governor to
appoint
Inspector

The Governor shall appoint some qualified voter in the said Ninth Election District of the Seventh Representative District of New Castle County as herein created, 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 March 5, 1931.

CHAPTER 125

GENERAL ELECTIONS

AN ACT to Repeal 1738, Section 18, Chapter 60, of the Revised Code of the State of Delaware entitled "General Elections" and to substitute in lieu thereof a new section providing for Ropes or Chains used at Polling Places.

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

Section 1. That 1738. Section 18, Chapter 60, of the Revised Code of the State of Delaware entitled "General Elections", be and the same is hereby repealed and a new Section substituted in lieu thereof as follows:

1738. Section 18. ROOM FOR HOLDING ELECTIONS; INSPECTOR TO PROVIDE; LOCATION; PLAN OF; ENTRANCE; CHANGE OF VOTING PLACE; NOTICE; FURNITURE; BOOTHS; DUTY OF THE DEPARTMENT OF ELECTIONS AS TO:—It shall be the duty of each Inspector of Elections in this State, outside the City of Wilmington, to provide a room for the holding of any general or special election in his Election District, which shall be adapted to the requirement of this Chapter. Said room shall be at the place established by law in each election district for the holding of elections, or in as close proximity thereto as practicable, having due regard to the convenience of the voters. If the Inspector shall select a place for the holding of any general or special election in his Election District, other than the one established by law, he shall do it in time to give the notice of holding such election required by law. Said room shall have a door or entrance of easy or convenient access, and, if practicable, a separate means of exit. It shall be provided on the outside with a passage at least four feet wide and with a railing, rope or wire on each side, commencing at least thirty feet away from and leading to the entrance to such place of election

Inspector to
provide room
for holding
General or
Special
Election
outside of
Wilmington

Requirements
of Room

GENERAL ELECTIONS

Requirements
or Room

and passing the place assigned for the challengers, and thence to the room in which the election is held. The Inspector shall provide for the room a railing therein separating the part of the room to be occupied by the Election Officers from the remainder of the room. He shall also provide a suitable table and chairs for the use of the Election Officers. The table shall occupy such a position in said room as to enable the Election Officers and the Challengers hereinafter provided for to easily communicate with each other. He shall cause to be constructed in the room at least one booth for every one hundred and fifty voters, or fractional part thereof, in each election district; provided that there shall not be less than three booths at any one Election District. The booths shall be at least three feet square and six feet high, if the ceiling will permit it. They shall each contain a shelf properly constructed and a cardboard box fastened to the booth to contain the ballots hereinafter provided for, and shall be so constructed and arranged that all the Election Officers in the room can see whether more than one voter enters any of them at any one time.

Voting places
in City of
Wilmington

In the City of Wilmington, it shall be the duty of the Department of Elections to select a voting place in each election district within the City, and to provide the room, in which the election is to be held, to construct therein the necessary number of booths, and to do all other things required to be done by the Inspectors of Election outside of the City of Wilmington, in and about the furnishing and fitting up of said room.

Change of
location of
Voting place

If at any time it shall be impracticable to hold the election in any Election District at the place appointed by law, the Inspector of such Election District or other officer authorized to hold the election therein shall have power to appoint some other place in said Election District as near as can be conveniently obtained to the place appointed by law; and he shall give public notice of the place so appointed, by advertisements posted in at least five of the most public

GENERAL ELECTIONS

places of the Election District, if circumstances will admit^{Notices} of such notice being given, but if not, then he shall give such public and general notice as the circumstances will permit.

Approved April 22, 1931.

CHAPTER 126

GENERAL ELECTIONS

AN ACT to Repeal 1729, Section 9, Chapter 60 of the Revised Code of the State of Delaware, entitled, "General Election", and to substitute in lieu thereof a new Section providing for the Delivery of Ballots.

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

Section 1. That 1729, Section 9, Chapter 60, of the Revised Code of the State of Delaware entitled, "General Election", be and the same is hereby repealed, and a new Section substituted in lieu thereof providing for the delivery of ballots as follows:

1729. Section 9. INSPECTORS OUTSIDE OF WILMINGTON; BALLOTS; ENVELOPES; PENCILS AND RUBBER BANDS HOW TO PROCURE; FROM WHOM; WHEN; SAFE KEEPING; ON DEFAULT OF SO PROCURING, CLERK OF THE PEACE TO DELIVER TO WHOM; HOW AND TO WHOM DELIVERED IN WILMINGTON; DUTY OF DEPARTMENT OF ELECTIONS

Inspectors
outside
Wilmington to
secure ballots,
etc.

AS TO:—It shall be the duty of each Inspector outside the City of Wilmington to appear at the office of the Clerk of the Peace of his County, on the day preceding the election, before the hour of three o'clock in the afternoon, and the Clerk of the Peace shall deliver to him the ballots, envelopes, pencils and rubber bands for his Election District; and the said Inspector shall safely keep the said packages and produce the same at the place of election and at the time of the opening of the election. In case there shall be a vacancy in the office of any inspector on the day preceding the election, or any Inspector for any cause shall not apply to the proper Clerk of the Peace for the packages herein mentioned by the hour of three o'clock in the afternoon of the day preceding the election, the said Clerk of the Peace shall deliver the packages to some trusty person, who shall deliver them on

Vacancy in
office of
Inspector

Clerk of Peace
to deliver
ballots, Etc.

GENERAL ELECTIONS

the day of the election to the Inspector of Election of such Election District, at the place of Election, and immediately upon the qualification of the election officers.

In the City of Wilmington, it shall be the duty of the President of the Department of Elections, or in case he cannot attend, of some other member of said Department authorized in writing by the said President, to appear at the office of the Clerk of the Peace of New Castle County, on the day preceding such election, on or before the hour of three o'clock in the afternoon, and the said Clerk of the Peace shall deliver to him the packages provided for each election district in the City of Wilmington. The said Department of Elections shall prior to the time for opening the polls as provided by law, deliver to the Registrar for each Election District in the City of Wilmington, the ballots, envelopes, pencils and rubber bands intended for their several and respective districts.

Delivery of
ballots, Etc. in
Wilmington

Approved April 22, 1931.

CHAPTEd 127

GENERAL ELECTIONS

AN ACT to Amend Chapter 60 of the Revised Code of the State of Delaware by changing the Boundaries of the Second Election District of the Second Representative District in Sussex County.

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

Section 1. That 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 4", fixing the boundaries of the Second Election District of the Second Representative District in Sussex County, and by substituting in lieu of said sub-Section, a new sub-Section, which shall be designated as "S 4" to fix the boundaries of the Second Election District of the Second Representative District of Sussex County.

Change in
Boundaries of
Second
Election
District of
Second Rep-
resentative
District of
Sussex County

S 4. The Second Election District of the Second Representative District is all that portion of Northwest Fork Hundred bounded by a line beginning at Norton's Mill Stream in the boundary line between the Hundreds of Nanticoke and Northwest Fork, thence in a Westerly direction with the center line of the public road leading to Dale's Crossing; thence by the center line of the public road to Cocked Hat; thence by the center line of the public road to the farm of Oliver A. Newton to a road leading to Bridgeville; thence by the center line of said last mentioned road in a Northwesterly direction to the new public concrete road on the right leading to Scott's Store; thence by the center line of said last mentioned new concrete road to Scott's Store; thence by the center line of said road to Wooden Hawk; thence following the center line of said road and crossing another road at Adams' Mills; thence by the center

GENERAL ELECTIONS

line of the road leading to Andersontown to the Maryland State Line; thence Southerly by said Maryland State Line to the boundary line between the Hundreds of Seaford and Northwest Fork; thence Easterly along said last mentioned boundary line to the boundary line of Nanticoke Hundred; thence northerly along the boundary line between Northwest Fork Hundred and Nanticoke Hundred to Norton's Mill Stream, the point of Beginning.

All persons entitled to vote in the Second Election District shall vote in the town of Bridgeville at such place as shall be provided by the Inspector of the said District. Voting Place

Approved February 11, 1931.

CHAPTER 128

GENERAL ELECTIONS

AN ACT to Amend Chapter 60 of the Revised Code of the State of Delaware by changing the Boundaries of the Third Election District of the Second Representative District in Sussex County.

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

Section 1. That 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 5", fixing the boundaries of the Third Election District of the Second Representative District in Sussex County, and by substituting in lieu of said sub-Section a new sub-Section, which shall be designated as "S 5" to fix the boundaries of the Third Election District of the Second Representative District, of Sussex County.

Change in
Boundaries of
Third Election
District of
Second Rep-
resentative
District in
Sussex County

S. 5. The Third Election District of the Second Representative District is all that portion of Northwest Fork Hundred bounded by a line beginning at Norton's Mill Stream in the boundary line between the Hundreds of Nanticoke and Northwest Fork; thence in a Westerly direction with the center line of the public road leading to Dale's Crossing; thence by the center line of the public road to Cocked Hat; thence by the center line of the public road to the farm of Oliver A. Newton to a road leading to Bridgeville; thence by the center line of said last mentioned Road in a Northwesterly direction to the first new public concrete road on the right leading to Scott's Store; thence by the center line of said last mentioned new concrete road to Scott's Store; thence by the center line of said Road to Wooden Hawk; thence following the center line of said Road and crossing another road at Adams' Mills; thence by the center line of the road leading to Andersontown to the Maryland State Line; thence Northerly along said Maryland State Line to the boundary

GENERAL ELECTIONS

line between the Counties of Kent and Sussex; thence Easterly along said last mentioned boundary line to the boundary line between Northwest Fork Hundred and Nanticoke Hundred; thence Southerly by said last mentioned boundary line to Norton's Mill Stream, the point of Beginning.

All persons entitled to vote in the Third Election District shall vote at the Auditorium in the town of Greenwood, or if the 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 Auditorium as possible.

Approved February 11, 1931.

TITLE NINE

Corporations

CHAPTER 129

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 said Chapter 65 of the Revised Code of Delaware, being sub-division 1919 of said Code, be and the same is hereby amended by striking out from said Section the paragraphs thereof numbered "1." and "4." and inserting in lieu of said paragraphs so stricken out the following new paragraphs numbered "1." and "4":

Name of Corporation to include one of Certain words or abbreviations

1. The name of the corporation, which name shall contain one of the words "association", "company", "corporation", "club", "incorporated", "society", "union", "syndicate", or "limited", or one of the abbreviations, "co", "inc." or "ltd." 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.

Information where One Class of Stock

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

DOMESTIC CORPORATIONS

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 foregoing 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. The conditions of membership of such corporations shall likewise be stated in the Certificate of Incorporation or such Certificate may provide that the conditions of membership shall be stated in the By-Laws.

Information
where more
than one class
of stock

Certificate of
Incorporation
to set forth
minimum
amount of
Capital

Not to apply
to Certain
Corporations

Conditions of
membership
stated

Section 2. That Section 8 of the said Chapter 65 of said Revised Code, being sub-division 1922 of said Code, be and the same is hereby amended by striking out the whole of said Section 8 and inserting in lieu of said Section so stricken out the following:

Sec. 8. MANAGEMENT PRIOR TO ELECTION OF DIRECTORS:—Until the directors are elected, the signers

DOMESTIC CORPORATIONS

Management
prior to
election of
Directors

of the certificate of incorporation shall have the direction of the affairs and of the organization of the corporation, and may take such steps as are proper to obtain the necessary subscriptions to stock and to perfect the organization of the corporation, including the election of directors.

Section 3. That Section 10 of said Chapter 65 of said Revised Code, being sub-division 1924 of said Code, be and the same is hereby amended by striking out the first paragraph of said Section and inserting in lieu of said paragraph so stricken out the following:

Officers

Sec. 10. OFFICERS; FAILURE TO ELECT NOT TO DISSOLVE CORPORATION; VACANCIES: — Every corporation organized under this Chapter shall have a President, Secretary and Treasurer, who shall be chosen by the directors or stockholders, as the by-laws may direct; and shall hold their offices until their successors are chosen and qualified; the President shall be chosen from among the directors; the Secretary shall record all the proceedings of the meetings of the corporation and directors in a book to be kept for that purpose, and perform such other duties as shall be assigned to him; the Treasurer may be required to give bond in such sum and with such surety or sureties as shall be provided by the by-laws, for the faithful discharge of his duty.

Treasurer to
give Bond

Section 4. That Section 12 of said Chapter 65 of said Revised Code, being sub-division 1926 of said Code, be and the same is hereby amended by striking out the whole of said Section 12 and inserting in lieu of said section so stricken out the following:

By-Laws

Sec. 12. BY-LAWS:—The original by-laws of a corporation may be adopted by the incorporators. Thereafter, the power to make, alter or repeal by-laws shall be in the stockholders, but any corporation may, in the certificate of incorporation, confer that power upon the directors.

DOMESTIC CORPORATIONS

Section 5. That Section 17 of said Chapter 65 of said Revised Code, being sub-division 1931 of said Code, be and the same is hereby amended by striking out the second paragraph of said Section and inserting in lieu of said paragraph so stricken out the following:

The Board of Directors shall have power to close the stock transfer books of the corporation for a period not exceeding fifty days preceding the date of any meeting of stockholders or the date for payment of any dividends 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 fifty 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.

Power of
Directors to
Close stock
transfer
books

Record date
fixed by By-
Laws or by
Board of
Directors

Section 6. That Section 18 of said Chapter 65 of said Revised Code, being sub-division 1932 of said Code, be and the same is hereby amended by striking out the second paragraph of said Section and inserting in lieu of said paragraph so stricken out the following:

DOMESTIC CORPORATIONS

Deposit of
stock with
Trustee for
Voting
purposes

Filing Copy
of agreement

New
Certificates to
Trustees

Voting by
proxy or in
person

Responsibility
of Voting
Trustee

When
manner of
Voting
determined by
majority of
Trustees

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 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. Such agreement may contain any other lawful provisions not inconsistent with said purpose. 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.

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Section 7. That Section 25 of said Chapter 65 of said Revised Code, being sub-division 1939 of said Code, be and the same is hereby amended by striking out the whole of said Section and inserting in lieu of said Section so stricken out the following:

Sec. 25. AMENDMENT OF CERTIFICATE OF INCORPORATION BEFORE PAYMENT OF ANY CAPITAL:

It shall be lawful for the incorporators of any corporation, before the payment of any part of its capital, to file with the Secretary of State an amended certificate or certificates, duly signed by the incorporators named in the original certificate of incorporation, and duly acknowledged in the manner in this Chapter required for certificates of incorporation, in this Chapter heretofore provided for, modifying, changing or altering its certificate of incorporation in whole or in part; and said Secretary of State shall furnish a certified copy of any such certificate under his hand and seal of office, and said certified copy shall be recorded in the office of the Recorder of the county in which its original certificate of incorporation was recorded; any such amended certificate shall take the place of the certificate of incorporation, and shall be deemed to have been filed and recorded on the date of the filing and recording of the original certificate; provided, however, that nothing herein contained shall permit the insertion of any matter not in conformity with the provisions of this Chapter.

Amendment of
Certificate of
Incorporation
before
payment of
any Capital

Section 8. That Section 26 of said Chapter 65 of said Revised Code, being sub-division 1940 of said Code, be and the same is hereby amended by striking out from said Section the paragraph thereof numbered "1." and inserting in lieu of said paragraph so stricken out the following new paragraph numbered "1.":

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

Directors to
adopt
Resolution
regarding
amendment

DOMESTIC CORPORATIONS

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 the 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 is to be taken by classes, as herein 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 persons 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

Notice

Voting by stockholders

Judges

Certificate showing vote delivered to Secretary of State

Certificate of Adoption

DOMESTIC CORPORATIONS

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 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 preferences, special rights or powers 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 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

Filed in
Office of
Secretary
of State
Recording

Voting by
classes of
stock if
interests
affected
adversely

Authorized
stock of Class
or Classes
increased or
decreased—
How

DOMESTIC CORPORATIONS

affirmative vote of the holders of a majority of such class or classes of stock.

Section 9. That Section 27 of said Chapter 65 of said Revised Code, being sub-division 1941 of said Code, be and the same is hereby amended by striking out the whole of said Section 27 and inserting in lieu of said Section so stricken out the following:

Sec. 27. RETIREMENT OF PREFERRED STOCK:—

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 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 such shares redeemed or purchased for retirement by the application of assets in excess of capital, and any shares of the corporation surrendered to it on the conversion or exchange

Status of
shares
redeemed

DOMESTIC CORPORATIONS

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 re-issue of such shares, the authorized capital stock of the corporation of the class 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.

Status of
shares
redeemed

Proviso

Whenever any such shares shall be redeemed or purchased, pursuant to the provisions of this Section, whether by the application of capital or assets in excess of capital, 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 thereof represented by the shares so redeemed or purchased 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 re-issued, 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.

Certificate
regarding
shares
redeemedCertificate
filed and
RecordedCapital
ReducedDirectors may
amend
Certificate of
Incorporation
if entire Class
of stock
redeemed

DOMESTIC CORPORATIONS

Rights under
Section 19 not
limited

Nothing in this Section shall be construed as limiting the exercise of the rights given by Section 19 of this Chapter.

Section 10. That Section 39 of said Chapter 65 of said Revised Code, being sub-division 1953 of said Code, be and the same is hereby amended by striking out the first paragraph of said Section and inserting in lieu of said paragraph so stricken out the following:

Dissolution

Proceedings
(c)

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 in the State of Delaware, 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 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,

DOMESTIC CORPORATIONS

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 was situated the principal office in the State of Delaware of the dissolved corporation. 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.

Proceedings
for
Dissolution

Charge

Section 11. That Section 69 of said Chapter 65 of said Revised Code, being sub-division 1983 of said Code, be and the same is hereby amended by striking out the whole of said Section 69 and inserting in lieu of said Section so stricken out the following:

Sec. 69. LOST OR DESTROYED STOCK CERTIFICATES; ISSUANCE OF NEW:—Every corporation organized under this Chapter may issue a new certificate of stock in the place of any certificate theretofore issued by it, alleged to have been lost or destroyed, and the directors may, in their discretion, require the owner of the lost or destroyed certificate, or his legal representatives, to give the corporation a bond sufficient to indemnify the corporation against any claim that may be made against it on account of the alleged loss of any such certificate; a new certificate may be issued without requiring any bond when, in the judgment of the directors it is proper so to do; when any such corporation shall have refused to issue a new certificate of stock in place of one theretofore issued by it, or by any corporation of

New stock
Certificate
for one lost or
Destroyed

DOMESTIC CORPORATIONS

Application to
Superior Court
upon refusal
to issue new
Certificate
of stock

which it is the lawful successor, alleged to have been lost or destroyed, the owner of the lost or destroyed certificate or his legal representatives, may apply to the Superior Court of the State of Delaware in and for the County in which the principal office of the corporation is located for an order requiring the corporation to show cause why it should not issue a new certificate of stock in place of the one so lost or destroyed; such application shall be by petition duly verified, in which shall be stated the name of the corporation, the number and date of the certificate, if known or ascertainable by the petitioner, the number of shares of stock named therein and to whom issued, and a statement of the circumstances attending such loss or destruction; thereupon said Court shall make an order requiring the corporation to show cause at a time and place therein mentioned, why it should not issue a new certificate of stock in place of the one described in the petition; a copy of the petition or order shall be served upon the president or other head officer of the corporation, or on the cashier, secretary, treasurer or any director thereof personally or left at the principal office or place of business of the corporation in this State at least five days before the time designated in the order.

Approved April 9, 1931.

CHAPTER 130

DOMESTIC CORPORATIONS

AN ACT Amending 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 each House concurring therein):

Section 1. That Section 27 of said Chapter 65 of said Revised Code, being sub-division 1941 of said Code, as amended, be and the same is hereby amended by striking out the whole of said Section 27 and inserting in lieu of said Section so stricken out the following:

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, but in the case of shares subject to redemption, at not exceeding the price or prices at which the same may be redeemed, or (3) at any time or from time to time, by resolution of the Board of Directors, retire any such shares redeemed or purchased out of surplus. 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

Retirement of
Preferred
Stock

Amounts
applicable to
redemption

DOMESTIC CORPORATIONS

be made out of 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.

Status of
shares
redeemed,
purchased,
converted

Proviso

Any such shares so redeemed or purchased by the application of capital or otherwise retired pursuant to the provisions of this Section shall, upon the filing of the certificate hereinafter in this Section provided for, 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, after such conversion or exchange, 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 to which such shares belong shall, upon such redemption, purchase, retirement, 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, retired, converted or exchanged or, if such shares are without par value, to the extent of the total number of such shares.

Certificate
regarding
redemption,
purchase of
shares of
stock

Capital of
Corporation
reduced

Whenever any capital of the corporation is applied to the redemption or the purchase of shares or any shares are retired pursuant to the provision 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 acknowledgment 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

DOMESTIC CORPORATIONS

thereby be reduced by the amount thereof so applied to such redemption or purchase or the amount thereof represented by the shares so redeemed or purchased, whichever shall be greater, or, in the case of shares redeemed or purchased out of surplus and so retired, by the amount of capital represented by the shares so retired, without the necessity of any other proceedings under any other Section of this Chapter. If the shares so redeemed or purchased or retired 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 retired or surrendered and on the filing and recording of such certificate the Certificate of Incorporation shall be deemed to be amended accordingly.

Certificate of
Incorporation
amended by
Directors

Nothing in this Section shall be construed as limiting the exercise of the rights given by Section 19 of this Chapter, or as in any way affecting the right of any corporation to resell any of its shares theretofore purchased or redeemed out of surplus for such consideration as shall be fixed from time to time by the Board of Directors.

Resale of
shares
purchased or
redeemed

Approved April 22, 1931.

CHAPTER 131

BANKS

AN ACT to Amend an Act Entitled "An Act in Relation to Banks, Savings Societies, and Trust Companies, and Regulating the Conduct of their Business, and Prescribing Certain Powers and Duties for the State Bank Commissioner", being Chapter 103 of Volume 32 of the 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 the Act entitled "An Act in relation to Banks, Savings Societies, and Trust Companies, and regulating the conduct of their business, and prescribing certain powers and duties for the State Bank Commissioner", being Chapter 103 of Volume 32 of the Laws of Delaware, be and the same is hereby amended by inserting before Section 19 of said Act a new Section as follows:—

Merger,
consolidation
—taking over
assets,
assuming
liabilities of
Banks, must
have approval
of State
Bank
Commissioner

"Section 18B. It shall be unlawful for any bank or trust company doing business in this State to merge or consolidate with any other bank or trust company or to take over any substantial portion of the assets of and/or to assume the liabilities, in whole or in part, of any other bank or trust company (whether said other bank or trust company is then doing business or has ceased to do business or has surrendered its charter or has dissolved) unless and until such action shall be approved by the State Bank Commissioner, and the said Commissioner is hereby authorized to require that he be furnished with such information as to the said assets and liabilities and as to the condition of the banks or trust companies concerned as he shall deem necessary or proper to determine whether to give or withhold his approval.

When Bank
Commissioner
to refuse
approval

It shall be the duty of the State Bank Commissioner to refuse his approval whenever in his opinion the transaction

BANKS

will weaken or tend to weaken any bank or trust company concerned.

No title to any property shall pass where the transaction is in violation of the provisions of this Section.

Title to
property not
to pass if
transaction
violates
Section

Approved April 25, 1931.

CHAPTER 132

BANKS

AN ACT to Amend An Act Entitled "An Act in Relation to Banks, Savings Societies, and Trust Companies, and Regulating the Conduct of their Business, and Prescribing Certain Powers and Duties for the State Bank Commissioner", being Chapter 103 of Volume 32 of the 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 the Act entitled "An Act in relation to Banks, Savings Societies, and Trust Companies, and regulating the conduct of their business, and prescribing certain powers and duties for the State Bank Commissioner", being Chapter 103 of Volume 32 of the Laws of Delaware, be and the same is hereby amended by inserting after Section 18 of said Act a new Section as follows:—

Insufficient
proportion of
Bank's assets
in Cash

State Bank
Commissioner
to notify
Directors

Failure of
Directors to
carry out
requirements

"Section 18A. Whenever the State Bank Commissioner shall be satisfied from his examination of any bank or trust company (other than savings banks and savings societies) that such bank or trust company has an insufficient proportion of its assets in cash and securities readily convertible into cash, he shall so notify the Board of Directors of such bank or trust company, and thereupon it shall be the duty of the said Board of Directors to carry out the requirements of the State Bank Commissioner in that behalf, and upon their failure to do so within such time as the said State Bank Commissioner shall consider reasonable, he shall report the matter to the stockholders of the said bank or trust company either at a regular or special meeting and the said State Bank Commissioner is hereby vested with authority to call a special meeting of the stockholders for this purpose should he deem it advisable so to do. The said State Bank Commissioner may in his discretion report the

BANKS

matter also to the Governor of this State and to the President of the Delaware State Bankers Association.

Reports to
Governor and
Delaware
State
Bankers
Association

Nothing in this Section contained shall be deemed to limit or curtail the powers and duties of the State Bank Commissioner as provided in Section 9 of this Act."

Not to curtail
Powers and
Duties of
State Bank
Commissioner

Approved April 25, 1931.

CHAPTER 133

BUILDING AND LOAN ASSOCIATIONS

AN ACT to Amend an Act entitled "An Act in Relation to Building and Loan Associations and Regulating the business of Such Associations" being Chapter 107, Volume 32, Laws of Delaware, as amended.

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

Section 1. That Chapter 107, Volume 32, Laws of Delaware as amended be and the same is hereby further amended by adding at the end of Section 7 thereof the following:

Building and
Loan
Association
may borrow
money

"Any Building and Loan Association doing business within the bounds of this State may borrow money and secure the same by the issuance of certificates of indebtedness or other corporate obligations, provided that the amount borrowed shall not at any time exceed in the aggregate twenty-five per cent (25%) of the dues actually paid in on the shares of the Association, and shall not bear a higher rate of interest than six per centum (6%) per annum.

Proportion of
dues that may
be loaned on
real estate on
other than
first liens

No more than fifty per centum (50%) of the paid in dues of any Building and Loan Association doing business within the boundaries of this State shall be loaned on real estate security on other than first liens".

Section 2. That Section 9 of Chapter 107, Volume 32, Laws of Delaware, as amended, be and the same is hereby further amended by adding at the end of said Section the following:

Unlawful to
solicit for
Commission
any
subscription
to shares of
Building and
Loan
Association

"On and after July 1, 1931, it shall be unlawful for any person, persons, firm, corporation or copartnership to solicit, within the bounds of this State, for a commission any subscription to shares of a Building and Loan Association

BUILDING AND LOAN ASSOCIATIONS

whether existing under the laws of this State or any other State. Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished with a fine of not less than One Hundred Dollars and costs for each offense and in default of payment of such be imprisoned for each offense for a term not exceeding thirty (30) days." Penalty for violation

Section 3. That Section 11 of said Chapter 107, Volume 32, Laws of Delaware, as amended, be and the same is hereby further amended by striking out all of said Section 11 and inserting in lieu thereof the following:

Section 11. Every Building and Loan Association existing under the laws of this State, or any other State, and doing business within the boundaries of this State, shall annually, at the end of its fiscal year, furnish to the State Bank Commissioner, a detailed statement of its condition at the close of its last fiscal year, giving a full detailed statement showing the gross amount of dues, interest, premiums, fines, repayments and other funds received and collected by such Association for the said fiscal year, and the amount of its earnings, and its aggregate assets and liabilities at the close of said fiscal year, and any other information that the said State Bank Commissioner may request, and which said statement shall be verified by the oath or affirmation of the President and Secretary, duly administered by some person authorized by the laws of the State to administer oaths. The State Bank Commissioner may, in his discretion, one time within every fiscal year of any Building and Loan Association existing under the laws of this State, or any other State, and doing business within the boundaries of this State, require any such Building and Loan Association to issue, as a part of the annual statement of said Association, a list, by book number, of all accounts in arrears or in advance, or/in the case of Building and Loan Associations of the kind commonly designated and described as being organized under the permanent or Dayton plan, Building and Loan Association must furnish annual report of condition to State Bank Commissioner

State Banking Commissioner may require annual statement of accounts

Statement of accounts when organized under Dayton plan

BUILDING AND LOAN ASSOCIATIONS

Expense

may require the confirmation of the accounts of all members, said confirmation to set forth the credit balance of each of said members as the same is shown upon the books of said Building and Loan Associations upon a day selected by said State Bank Commissioner. The expense of issuing said list shall be paid entirely by each individual Building and Loan Association.

Section 4. That Section 19 of Chapter 107, Volume 32, Laws of Delaware, as amended, be and the same is hereby further amended by striking out all of Section 19 and by inserting in lieu thereof the following:

Building and
Loan
Association
may set aside
Contingent
Fund out of
earnings

Section 19. It shall be lawful for a Building and Loan Association to set aside in its treasury, out of its earnings, a contingent fund which shall be used only for the purpose of paying losses and necessary expenses incurred in the maturing of any of its series of stock, and for the purpose of establishing and making equal, as nearly as may be, the time of maturing of all of said series. The funds so set aside may be invested as other funds of the Association.

Approved April 29, 1931.

CHAPTER 134

MUNICIPAL CORPORATIONS

AN ACT Granting to Municipalities and Counties of Delaware Authority to Acquire Land for Airports and Landing Fields.

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

Section 1. The legislative bodies of cities and incorporated towns in this State are hereby authorized and empowered to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate and regulate airports or landing fields for the use of air planes and other aircraft either within or without the limits of such cities and towns, and may use for such purpose or purposes any property suitable therefor that is now or may at any time hereafter be owned or controlled by such city or town.

Cities and
Towns may
acquire and
use land for
airports

Section 2. The Levy Court of any county in this State is hereby authorized and empowered to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate and regulate airports or landing fields for the use of airplanes and other aircraft within the limits of such counties, and may use for such purpose or purposes any property suitable therefor that is now or may at any time hereafter be owned or controlled by such county.

Levy Courts
may acquire
and use land
for airports

Section 3. Any lands acquired, owned, controlled, or occupied by such cities, towns or counties for the purposes enumerated in Sections 1 and 2 hereof shall and are hereby declared to be acquired, owned, controlled, and occupied for a public purpose and as a matter of public necessity, and such cities, towns or counties shall have the right to acquire property for such purpose or purposes under the power of eminent domain as and for a public necessity.

Right to
acquire land
by Eminent
Domain

MUNICIPAL CORPORATIONS

Purchase or
Condemnation
of private
land

Section 4. Private property needed by a city, incorporated town or county for an airport or landing field shall be acquired by purchase if such city, town or county is able to agree with the owners on the terms thereof, and otherwise by condemnation, in the manner next hereinafter provided:

Condemnation
proceedings

Whenever it shall be necessary to institute condemnation proceedings to acquire any land for the purpose of an airport or landing field as provided in this Act, the legislative body of any city or incorporated town or the Levy Court of any County, as the case may be, may apply to the Associate Judge of the State of Delaware, resident in the county where such land is located, for the condemnation thereof, and the said Resident Judge shall thereupon appoint five judicious and impartial freeholders residing in the city, town or county applying for such condemnation, to view the premises and assess the damages which the owner or owners, will sustain by reason of taking of the said lands for the purpose aforesaid. The freeholders shall be sworn or affirmed faithfully and impartially to perform the duties assigned them. They shall give ten days' notice, in writing to the owner or owners of the premises proposed to be condemned if within the State and also to such legislative body or Levy Court, as the case may be, of the time of their meeting to view the premises and assess damages. If the owner or owners reside outside of the State, or if under legal disability, and have no legal representatives in the State, publication of such notice shall be made in some newspaper in the county in which proceedings were instituted at least ten days prior to the date fixed for said meeting, and such publication shall be sufficient notice thereof. The said freeholders shall ascertain and assess damages to the owner or owners taking into consideration all circumstances of convenience or injury, but shall allow, at least, the cash value of the land taken, and shall certify their award to the owner or owners and also to the legislative body or Levy Court applying, and shall return a record of their proceed-

MUNICIPAL CORPORATIONS

ings, with their finding and award, to the Prothonotary of the County in which the proceedings are instituted. If the said freeholders shall be guilty of misconduct in their proceedings, or if they shall make a grossly improper award, the said Judge shall, on the application, set aside their award, and shall appoint other freeholders in their place, who shall proceed anew in the manner hereinbefore provided, and in like manner may set aside their finding or award, or the finding or awards of freeholders subsequently appointed for the purpose aforesaid, until a fair and equitable award has been made and accepted. The said Judge may substitute other freeholders in the place of any freeholder who for any reason may be unable to serve. When the final award has been made and accepted the proceedings shall be duly recorded by the Prothonotary. When the amount of damages has been ascertained the said legislative body of such city or incorporated town or said Levy Court, as the case may be, may pay, or tender the amount thereof within two months to the person or persons entitled thereto, or if, for any reason, payment cannot be made to the owner or owners, the amount of said damages may be deposited to the credit of the persons entitled thereto in the Farmers' Bank of the State of Delaware, at the county seat of the county in which said proceedings are instituted, and thereupon the said lands may be taken and occupied for the use and purpose for which said lands were condemned. The said freeholders shall be allowed three dollars per day for their services, which sum, together with other expenses of the condemnation proceedings, shall be paid by the legislative body or Levy Court applying.

Section 5. The power of eminent domain and the right of condemnation referred to in this Act shall extend to such land, contiguous and adjacent to said proposed airport or landing field, as may be necessary to render operations upon said airport or landing field efficient and free from hazard.

Right to
Condemn
extends to
contiguous
and adjacent
land.

Section 6. The legislative body of a city, incorporated

MUNICIPAL CORPORATIONS

town, and the Levy Court of any county which has established an airport or landing field and acquired, leased or set apart real property for such purposes may construct, improve, equip, maintain and operate the same, or may vest jurisdiction for the construction, improvement, maintenance and operation thereof, in any suitable officer, board, or body of such city, town or county, or may lease the same to any person or corporation on such terms and conditions, as it may deem proper. The expenses of such construction, improvement, equipment, maintenance and operation shall be a city, town or county charge as the case may be. The legislative body of a city, incorporated town, and the Levy Court of any county may adopt regulations and establish fees or charges for the use of such airports or landing fields, or may authorize an officer, board or body of such city, town or county having jurisdiction to adopt such regulations and establish such fees or charges, subject, however, to the approval of such legislative body or Levy Court before they shall take effect.

Construction
and operation
of Landing
field

Expenses

Regulations
and Fees

Necessary
funds may be
raised by
taxation

Section 7. The legislative body of a city, incorporated town, or the Levy Court of a county to which this Act is applicable may annually appropriate and cause to be raised by taxation in such city, town or county, a sum sufficient to carry out the provisions of this Act.

Approved April 6, 1931.

CHAPTER 135

THE CITY OF WILMINGTON

AN ACT to Amend an Act Entitled "An Act in Relation to the Streets and Sewers of the City of Wilmington" being Chapter 188, Volume 18, Laws of Delaware.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the Members Elected to Each Branch of the Legislature concurring therein):

Section 1. That Chapter 188, Volume 18, Laws of Delaware, entitled "An Act in Relation to the Streets and Sewers of the City of Wilmington", as amended, be and the same is hereby further amended by adding at the end of Section 1 thereof the following new section, to be known as Section 1 a:

"Section 1 a. The Board of Directors of the Street and Sewer Department of The Mayor and Council of Wilmington shall have power to accept the voluntary surrender of any franchises, privileges or licenses or of any part thereof or of any interest therein relating to the use of the streets and highways of the City of Wilmington, whether such franchise, privilege or license shall have been originally granted by the said Department or by the Council or by the General Assembly. Any such surrender of any such franchise, privilege or license by any public utility as defined in Section 4 of Chapter 206, Volume 26, Laws of Delaware, shall, before becoming effective, be approved by the Board of Public Utility Commissioners for the City of Wilmington."

Surrender of
Franchises,
privileges or
licenses,
relating to
use of streets
in Wilmington

Approved March 16, 1931.

CHAPTER 136

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, as amended.

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

Section 1. That Section 9 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, as amended, be and the same is hereby repealed and the following substituted in lieu thereof:

Enforcement of payment of lien created by paving and improving public streets in Wilmington

Section 9. Proceedings for the enforcement of the payment of the amount of the said lien may be begun by the direction of the Board of Directors of the Street and Sewer Department at any time after the expiration of one year from the date of the bill; and such proceedings shall be in accordance with the provisions for the collection of delinquent taxes for the City of Wilmington in an Act entitled "An Act Providing for the Collection of Taxes for the City of Wilmington", being Chapter 119, Volume 28, Laws of Delaware, approved March 11, 1915, as amended; or, under the provisions of Chapter 143, Volume 36, Laws of Delaware, approved March 25, 1929.

To apply only to Liens Created after approval of this Act

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 9 heretofore existing and by this Act repealed will continue in full force and ef-

THE CITY OF WILMINGTON

fect in respect to all liens created or laid prior to the approval of this Act, except that nothing in this Act contained shall be deemed to prevent the collection of said liens under the provisions of Chapter 143, Volume 36, Laws of Delaware, aforesaid.

Prior Law to
apply to prior
liens
Exception

Approved March 19, 1931.

CHAPTER 137

THE CITY OF WILMINGTON

AN ACT to Amend an Act entitled "An Act to Establish a Board of Water Commissioners for the City of Wilmington and for Other Purposes".

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 200 of Volume 26, Laws of Delaware, entitled "An Act to Amend an Act Entitled 'An Act to Establish a Board of Water Commissioners for the City of Wilmington and for other purposes'" (being Chapter 205, Volume 17, Laws of Delaware), be and the same is hereby repealed.

City of
Wilmington
may
distribute
water within
ten miles of
boundary

Section 2. The City of Wilmington, through the agency of the Board of Water Commissioners, in addition to the power and authority which it now has to distribute water within the corporate limits of said City, may, in its discretion distribute said water throughout all of that territory included within ten miles of the boundary thereof.

Board of
Water
Commissioners
to have
charge of
distribution

Section 3. The Board of Water Commissioners shall determine the person or persons, firm or firms, corporation or corporations, to which it shall distribute water throughout said territory included within ten miles of the boundary of said corporate limits; shall fix the rates therefor; shall regulate the use of said water, and shall supply the same upon such terms and conditions as may be agreed upon by said person or persons, firm or firms, corporation or corporations, and the said Board of Water Commissioners.

City to have
same power of
distribution
as within
City limits

Section 4. The said City, by and through the agency aforesaid, shall have and exercise all of the powers and authority necessary to the accomplishment of said distribu-

THE CITY OF WILMINGTON

tion of water throughout the territory included within ten miles of the boundary of said corporate limits as it now has and possesses in the installation, operation and maintenance of its water system in the City of Wilmington and in the distribution by it of water in the City of Wilmington, including the authority and power to acquire by purchase or condemnation, such land and property as may be necessary therefor.

Power to
acquire
property by
Condemnation

Approved March 23, 1931.

CHAPTER 138

THE CITY OF WILMINGTON Y. M. C. A.

**AN ACT to Authorize and Direct the Mayor and Council of
Wilmington to Exempt from Taxation Certain Lands,
Buildings and Improvements owned by the Young Men's
Christian Association of Wilmington, Delaware.**

WHEREAS, under date of February 1, A. D. 1928, the Young Men's Christian Association of Wilmington, Delaware, became duly seized in fee of a tract of land lying on the Westerly side of Washington Street between Eleventh and Twelfth Streets; and thereafter, to-wit, on the fifteenth day of March A. D. 1929, granted and conveyed to The Mayor and Council of Wilmington a certain part or portion of said tract of land, to-wit, a strip lying along said Westerly side of Washington Street between Eleventh and Twelfth Streets, three hundred feet three inches in length along Washington Street and ten feet in depth on Eleventh and Twelfth, for the purpose of enabling The Mayor and Council of Wilmington to widen Washington Street; and

WHEREAS, said conveyance of said strip of land was made by said Young Men's Christian Association without any monetary consideration but upon the understanding that the remaining portion of said tract of land held by said Association including a part thereof held for investment, should thereafter be exempt from all taxation by The Mayor and Council of Wilmington; and

WHEREAS it subsequently appeared that such exemption could not be granted under existing laws; and

WHEREAS, the value of said strip of land so conveyed to The Mayor and Council of Wilmington is the sum of Sixteen Thousand Two Hundred and Eighty Dollars (\$16,280.00); NOW, THEREFORE,

THE CITY OF WILMINGTON Y. M. C. A.

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

Section 1. That The Mayor and Council of Wilmington be and it is hereby authorized and directed to exempt from municipal taxation that portion of the tract of land first above described which is held by said Association for investment, to-wit, a portion of said land extending approximately two hundred feet on Twelfth Street and one hundred feet in depth on Washington Street together with all buildings and improvements now or hereafter to be erected thereon.

Y. M. C. A.
Property
exempt from
municipal
taxation

Section 2. Such exemption shall continue until the accumulated annual taxes which but for this Act would be levied by The Mayor and Council of Wilmington upon said portion of said land together with buildings and improvements described in Section 1 hereof, amount to the sum of Sixteen thousand two hundred and eighty Dollars (\$16,280.00), at which time said exemption shall cease.

How long
exempt

Section 3. Nothing herein contained shall be construed to impair the force and effect of the exemptions now existing under 1098 Section 1 of Chapter 44 of the Revised Code of the State of Delaware, as amended.

Certain other
exemptions
not affected

Approved March 26, 1931.

CHAPTER 139

THE CITY OF WILMINGTON

AN ACT to Amend "An Act Creating a Department of Public Safety for the City of Wilmington and Prescribing Its Powers and Duties", Being Chapter 111, Volume 32, Laws of Delaware.

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

SECTION 1. That Section 10 of Chapter 111, Volume 32, Laws of Delaware, be and the same is hereby amended by striking out said Section and inserting in lieu thereof the following:

Additional
powers of
Board of
Police
Commissioners
over police
force

"SECTION 10. In addition to the powers heretofore conferred upon the Board of Police Commissioners of the City of Wilmington, the said Directors of the Department of Public Safety shall have power to appoint a Superintendent of Public Safety and such number of officers, agents, members and employees of the Department, fill vacancies therein and fix and regulate the salaries or compensations of all such agents, members and employees. The said Directors shall have full power to make such rules and regulations as they may deem necessary for the proper control and management of said Department and government of its officers, agents, members and employees, and they shall have full authority to enforce such rules and regulations by any lawful means. The said Department shall have authority to make rules and regulations authorizing deductions from the pay of members of the Department because of absences other than for vacations or by permission, provided such deductions shall in no case be greater than one-half the per diem. rate based on a thirty day month. The Department shall have power, after competent medical investigation, to order a member of the Department placed on the pension list in accordance with the laws governing the payment of

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pensions to members of the Department as established by Chapter 113, Volume 32, Laws of Delaware, and by amendment thereto; and also Chapter 118, Volume 33, Laws of Delaware and by amendment thereto: Subject to the Pension Laws above mentioned the Department shall have power to dismiss a member from the Department when, after competent medical investigation, a member is certified to as physically unfit. The competent medical investigation shall be made by a board of physicians, consisting of the Surgeon for the Department of Public Safety of the City of Wilmington, the family physician of said Police Officer or Fireman, and a third reputable physician of the City of Wilmington to be selected by the other members of said Board; said Board shall report in writing to the Directors of the Department of Public Safety the result of said physical examination together with a statement as to how far, in the opinion of said Board, the police Officer or Fireman examined is incapacitated from performing regular active duty in said Department. Upon the receipt of said report of said Board of Physicians, the Directors of the Department of Public Safety may take such action as they deem advisable based on the result of the medical investigation.

Pensions to
members of
DepartmentDismissal for
physical
unfitnessMedical
InvestigationReport of
examination

SECTION 2. That said Chapter 111, Volume 32, Laws of Delaware, be further amended by adding at the end thereof a new Section to be known as Section 17:

"SECTION 17. For all work and labor hereafter required to be done and goods, chattels, wares, merchandise, materials, tools and machinery to be furnished or had and used by or for the account of the said Department, where the cost in any particular case will probably exceed the sum of One Hundred Dollars, the Department shall publicly invite sealed proposals for the doing of such work and the furnishing of such goods, chattels, wares, merchandise, materials, tools and machinery and give the contract to the lowest responsible bidder or bidders; provided that the Board shall have authority to reject any and all bids and

Bids received
for goods and
supplies.
When

THE CITY OF WILMINGTON

Supplies
purchased
without bids
in emergency

may require from all or any of the bidders security for the faithful performance of their contract; provided, further, that when the said Department shall by unanimous action declare that an emergency exists it shall have power to make purchases of such goods, chattels, wares, merchandise, materials, tools and machinery not in excess of the sum of Five Hundred Dollars in any particular case without inviting such proposals."

SECTION 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 30, 1931.

CHAPTER 140

THE CITY OF WILMINGTON

AN ACT to Authorize the Board of Directors of the Street and Sewer Department of the City of Wilmington to Have Full Power and Authority Over All Trees Planted and to be Planted in Any of the Streets, Highways, Lanes and Alleys of the Said City, and to Cause the Removal of Trees Dangerous to Public Travel on Said Streets or Injurious to Sidewalks, Curbs, Sewers or Drains at the Expense of the Property Owner thereof, and to Appoint a City Forester and Other Employees and Assistants as May be Necessary.

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

SECTION 1. That the Board of Directors of the Street and Sewer Department shall have full power and authority over all trees planted and to be planted in the streets, highways, lanes and alleys in the City of Wilmington, including the right to plant new trees and to care for the same and to remove trees, living or dead, and to train, spray and otherwise care for such trees.

Street and
Sewer
Department
to have
Control over
trees

SECTION 2. Whenever in the opinion of the Board of Directors of the Street and Sewer Department any tree, or part thereof, living or dead, in any of the streets, highways, lanes or alleys of the City of Wilmington becomes defective or dangerous to public travel on such streets, highways, lanes or alleys, or injurious to sidewalks, curbs, sewers or drains, the said Directors of the Street and Sewer Department shall have power to cause a notice to be served upon the property owner in front of whose property such tree exists, requiring the property owner, within a time therein stated, which time shall be not less than three (3) days, to cause said tree or trees to be removed, and the ground or sidewalk whereon said tree existed to be restored to a condi-

Removal of
Trees

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Fallure of
Property
owner to
remove trees

Notice

tion equal to the adjoining ground or sidewalk, at the expense of said property owner. In case such property owner shall fail to cause the removal of any such tree or trees as required by such notice, the Directors of the Street and Sewer Department shall have power to cause the same to be removed and shall charge the cost of same to said property owner, and may recover the same in any appropriate action in any Court of competent jurisdiction. Service of said notice may be made by leaving a copy thereof upon the premises, if same is occupied, or by posting a copy thereof upon the premises, if unoccupied, or forwarding a copy thereof by letter, duly stamped, sealed and registered, addressed to the occupant of the premises or the owner thereof, and the registered receipt, signed by such occupant or owner, shall be sufficient evidence of the service of such notice.

City Forester

SECTION 3. The Board of Directors of the Street and Sewer Department of the City of Wilmington is authorized to appoint a City Forester and such other employees and assistants as may be necessary and to prescribe and define their respective duties and to fix the amount of their compensation. Such Forester shall be a man fully qualified and trained in the care and culture of trees.

Appropriation
for expenses
of work

SECTION 4. The Council shall every year grant to the Board of Directors of the Street and Sewer Department such sum of money as it shall require, and as to the said Council shall appear reasonable and just for planting, maintaining and caring for the trees of the City, for purchasing or raising new trees and for all other expenses contemplated by the foregoing Sections; provided, however, that the money so appropriated shall not be less than the sum of Three Thousand Dollars per annum, and shall be appropriated by the Council to the said Board of Directors of the Street and Sewer Department in addition to any other appropriation of money made to the said Board of Directors

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of the Street and Sewer Department for any and all other purposes.

SECTION 5. This Act shall take effect immediately after its passage and shall be deemed and taken to be a public Act, and all Acts and parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed.

Approved March 30, 1931.

CHAPTER 141

THE CITY OF WILMINGTON

AN ACT to Amend Section 1 of Chapter 112 of Volume 30, of the Laws of Delaware, Entitled "An Act in Relation to the Salary of the City Judge of the Municipal Court for the City of Wilmington."

Be it enacted by the Senate and House of Representatives of the State of Delaware (two-thirds of all the members elected thereto concurring therein) :

Salary of
City Judge of
Municipal
Court

Section 1. That Section 1 of Chapter 112 of Volume 30, of the Laws of Delaware, entitled, "An Act in Relation to the Salary of the City Judge of the Municipal Court for the City of Wilmington," be and the same is hereby amended by striking out the words "Four Thousand Dollars per annum," as they appear in the fourth line of said section, and inserting in lieu thereof the words "Five Thousand Dollars per annum."

Approved April 2, 1931.

CHAPTER 142

THE CITY OF WILMINGTON

BOARD OF HARBOR COMMISSIONERS

AN ACT to Amend Chapter 123, Volume 29, Laws of Delaware, as Amended by Chapter 112, Volume 32, Laws of Delaware, by Giving Additional Powers to the Board of Harbor Commissioners 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 concurring therein):

Section 1. That Chapter 123, Volume 29, Laws of Delaware, as amended by Chapter 112, Volume 32, Laws of Delaware, be and is hereby further amended by adding after the word "street" in line eleven of Section 20 thereof, the following words:—"or any lands owned by The Mayor and Council of Wilmington."

Additional
Powers to
Board of
Harbor
Commissioners

Approved April 9, 1931.

CHAPTER 143

THE CITY OF WILMINGTON

AN ACT to Amend An Act Entitled "An Act to Establish a Board of Water Commissioners for the City of Wilmington and for Other Purposes", Being Chapter 205, Volume 17, Laws of Delaware.

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

SECTION 1. That Section 4 of Chapter 205, Volume 17, Laws of Delaware, entitled "An Act to Establish a Board of Water Commissioners for the City of Wilmington and for Other Purposes", be and the same is hereby amended by striking out all of Section 4 of said Act and inserting in lieu thereof the following.

Compensation
of Board of
Water
Commissioners

Powers of
Board

Control of
Water Supply

SECTION 4. The Board of Water Commissioners shall be paid for their services yearly salaries, as follows, viz: To each the annual sum of Seven Hundred and Fifty Dollars (\$750.00) payable quarterly. The said city may, by the agency aforesaid, construct any aqueduct over or under any water course, street, road, or railroad, in such manner as not necessarily to obstruct travel thereon, and may enter upon and dig up any such street, road or railroad, for the purpose of laying down pipes beneath the surface, and for repairing the same, and, in general, do all things necessary and proper for carrying this Act into effect. The said Board of Water Commissioners shall have control of all matters relating to the water supply in the City of Wilmington, of the management and direction of the water works now existing, or hereafter to be constructed in connection therewith; shall have charge and supervision of all the mains, stop-cocks and fire hydrants and other fixtures appertaining to the distribution of water through the city, and of the collection of all revenue due, or to become due, to the City of Wilmington for water, or accruing to the said city

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on account of the water works thereof in virtue of any ordinances now existing, or of any rules and regulations hereafter to be passed by said board.

This Act shall take effect on the first day of July, A. D. 1931.

Approved April 22, 1931.

CHAPTER 144

THE CITY OF WILMINGTON

AN ACT to Appropriate Money for the Celebration of the Hundredth Anniversary of the Granting of the Charter of the City of Wilmington.

WHEREAS, by an Act of the General Assembly passed at Dover, January 18, 1832, the Corporation of the "Borough of Wilmington", was changed to that of the "City of Wilmington", it being the first City granted a corporate charter by Legislative Enactment in the State of Delaware; and

WHEREAS, the Public Officers and citizens of the said City of Wilmington are arranging for a celebration of the Hundredth Anniversary of the granting of the corporate creation of the said City of Wilmington by means of appropriate exercises, including pageants, erection of memorials, and public exhibitions, illustrating the growth of the said City from the time of its corporate creation; and

WHEREAS, the said celebration would largely include in its historical display a history of the State of Delaware, during the last one hundred years and thus render to all the citizens of the State valuable information and instruction; and

WHEREAS, a large proportion of the people from all over the State of Delaware will join in and be part of the said celebration; NOW, THEREFOR,

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

Appropriation
for
Celebration of
Hundredth
Anniversary
of Granting
of Charter of
Wilmington

SECTION 1. That the sum of fifty thousand dollars is hereby appropriated to be paid out of the Treasury of the said State upon the requisition and warrant duly signed by the Mayor of the City of Wilmington and the Treasurer of

THE CITY OF WILMINGTON

the Committee having in charge the centennial celebration of the corporate existence of the City of Wilmington and approved by the Governor for the purpose of helping to pay the cost of the said celebration.

Approved April 29, 1931.

CHAPTER 145

THE CITY OF WILMINGTON

AN ACT Empowering "The Mayor and Council of Wilmington" to Acquire Lands for Public Purposes Outside the Corporate Limits of the City of Wilmington.

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

Wilmington
may acquire
land outside
of City

Section 1. The Mayor and Council of Wilmington shall have power to acquire lands for public improvements within five miles from the boundary of the corporate limits of the City of Wilmington whenever the acquisition of such lands shall be necessary for a specific public improvement and the department or agency of The Mayor and Council of Wilmington having jurisdiction of such public improvement shall by proper resolution so request.

Condemnation
of land

Section 2. Whenever the said The Mayor and Council of Wilmington, acting through the agency of the department having jurisdiction of such specific public improvement, cannot agree with the owner or owners of any land, building, franchise, easement, sand, earth, stone, gravel or other property necessary to be taken or used in the construction, maintenance or repair of such public improvement, The Mayor and Council of Wilmington, acting through such department thereof, may apply to the Associate Judge of the State of Delaware resident in New Castle County, for the condemnation thereof under and in accordance with the provisions of Chapter 63, Volume 29, Laws of Delaware, being "An Act to Create a State Highway Department Establishing a System of State Highways and Providing for the Improvement and Maintenance Thereof, and the Appropriating and Borrowing Money Therefor", approved April 2, A. D. 1917, and The Mayor and Council of Wilmington, acting through such department, shall have the benefit of all the

THE CITY OF WILMINGTON

provisions of said Act relating to condemnation of property in so far as they are appropriate to such purposes.

Whenever any property shall be acquired by The Mayor and Council of Wilmington in any manner, the title to such property shall be in The Mayor and Council of Wilmington for the purpose for which it was acquired. <sup>Title to land
acquired</sup>

Approved April 29, 1931.

CHAPTER 146

THE CITY OF WILMINGTON

AN ACT Establishing and Fixing the Salaries of the Board of Directors of the Street and Sewer Department of the City of Wilmington.

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

Salary of
Board of
Directors of
the Street and
Sewer
Department

SECTION 1. That from and after the first day of July, A. D. 1931, the salary of the members of the Board of Directors of the Street and Sewer Department shall be Seven Hundred and Fifty Dollars (\$750.00) per annum, payable quarterly.

SECTION 2. All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed.

Approved May 6, 1931.

CHAPTER 147

THE CITY OF WILMINGTON

AN ACT to Amend An Act Entitled "An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington" Passed at Dover April 13, 1883, the Same Being Chapter 207, Volume 17, Laws of Delaware, as Amended by Chapter 129, 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 all the members elected to each house concurring therein:

SECTION 1. That Section 47 of said Chapter 129, Volume 29, Laws of Delaware, be and the same is hereby amended by striking out said Section 47 of said Act and inserting in lieu thereof the following.

SECTION 47. The salaries of the Councilmen shall be Seven Hundred and Fifty Dollars (\$750.00) per year; the President of "The Council" shall receive an additional sum of Two Hundred and Fifty Dollars (\$250.00) per year; and the Chairman of the Finance Committee of "The Council" shall receive an additional sum of Two Hundred and Fifty Dollars (\$250.00) per year, thus making the respective salaries of the President and the Chairman of the Finance Committee One Thousand Dollars (\$1,000.00) per year. The said salaries shall be paid as the salaries of other city officials are paid.

Salaries of
Councilmen.
President of
"The Council",
and Chairman
of the Finance
Committee

This Act shall take effect on the first day of July, A. D. 1931.

Approved May 6, 1931.

CHAPTER 148

BLADES

AN ACT to Amend Chapter 155, Volume 28, Laws of Delaware, Entitled "An Act to Incorporate the Town of Blades".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met: (two-thirds of all the members elected to each Branch thereof concurring therein):

SECTION 1. That Section 3, Chapter 155, Volume 28, Laws of Delaware be, and the same is hereby amended by adding thereto the following paragraph:

Alderman in
Town of
Blades

The Council of the Town of Blades shall annually in the month of March elect some citizen of the Town of Blades to serve as Alderman. The Alderman shall have all the powers of the Justice of the Peace within the Town, and shall have jurisdiction and cognizance of all breaches of the peace and other offenses in the said Town, so far as to arrest and hold to bail or fine and imprison offenders, and also of all fines, forfeitures and penalties which may be prescribed by any law of this State or by any ordinance of the Town Council regularly passed and established for the government of the Town, and also all neglects, omissions or defaults of any Town constable, collector, assessor, treasurer, Town Clerk or any other officer or person whose duty it may be to collect, receive, pay over or account for any money belonging to said Town, or to execute or enforce any law or ordinance thereof; provided that he shall not impose any fine exceeding Twenty-five Dollars or have jurisdiction in civil matters. His term shall expire on the fourth Saturday in March of each year.

Approved April 22, 1931.

CHAPTER 149

BRIDGEVILLE

AN ACT Authorizing the Commissioners of Bridgeville to Borrow Twenty Thousand Dollars (\$20,000.00), and to Issue Bonds Therefor for the Purpose of Paving or Otherwise Improving the Streets of the Said Town of Bridgeville.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met: (two-thirds of all the members elected to each Branch of the Legislature concurring therein):

Section 1. That the Commissioners of Bridgeville are hereby authorized and empowered to borrow on the credit of the said Town a sum of money not exceeding Twenty Thousand Dollars (\$20,000.00) to be used for the purpose of paving or otherwise improving the streets of the Town of Bridgeville.

Bridgeville
may borrow
money for
streets

Section 2. That the Commissioners of Bridgeville, for the purpose set forth in Section 1 of this Act, shall have full power and authority to issue bonds of the said Commissioners of Bridgeville, to be known as "Bridgeville Street Improvement Bonds" to an amount not exceeding the said sum of Twenty Thousand Dollars (\$20,000.00).

Commissioners
may issue
bonds

Section 3. The denomination of said bonds shall be as determined by the said Commissioners of Bridgeville, 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 office of the Baltimore Trust Company, at Bridgeville, Delaware, on the presentation of the coupons attached to such bonds, representing said semi-annual interest.

Denomination

How
numbered

Interest Rate

Payable Where

Section 4. Said bonds shall bear date on the First day

BRIDGEVILLE

of July or the First day of January in the year in which the same shall be issued, and the principal thereof shall be payable at the office of the Baltimore Trust Company, at Bridgeville, Delaware, when due, and the said bonds, or any of them, may be redeemed at the option of the said Commissioners of Bridgeville, and the Commissioners of Bridgeville shall have full power and authority to determine the denomination of the bonds, and the date or dates when said bonds shall become due.

Principal
payable whereBonds
redeemedAuthority of
Commissioners

Section 5. The Commissioners of Bridgeville 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.

Form of bonds

Section 6. The form of said bonds, with coupons thereto attached, shall be prescribed by the Commissioners of Bridgeville, and said bonds shall be signed by the President and attested by the Secretary of the Commissioners of Bridgeville, 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 Commissioners of Bridgeville shall direct.

Exempt from
taxesTaxation to
pay interest

Section 7. The said Commissioners of Bridgeville are hereby authorized and required to levy and raise, by taxation in each year upon all of the assessable property 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 Commissioners of Bridgeville are further authorized, empowered and required to levy and raise by taxation, from time to time, such sum or sums as said Commissioners of Bridgeville shall deem proper to establish a sinking fund not less than Fifteen Hundred Dollars (\$1500.00) per year for the redemption of said bonds

Sinking Fund

BRIDGEVILLE

at or before their maturity, or any other outstanding bonds of the Town of Bridgeville, said taxes shall be in excess of, and in addition to the sum or amount authorized to be raised by the said Commissioners of Bridgeville by any other Act; and shall be levied and raised upon assessable property in said Town as other taxes are now levied.

Section 8. The bonds authorized by this Act may be issued at one time and in one series, or at different times and in different series as the Commissioners of Bridgeville 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 Twenty Thousand Dollars (\$20,000.00).

Issuance of
Bonds

Section 9. The faith and credit of the said Commissioners of Bridgeville 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 County of Sussex and State of Delaware, and by posting notices in at least ten public places in the Town of Bridgeville, at least ten days before said election, which said advertisements and notices shall state the time and place of said 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 of voting in the said Town. At such election

Special
election before
issuance of
Bonds

BRIDGEVILLE

Subsequent
elections

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 Twenty Thousand Dollars (\$20,000.00), 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, until a subsequent election or elections shall be called, and at one of said elections said bond issue shall be approved by a majority vote in the Town of Bridgeville.

Treasurer to
give additional
Bond

Section 11. The Treasurer of the Commissioners of Bridgeville shall give an additional bond of Twenty Thousand Dollars (\$20,000.00), the premium of which shall be paid by the Commissioners of Bridgeville and said bond shall remain effective so long as the proceeds of the bond issue are retained by him.

Approved March 30, 1931.

CHAPTER 150

DOVER

AN ACT to Amend Chapter 158, Volume 36, Laws of Delaware Entitled, "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 all the members elected to each branch of the Legislature concurring therein):

Section 1. The City of Dover is hereby authorized and empowered to levy and collect by ordinance first duly adopted, occupational, mercantile, manufactory and amusement licenses, for the use of the said the City of Dover; and the benefits of all licenses and license fees, so derived, shall be for the sole use of the said the City of Dover.

Licenses in
the City of
Dover

Section 2. It shall be unlawful for any person, firm, or corporation to carry on any business within the City of Dover for which a license to conduct such business shall be a prerequisite without first having secured such license to carry on such business and shall have paid the required license fee.

Unlawful to
carry on
business
without
license

Section 3. Any person, firm, or corporation convicted of the violation of Section 2 hereof shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined such sum as shall be provided for in the ordinance providing for such license, provided, that for no single violation shall the fine be in excess of One Hundred Dollars (\$100.00).

Penalty for
violation

Approved March 23, 1931.

CHAPTER 151

DOVER

AN ACT to Amend Chapter 158, Volume 36, Laws of Delaware, Entitled, "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 all the members elected to each branch of the Legislature concurring therein):

Section 1. That Section 44 of Chapter 158, Volume 36, Laws of Delaware, being "An Act Changing the Name of The Town of Dover, To The City of Dover, and Establishing a Charter Therefor", be and the same is hereby amended by striking out in the first line of said Section 44, the word "February" and inserting, in lieu thereof, the word "June".

Section 2. That Section 44 of Chapter 158, Volume 36, Laws of Delaware, being "An Act Changing the Name of The Town of Dover to The City of Dover, and Establishing a Charter Therefore", be and the same is hereby amended by striking out the word "March" in the second line of the last paragraph of said Section 44 and inserting in lieu thereof the word "July".

Approved March 23, 1931.

CHAPTER 152

DOVER

AN ACT to Amend Chapter 158, Volume 36, Laws of Delaware, Entitled "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 all the members elected to each branch of the Legislature concurring therein):

Section 1. That Section 28, Chapter 158 of Volume 36, Laws of Delaware, entitled "An Act Changing the Name of The Town of Dover to the 'City of Dover', and establishing a charter therefor", be and the same is hereby amended by striking out all of Section 28 and inserting in lieu thereof a new Section, to be known as Section 28 as follows:

Section 28. The Council shall have power to pave or repave, or to cause to 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.

Power of the
Council to
pave streets

The power hereby conferred shall be exercised in the following manner, to wit:

SIDEWALKS

A—The City Council, at such time as it shall determine that the condition or conditions of a particular street or streets, or portion thereof, requires that sidewalks be laid, or that the sidewalks then existing, if there be sidewalks laid, should be improved, or upon the petition of a majority of persons owning property along any of the streets, or a portion of any of the streets of the said City, asking that the sidewalks abutting on said street or streets,

How Power
exercised
respecting
sidewalks

DOVER

be improved, or that sidewalks be laid where there are none at the time of the filing of the petition, may direct the property owner or owners to lay or replace sidewalks with such material or materials, as, in the judgment of the said Council of the City of Dover, may seem best under the circumstances.

Duty of City
Manager
regarding
notices

It shall be the duty of the City Manager to give at least 15 days notice in writing to the owner or owners of the property affected by the action of the said Council. Said notices shall be served in the manner following: a copy thereof shall be delivered personally to the owner or owners of said property, or a copy thereof shall be left with the tenant in possession of the property, or a copy thereof shall be sent by registered mail to the last known post office address of the owner or owners of the said property or properties so effected. Service of such notice by either of said methods shall be sufficient to bind the owner or owners under the provisions of this Act.

Duty of owner
to make
improvements

It shall be the duty of the owner or owners, after notice shall have been given in either of the ways above designated, to forthwith cause the said sidewalks to be laid or the improvement or alterations thereof to be made, as directed in said notice.

City Manager
to have work
done when
owner fails to
do it

Upon the failure of the owner or owners to lay or cause to be laid or improved or altered, the sidewalks or portion thereof, according to the direction of said notice, it shall be the duty of the City Manager to cause the said sidewalks to be laid or altered or improved, as the case may be, according to the terms of such notice.

Cost assessed
against
property

The cost of such work shall be assessed against the property or properties affected and shall be payable by the owner or owners thereof, and the cost so assessed, shall be a lien upon the property, and shall be collected in the same

DOVER

manner as provided in Paragraph B, next hereinafter set forth for the collection of street improvement costs.

B—STREETS.

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 parts thereof on a named street or streets 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 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. 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

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each parcel of property affected shall be determined on the basis of the lineal frontage of the parcel on the street to be paved or repaved.

Payment

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 the time of payment shall not be less than twelve months 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.

Failure to pay

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.

Sale of Real Estate to pay Costs of street improvement

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.

Deed for property sold

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

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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. Such deed to vest title in the property

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. Proceeds from sale

The City Treasurer shall then deduct the amount that the owner of the property had failed to pay to the City as 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. Balance to owner

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 proceedings mentioned in this Section. Owner defined

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 Recitals in Deed

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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.

Approved April 25, 1931.

CHAPTER 153

FARMINGTON

AN ACT to Amend An Act Entitled "An Act to Incorporate The Town of Farmington" Being Chapter 194 of Volume 25 Laws of Delaware, as Amended, Changing the Voting Hours at Town Elections.

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

SECTION 1. That Section 4 of an Act entitled "An Act to Incorporate the Town of Farmington" being Chapter 194 of Volume 25, Laws of Delaware, as amended, be and the same is hereby further amended by striking out the first paragraph of Section 4 thereof, and by substituting in lieu thereof the following new paragraph.

"That the Commissioners herein named shall continue in office until the last Saturday in March, A. D. 1909 or until their successors are duly chosen and qualified. A town election shall be held on the last Saturday in March A. D. 1909, and on the same date in each and every year thereafter in the said Town of Farmington at the Schoolhouse therein, from the hour of seven o'clock P. M. until the hour of nine o'clock P. M. Any such election may be held by the President of the Town Council or any voter and two citizens chosen by the legally qualified voters present, at the opening of the polls, who shall be judges of the said election, and shall decide the legality of the votes offered.

Approved February 25, 1931.

CHAPTER 154

FELTON

AN ACT Authorizing "The Commissioners of Felton" to Borrow Money and Issue Bonds to Secure the Payment of the Same for the Purpose of Providing a Supply of Water for the Town of Felton.

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

Commissioners
of Felton
empowered to
borrow money
for water
supply

Bonds issued

Redemption of
Bonds

SECTION 1. That "The Commissioners of Felton", a municipal corporation of the State of Delaware, be and it is hereby authorized and empowered to borrow upon the credit of the said The Town of Felton a sum of money not exceeding the sum of Thirty Thousand (\$30,000.00) Dollars, which shall be applied, appropriated and expended for the purpose of erecting water works and furnishing the said town with an ample supply of water for domestic purposes and for the protection of said town against fire. That "The Commissioners of Felton", for the purpose of carrying into effect the provision of this Act shall have the power and authority and is hereby directed to issue bonds of such denominations as it, "The Commissioners of Felton" shall deem best, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually on the first day of July and January respectively, in each year at such bank or trust company as the said "The Commissioners of Felton" shall designate. The principal of such bonds shall be made payable in thirty years from the date of the issue thereof. The said "The Commissioners of Felton" of the Town of Felton shall reserve the power and authority to redeem said bonds, or any part of them, at the expiration of one year from the date of the issue of same; provided, however, that if the Town of Felton elects to redeem any of said bonds at the expiration of one year as aforesaid, such election shall be effected on the first day of July and January. In calling said bonds for redemption and payment they shall be called

FELTON

consecutively, commencing with the lowest number. The interest on all of the said bonds so called shall cease from the redemption thereof and said bonds when paid shall be cancelled. If at any time the aforesaid bonds are paid or called in, any owner or owners of any such bond or bonds shall offer the same for redemption, "The Commissioners of Felton" may, if it deem it expedient, redeem and pay the bond or bonds so offered and cancel the same, the interest thereon ceasing from the date of such redemption.

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 elections shall be given by advertisements posted in the same manner as notices for the town elections in said town are given, which said advertisements and notice shall state the time and place of 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 each taxable paying town taxes in the said town and whose taxes are paid in full, 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 for the purpose of this election residence shall not be a qualification to voting at said election. At said election, the ballots used shall have written or printed thereon the words "Against the bond issue" and the words "For 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 this Act provides, but if at such elections the borrowing of the said money shall not be approved by the majority of said votes at said special election, "The Commissioners of Felton" is authorized and directed to call other special elections at intervals of not less than six months thereafter to be held in like manner and for the same purpose. But no bonds shall be issued by the authority in this Act until a majority of the votes at some such election cast shall be for the bond issue.

Special
election
before
issuance
of bonds

Voting

Ballots

Other
elections

FELTON

Issuance
of bonds

SECTION 2. That the Town of Felton shall direct and effect the publication and printing of the bonds authorized by this Act, and shall prescribe the form of said bonds which shall be signed by the President of "The Commissioners of Felton" and countersigned by the Treasurer of the said "The Commissioners of Felton" and shall be sealed with the corporate seal of the said "The Commissioners of Felton" and shall be exempt from all State, County and municipal taxes. "The Commissioners of Felton" shall negotiate the sale and delivery of said bonds and the money arising from the sale of said bonds shall be placed in the hands of the Treasurer of the said "The Commissioners of Felton" to be used for the purpose of carrying into effect the provisions of this Act.

Taxation to
raise money
for interest
Charges

SECTION 3. "The Commissioners of Felton" is hereby authorized and required to levy upon all the assessable property within the limits of the said town annually a special tax sufficient to pay all the interest accruing on said bonds, which the rents and revenues derived from said water works may be inadequate to meet, provided that this special tax shall not exceed Three Thousand and Five Hundred (\$3500) Dollars in any one year. The said "The Commissioners of Felton" is hereby authorized and empowered to redeem any bonds as hereinabove provided from any funds remaining after the payment of the interest on the bonds herein provided for and the payment of all operation and maintenance charges. The treasurer of the said "The Commissioners of Felton" shall give additional bond with surety for such sum as "The Commissioners of Felton" may determine and approve.

Bonds
redeemed

Treasurer to
give additional
Bond

Commissioners
empowered to
do necessary
things to
secure water
supply

SECTION 4. "The Commissioners of Felton" is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said water works for furnishing the said Town of Felton with an ample supply of water as aforesaid, to purchase hose and hose carriages and such other instruments and

FELTON

machines for use in the suppression of fire as to said "The Commissioners of Felton" may seem expedient and to provide for the care and maintenance of the same and to purchase and erect boilers, pipes, and all such instruments, machines, appliances and supplies as may be necessary for the purpose of establishing said water works in the said Town of Felton and for furnishing the citizens and inhabitants of said town a supply of water for private and public use and to effect this option shall have power to lay pipes under and over or along any of the roads, streets, lanes or alleys of said town or any road adjacent thereto; and also to contract and agree with the owner or owners for the purchase of all lands which may be necessary for the purpose of carrying into effect the provisions of this Act.

If the owner or owners of said land or lands or any of them, shall refuse to permit "The Commissioners of Felton" to enter upon and occupy said land or lands for any purpose necessary as aforesaid, and if such owner or owners be unable or unwilling to contract and agree with the said "The Commissioners of Felton" upon the compensation to be paid for any real or supposed injury that may be done to said lands by occupation of any lands that may be necessary then "The Commissioners of Felton" shall have the power and authority to go upon said land or lands and they, or a majority of them, after viewing the same, may assess the damages of said owner or owners fairly or impartially under all the circumstances, and certify their finding or award in writing to the said owner or owners, or if such owner or owners be then residents within the said town to certify and award their finding to the tenant or owner of said real estate, but if there be no owner or tenant resident in said town, the said notice shall be affixed to the most conspicuous part of the premises which shall be as effectual as personal service of the same. If any owner be dissatisfied with the compensation or damages allowed by the said

Condemnation
of land

FELTON

Appeal

"The Commissioners of Felton" as aforesaid, he or she may, within five days after such notice as aforesaid, appeal from the said assessment of compensation or damages by serving written notice to that effect on the President or other presiding officer of "The Commissioners of Felton". In order to prosecute said appeal, such owner or owners shall, within five days after the expiration of the five days' notice to the said President or presiding officer of "The Commissioners of Felton" make written application to the Associate Judge of the Superior Court of this State, resident in Kent County, for the appointment of a commission to hear and determine the matter 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 Felton and one of whom shall be non-resident of the said town, commanding them to assess the damages which the owner or owners of said lands intended to be taken, occupied or used for the purpose of this Act, as aforesaid, (and who shall have notified said Commissioners of their intention to appeal) may sustain or incur by reason of such taking, use or occupancy, and make return of their proceedings to the said Associate Judge at the time therein specified. 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 or compensation as aforesaid, and shall make return in writing of their proceedings, in the premises to the Associate Judge, who shall deliver said return to the said "The Commissioners of Felton", which shall be final and conclusive. The said Associate Judge shall have power to fill any vacancy in the commission. The amount of damages being so ascertained, the said "The Commissioners of Felton" may pay or tender the same to the person or persons entitled thereto after the same shall be ascertained, or if the person or persons so entitled reside out of or absent from the said Town during the said period of one month, then the same may be deposited to his or her credit in any responsible bank or trust

FELTON

company within said time and thereupon said property or land may be taken, used or occupied for the purpose aforesaid. In the ascertainment of damages or compensation by the freeholders as aforesaid, if the damages or compensation shall be increased, the costs of the appeal shall be paid by the Treasurer of "The Commissioners of Felton" or by the Treasurer designated by the said Commissioners of Felton out of the money in his hands arising from the sale of the bonds aforesaid, but if said damages shall not be increased, the costs of the appeal shall be paid by the appellant. The fees of the freeholders shall be Two Dollars (\$2.00) each, which shall be entered as part of the costs. If the damages shall be fixed and ascertained by the freeholders as aforesaid, the said "The Commissioners of Felton" shall have the option to pay the amount of damages assessed within the time aforesaid, and to proceed with said improvements or upon the payment of costs only may abandon their intention of taking or occupying said lands for the purposes as aforesaid.

Costs of
appeal

SECTION 5. "The Commissioners of Felton" shall have the supervision and control of all public mains, pipes, sewers and drains with the limits of said corporation, and shall have the power and authority to alter, repair or remove the same and may cause new mains, pipes, sewers and drains to be made and opened. The said "The Commissioners of Felton" may cause such mains, pipes, sewers and drains to be laid in or on any of the streets, lanes or alleys of the said Town of Felton in such manner and of such material as the said "The Commissioners of Felton" may deem proper. "The Commissioners of Felton" may, if they shall deem it advisable, make proper outlets for any of the pipe to be laid in any of the streets, lanes or alleys of the said town. The said Commissioners shall make rules regulating the tapping of the public mains by the owners of the abutting lands and shall provide for the creation of permits for the same and for the payment of such tapping fees as the said "The Commissioners of Felton" shall deem proper and they shall prescribe the material of all private drains or pipes which shall

Commissioners
to supervise
and control
water system

FELTON

hereafter enter into any public drain and shall direct the manner in which they shall be laid.

Commissioners
empowered to
pass
ordinances,
protect water
works and
regulate use of
water

SECTION 6. The said "The Commissioners of Felton" is hereby authorized and empowered to pass such ordinances as it shall deem necessary for the operation, maintenance and control of said water works. It shall also provide for the protection of the same, the distribution of said water through the streets, lanes and alleys of the Town of Felton, the regulation of its use in case of fire and shall grant to all persons in said town whomsoever the privilege of using the said water in such manner and on such conditions as it may seem just and proper.

Penalty for
interference
with water
works

SECTION 7. That any person or persons designedly or negligently injuring the said water works or obstructing the passage of water to or from the same or in any manner polluting the water required for said water works at its source or at any point below such source, shall, for every such offense forfeit and pay to The Town of Felton a fine not exceeding One Hundred (\$100.00) Dollars to be recovered by "The Commissioners of Felton" before any Justice of the Peace residing in Kent County. The Commissioners of Felton shall have power to impose fines and penalties for the violation of any ordinances passed by them touching the protection of said water works.

SECTION 8. That the faith of the said "The Commissioners of Felton" is hereby pledged for the payment of the bonds authorized to be issued under this Act.

SECTION 9. That this Act shall be deemed and taken to be a public Act.

Approved March 23, 1931.

CHAPTER 155

GEORGETOWN

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 of 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," as amended by Chapter 1, Section 161, Volume 36, Laws of Delaware, be and the same is hereby further amended by striking out the words "Twenty Five Hundred" in the seventh and eighth lines of said Section 6, Chapter 238, Volume 26, Laws of Delaware, and the words "Sixty Five Hundred" in the sixth line of said Section 1, Chapter 161, Volume 36, Laws of Delaware, and inserting in lieu thereof the words "Ten Thousand."

Section 2. That said Section 1, Chapter 161, Volume 36, Laws of Delaware, and all other Acts, or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

Approved February 25, 1931.

CHAPTER 156

GEORGETOWN

AN ACT to Authorize "Town Council of Georgetown" to Borrow Money and to Issue Bonds to Secure the Payment Thereof for the Purpose of Providing a Sewer System and Sewage Disposal Works for Said Town, and to Control and Regulate the Same.

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

Town Council
of Georgetown
empowered to
borrow money
for sewer
system

Section 1. That "Town Council of Georgetown," a municipal corporation of the State of Delaware, be and it is hereby authorized and empowered to borrow on the faith and credit of the said town of Georgetown a sum of money not exceeding One Hundred and Fifty Thousand Dollars, (\$150,000.00), which may be applied, appropriated and expended to build, construct, maintain and operate, under such rules and regulations as the said "Town Council of Georgetown" may deem necessary and proper, a sewer system and sewage disposal works for the use and benefit of said town of Georgetown and its inhabitants.

May issue
Bonds

Section 2. That the said "Town Council of Georgetown" for the purpose of carrying into effect the provisions of this Act, is hereby authorized and empowered to issue bonds of the municipal corporation, of such denominations as the said "Town Council of Georgetown" may deem best; said bonds shall be known as Georgetown Sewer Bonds, shall all bear the same date, and shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, at the Farmers Bank of the State of Delaware, at Georgetown. The principal of said bonds shall be made payable at the expiration of thirty years from the date of the issue thereof.

GEORGETOWN

Section 3. That the said "Town Council of George-
town" 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 Town Council of Georgetown, and countersigned by its Secretary, 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 "Town Council of Georgetown" shall direct.

Form of Bonds

Exempt from
taxation

Section 4. That the said "Town Council of George-
town" 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 "Town Council of Georgetown" 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 denominations of said bonds, rate of interest and place and date of opening said bids, and the conditions of said bonds. The said "Town Council of Georgetown" 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 "Town Council of Georgetown" shall return to the unsuccessful bidder or bidders the certified check or checks so filed by said unsuccessful bidder or bidders with his or their bids. The said "Town Council of Georgetown" 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.

Sale of Bonds

GEORGETOWN

Taxation to
provide
interest
payments and
payment of
principal

Section 5. That the said "Town Council of Georgetown" 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, which in addition to the estimated net revenue to be derived from sewer rentals shall be sufficient to pay all the interest accruing on said bonds. 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 maturity, as prescribed in this Act, of the bonds issued under the provisions of this Act; provided, that the amount to be raised for the purpose of establishing said sinking fund for the redemption of said bonds shall not exceed the sum of Five Thousand Dollars (\$5000.00) in any one year. The sinking fund so to be provided shall be deposited in the Farmers Bank of the State of Delaware at Georgetown, until such time as it may be needed for the redemption of any or all of said bonds.

Town Council
empowered to
install and
maintain
sewer system

Section 6. That the said "Town Council of Georgetown" is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said sewer system and sewage disposal works and to provide for the care and maintenance of the same, and to purchase all such instruments, appliances and supplies as may be necessary for establishing said sewer system and sewage disposal works in said town, and for furnishing the citizens and inhabitants thereof with proper and adequate sewerage facilities, and to effect the same "Town Council of Georgetown" shall have the power and authority to lay pipes and conduits under and along any of the streets, lanes, alleys or highways of said town, or any road adjacent thereto, and also to contract and agree with the owner or owners for the occupation or purchase of any land or lands which may be necessary for the purpose of carrying into effect the provisions of this Act. The said "Town Council of

GEORGETOWN

Georgetown" shall have the supervision and control of all public pipes, sewers and drains connected with said sewer system and sewage disposal works, whether within or without the corporate limits of said town of Georgetown, and may alter, repair and remove the same and may cause new pipes, drains and sewers to be made and opened. The said "Town Council of Georgetown" may cause such pipes, sewers and drains to be laid in any of the said streets, lanes, alleys or highways of the said town in such manner and of such material as it, the said "Town Council of Georgetown" may deem proper. The said "Town Council of Georgetown" is hereby authorized to make rules regulating the tapping or use of public sewers by the owners of abutting land, and shall provide for the granting of permits for the same and for the payment of such tapping fees and sewer rental charges as the said "Town Council of Georgetown" shall deem proper; and it shall prescribe the material of all private drains or sewers which shall enter into any public sewer and shall direct the manner in which they shall be laid.

Section 7. That the said "Town Council of Georgetown" is authorized and empowered to engage the services of such agents and servants as it may deem necessary in the erection and completion of said sewer system and sewage disposal works as herein provided.

Assistants
may be
employed

Section 8. That the said "Town Council of Georgetown" is hereby authorized and empowered to adopt such ordinances as it may deem necessary for the operation, management and control of said sewer system and sewage disposal works, and shall grant to all persons and corporations in the said town of Georgetown the privilege of using said sewers in such manner and upon such terms and conditions as may seem just and proper to the said "Town Council of Georgetown."

Town Council
may adopt
ordinances to
manage sewer
system

GEORGETOWN

Special
election before
Act becomes
effective and
Bonds issued

Section 9. That none of the provisions of this Act shall go into effect and the said "Town Council of Georgetown" shall not have authority or power to issue any of the bonds herein provided, until a special election has been held in the said town of Georgetown by the officers provided for in this Act and a majority of the legal votes cast at said election has been ascertained to be "For the issuing of bonds for municipal sewer system and sewage disposal works." The said "Town Council of Georgetown" is hereby authorized and empowered to call and provide for such special election whenever it shall deem it expedient so to do, provided that such special election shall not be held within thirty days after the approval of this Act by the Governor. If the issuing of said bonds should not be approved by a majority of the votes cast at said special election, the said "Town Council of Georgetown" is hereby authorized and empowered to call a special election or elections at any time thereafter in like manner and for said purpose, provided that a majority of the Councilmen or Commissioners of the said "Town Council of Georgetown" shall vote so to do, and that no two such elections shall be less than six months apart. Such special election or elections shall be held by such officers as may be selected and appointed for that purpose by the said "Town Council of Georgetown." One of said officers shall be designated as the presiding officer at any such special election. Voting at such special election or elections shall be by ballot. Due notice of the time and place of said special election shall be given by "Town Council of Georgetown" by advertisements posted in at least ten public and conspicuous places in said town of Georgetown at least ten days prior to any such special election. Such advertisements shall state clearly the purpose of such special election. At such special election each tax payer of the said town of Georgetown, whether resident or non-resident, shall have one vote for every dollar or fractional part of a dollar paid by him, her or it respectively as town tax for the year next preceding said election, and all tax payers shall have the right to vote at such election in person or

Other
elections

GEORGETOWN

by proxy duly signed and witnessed; provided, however, ^{Voting} that in case of the change of ownership of any real estate within the corporate limits of said town of Georgetown between the date of the last assessment for town taxes and the date of holding such special election the owner of such property at the time of the holding of such special election upon producing satisfactory evidence to the election officers of his, her or its present ownership of said property shall be allowed to vote as such owner of such property; and provided further that poll taxables who shall have ceased to be residents of the said town of Georgetown shall not be entitled to vote at said election. And provided further that every woman twenty-one years of age and upwards, residing within the corporate limits of said town of Georgetown at the time of holding any such special election shall be entitled to vote at any such special election whether owning real estate within the corporate limits of said town of Georgetown or not. The fact that the name of any woman resident as aforesaid is not on the assessment list of said town of Georgetown shall not preclude her from the right to vote at any such special election.

Section 10. Any persons who shall wilfully vote or attempt to vote illegally at such special election, or any person acting as election officer at such special election who shall wilfully receive, or consent to receiving an illegal vote, or who shall wilfully refuse or consent in refusing to receive a legal vote, or who shall in any way act in a fraudulent or illegal manner at any such special election, shall be guilty of a misdemeanor and upon conviction thereof shall be fined ^{Illegal Voting} a sum not exceeding Fifty Dollars, or be imprisoned for the term of thirty days, or suffer both fine and imprisonment in the discretion of the Court. Should a voter be challenged on the ground of non-payment of tax, the presiding officer of the election or officer receiving the votes shall cause the person so challenged to swear that he or she has paid all town tax assessed against him or her for the year next preceding the date of such special election; otherwise, his or ^{Penalty}

GEORGETOWN

False
swearing

her vote shall not be received. Should such person wilfully and falsely so swear he or she shall be deemed guilty of false swearing and liable to the penalties provided by law for such offense.

Section 11. That the faith and credit of the said town of Georgetown are hereby pledged for the payment of the bonds authorized to be issued under the provisions of this Act and all interest thereon.

Approved March 19, 1931.

CHAPTER 157

GREENWOOD

AN ACT to Amend An Act Entitled "An Act to Incorporate the Town of Greenwood."

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

Section 1. That Chapter 183, Volume 22, Laws of Delaware, as amended, be further amended by striking out Section two thereof and inserting in lieu thereof the following:

Section 2. The first election under the provisions of this Act shall be held on the 3rd Saturday in January 1932 at the usual place of voting; or at such place as may be designated by The Commissioner of Greenwood between the hours of 2:00 o'clock in the afternoon and 4:00 o'clock in the afternoon, at which said election there shall be elected two or three Commissioners, as the case may be, for the term of two years, or until their successors are duly elected and qualified, the said commissioners to be duly elected to succeed the Commissioners whose terms will expire on the first Saturday of May, 1931; and thereafter their successors shall be elected for the term of two years; two auditors of accounts to serve for the term of one year or until their successor or successors are elected and duly qualified, one assessor for the term of one year or until his successor shall be elected and duly qualified; three judges of election for the term of one year or until their successors are duly elected and qualified; thereafter the said auditors of accounts, assessor, and judges of election shall be elected annually.

That the said Commissioners shall give at least ten days notice by advertisement and by posting the notices in prominent places in the Town of Greenwood of the time and place of holding such an election; that at said election every citi-

Change of
time of
holding Town
election in
Greenwood

Commissioners
Elected

Notice

GREENWOOD

Voting zen of said Town who shall have attained the age of twenty-one years and shall have paid the Town tax assessed to him shall be eligible to vote at said election; that any candidate for any of the hereinbefore mentioned offices under the provisions of this Act who desires and who purposes to become a candidate for any such office shall file his name designating the office for which it is his desire and purpose to become a candidate not less than five days prior to any election held under the provisions of this Act with the Secretary of the Commissioners of Greenwood in order that his name may appear on the official ballot to be voted at such election and no vote for a candidate for any such office shall be valid or shall be counted whose name does not appear upon the official ballot.

Candidates to
file names

Time of
election

That thereafter on the Third Saturday of January in each and every year the election shall be held in the said Town of Greenwood at the usual place of voting or at such place as shall be designated by the Commissioners between the hours of two o'clock in the afternoon and Four o'clock in the afternoon, at which election the voters of the Town, qualified as hereinafter provided shall elect successors to the Commissioners whose terms of office shall expire on the first Saturday of May, next succeeding said Election; two auditors of accounts, one assessor, and three judges of election for one year and until their successors are duly elected and qualified.

Judges of
Election

The person so chosen as elected as judges of election under the provisions of this Act shall be judges of said election and shall decide on questions as to the legality of the votes offered and on matters in dispute. They shall receive and deposit in the box provided for that purpose the votes cast at such election. Immediately upon the close of such election the said officers shall publicly ascertain the results of said Election and shall certify thereto on the books of the Commissioners kept for that purpose.

GREENWOOD

Immediately after the expiration of the time for filing ^{Ballots printed}
names of candidates the said Commissioners shall cause the
Election ballots to be printed upon which the names of all
candidates for the offices hereinbefore mentioned to be filled
shall be placed in alphabetical order and under each office
shall be placed immediately below the office designated, in-
structions as to the number of persons to be elected for said
office or offices in the following manner:

Form of Official Ballot

Form of
Ballot

Candidates for election to elective offices in the Town of
Greenwood, Inc.

For Commissioners

Vote for Two (or Three as the case may be)

Vote for Assessor (One)

For Auditors, (Vote for Two)

The method of voting shall be by striking out the names ^{Method of Voting}
of those not voted for so that the eligible number of can-
didates for any particular office shall remain on the ballot.

Approved April 22, 1931.

CHAPTER 158

HARRINGTON

AN ACT to Amend An Act Entitled "An Act to Reincorporate The Town of Harrington" Same Being Chapter 194, Volume 36, Laws of Delaware.

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

Section 1. That Chapter 194, Volume 36, Laws of Delaware be, and the same is hereby amended by striking out Section 3 thereof and inserting in lieu thereof a new Section to be hereafter known and designated as Section 3 as follows:

Officials of the
Town of
Harrington

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, an Assessor as hereinafter provided, a Collector of Taxes, and a Treasurer, 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 for a period of not less than six months next preceding the day on which said election is to be held.

Date of Town
Election

The regular Town election for the election of Councilmen, Alderman, Assessor, Treasurer and other elective officers shall be held on the second Tuesday in January in each year beginning with the year 1932.

Nomination
of Candidates

The mode of nomination of candidates for the Town Council shall be by petition signed by not less than ten nor more than twenty-five electors of the town and filed with the Town Council on or before nine o'clock P. M. on the Thursday next preceding the election.

HARRINGTON

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 Councilmen holding such election at least ten 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.

Who to hold
election

Notice of
Election

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.

Present
Commissioners
to continue in
office until
end of term

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.

Vacancy
among
Councilmen

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.

Term of
Councilmen

Election of
Councilmen
from different
Wards

At the annual election for the election of Councilmen there shall also be elected an Alderman, an Assessor 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.

Election of
other officers

HARRINGTON

Section 2. That Chapter 194, Volume 36, Laws of Delaware be, and the same is hereby further amended by striking out in the second line of the first paragraph of Section 7 the word "assessors" and inserting in lieu thereof the word "assessor."

Section 3. That Chapter 194, Volume 36, Laws of Delaware be, and the same is hereby further amended by striking out in the fourth line of Section 9 the word "assessors" and inserting in lieu thereof the word "assessor."

Section 4. That Chapter 194, Volume 36, Laws of Delaware be, and the same is hereby further amended by striking out Section 17 thereof and inserting in lieu thereof a new section to be hereafter styled and designated as Section 17 as follows:

Town Council
to determine
amount of
taxes

Assessment

New
assessment
every third
year

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 property 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

HARRINGTON

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. Dogs to be assessed

At the regular Town Election held in the year 1934, and in every third year thereafter there shall be elected an assessor, who shall be an owner 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 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. Assessor elected Duties

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 herein after set forth. Assessor elected to prepare scrap assessment

In the year 1934 and in every third year thereafter, the assessor 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 said assessor shall be unable to act by reason of sickness, absence, Assessment in 1934 and in every third year thereafter

HARRINGTON

Town Council
to fill vacancy
in office of
assessor

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 the place of the assessor so unable to act as aforesaid. Before acting, said assessor shall be sworn or affirmed to perform the duties of the office faithfully and impartially.

assessments
made in
duplicate

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.

Duplicate
assessment

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 assessor 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 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.

Appeals

General
assessment

HARRINGTON

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 day* after the year 1931) the assessor 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 each 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 assessments 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 sit to correct and revise the scrap assessment and to hear

Scrap
assessment

Correction of

*So enrolled—Should be year instead of day.

HARRINGTON

Appeals

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 of 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.

Oath of
assessor

Before beginning his duties under this Section, the assessor shall be sworn or affirmed to perform the duties of the office faithfully and impartially.

Vacancy in
office of
assessor

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.

Tax Rates

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.

Collector to
collect taxes

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

HARRINGTON

amount (deducting commissions and delinquencies allowed by the Town Council for the Town of 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.

Powers and
Bond of
CollectorTreasurer's
Bond

The assessor making the general assessment shall be entitled to One Hundred Dollars (\$100.00) 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.

Compensation
of AssessorsOf members of
Board of
Appeal

The Treasurer shall be paid the sum of Fifty Dollars (\$50.00) for the faithful performance of his duties.

Of Treasurer

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 The Town Council for

List of
Uncollected
Taxes

HARRINGTON

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.

Approved April 25, 1931.

CHAPTER 159

HARTLY

AN ACT to Amend Chapter 152, Volume 29, Laws of Delaware, Entitled: "An Act to Incorporate the Town of Hartly, Kent County, Delaware", and Relating to 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 all the members elected to each Branch of the General Assembly concurring therein):

Section 1. That Chapter 152, Volume 29, Laws of Delaware, entitled "An Act to Incorporate the Town of Hartly, Kent County, Delaware", be and the same is hereby amended by striking out and repealing all of section 2 thereof and inserting in lieu thereof a new section 2, as follows:

Section 2. That the boundaries of said corporation, hereinafter designated as the Town of Hartly, shall be as follows, viz:

Beginning at a point where the centre of Main Street and the centre of Hayes' Lane intersect, and running in a Northerly direction two hundred feet to a stake on the lands of Frank Rehak, late of W. D. Hawkins; thence in a westerly direction to a point two hundred feet east from the centre of the road running from Hartly to Kenton; thence in a Northerly direction, keeping at a distance of two hundred feet Easterly from the centre of said last mentioned road, to the centre of a ditch; thence in a Westerly direction along the centre of said ditch, through the centre of Farrow's Bridge to a stake in Perry's field, two hundred feet West of said bridge; thence in a Southerly direction, keeping at a distance of two hundred feet Westerly from the centre of said road running from Hartly to Kenton and the Templeville road, to the fence at the School House grounds; thence in an Easterly direction, and crossing said last mentioned

Boundaries
of Hartly

HARTLY

Boundaries
of Hartly

road, a distance of four hundred feet; thence in a Northerly direction to Schweitzer's land, formerly Scotten's land; thence in an Easterly direction, keeping at a distance of two hundred feet Southerly from the centre of Main Street, to the centre of Hayes' Lane; and thence thereby Northerly two hundred feet to the place of beginning.

Approved March 23, 1931.

CHAPTER 160

HOUSTON

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, as Amended By an Act Approved March 7, A. D. 1929, Being Chapter 163, Volume 36, Laws of Delaware, 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 the Act entitled "An Act to incorporate the town of Houston", approved March 26, 1913, being Chapter 240, Volume 27, Laws of Delaware, as amended by an Act approved March 7, A. D. 1929, being Chapter 163, Volume 36, Laws of Delaware, be and the same is hereby further amended by striking out of lines four and five of Section 6 thereof the words, "Six Hundred Dollars" and inserting in lieu thereof the words, "Seven Hundred Dollars".

Increasing
Amount to be
raised by
taxation in
Houston

Approved February 18, 1931.

CHAPTER 161

LEWES

AN ACT to Amend Chapter 220, Volume 24, Laws of Delaware, Entitled An Act to Re-Incorporate The Town of Lewes, in Relation to the Residential Qualifications of the Commissioners and to the Treasurer of The Town of Lewes and His Powers and Duties.

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 from and after the passage of this Act the provisions of Chapter 220, Volume 24, Laws of Delaware relating to certain residential qualifications of Commissioners of Lewes, in that one of said Commissioners shall be chosen from School District No. 14, and one of said Commissioners shall be chosen from School District No. 112, and that one of said Commissioners shall be chosen from School District No. 15, and that one of said Commissioners shall be chosen from School District No. 110 are hereby repealed, and that at the annual elections held hereafter the said Commissioners shall be chosen without regard to residences in any School District.

Commissioners
to be chosen
without
regard to
School
Districts

Section 2. That the provisions of Chapter 220, Volume 24, Laws of Delaware, being the Charter of the town of Lewes and all Acts amendatory thereof, relating to the method of selecting the Treasurer of the town of Lewes are hereby repealed.

Treasurer
elected

At the regular meeting of the Commissioners of Lewes held in the month of January A. D. 1932, and annually thereafter, the said Commissioners shall appoint a proper person, being a freeholder of the town of Lewes, Treasurer of the town of Lewes. In the event that the office of Treasurer shall become vacant after the approval of this Act by reason of death, resignation or otherwise, the said Commissioners

Vacancy

LEWES

shall, at the next regular meeting after said office shall have become vacant, appoint a proper person, being a freeholder as aforesaid, for the unexpired term of said office.

That the compensation to be paid to the Treasurer of the town of Lewes shall not exceed six per cent of the amount of taxes collected by him. ^{Compensation of Treasurer}

Section 3. That Section 15 of Chapter 220, Volume 24, Laws of Delaware, is hereby amended by striking out from said Section 15 the words, "and in collecting the same shall have the same powers as are given by law to the collector of the County rates and levies" as the same appear in the seventeenth, eighteenth and nineteenth lines of said Section, and by inserting at the end of said Section 15 the following: ^{Powers of Treasurer} "In addition to the powers granted in the Section for the collection of taxes, the Treasurer shall have the following powers:

(a) The Treasurer may proceed to collect taxes due and unpaid by distraint upon the goods and chattels of the taxable.

(b) At any time after the delivery of the tax list duly signed, and without notice to the taxable, the Treasurer may institute suit before any Justice of the Peace of the State of Delaware, in any of the Counties in said State, for the recovery of any tax due and unpaid in an action of debt, and upon judgment being obtained, may sue out writs of execution as in case of other judgments recovered before a Justice of the Peace. The actions shall be brought in the name of, "
", Treasurer of the town of Lewes".

The said execution shall constitute a lien upon all the personal property of the taxable within the county where the judgment shall have been obtained which, by virtue of said execution shall be levied upon within thirty days after the issuance thereof, and such lien shall have priority over all other liens of the said personal property created or suf-

LEWES

Powers of
Treasurer

ferred by said taxable, except such liens thereon which may have been created in respect of county taxes, although such other liens be of a date prior to the time of the attachment of such lien for taxes.

(c) If the Treasurer shall be unable to find property of a taxable from which to collect the tax due, he may make complaint under oath to any Justice of the Peace in Sussex County, and thereupon the said Justice of the Peace shall issue a warrant for the arrest of said taxable, and if, after hearing, it shall be found by said Justice that the tax in respect of such person so arrested is due and owing, and if said taxable shall thereupon fail to pay the same together with costs accrued, the said Justice shall commit the taxable to the jail of Sussex County until the tax, costs and charges shall be fully paid.

(d) In the event that the tax of any taxable cannot be collected by the remedies hereinabove stated, the Treasurer is empowered to sell the lands and tenements of a taxable or the lands and tenements of a taxable alienated subsequent to the levy of the tax. The Treasurer shall present to the Superior Court a petition in which shall be stated: (a) the name of the taxable, (b) the year for which the tax was levied, (c) the rate of tax, (d) the total amount due, (e) the date for which the penalty for non-payment, if any, shall commence, and the rate of such penalty, (f) a short description of the lands and tenements proposed to be sold sufficient to identify the same, (g) a statement that a bill of said tax has been mailed to the taxable at his last known post office address and that it has been found impossible to collect the said tax by any of the other remedies as hereinabove provided. The petition shall be signed by the Treasurer and shall be verified before a Notary Public.

If the petition be sufficient the Court shall make an order for the sale of said lands and tenements returnable at the next succeeding term of said Court. Sales of lands and tenements shall be advertised by posting hand bills in

LEWES

at least five public places in the town of Lewes, and by publishing the notice of said sale in a newspaper of the County in or nearest the town of Lewes in at least one issue before the day fixed for said sale. The said notices shall contain the day, hour, place of sale, and a short description of the property sufficient to identify the same, and shall be posted at least ten days before the day fixed for sale, and the said newspaper advertisement shall be published at least one week before the day of sale.

Notices of
sale of land

Each sale of lands and tenements shall be returned to the Superior Court aforesaid at the next term thereof and the Court shall inquire into the circumstances and either approve said sale or set it aside. If it be approved, the Treasurer shall make a deed to the purchaser which shall convey the title of the taxable, or his alienee; if it be set aside the Court may order another sale, and so on until the tax due be collected. The petition, return and deed shall be presumptive evidence of the regularity of the proceeding.

Return of
sale

No sale shall be approved by the Court if the owner be ready at Court to pay the taxes, penalty and costs, and no deed shall be made until the expiration of one year from the date of sale, within which time the owner, his heirs, executors or assigns, shall have power to redeem the lands on payment to the purchaser, his heirs or assigns of the costs, the amount of the purchase money and twenty per cent interest thereon and the expense of the deed.

Redemption of
land sold

After satisfying the tax due and costs and expenses of sale from the proceeds of sale the amount remaining shall be paid to the owner of the land, or upon the refusal of said owner to accept the same, or if the owner is unknown or cannot be found, the amount remaining shall be deposited in some Bank in the town of Lewes either to the credit of the owner, or in a manner by which the fund may be identified.

Deposit of
surplus over
costs and
expenses

LEWES

Costs of sale

In sales of lands for the payment of taxes, the following costs shall be allowed, to be deducted from the proceeds of sale, or chargeable against the owner:

TO THE PROTHONOTARY.

For filing and recording petition	\$1.00
For filing and recording return of sale	1.50

TO THE TREASURER

For posting hand bills	1.00
For making sale of lands and tenements	2.00
For preparing and filing return	1.50

In addition, the costs of printing hand bills and publication of the advertisement of sale shall be chargeable as costs.

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

Treasurer
provided with
office

Commissioners of Lewes may, from time to time, by resolution, fix a suitable place or office, in the town of Lewes, at which place the Treasurer shall sit for the collection of taxes."

Approved February 25, 1931.

CHAPTER 162

MILFORD

**AN ACT Changing the Name of "The Town of Milford", to
"The City of Milford" 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 all the members elected to each Branch thereof concurring
therein):*

NAME AND TERRITORIAL LIMITS

Section 1. The municipal corporation of the State of Delaware, now known as "The Town of Milford", shall here- City of Milford after be known as "The City of Milford".

The boundaries of the City of Milford are hereby established and declared to be as follows:

BEGINNING at Bowen Landing on the Bowen (Dor- Boundaries sey) farm in Kent County; thence in a direct line in a Northerly direction to the duPont Boulevard at the intersection with it and the concrete highway leading into the City of Milford; thence continuing the same line in a north-westerly direction across the said duPont Boulevard a distance of Five Hundred feet beyond the Western boundary line of said Boulevard; thence in a Southerly direction and parallel with and Five Hundred Feet from the Western boundary of said duPont Boulevard to the Haven Lake; thence across said lake and continuing parallel with and Five Hundred feet from the western boundary of the said duPont Boulevard to the Southern or Southeastern line of what is known as the William I. Simpson property; thence in a Northerly direction in a direct line to the bridge over the stream of water known as the Deep Branch, (which bridge crosses said stream on the County Road leading to the town of Lincoln); thence following the course of the aforesaid

MILFORD

Deep Branch to the Lake known as Marshall Mill Pond; thence down the course of the water or stream running from said Marshall Mill Pond to the Mispillion River) thence following the course of said River to Bowen Landing aforesaid.

Survey and Plot

The Council may, at any time hereafter, cause a survey and plot to be made of said City, and the said plot, when made and approved by said Council, shall be recorded in the offices of the Recorder of Deeds, of the State of Delaware, in and for Kent County and Sussex 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.

WARDS

Wards

SECTION 2. The City shall be divided into four wards. All the territory within the City limits lying south of the Mispillion River and east of the center line of Walnut Street shall be the first ward; all that territory within the City limits lying south of the Mispillion River and to the West of the center of Walnut Street shall be the second ward; all the territory within the City limits lying north of the Mispillion River and to the east of Walnut Street shall be the third ward; and all that territory within the City limits lying north of the Mispillion River and west of Walnut Street shall be the fourth ward.

GENERAL POWERS

General Powers

SECTION 3. (A) The Inhabitants of the City of Milford, within the boundaries defined herein, or as hereafter established, shall continue to be a body politic and corporate, by the name of "The City of Milford", hereinafter called The City, and under that name shall have perpetual succession; may have and use a corporate seal; may sue and be sued; may hold and acquire by purchase, gift, devise, lease or by condemnation real property and personal property within or without its boundaries for any municipal purposes, in fee simple or for lesser estate or interest, and

MILFORD

may sell, lease, hold, manage and control such property as its interest may require; but no property owned by the City, the value of which in the opinion of the City Council equals or exceeds \$5,000, shall be sold or leased without the approval of a majority of the voters and taxables of the City at any general or special election called for that purpose.

General
Powers

As hereinafter provided in Section 22 of this Charter relating to power to issue Bonds, the City shall have all other powers and functions requisite to or appropriate for the government of the City, its peace and order, its sanitation, beauty, the health, safety, convenience, comfort and well being of its population and the protection and preservation of property, public and private; and all actions, suits and proceedings shall be brought in the name of "The City of Milford".

(B) The enumeration of particular powers by this Charter shall not be held to be exclusive, or to restrict in any manner the general powers conferred herein, but in addition to the powers enumerated herein, implied thereby, or appropriate to the exercise thereof, it is intended that the City of Milford 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 of Milford whether expressed or implied, shall be exercised as prescribed by this charter, or, if not prescribed herein, by ordinance or resolution of the City Council.

STRUCTURE OF GOVERNMENT

Section 4. The government of the City and the exercise of all powers conferred by this Charter, except as otherwise provided herein shall be vested in a Mayor and a City Council. The City Council shall consist of eight members. Two of the members of the Council shall reside in that portion of the City known and described as the first ward, two in that portion known as the second ward, two in that portion known as the third ward and two in that por-

Mayor

City Council

MILFORD

tion known as the fourth ward. No compensation shall be paid to Councilmen or to the Mayor.

ELECTIONS IN GENERAL

Election of
Council in
1932

Section 5. (A) At the annual election held in the year 1932 there shall be elected two members of Council from each ward in the manner following: one member from the first ward shall be elected for one year and one member for four years, by the qualified voters of the City as defined in Section 6, Paragraph C of this Charter, and who reside in the first ward; One member from the second ward shall be elected for two years and one member for three years by the qualified voters of the City as defined in Section 6, paragraph C of this Charter, and who reside in the second ward; One member from the third ward shall be elected for three years, and one member for two years by the qualified voters of the City as defined in Section 6, paragraph C of this Charter and who reside in the third ward; and one member from the fourth ward shall be elected for four years and one member for one year by the qualified voters of the City, as defined in Section 6, paragraph C of this Charter and who reside in the fourth ward; and thereafter the successor of every member shall be elected from each of the four wards by the qualified voters as defined in Section 6, paragraph C of this Charter, residing respectively in the several wards to serve for a term of four years.

Election of
Mayor in
1932

(B) At the annual election held in the year 1932, the Mayor shall be elected to serve for the term of two years and thereafter his or her successor shall be elected for a term of two years.

Qualifications
of Mayor and
members of
Council

(C) The Mayor and members of Council shall be citizens of the State of Delaware and residents and non-delinquent taxables of the City of Milford, and shall be above the age of twenty-one years.

MILFORD

MANNER OF HOLDING ELECTIONS AND MAKING
NOMINATIONS

Section 6. (A) The annual municipal election shall be held on the Monday following the third Friday in the month of January, from twelve (12) o'clock noon until four (4) o'clock in the afternoon, at such places as shall be determined by the Council, due notice of which shall be given by an advertisement printed in a newspaper published in the City and posted in three public places in each ward of the City, not less than ten days before the day of the annual Election. Annual election

(B) The Election shall be held under the supervision of an Election Board consisting of a Justice of the Peace residing in said City and two citizens of the said City to be appointed by the Council at the last regular meeting preceding the annual election. The Election Board shall be Judges of the Election, and shall decide upon the legality of the votes offered. Election Board to hold elections

(C) Every resident of the City who is over twenty-one years of age and who has resided in said City for at least six (6) months next preceding the day of election, and who is not delinquent in respect of any tax levied by the City, shall be entitled to vote at said election. Voters

(D) Upon the close of the Election, the votes shall be read and counted publicly, and the persons having the highest number of votes for each office shall be declared duly elected, and shall continue in office during the terms for which they are chosen, or until their successors are duly elected and qualified. Election results

(E) The Election Board shall enter in a book to be provided for that purpose, a minute of the election containing the names of the persons chosen, shall subscribe the same, and shall give to the persons elected certificates of Election, which book, containing such minutes, shall be preserved by the Council and shall be evidence in any Court of Record of election Certificates of Election

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Ballots and record of Election preserved for 10 days law or equity. All ballots cast and the records of Election shall be preserved in the custody of the Election Board for the period of ten (10) days.

Vacancy in Election Board (F) Any vacancy in the Election Board shall be filled by the electors present at the time of the annual election, by naming from the electors present such person or persons as shall be necessary to fill such vacancy.

Tie Vote (G) In event of a tie vote for any office, the election board shall determine the tie by lot.

Nominations at meeting of electors (H) The Council shall call a meeting of the electors of the City to be held on the Friday evening preceding the annual election, due notice of the hour and place of which meeting shall be given by advertisement in a newspaper published in the City not less than ten days prior thereto, for discussion of the affairs of the City. The meeting shall organize by the selection of a Chairman and a Secretary. Reports concerning the business of the City for the past year shall be read, as well as plans for improvements contemplated to be made. The meeting shall receive the names of all candidates nominated for offices of the City, but no member of Council from any ward shall be nominated except by the electors residing in that ward; and only such persons shall be voted for any office or submitted to the electors at the annual election whose names have been filed and received by the Secretary at said meeting. The Secretary of said meeting shall prepare and deliver to the Secretary of Council the names of all persons nominated at said meeting and the Council shall cause to be printed ballots and envelopes for use by the Electors at the annual election. The Council shall make rules and regulations concerning the voting.

MILFORD

ORGANIZATION OR ANNUAL MEETING OF THE
COUNCIL

SECTION 7. At 7:30 o'clock P. M., on the Tuesday following the annual election, the Mayor and Council shall meet at the Council Chamber and the newly elected officers shall assume the duties of office, being first duly sworn or affirmed to perform their duties with fidelity. At this first Annual Meeting, the Council shall organize and thereafter shall hold meetings at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month. Special meetings may be called by the Mayor and shall be called by him upon written request of three members of Council, and held as prescribed by ordinance or resolution; and all meetings, regular and special, shall be open to the public.

Organization
of Council

Meetings

QUORUM

SECTION 8. A majority of the members elected to the Council shall constitute a quorum; 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.

Quorum

RULES AND MINUTES OF COUNCIL

SECTION 9. The Council shall determine its own rules and order of business, and shall keep a journal of its proceedings and the Yeas and Nays shall be taken upon the passage of every ordinance and resolution, and shall be entered in the journal with the text of the ordinance or resolution.

Rules of
CouncilJournal of
proceedings

VACANCIES

SECTION 10. In case of vacancy created in the Office of Mayor or Member of Council either by death, resignation, loss of residence in the City of Milford, or otherwise, the

Vacancies in
office of
Mayor or
Member of
Council

MILFORD

Council shall fill such vacancy for the residue of the whole term; provided, however, if a vacancy shall be created in the office of Councilman, the unexpired term of which office shall be for more than one year, the Council shall appoint some suitable person to serve until the next annual election, at which time there shall be elected a suitable person to fill the unexpired term of said office.

OFFICERS

Officers

SECTION 11. (A) The Council shall by ordinance at the annual meeting appoint by a majority vote a City Manager, Secretary, Treasurer, Alderman, Acting Alderman, Auditors, Board of Health, City Solicitor, Board of Assessors, Police Force, and such other officers, employees and agents of the City which by it may be deemed proper and necessary for the proper conduct and management of the City. Any officer may be removed at any time by the City Council for sufficient cause.

Council to fix salaries and compensation

(B) The Council shall by ordinance fix the salaries and compensation of employees, officers and agents of the City, and the time and manner of his or her payment; which salaries or compensations shall not be increased during the terms of said office. No officer, employee or agent of the City shall in any form have, take, or receive from the City any compensation in any form in addition to the salary or compensation fixed by Council.

Records of officers and employees

(C) The Council shall cause to be kept a full and complete record of all officers appointed and employees and agents hired by the City containing the names of such officers, employees, and agents, the dates and term of their appointment or employment, the salary or compensation and the date of the termination of the service.

MAYOR

Mayor

(D) The Mayor shall be the executive of the City. He shall preside at meetings of the Council, but shall have

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no vote except in case of tie. He shall execute on behalf of the City all agreements, contracts, bonds, deeds, leases and other documents necessary to be executed. He shall countersign all orders, checks, or warrants authorized by Council and drawn on the Treasurer for the payment of money; and shall have all and every power conferred and perform the duties imposed upon him by this Charter and the ordinances of the City.

Duties of Mayor

CITY MANAGER

(E) The City Manager shall be neither the Mayor or member of Council. He may or may not be a resident of the City of Milford. He shall hold office for such term and at such compensation as Council may determine. He shall have sole control and management of all and every public utility and of the plant equipment, lines and mains appertaining thereto, owned or operated by the City; of the care and upkeep of sewers; of the opening, closing, and keeping in proper condition and repair all highways, streets and lanes of the City, and the curbing and gutters along the same. He shall collect any and all taxes, assessments and liens which may be levied or assessed by Council; collect all bills due and owing the City for water, light or power and heat furnished by the City by electricity, gas or any other manner.

City Manager

Term

Duties

He shall recommend to Council the employment of such employees and agents of the City as in his judgment may be necessary for the proper and diligent performance by him of all of the above duties; and shall render to Council a monthly report of the condition of City affairs under his management together with such recommendations as he may deem proper, including budget or probable expenditures.

He shall render to Council on the first day of each and every month a true, accurate, and detailed account of all moneys collected or by him received in performance of his duties, and shall promptly turn over the same to the Treas-

MILFORD

urer of the City. He shall file with the City Council a bond with corporate surety in the sum of \$25,000.00 approved and paid for by Council, for the faithful performance of his duties.

SECRETARY

Secretary

(F) The Secretary shall record all the proceedings of the Council and keep a correct journal of the same in a book to be provided for the purpose; and shall file and keep in a safe place the Seal of the City and all papers, and documents, relative to the affairs of the City; and deliver the same to his successor in office. The Secretary shall attest the seal of the City when authorized by Council and shall perform such duties and have such other powers as may be prescribed by ordinance. All records, books, papers, and documents in the custody of the Secretary shall be always open for the inspection of Council and the public under such regulations as Council may prescribe.

TREASURER

Treasurer

(G) The Treasurer shall be custodian of all the City funds and shall deposit them in banking institutions located in the City, as designated by the Council.

Duties

He shall pay out no money except upon check or warrant countersigned by the Mayor and authorized by the Council; shall keep a true, accurate and detailed account of all moneys received and of all moneys paid out by him; shall preserve all vouchers for moneys paid by him, and his books and accounts shall at all times be open to inspection by the Council; and he shall make such reports and at such times as the Council may direct. He shall file with the City Council a bond with corporate surety in the sum of \$25,000, approved and paid for by Council, for the faithful performance of his duties.

Bond

MILFORD

ALDERMAN

(H) The Alderman shall be sworn or affirmed to perform the duties of his office with fidelity. In absence or disability, or otherwise, the Council, at any meeting, may appoint an acting Alderman. He shall have jurisdiction and cognizance of all breaches of the peace and other offenses committed within the limits of the City so far as to arrest and hold to bail, or fine and imprison offenders; of all fines, penalties, and forfeitures prescribed by this Charter, ordinances enacted hereunder, or any law of the State of Delaware, of all neglects, omissions or defaults of any member of the police force, or other city officer, agent or employee; provided, that 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. The jails either of Kent or Sussex Counties may be used for imprisonment under the provisions of this Charter, provided, that the Council shall pay for the board of persons committed for breaches of ordinances which are not breaches of the general law.

Alderman

Jurisdiction,
duties and
Powers

The Alderman also shall have jurisdiction in suits of civil nature, for the collection of taxes, recovery of amounts due and payable for the construction of sidewalks, curbs or pavement, expenses of abatement of nuisances, and all other matters which may arise in the proper government and control of the City under the provisions of this Charter; and within his jurisdiction he shall have all the powers and authority, and shall be subject to all the limitations of a Justice of the Peace of Kent and Sussex County, except as herein otherwise provided; and his fees shall be the same as those of a Justice of Peace for like service. For any service or duty for which no fee is provided by law, such fee shall be established by ordinance.

Upon the expiration of his term of office, or upon resignation or removal from office, the Alderman shall forthwith deliver to his successor all books, papers, documents, and

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Alderman to
deliver records

Penalty for
failure to
deliver records

other things belonging or appertaining to his office, and shall pay over to the Treasurer all moneys in his hands belonging to the City. Upon neglect or failure to make such delivery or payment for the space of five (5) days, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than Five Hundred Dollars (\$500), or imprisonment for not more than one (1) year, or shall suffer both fine and imprisonment at the discretion of the Court.

Duty of
Alderman
respecting
fines

Penalty for
Violation

At every regular monthly meeting of the Council, the Alderman shall report in writing all fines imposed by him, and all fines and penalties and other money received by him during the preceding month belonging to the City. He shall pay all such moneys to the Treasurer within ten (10) days after making report thereof to the Council; and for failure to make report to the Council, or for failure to make payment to the Treasurer for the space of ten (10) days, he shall be deemed guilty of a misdemeanor, and shall be punished, upon conviction, as hereinabove provided.

Docket

The Alderman shall keep a docket in which all his official acts shall be entered, which shall be open to public inspection and examination at all times.

Acting
Alderman

The Acting Alderman shall be a Justice of the Peace, residing in the City; shall keep a separate docket, and in the absence or inability of the Alderman shall have all the powers of the Alderman as herein provided.

AUDITORS

Auditors

(I) The Auditors shall be residents and taxables of the City and it shall be their duty to audit the accounts of the City and all of its officers whose duty involves the collection, custody and payment of the moneys of the City. They shall audit the books of the Alderman and Acting Alderman and the records of all fines, penalties and costs imposed or collected by either of them pursuant to any judgment order or decree made. The Auditors on or before

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the 5th day of January next following this appointment shall make and deliver a detailed report of all and every of the accounts, records and books by them examined and audited, which report shall be printed in a newspaper published in the City. The Auditors in the performance of their duties shall have access to all records of council and the officers of the City; and are authorized and empowered to employ such clerks or accountants as in their judgment may be necessary for the proper performance of their duties.

BOARD OF HEALTH

(J) The Board of Health shall consist of four members, one member from each ward of the City and one of whom shall be a practicing physician in the City. The Board shall serve for one year; shall have cognizance of the interests of life and health of the people of the City; shall report to the Council in writing whatever is deemed by the Board to be injurious to the health of the people of the City, and shall also make recommendations to Council of whatever may contribute to useful sanitary information.

The Board shall organize by election of a President and Secretary within ten (10) days after the notice of their appointment, and shall keep a record of their proceedings and acts. The Secretary shall be the executive officer of the Board.

The Secretary of the Board shall be allowed a reasonable annual compensation for his services, which shall be fixed and determined by the Council, and no other compensation shall be paid to the Secretary for his services as such. The Secretary may or may not be a member of the Board, a resident of The City.

CITY SOLICITOR

(K) At the annual meeting, the Council shall select a City Solicitor for the term of one year or until his successor

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Alderman to deliver records other things belonging or appertaining to his office, and shall pay over to the Treasurer all moneys in his hands belonging to the City. Upon neglect or failure to make such delivery or payment for the space of five (5) days, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than Five Hundred Dollars (\$500), or imprisonment for not more than one (1) year, or shall suffer both fine and imprisonment at the discretion of the Court.

Penalty for failure to deliver records

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Penalty for Violation

Docket The Alderman shall keep a docket in which all his official acts shall be entered, which shall be open to public inspection and examination at all times.

Acting Alderman The Acting Alderman shall be a Justice of the Peace, residing in the City; shall keep a separate docket, and in the absence or inability of the Alderman shall have all the powers of the Alderman as herein provided.

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The Board shall organize by election of a President and Secretary within ten (10) days after the notice of their appointment, and shall keep a record of their proceedings and acts. The Secretary shall be the executive officer of the Board.

The Secretary of the Board shall be allowed a reasonable annual compensation for his services, which shall be fixed and determined by the Council, and no other compensation shall be paid to the Secretary for his services as such. The Secretary may or may not be a member of the Board, a resident of The City.

CITY SOLICITOR

(K) At the annual meeting, the Council shall select a City Solicitor for the term of one year or until his successor

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shall have been duly chosen and qualified. The City Solicitor shall be a member of the Bar of either Kent or Sussex County. It shall be his duty to give legal advice to the Council and other officers of the City, and to perform other legal services as may be required of him by the Council.

POLICE

Police Force

(L) It shall be the duty of the Council to appoint a Police Force consisting of a Chief and such number of subordinates as the Council may deem wise; and the Council shall from time to time make rules and regulations as may be necessary for the organization, government and control of the Police Force. The members of the Force shall be subject to the direction of the Council, and may be removed by the Council at any time. They shall preserve peace and order, and shall compel obedience within the City limits to the ordinances of the City and the laws of the State; and they shall have such other duties as the Council shall from time to time prescribe.

Authority of

Each member of the Police Force shall be vested, within the City limits and within one mile outside of said limits, with all the powers and authority of a Constable of Kent or Sussex County, and in the case of the pursuit of an offender, their power and authority shall extend to any part of the State of Delaware.

Where
persons
imprisoned

Every person sentenced to imprisonment by the Alderman shall be delivered by a member of the Police Force to the County Jail of Kent or Sussex County, or lock-up of the City, to be there imprisoned for the term of the sentence. In case of an arrest at a time when the Alderman shall not be available to hear and determine the charge, the person arrested may be delivered to either of the above-named County jails, or in the City lock-up, for imprisonment until such reasonable time thereafter as shall enable the Alderman or Acting Alderman to hear and determine the charge against such person.

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It shall be the duty of the police to suppress riotous, ^{Duty of Police} disorderly or turbulent assemblages of persons in the streets of the City, or the noisy conduct of any person in the same, and upon view of the above, or upon view of the violation of any ordinance of the City relating to the peace and good order thereof, the Police shall have the right and power to arrest without warrant and to take the offender before the Alderman or Acting Alderman, or Justice of the Peace for hearing.

CITY BUDGET

SECTION 12. Annually in each year, and not later ^{Council to prepare budget} than the first of March, the Council shall prepare a budget containing the financial plan for conducting the affairs of the City for the ensuing fiscal year. The fiscal year shall be from January to December.

The budget shall contain the following information:

1. A detailed estimate showing the expenses of conducting each department and office of the City for the ensuing fiscal year.
2. The value of supplies and materials on hand, together with the nature and kind of any machinery or other implements and the condition thereof.
3. The amount of the debt of the City, together with a schedule of maturities of bond issues.
4. A statement of the amount required for interest on the bonded debt, the amount necessary to pay any bond maturing during the year, and the amount required for the sinking fund.
5. An estimate of the amount of money to be received from taxes, and all other anticipated income of the City from any source or sources.

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The Council shall, so far as possible, adhere to the budget so adopted in the making of appropriations.

ASSESSORS AND ASSESSMENT OF TAXES

Board of
Assessors

SECTION 13. The Board of Assessors shall consist of four members, one chosen from each ward of the City. They shall be sworn or affirmed by a Justice of the Peace of the City or by the Alderman to perform their duties with fidelity and without favor. It shall be their duty to make a fair and impartial assessment of property and persons subject to taxation situate or residing within the territorial limits of the City.

Assessment
every fourth
year

1. In the year 1932 and every fourth year thereafter, there shall be made a true, just and impartial valuation and assessment of all the real property within the limits of the City and of all personal property subject to County taxation within the City (except farm lands to the extent that they are exempted by the provisions of this Charter), 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 the City above the age of twenty-one (21) years, whether owners or not owners of either real or personal property within its limits.

General
Assessment
completed by
March First

2. All assessments shall be made and completed by the Board of Assessors prior to the first day of March. The assessment made in the year 1932 and in every fourth year thereafter, shall be known as the General Assessment. In other years, there shall be made a scrap assessment, as hereinafter provided.

Scrap
Assessment

Scrap
Assessment

3. 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, and all improvements made upon said real property since said General Assessment and all male and female residents of the City above the age of twenty-one (21) years

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and not already assessed, and said assessment shall omit the names of those who have removed from the City or who have died. 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. Scrap Assessment

4. The assessors shall make and deliver to the Council as soon as the assessments are made such numbers of copies thereof as the Council shall direct. Copies of Assessment delivered to Council

5. The property of the several members of the Board of Assessors, real and personal, shall be assessed by the Council. Assessment of property of Board of Assessors

6. The Council shall, prior to the fifteenth day of March in each year, cause a copy of the General Assessment, or scrap assessment as made in said year, to be hung up in two public places in the City, and there to remain for the space of ten (10) days for public information. Attached to said copies shall be a notice of the day, hour and place that the Council will sit as a Board of Revision and Appeal; and the notice of the hanging up of the copies of the assessment and the places where the same are hung up 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 a newspaper published in the City. Revision and appeal

7. 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, and to hear appeals concerning the same. They shall have full power and authority to alter, revise, add to, and take from the said assessment. The decision of a majority of the Council shall be final and conclusive; and no member of Council shall sit on his own appeal. Council may revise assessment

8. The assessment, as revised and adjusted by the Council, shall be the basis for the levy and collection of the taxes for the City.

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Taxation of
telephone,
telegraph,
power poles

9. The Council shall also have the right to levy and collect taxes upon all telephone, telegraph, power poles, or other erections of like character erected within the limits of the City, together with the wires and appliances thereto or thereon attached, that are now assessable and taxable, and to this end, may at any time direct the same to be included in or added to the City Assessment. In case the owner or lessee of such poles or erections shall refuse or neglect to pay the taxes that may be levied thereon, the said taxes may be collected by the Treasurer as in case of other taxes, and the Council shall have authority to cause the same to be removed.

Taxation of
farm lands

10. No farm lands hereby included within the limits of the City of Milford 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 of Milford which shall be laid out and improved; 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 of Milford laid out and improved shall be subject to be taxed to the depth of one hundred and fifty (150) feet from said street line for City purposes. Nor shall the farm buildings and personal property located on any such farm lands included within the limits of the City of Milford, be subject to any City Tax.

11. The Council shall be sole judges of what lands are, and what lands are not "farm lands" within the meaning of this Charter.

Present
General
Assessment to
be in effect
until in 1932

12. The General Assessment made and in force under the Charter of the Town of Milford and the amendments thereto, shall continue in force and effect until the next General Assessment to be made in the year 1932.

Tax Rate

13. The Council shall determine and fix a rate of taxation which will produce approximately the amount of money necessary to defray the expenses of the City for the

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current year, including interest on bonded indebtedness and for redemption of maturing bonds and for maintenance of a sinking fund.

14. The limit of taxation for current expenses is that rate which by estimation will produce a sum not exceeding Fifty Thousand Dollars (\$50,000), but added thereto there shall also be fixed a rate which will produce an amount sufficient to provide for interest on bonds, the redemption thereof at their several maturities and to cover the sinking fund requirements.

Limit of
Taxation

COLLECTION OF TAXES

SECTION 14. In the month of April in each year, the Council shall deliver to the City Manager a list containing the names of the taxables of the City, 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 whole of his assessment, and the rate per hundred dollars. Attached to said tax list shall be a warrant, under the seal of the City of Milford, signed by the Mayor and attested by the Secretary, commanding the City Manager to make collection of the taxes as stated and set forth in the tax list.

Taxes
collected by
City Manager

All taxes when and as collected by the City Manager shall be paid to the City Treasurer and all taxes shall be due and payable at and from the time of the delivery of the tax list to the City Manager. A discount shall be allowed by the City Manager of three per cent on every tax paid before the first day of May in each year; of 2 per cent on every tax paid before the first day of June in each year; of one per cent on every tax paid before the first day of July in each year and to every tax paid after the thirtieth day of September, no discount shall be allowed by the City Manager, and to every tax paid after the thirtieth day of September in each year, there shall be added and collected one per centum for every month or fraction of a month after

Collected
Taxes payable
to City
Treasurer

Discounts

Penalties

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the said thirtieth day of September that the said tax remains unpaid. Before exercising any of the powers herein given for collection of taxes, notice shall be given to the taxable of the amount due.

Powers of
City Manager
to Collect
Taxes
Distrain

The City Manager shall have the following powers for the collection of taxes:

(a) By distraint of the goods and chattels of the taxable.

Suit before
Justice of The
Peace

(b) At any time after the delivery of the tax list and warrant, the City Manager may, in the name of the City of Milford, institute suit before any Justice of the Peace of the State of Delaware, in any of the counties of the State, or before the Alderman of the City, for the recovery of the unpaid tax, in an action of debt, and upon judgment obtained, may sue out writs of execution as in case of other judgments recovered before a Justice of the Peace.

Execution a
Lien

The said execution shall constitute a lien upon all the personal property of the taxable within the County where the judgment shall have been obtained which, by virtue of such execution, shall be levied upon within thirty (30) days after the issuance thereof, and such lien shall have priority over all other liens against the said personal property created or suffered by the taxable, except such liens thereon, which may have been created in respect of County Taxes, although such other liens be of a date prior to the time of the attachment of said tax lien.

Employer to
take taxes
from wages of
employee

(c) At any time after the delivery of the tax list and warrant, the City Manager may notify in writing the person, firm, or corporation by whom any taxable is employed, that the tax of said employee is due and unpaid. The notice shall be signed by the City Mayor and shall contain the correct name of the taxable as it appears upon the tax list, the amount of the tax due and the penalty added, if any; and thereupon it shall be the duty of the employer to take from the wage, salary, or other money then due the taxable the

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amount of the tax due and owing from the employee, and charge the same against him, and to pay the same to the City Manager within ten (10) days. The City Manager shall give to the employer a certificate of payment which shall be allowed in any suit or accounting between the employer and the taxable. If any employer, being notified as aforesaid, and having in his hands money belonging to the taxable, shall neglect or refuse to comply with the provisions hereof, such employer shall become personally liable for the amount of the tax of the persons as to whom notice was given, and the amount thereof may be recovered from such employer in an action of debt before any Justice of the Peace, or Alderman, as aforesaid. This process shall be deemed to be in the nature of a garnishment proceeding.

Liability of
Employer for
failure to
comply

(d) The City Manager may make a complaint under oath before any Justice of the Peace residing in Milford, or before the Alderman, that the tax of any taxable is due and unpaid, and that he has been unable to make collection of a tax by any of the methods for the recovery of taxes prescribed in this Charter, and thereupon a warrant shall be issued for the arrest of such taxable, and if, after hearing, it shall be found that the tax of the person arrested is due and unpaid, and if the taxable shall thereupon fail to pay the tax, together with accrued costs, he shall be committed to the jail of Kent or Sussex County, dependent upon whether the taxable lives in Kent County or Sussex County, until the tax, penalty, cost and charges are paid, but not to exceed the term of thirty (30) days.

Imprisonment
for failure to
pay tax

(e) In the event that the tax of any taxable cannot be collected by the processes hereinabove stated, the City Manager is empowered to sell the lands and tenements of a taxable, or the lands or tenements of a taxable alienated subsequent to the levy of the tax. The City Manager shall present to the Superior Court at the County wherein the lands and tenements are situated, or if the lands and tenements are situated partly in one County and partly in another

Sale of bonds
to pay taxes

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Petition to
Contain

County, then to the Superior Court of either of said Counties, a petition in which shall be stated:

- (1.) The name of the taxable.
- (2.) The year for which the tax was levied.
- (3.) The rate of tax.
- (4.) The total amount due.
- (5.) The date from which the penalty for non-payment, if any, shall commence, and the rate of such penalty.
- (6.) A short description of the lands and tenements proposed to be sold sufficient to identify the same.
- (7.) A statement, that a bill of said tax has been mailed to the taxable at his last known post office address and that it has been found impossible to collect the said tax by any of the other remedies as hereinabove provided. The petition shall be signed by the City Manager and shall be verified before a Notary Public.

Advertisement
of sale of
lands and
tenements

The Court thereupon shall make an order for the sale of said lands and tenements returnable at the next succeeding term of said Court. Sales of lands and tenements shall be advertised by posting hand bills in at least five public places in the City of Milford and by publishing the notice of said sale in a newspaper published in the City. The notices shall contain the day, hour, place of sale, and a short description of the premises sufficient to identify the same, and the hand bills shall be posted at least ten days before the day fixed for sale, and the newspaper advertisement shall be published at least one week before the day of sale.

Return of
Sale

Each sale of lands and tenements shall be returned to the Superior Court aforesaid at the next term thereof following the sale, and the Court shall inquire into the circumstances and either approve or set aside the sale. If it be approved, the Mayor shall make a deed to the purchaser

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which shall convey the title of the taxable or of his alienee; ^{Deed} if it be set aside, the Court may order another sale, and so on until the tax due be collected. The petition, return and deed shall be presumptive evidence of the regularity of the proceeding.

No sale shall be approved by the Court if the owner be ^{Sale not approved if taxes paid} ready at Court to pay the taxes, penalty and costs, and no deed shall be made until the expiration of one year from the date of sale, within which time the owner, his heirs, executors or assigns, shall have power to redeem the lands on payment to the purchaser, his heirs or assigns of the costs, the amount of the purchase money and twenty per centum interest thereon, and the expense of the deed.

After satisfying the tax due and the costs and expenses ^{Disposal of proceeds of sale} of sale from the proceeds of sale, the amount remaining shall be paid to the owner of the land, or upon the refusal of said owner to accept the same, or if the owner is unknown or cannot be found, the amount remaining shall be deposited in some bank in the City of Milford either to the credit of the owner, or in a manner by which the fund may be identified.

In sales of lands for the payment of taxes, the follow- ^{Costs} ing costs shall be allowed, to be deducted from the proceed of sale, or chargeable against the owner:

TO THE PROTHONOTARY

For filing and recording petition	\$1.00
For filing and recording return of sale	\$1.50

In addition, the costs of printing hand bills and publication of the advertisement of sale shall be chargeable as costs.

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

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Unknown
owner

If the owner of any lands and tenements against which a tax shall be levied and assessed shall be unknown, this fact shall be stated in the advertisement of sale.

Total taxes of
individual
may be
collected only
portion of his
land

If any person is assessed for several parcels of lands and tenements in the same assessment, the total of said taxes may be collected from the sale of any part or portion of said lands and tenements, provided that land alienated by the taxable shall not be sold until other property of the taxable shall have been disposed of.

Authority of
City Manager
to collect
taxes for own
use

SECTION 15. If the City Manager shall be unable by the thirty-first day of December of the year of the date of tax list to collect the tax of any taxable, he is empowered, having first paid the amount thereof to the City, to collect said tax from such taxable for his own use by any of the processes of law herein prescribed within the space of one further year, from said thirty-first day of December, after which the said tax shall be extinguished and all authority to the City Manager under said tax list and warrant shall cease.

City Manager
to settle for
taxes

During the month of December next following the date of the tax list and warrant, the City Manager shall make full, final and complete settlement with the Treasurer and Council. The Council shall fix such time and place during the said month for settlement with the City Manager of which he, the said Treasurer, shall have due notice. At said settlement, the Council shall allow to the City Manager all taxes which shall have been found impossible to collect by reason of errors in the assessment lists or otherwise, and not through the default, neglect or delay of the City Manager, and said settlement shall be final and conclusive, and no other allowance in any form shall be made to the City Manager by the Council. Upon the conclusion of the said settlement, the City Manager shall forthwith pay over to the credit of the City the aggregate amount of the taxes found to be due the City, and upon his failure or neglect so

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to do, it shall be duty of the Council to proceed to collect the same from the City Manager and/or his surety. The Council shall not reappoint as City Manager of the City any person who, as such, shall be in default to the City in any sum; provided, however, that the Council for good cause shall have the power to extend the time of settlement by the City Manager for a period not exceeding six months.

City Manager
not
reappointed
if in default
for taxes

SECTION 16. The provisions of Article 6 of Chapter 79 the Revised Code of the State of Delaware 1915 shall be deemed and held to apply to all taxes laid and imposed under the provisions of this Act.

Provisions of
Law to apply
to taxes

SECTION 17. The Council shall have the 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 interests of the City. The procedure shall be as follows:

Power of
Council over
streets

The Council shall, by a majority vote, adopt a resolution for the opening of the new street, or the widening or altering of a street, or the vacating or abandoning of a street, or any part thereof, as the case may be, the resolution giving a general description of the street to be opened or widened or altered. The resolution shall also state the day, hour and place where and when the 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 (5) days before the day fixed for the hearing aforesaid, and shall be published in a newspaper published in the City of Milford at least five (5) days before said day. At the time and place fixed in said resolution, said Council shall hear such residents of the City or owners of the property affected, as may 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

Majority vote
of Council

Objections
heard

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they shall deem for the best interests of the 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 the prior resolution. In case the determination of the Council shall be to proceed with the plan contemplated by said first resolution, they shall also award just and reasonable compensation to anyone who will be deprived of property in consequence thereof.

Compensation
paid

Appeal from
award

Such compensation as may be awarded, shall be paid by the Treasurer of the City on a warrant drawn on him by the authority of the Council. Any land owner who may be dissatisfied with the compensation awarded by the Council, he may, within five (5) days after notice of the award of the Council, may appeal therefrom by serving written notice to that effect on the Mayor. In order to prosecute said appeal, such appellant shall within five (5) days after the expiration of the five (5) days allowed for the appeal may apply to the Judge of the Superior Court of the State, resident in Kent County, or in Sussex County, dependent upon the County in which the property affected is located, for the appointment of freeholders to hear and determine the matter of compensation to such appellant, and thereupon the said Judge shall issue a commission under his hand, directed to five (5) impartial freeholders of the County, two of whom shall be resident in the City of Milford, commanding them to determine and fix the damages which the appellant will sustain by reason of being deprived of any property as aforesaid, taking into consideration the benefit or advantage which will enure to the appellant, and to make return of their findings to the said Judge at the time therein appointed. The freeholders shall give notice of the day, hour and place when and where they will meet to view the premises and to affix 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 (5) days before the day when the freeholders are to view the premises, and a copy of such notice shall also be served on the President

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at least five (5) 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, 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 the said freeholders shall make return in writing of their proceedings to the said Judge, who shall cause a copy of said return to be delivered to the President, and such return shall be final and conclusive. The said Judge shall have the power to fill any vacancies among the freeholders. The amount of damages being ascertained, the Council may pay or tender the same to the person entitled thereto within one (1) month after the same shall be finally ascertained, or may deposit the same in any bank in the City to the credit of the person entitled thereto, within the said period of one (1) month, and thereupon the Council may carry into effect the plan contemplated in the resolution aforesaid. The return of freeholders shall be filed in the office of the Prothonotary of the proper County.

Freeholders
to fix damages

In the ascertainment and assessment of damages by the freeholders, if the damages shall be increased, the costs of the appeal shall be paid by the Treasurer, but if said damages shall not be increased, the said costs shall be paid by the appellant. The fees to the freeholders shall be Five Dollars (\$5.00) per day to each, which shall be taxed as a part of the costs.

Costs payable

SECTION 18. The City shall have the power to acquire lands, tenements, property or interests therein, by condemnation for the purpose of providing sites for public buildings, parks, sewers, sewage disposal, and for other municipal purposes, whether within or without the limits of the City, the procedure for which shall be substantially the

Condemnation
for public
purposes

MILFORD

same as hereinbefore provided in the case of condemning land for streets and highways, with the necessary changes as to detail.

Power of
Council over
streets

SECTION 19. The Council shall have power to establish, change or alter the grade of streets, lanes, alleys, bridges and gutters as from time to time may be deemed necessary and proper, and to establish curb lines in the same and the kind and character of gutters, and to change, alter or amend the same, but nothing in this Charter shall affect the duty of the Levy Courts of Kent and Sussex Counties with respect to the maintenance and repair of bridges over Mispillion River within the City limits.

Levy Courts to
maintain
bridge over
Mispillion

PAVING, CURBING, AND GUTTERING

Paving,
Curbing,
Guttering

SECTION 20. The Council shall have power to cause the streets and sidewalks of the City to be paved, re-paved, curbed, and guttered under such plan and with such materials as it shall determine.

Procedure

With respect to the paving or re-paving of sidewalks and the installing of curbs and gutters, the procedure shall be as follows:

Whenever a written petition of five (5) or more freeholders of the City shall be presented to the Council praying for the improvements, or any of them, the Council shall set upon said petition either at the meeting at which such petition is presented, or at the next subsequent meeting, and shall determine, in respect of curbing and guttering what part, if any, of the cost thereof shall be paid by the City, and the Council may thereupon direct in writing the owner or proprietor of any land in the City before or in front of which the improvements is to be made, to lay a pavement or install a curb and gutter, or either of them, of the kind and character, and of the width and thickness, and of the material and in the manner as may be directed by the Council.

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The Council shall notify in writing the owner or pro-^{Procedure}prietor of any land affected to make the improvement as determined by order of the Council within sixty (60) days after the date of the notice. The notice shall be served upon such owner or proprietor personally if he resides in the City, or it may be left at the usual place of abode of such owner or proprietor in the presence of some adult person; or, if the owner or proprietor does not reside in the City, it may be lawful to deposit said notice in the mails directed to him at his last known post office address; if the owner or proprietor is unknown, it shall be a compliance with this section regarding notices to post a notice on the property.

The Council shall establish the curb and grade lines,^{Curb and grade lines} which shall be available to all owners and proprietors of lands affected.

The notice shall inform the persons affected thereby^{Notice to persons affected} with full information as to the materials to be used, the width of the pavement, curb, or gutter, and the thickness or depth thereof, and the time within which the improvement shall be completed.

If the owner or proprietor shall neglect or refuse to^{Failure of owner or proprietor to make improvements} make the improvement within the time stated in the notice, the Council shall cause the improvement to be made at the expense of the owner or proprietor, and may recover the expense thereof, together with costs and any penalty which may be by ordinance established for failure or neglect to make the improvement, by an action of debt brought before the Alderman, or any Justice of the Peace residing in the City. In any action brought for the recovery of money due the City under the provisions hereof, the City shall have the right to a forthwith summons as in like cases within the jurisdiction of a Justice of the Peace, and the jurisdiction of the Alderman or the Justice of the Peace aforesaid shall be unlimited. The date of the notice shall be proved and shall be stated in the judgment. Writs of execution may issue

MILFORD

Judgment
becomes a
lien on
premises

upon any judgment recovered as in like cases of civil nature, and upon a return of nulla bona, a certified abstract of the judgment and return shall be filed in the office of the Prothonotary in Kent or Sussex County, dependent upon the location of the property affected, and said judgment shall thereupon become a lien upon the premises affected and shall have all the force and effect of any other judgment entered in the Superior Court of the State of Delaware, the said lien relating back to the date of the notice given as aforesaid and taking precedence over any other lien against the property which shall or may have been entered after the date of the notice.

Expenses
where owner
is widow or
minor

If any property affected by the provisions hereof shall be held or owned by a widow in right of dower, the expense incurred shall be paid by the owner in reversion in fee simple; and if such owner be a minor, the expense shall be paid by the guardian or agent acting for such minor out of any money or effects held by such guardian or agent, or suit may be brought against said minor or the guardian of such as hereinabove provided, and the amount due the City recovered by sale of the goods and chattels, lands and tenements of the minor.

Notice for
discussion of
improvement
to street

If the improvements desired is paving of any street, or part or portion thereof, upon written petition of five (5) or more freeholders as aforesaid, the Council shall by resolution fix a time and place for discussion of the proposed improvement. The resolution shall be published at least one week prior to the meeting for discussion aforesaid, in at least one issue of a newspaper published in the City and at said meeting the Council shall hear the owners or proprietors of the property affected and other citizens of the City. After such hearing, the Council either at said meeting, or at a subsequent meeting shall decide whether or not to proceed with the improvement, and if the decision shall be to proceed with the improvement, then the part or portion of the cost, if any, which shall be assessed against the owner or proprietor

Determination
of share of
expense by
owner paid

MILFORD

of the property affected shall be determined. The part or share to be paid by the owner or proprietor of the property affected shall be determined. The part or share to be paid by the owner or proprietor of the property affected shall be determined on the basis of the lineal frontage of the parcel on the street to be improved.

The Council shall thereupon proceed to cause the improvement to be made and shall assess the owner or proprietor of the land affected with the whole, or such part and expense of the improvement according to the lineal frontage as aforesaid as may have been determined; shall present to such owner or proprietor a bill or statement of the costs and expense as allocated to the land of said owner or proprietor, and if the same shall not be paid within six (6) months thereafter, shall proceed to collect the said cost and expense from such owner or proprietor in the manner and under the same power and authority and by the same processes, with necessary change as to detail as hereinabove provided in this section. The lien of any judgment rendered shall relate back to the date of the decision of the Council to proceed with the improvement, and said date shall be proved and stated in the judgment.

Owner
assessed for
part of
expense of
improvement

CONTRACTS

SECTION 21. The Council is vested with authority on behalf of the City to enter into contracts for the rendering of personal service to the City and/or the purchase of supplies and doing of work for any municipal purpose for the City; provided:

Contracts
made by
Council

A. No contract shall be made by Council for any purpose, the contract price of which is in excess of \$5,000, without public competition bidding; and

B. The contract shall be awarded to the lowest responsible bidder, but Council may reject any and/or all bids for any cause by it deemed advantageous to the City; and

MILFORD

C. All formal contracts shall be signed by the Mayor with the Seal of the City attached attested by the Secretary.

POWER TO BORROW MONEY AND ISSUE BONDS

Council may
borrow money
and issue
bonds

SECTION 22. (A) The Council may borrow money and issue Bonds or Certificates of Indebtedness to secure the payment thereof on the faith and credit of the City of Milford to provide funds for the erection, the extension, the enlargement or the repair of any plant, machinery, appliances or equipment for the supply, or the manufacture and distribution of electricity or gas for light, heat or power purposes; for the furnishing of water to the public; for the construction, repair or improvement of highways, streets or lanes or the paving, curbing or erection of gutters along the same; for the construction or repair of sewers or sewage disposal equipment; or to defray the cost or the share of the City of the cost of any permanent municipal improvement; Provided, however, that the borrowing of the money therefore shall have been authorized by the City Council and shall have been approved by the electors in the manner and at the time following:

Hearing
before money
borrowed

(B) 1. Council by resolution shall propose to the electors of the City by resolution that the stated amount of money shall be borrowed for any of the above purposes. The resolution shall state the amount of money desired to be borrowed, the purpose for which it is desired, the manner of securing the same, and all other pertinent facts relating to the loan, and shall fix a time and place for hearing on the said resolution.

Notice of
hearing

2. Notice of the time and place of the hearing on the resolution authorizing said loan shall be printed in a newspaper published in the City at least one week before time set for said hearing.

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3. A second resolution shall then be passed by Council ordering a special election to be held not less than thirty (30) days and not more than sixty (60) days after the date of its determination after said hearing to borrow the said money for the purpose of voting for or against the proposed loan. Special Election on loan

4. The notice of the time and place for holding the said special election shall be printed in a newspaper in the City once a week for three (3) successive weeks prior to the election. And the special election shall be conducted by a Board of Electors as herein provided in the case of an annual election. Notice

5. The Council shall cause to be prepared, printed and have available for distribution a sufficient number of ballots at not less than five (5) days prior to the day of the special election. Ballots

6. At the special election, every person who had a right at the next preceding annual City election shall have one vote for every dollar and fractional part of dollar of tax paid by him or her respectively during the year preceding said election, and every owner of property whether individual, partnership, or corporation shall have one vote for every dollar or part of dollar of tax paid by said owner during the year preceding said election and the said vote may be cast either in person or by proxy. Voters

7. The Board of Election shall count the votes for and against the proposed loan; and shall announce the result thereof, shall make a certificate under their hands of the number of votes cast for and against the proposed loan, and should deliver the same to the Council, which said certificate shall be entered on the minutes of the Council, and the original shall be filed with the papers of the Council. Counting of votes

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Issuance of
Bonds or
Certificates of
Indebtedness

C. The form of Bond or Certificate of Indebtedness, the times of payment of interest, the classes, the times of maturity, and provisions as to the registration shall be determined by the Council. The bonds shall be offered for sale to the best and most responsible bidder therefore after advertisement in a newspaper of the City or otherwise, for at least one month before offering the same for sale. The Council shall provide, in its budget, and in fixing the rate of tax, for the payment of interest and principal of said bond at the maturity or maturities thereof, and a sinking fund therefor. The faith and credit of the City of Milford shall be deemed to be pledged for the due payment of the bonds and interest thereon issued under the provisions hereof, when the same have been properly executed and delivered for value.

Faith and
Credit of City
pledged

Limit of
bonded
indebtedness

D. The bonded indebtedness shall not at any one time in the aggregate exceed the total sum of 15 per centum of the value of the real property situate within the limits of the City as shown by the last assessment preceding the creation of the said indebtedness.

ORDINANCES

Power of
The Council
to enact
ordinances

SECTION 23. The Council is hereby vested with the authority to enact ordinances or resolutions relating to any subject within the powers and functions of the City, or relating to the government of the City, its peace and order, its sanitation, beauty, the health, safety, convenience and comfort of its population, and the protection and preservation of property, and to fix, impose and enforce the payment of fines and penalties for the violation of such ordinances or resolutions, and no provision of this Charter as to ordinances on any particular subject shall be held to be restrictive of the power to enact ordinances or resolutions on any subject not specifically enumerated.

Ordinances of
general
character
published

All ordinances or resolutions of general character relating to the government of the City shall not be of force

MILFORD

and effect until the same shall have been published in a newspaper printed in the City.

It shall be the duty of the Council to compile the ordinances of the City, to have a reasonable number of copies printed for the use of the officials of the City and for public information; and from time to time, upon the enactment of new ordinances, or the amendment of existing ordinances, to enroll the same in the minutes of the Council, and to keep copies thereof in a book to be provided for that purpose, so that the same may be readily examined; and also to furnish the Alderman with copies thereof as they are enacted and published.

Printing of
ordinances

NUISANCES

SECTION 24. (A) The Council shall have power to enact ordinances defining nuisances and providing for the removal or abatement thereof, and prescribing the fines, penalties and forfeitures for causing or continuing the same. The Council may upon their own view, or upon information, determine that a nuisance does in fact exist, upon which determination they shall have the right to remove or abate the same in a summary manner; and the operation of any instrument, device, or machine 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. Encroachments and obstructions in and to streets by porches, bay windows, awning and poles, or the accumulation of snow or ice on sidewalks may be deemed to be nuisances and may be abated or removed at the expense of the persons responsible therefor, as by ordinance provided.

Nuisances—
ordinances to
abate

HEALTH

B. 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

Ordinances
relating to
health

MILFORD

Issuance of
Bonds or
Certificates of
Indebtedness

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Faith and
Credit of City
pledged

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Nuisances—
ordinances to
abate

HEALTH

B. 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

Ordinances
relating to
health

MILFORD

nuisances affecting the City, shall extend to the area outside of the City limits and within one mile from said limits.

FIRE

Fire
Protection

C. The Council shall have the power to adopt all measures requisite or appropriate for protection against fire, and to appropriate money for the purpose of fire equipment, whether owned by the City or by a volunteer fire company.

ZONING

Zoning

D. For protection against Fire, the Council may adopt ordinances to zone or district the City and to make particular provisions for particular zones or districts with regard to buildings and building materials; to prohibit the use of building materials that may be deemed to create a fire hazard, and this power shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute 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; to prescribe the height and thickness of walls of any building and the kind and grade of materials used in the construction thereof.

Zoning
ordinances

The Council may adopt zoning ordinances limiting and specifying districts and regulating therein buildings and structures according to their construction and according to the nature and extent of the business to be carried on therein.

City Zoning
Commission

The Council may create a City Zoning Commission for the development, improvement and beautification of the City, and may prescribe its powers and duties.

BUILDING INSPECTION PERMITS

Building
Permits

E. The Council may provide for the issuance of building permits, and may forbid the construction of any new

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building, or the addition to, or alteration, or repair of any existing building unless a building permit has been obtained therefor.

Should any person, firm or corporation hereafter desire to erect any building or buildings within the corporate limits of said City for the purpose of conducting therein the business of canning fruits, vegetables, meats, oysters, etc., or for the manufacture or manipulation of phosphates, fertilizers or manures of any kind, he or they before erecting such building or buildings, or engaging in such business, shall make an application in writing for permission therefor to said Council. And should said Council determine that such buildings will not endanger the other property of the City and said business will not jeopardize the health of or be offensive to the citizens thereof, the Council shall have authority to grant a permit to erect such buildings and conduct such business.

Permits for
canning and
phosphate
factories

The Council shall have full power to fix and determine the placing or replacing of poles or other structures within the City limits for the carrying of telegraph, telephone, power, or other wires, and the attachments thereto, and to cause existing poles or structures to be removed whenever the same shall be deemed to be obstructions or detrimental to the beauty of the City, or when such poles or structures are so placed as to inconvenience persons or render property less desirable. This power shall extend as well to the location as to the relocation of such poles and structures, wires and attachments, and may be exercised from time to time as occasion shall arise.

Power of
Council to
regulate
placing of
poles for
wiring

FRANCHISES

Section 25. The Council shall not grant franchises or licenses to public utilities or common carriers unless authorized by a majority of the voters and taxables of the City at any general or special election called for that purpose in the manner as herein before provided in Section 22 of this Charter relating to the Power to Issue Bonds; Provided that

Franchises
voted upon

MILFORD

Present
Utilities not
affected

the franchise or powers of any corporation owning or operating a public utility in or through the City at the time of the approval of this Charter shall not be affected or impaired.

LICENSES

Licenses
granted or
refused by
Council

Section 26. The Council shall have the right to grant or refuse licenses for boxing exhibitions and other sports, to circuses, theatrical or minstrel companies, or like things, and exhibits or parades thereof, or the posting of bills for the advertisement thereof; to pool or billiard rooms and other places of amusement; to peddlers or canvassers; to any person having only a temporary place of business for selling or offering for sale goods, wares and merchandise; to peddlers of meats, fish, oysters or vegetables and the location of wagons or stalls, provided that the Council shall not have the power to permit, by the license, interference with any place of business or with the convenience of public travel; to provide for the payment of taxes, fines, penalties, and forfeitures by performance of labor for the City by those who may owe taxes, fines, penalties or forfeitures, and to make proper regulations and rules therefor.

TREES

Trees

Tree
Commission

SECTION 27. 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 create a Tree Commission for the trees in the streets, 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 trees experts, provided that they do not exceed the appropriation made by the Council.

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SEWERS—SEWAGE DISPOSAL

SECTION 28. The Council shall have the oversight, management and control of the sewers, sewer systems, and sewage disposal of the City, together with the authority to install additional sewers, and to change, alter or repair existing sewers. The Council also shall have the power to enact ordinances, rules and regulations in relation to the sewers and sewer systems, and the use thereof; to require any property in the City to be connected with the water and sewer mains and the manner of such connection, and to compel the owner of any property to pay the cost of such connection, and the tapping fee or charge therefor, and to fix fines and penalties for the violation or nonobservance of such ordinances, rules or regulations, and otherwise to provide for the collection of the costs of making such connections, the tapping fee and charges.

Council to
Control
Sewers, and
sewage
disposal

PENALTIES

SECTION 29. The Council shall have the power to enact ordinances, rules and regulations and to fix the penalties for violations thereof, relating to the use of streets, highways, lanes, and alleys, the parking of vehicles thereon, with the power to prohibit parking on streets, or portions thereof, entirely or within certain hours, or for certain lengths of time.

Penalties
relating to
streets and
parking of
vehicles

CITY JAIL

SECTION 30. The Council may build and maintain a suitable place as a lock-up or jail for the City, which shall be used as a place of detention for persons convicted of violation of law or ordinances, or for the detention of persons accused of violations of law or ordinances for a reasonable time, in cases of necessity, prior to hearing and trial. Nothing in this Section shall prevent the sentencing of offenders, or the detention of accused persons in either of the county jails of Kent or Sussex County, as may be otherwise provided in this Charter.

City Jail

Use of County
jails not
prevented

MILFORD

FINES AND IMPRISONMENT

Fines and
imprisonments
limited

SECTION 31. No fine shall be imposed in a sum exceeding One Hundred Dollars (\$100) exclusive of costs; and no term of imprisonment shall be imposed for violation of any rule, regulation or ordinance, or other offense, or for failure to pay any fine or penalty imposed, in excess of a period of thirty days.

FLOATING DEBT

Limitation of
borrowing for
Current
Expenses

SECTION 32. Whenever during the year, the current receipts are insufficient to provide for the needs of the City, the Council is authorized to anticipate revenue by borrowing money not in excess of the sum of Ten Thousand Dollars (\$10,000), which shall be repaid from current revenue received thereafter; Provided, however, such borrowing shall at no time exceed in the aggregate \$10,000. Indebtedness created hereby shall be evidenced by bond or note of the City, and the faith and credit of the City shall be deemed to be pledged for the due payment thereof; but no agency or instrumentality of the City shall borrow money upon the credit of the City, except by resolution of the Council.

INVESTIGATIONS BY COUNCIL

Investigations
by Council

SECTION 33. 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.

SURVIVAL OF POWERS

Powers vested
in Town of
Milford to
survive

SECTION 34. The power conferred upon or vested in the Town of Milford by any act or law not in conflict herewith are hereby conferred upon and vested in The City of Milford.

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VALIDATING SECTIONS

SECTION 35. All ordinances adopted by the Town Council of the Town of Milford, or which are in force for the government of The Town of Milford at the time of the approval of this Charter, are continued in force and effect as ordinances of the City of Milford until repealed, altered or amended under the provisions of this Charter, and the acts of the Council of the Town of Milford and of the officials thereof lawfully done or performed under the provisions of the Charter of the Town of Milford or ordinance thereof, or of any law of this State, prior to the approval of this Act, are hereby ratified and confirmed.

Ordinances of
Town of
Milford
continued

Acts of
Council of
Town of
Milford
ratified

SECTION 36. All taxes, fines, penalties, forfeitures, assessments or debts due the Town of Milford shall be deemed to be due The City of Milford, and all debts due from the Town of Milford shall be deemed to be due from the City of Milford, and the same shall remain unimpaired until paid; and the power, right and authority to collect taxes imposed under the provisions of this Act, and the processes which may be employed hereunder, shall be deemed to apply and to extend to all unpaid taxes imposed under the Charter of The Town of Milford.

Taxes, fines,
debts, Etc. not
affected by
this Act

Section 37. The Bonds given by or on account of any official of the Town of Milford shall not be impaired by or affected by the provisions of this Act, but the City of Milford shall succeed to all the benefits of said bonds.

Bonds of
officials not
affected

PUBLICATION

Section 38. Printed copies of this Charter, ordinances, and resolutions of the Council and published or distributed by authority thereof shall be evidence in any court of law or equity.

Evidence of
Charter,
ordinances,
and
resolutions

MILFORD

REPEALER

Laws
regarding
Light and
Water
Commission
repealed

Section 39. Chapter 232 Volume 19 Laws of the State of Delaware authorizing the creation of a Light and Water Commission for the town of Milford and all supplements and amendments thereto and all other acts or parts of acts of the General Assembly of Delaware inconsistent herewith or in conflict with the provisions hereof are hereby repealed.

Charter to
take effect

Section 40. This Charter of the City of Milford shall take effect as on the Monday following the third Friday in January, 1932; to wit, the 18th day of January, 1932.

Approved April 25, 1931.

CHAPTER 163

NEW CASTLE

AN ACT to Amend "An Act Amending, Revising and Consolidating the Charter of The City of New Castle", by Providing for the Remission of City Taxes for a Period Not Exceeding Ten Years on Certain Properties of New Industries Locating in 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 House thereof concurring therein):

SECTION 1. That "An Act amending, revising and consolidating the Charter of the City of New Castle", being Chapter 216, Volume 27, Laws of Delaware, be and the same is hereby amended by adding a new Section thereto to be known as Section 28 as follows:

SECTION 28. The Council of the City of New Castle shall have power to remit all or any part of the city taxes which may be levied or imposed upon any real estate in the City of New Castle, not exceeding five acres, for a period not exceeding ten years, upon which real estate any new manufacturing or other industrial improvements for the employment of labor shall be erected and operated after the passage of this Act, or upon which any buildings already erected are so used after the passage of this Act for a new industry so employing labor; but such remission of taxes as aforesaid shall only be made in the sound discretion of the Council and only for the purpose of assisting new industries which will furnish continuous employment for a sufficient number of persons to materially benefit the City of New Castle generally, and such remission of taxes shall continue only so long as said industries are so in operation."

Remission of
taxes on new
industries

SECTION 2. That Chapter 4 of Volume 16, Laws of Delaware, entitled "An Act to exempt from taxation cer-

NEW CASTLE

Existing
exemptions
to continue
for a period

tain property in the city of New Castle", passed March 25, 1879, be hereby repealed; provided however that any existing exemption heretofore granted under said Act shall continue effective until the expiration of the period for which it was granted under said Act, so long as the industry shall continue in active operation and comply with the conditions of its exemption.

Approved April 9, 1931.

CHAPTER 164

NEW CASTLE

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 Residence of Officers.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met: (two-thirds of all the members elected to each Branch thereof concurring therein):

Section 1. That Chapter 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 the same is hereby further amended by striking out the words "One year" appearing in the ninth line of Section 3 of said Chapter and substituting in lieu thereof the following two words "two years".

Residence of
officers

Approved April 10, 1931.

CHAPTER 165

NEWARK

AN ACT Authorizing and Empowering "The Council of Newark" to Borrow Money and Issue Bonds for the Payment Thereof, for the Purpose of Improving the Streets, Extending and Improving the Water and Electric Light Systems, Sewers and Sewer Disposal Plant of Said Town, and/or the Payment of Any Bonds of Said Town Issued and Outstanding.

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

The Council of Newark may borrow for street improvement and electric light and water systems

Section 1. That "The Council of Newark," a Municipal Corporation of the State of Delaware, is hereby authorized and empowered to borrow, on the faith and credit of the said corporation and of the said Town of Newark, Delaware, at any time after the passage of this Act, for the purpose of improving the streets and extending and improving the water and electric light systems, and the sewers and sewer disposal plant of said town, and/or the payment of any bonds or obligations theretofore issued by the said "The Council of Newark," a sum of money which, including the amount at the time due on any bonds of "The Council of Newark," issued, outstanding and unpaid, shall not exceed ten per centum of the then assessed valuation made by the County of New Castle for county tax purposes of all property situate within the corporate limits of said town of Newark, Delaware.

Issuance of Bonds

Section 2. That "The Council of Newark," for the purposes aforesaid, shall have power and authority and is hereby directed to issue the bonds of said Municipal Corporation, of such denominations as it may determine, up to an amount which, including the amount of money at the time due on any bonds of the said "The Council of Newark,"

NEWARK

issued and outstanding, shall not exceed ten per centum of the then assessed valuation made by the County of New Castle for county tax purposes, of all property situate within the corporate limits of the said town of Newark, Delaware, bearing interest at a rate not exceeding five per centum, payable semi-annually, on such dates as may be fixed by the Council of "The Council of Newark," at any Bank or Trust Company in said town of Newark, Delaware; the principal of said Bonds shall be made payable in thirty years from the date of the issue thereof, the said "The Council of Newark" reserving the power and authority to redeem said bonds, or any part of them, at or after the expiration of five years from the date of the issue thereof, at par and accrued interest to the date of redemption, provided, that if the said "The Council of Newark" shall elect to redeem any or all of said bonds at or after the expiration of five years from the date of the issue thereof, such election shall be effected upon any interest date fixed in said bonds, and in pursuance to a notice to that effect, published by the said "The Council of Newark" in at least four issues of at least one newspaper published in the Town of Newark, Delaware, and one newspaper published in the City of Wilmington, Delaware.

Issuance of
Bonds

In calling said bonds for redemption and payment, they shall be called consecutively, commencing with the lowest numbered bond then issued and outstanding. The interest on said bonds so called shall cease on the date fixed for the redemption thereof, and said bonds, when so called and paid, shall be cancelled in such manner as may be provided by the Council of "The Council of Newark."

Calling of
bonds for
redemption

If at any time after the issue of said bonds, and before they are called or payable, any holder or holders of any such bond or bonds shall offer the same for sale, the said "The Council of Newark," if it deems it expedient, may redeem and pay the bond or bonds so offered, and cancel the same in such manner as it may provide, the interest thereon ceasing from the date of such purchase.

Bonds offered
for sale may
be redeemed

NEWARK

Preparation
and form
of Bonds

Section 3. That the said the Council of "The Council of Newark" shall direct and effect the preparation and printing of the bonds authorized by this Act, and shall prescribe the form of said bonds and the coupons for the payment of interest thereto attached. Said bonds shall be signed by the President of "The Council of Newark," and countersigned by its Secretary, and shall be sealed with the Corporate Seal of "The Council of Newark," and said bonds and any accrued interest thereon shall be exempt from all State, County and Municipal taxation.

Exempt from
taxes

Sale of
Bonds

The Council of "The Council of Newark" shall negotiate the sale and delivery of said bonds, and the money or proceeds of the sale of said bonds shall be paid over to the Treasurer of said Town of Newark, to be used for the purposes provided in this Act, provided, however, that in the sale of said bonds, "The Council of Newark" is required and directed to advertise said bonds for sale in at least four issues of two newspapers, one of which shall be published in the Town of Newark, Delaware, and one of which shall be published in the City of Wilmington, Delaware, inviting bids for the same, which advertisements shall state the denominations of said bonds, the rate of interest thereon, the place of payment of said bonds and interest, and the place and date of opening said bids, and the conditions of the sale of said bonds.

Council may
require
Certified
Checks with
bids

The said "The Council of Newark" shall have the power to require each bid for said bonds to be accompanied by a certified check or checks for an amount which it may deem proper, and after the bonds are awarded or sold to the successful bidder or bidders therefor, "The Council of Newark" shall return to the unsuccessful bidder or bidders the certified check or checks so filed by each bidder or bidders with said bids.

Right to
reject bids

The said "The Council of Newark" shall have the right to reject any and all bids, but in awarding the sale of said

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bonds or any of them, they shall be sold to the person, persons, firm or corporation in the judgment of the Council of "The Council of Newark" offering the most advantageous terms.

Section 4. The said "The Council of Newark" is hereby authorized and required to assess and collect, annually, in the same manner provided by law for assessing and collecting other taxes for municipal purposes in said Town, an amount of tax sufficient to pay all interest accruing on said bonds. Taxes collected for interest payments

The said "The Council of Newark" is further authorized and empowered to assess and collect, annually, in the same manner provided by law for assessing and collecting other taxes, such further amount of tax as it may in any year deem advisable, to be used for the purpose of redeeming said bonds, either at or before the maturity thereof. Taxes collected to redeem bonds

Section 5. The said "The Council of Newark" and all of the officers and departments thereof shall be taken and deemed to have, and are hereby expressly given full power and authority to do and perform any and all acts, matters and things not herein specifically granted or provided, which it may deem necessary to do or perform in relation to the use of said bonds as aforesaid, and to make said bonds the good, valid and binding obligation of "The Council of Newark," a Municipal Corporation under the laws of the State of Delaware, as aforesaid. Additional powers of Council respecting bonds

Section 6. That before any bonds shall be issued under the provisions of this Act, a special election shall be held in said Town of Newark, 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 published in at least one newspaper published in the Town of Newark, Delaware, and by posting notices in at least ten public places in said Town, at least two weeks before the Special election before bonds issued Notice of election

NEWARK

Voters

date fixed for said election, which said advertisements and notices shall state the time and place of the election, the amount of bonds proposed to be issued, and the purposes for which said money is to be borrowed and used. At said election every person or corporation paying town taxes in the said Town of Newark, Delaware, shall be entitled to vote for or against the issuing of said bonds and the borrowing of said money, and shall have one vote for each dollar or fractional part of a dollar of town tax paid by him, her or it, according to the last assessment made in said town, and for the purpose of this election residence in the town shall not be a qualification to vote. At said election the ballot used shall have written or printed thereon the words "For the Bond issue" and the words "Against the Bond issue".

Approval of
Voters
necessary

It at such election a majority of the votes cast shall be in favor of the bond issue, then bonds to the amount voted for may be issued under the provisions of this Act, but if at such election a majority of the votes cast shall be against the bond issue, then no bonds shall be issued, nor any money borrowed under the provisions of this Act.

Approved March 19, 1931.

CHAPTER 166

SELBYVILLE

AN ACT to reincorporate the Town of Selbyville.

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 inhabitants of the Town of Selby- Body Politic ville, in the County of Sussex, are hereby constituted a municipal corporation and body politic. The name and style of said corporation shall be "The Mayor and Council of the Town of Selbyville."

Section 2. The Mayor and Council of the Town of Plot of Town Selbyville is authorized and instructed to have a plot showing the corporate limits of the Town of Selbyville recorded in the Office of the Recorder of Deeds at Georgetown, Delaware, which said plot shall be the official record of the limits of said Town.

Section 3. That the said municipal corporation shall Governed by Mayor and Councilmen be governed and its affairs managed and conducted by a Mayor and four Councilmen; that Roland F. Scott shall be Mayor, and Thomas Timmons, George C. Godwin, Edward L. Brasure and Charles J. Baker shall be Councilmen of said Town of Selbyville, and shall continue to serve as such Mayor and Councilmen for the terms following to wit; that Roland F. Scott shall serve as Mayor until the first Saturday in March, 1931; that the said Thomas Timmons and George C. Godwin shall serve as Councilmen until the first Saturday in March, 1931; and that the said Edward L. Brasure and Charles J. Baker shall serve as Councilmen until the first Saturday in March, 1932. The said Mayor and Councilmen shall serve the terms hereinabove specified or until Terms and Vacancies their successors shall have been duly elected and qualified, as hereinafter provided, with full power to fill any vacancy or

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vacancies that may occur in their number by death, resignation, removal from said Town, refusal to serve or otherwise; and the person or persons so chosen to fill such vacancy or vacancies shall serve until the term of the person or persons in whose place he, she or they may be chosen will expire, in accordance with the foregoing provisions of this Section.

Powers of
Corporation

Section 4. That the said Corporation shall also have power:

1. To make and use a corporate seal, and to alter and renew the same at pleasure.

2. To sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law or equity, or any other place whatsoever.

3. To have, take, purchase, receive, possess, enjoy and retain by lawful means, to it and its successors and assigns within said town, or beyond the limits thereof, lands, tenements, hereditaments, goods, chattels and effects of what kind, nature or quality so ever necessary for municipal purposes, and the same to sell, grant, demise, alien or dispose of the same at pleasure.

4. To receive devises, bequests and donations of all kinds of property within said town and beyond the limits thereof for its own use and benefit, or in trust for charitable, benevolent, educational or other public purposes, and to do all acts necessary to carry out the purposes of such devises, bequests, gifts and donations.

5. To acquire or erect and maintain public buildings, libraries, hospitals, asylums and reformatory institutions, and to regulate and control the management of the same.

6. To appropriate annually under proper regulations and conditions, a sum of money to aid in the relief and care of sick, infirm and deceased person, residents of said town.

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7. To lay out, establish, maintain or vacate, public parks and squares; to lay out, open and reopen, grade, extend, widen, improve or vacate curb and recurb, pave and repave, streets and alleys, sidewalks, crossings and other highways; to construct, keep in repair or vacate, bridges and viaducts; to construct, cleanse, maintain or vacate sewers, drains, gutters and other works for the disposition of drainage and sewerage of said town, to regulate and control the use of such parks, squares, streets, alleys, sidewalks, crossings and other highways, bridges and viaducts, sewers, drains, gutters and other works for the disposition of sewage and the drainage of said town, and to provide, by ordinance, for the removal of snow from the sidewalks and pavements in said town, at the expense of property owners or occupiers; the jurisdiction and control over the squares, streets and alleys, sidewalks, crossings and other highways to extend from building line to building line.

Powers of Corporation

8. To acquire or construct, cleanse and maintain, sewers outside of and within one mile of said town; to acquire and control, cleanse, keep open, clear and unobstructed, or confine, wall up and cover over, alter and change, the courses or direction of natural water courses, runs or rivulets outside of and within one mile of said town.

Sewers

9. To enter upon and condemn, private property required for municipal purposes within said town, or within one mile of its limits, and assess the benefits and damages thereof, and have the same ascertained, collected and paid in the manner now or hereafter to be prescribed by law for the condemnation of land for municipal purposes in said town.

Condemnation of Property

10. To lay out streets and fix the grade thereof on any land immediately contiguous to the boundary line of said town and within one mile thereof.

Lay out streets

11. To prescribe the height, thickness of walls, and the material of all buildings, public or private in said town,

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Powers of
Corporation

and the mode of erecting and maintaining the same; to fix the said lines beyond which buildings shall not be erected; to prescribe the extent of steps, porches, cellar doors and other inlets to buildings; to require the owners of public halls and other buildings, where deemed necessary, to provide safe and sufficient means of exit and fire escapes, and to regulate the manner in which party walls, and partition fences, shall be constructed and maintained.

Building
Permits

The Mayor and Council of the Town of Selbyville shall have power and authority, by ordinance, to issue permits for the erection and repair of buildings, and to regulate and control the issuance of such permits, and to provide for the punishment of all persons who shall erect, or attempt to erect or to repair, or to attempt to repair, any buildings or structure, without first having obtained a permit therefor from the Mayor and Council of the Town of Selbyville.

Water Supply

12. To provide for the supplying said town and its inhabitants with water, and for the protection of the water to be used from contamination; to provide for the erection and maintenance of such work, as may be necessary or convenient for supplying water, and to fix, alter, regulate and control the prices and uses of water so supplied.

Lighting

13. To provide for lighting the streets and all public places in said town, and for supplying the inhabitants thereof with lights; to provide for the acquisition or erection and maintenance of such works as may be necessary or convenient for supplying such lights, and to fix, alter, regulate and control the price and use of lights so supplied.

Licenses

14. To license, tax, regulate and control, auctions and auctioneers; to license, tax, regulate and control the storage within said town of gun powder, or any other dangerously combustible matter, and any explosive oil or compound; to license, tax, regulate and control or prohibit shows, exhibitions, public representations and amusements of every kind within said town; to grant licenses or issue

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permits for any lawful purposes, and fix the amount to be paid therefor; to define the purpose for which licenses or permits shall be required and to make and enforce such regulations as may be necessary with respect to the collections of fees and charges for any license or permit granted and for the collection of any taxes imposed; to suppress, by ordinance, games of chance, gaming devises, and the use of slot machines, and any or all devices or contrivances where the return to the player of the machine, or the user of the device, is dependent upon an element of chance. Licenses

15. To make and enforce sanitary regulations; to regulate the burial of the dead; to define, abate and remove nuisances injurious to the public health, or dangerous or intolerable 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. Health

The Mayor and Council of the Town of Selbyville shall provide, by ordinance, for the punishment of all persons who shall be found guilty of maintaining a nuisance within the limits of the town of Selbyville; or said The Mayor and Council of the Town of Selbyville may proceed summarily to abate said nuisance, after notice to the person or persons responsible therefor, and after hearing and determination by said The Mayor and Council of the Town of Selbyville that a nuisance exists, and any expense or cost incurred shall be paid by the person found responsible. Punishment for nuisance

16. To prohibit the going at large of any horse, dog, or other animal except under regulations prescribed by said corporation; to lay and collect fines on the owners or harborers of any horse, dog, or other animal found going at large, in violation of such regulations, and to provide for the registration and taxation of dogs, both male and female, in said town. Animals running at large

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Fire and
Police Force

17. To provide an efficient fire and police force and to make and enforce within said town, such fire and police and other regulations as are deemed expedient to protect persons and property, maintain the public peace, prevent crime and promote the public morals.

Register
Real Estate

18. To require the registration of the real estate within said town in such manner as to show who are the owners thereof and to facilitate the assessment of said real estate.

Assessments
of Property

19. To make general assessments of property not exempt from taxation for public purposes in said town, and assess and collect taxes, licenses, poll taxes and fines for municipal uses and purposes, provided, that in no year shall the said The Mayor and Council of the Town of Selbyville raise a sum by taxation in excess of Ten Thousand Dollars.

Punishment
for violating
ordinances

20. 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 one month; 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.

Prosecution

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 of or having his office in the town of Selbyville, and shall be in the name of the State of Delaware.

General
Powers

21. To exercise all municipal powers necessary to the complete and efficient management of the municipal property for the proper administration of the municipal gov-

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ernment, and for the well being of the inhabitants of said town, whether such powers be expressly enumerated herein or not.

22. To alter, amend and substitute from time to time as necessity may require, any of the ordinances of the said Council as may be deemed necessary and proper, provided, that all such alterations, amendments and substitutions shall be published and made public through advertisement in one of the newspapers of the said town of Selbyville, or posted in five or more public places in said town. Change
Ordinances

23. To levy and impose a tax on all telegraph, telephone and electric light poles erected within the limits of the town, that are now assessable and taxable, at a certain price of each and every pole, and also levy a tax or assessment on the business of saloons, restaurants, barber shops, pool rooms, peddlers, teamsters, livery stables, fire and life insurance agents, amusement halls or places of public entertainment and prescribe the time within which such tax or assessment shall be paid, and to enforce its collection. Taxes and
assessments

To authorize and empower the Mayor and Council to make town ordinances to prohibit auction sales, street peddlers, and agents upon the streets and in the town of Selbyville, from becoming a nuisance, by imposing fines or taxation, not to exceed one hundred dollars, and prescribe the time within which such tax or assessment shall be paid and to enforce its collection. Auction sale,
peddlers,
agents, on
streets

Section 5. That said Corporation shall have power to annex any territory, upon the petition of three-fourths of the freeholders of such contiguous territory and to extend and apply to such contiguous territory all laws, ordinances, resolutions, rules and regulations in force within said town, so far as the same may be legally applicable. Annexing
territory

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Procedure
before
annexing
territory

Before any such contiguous territory shall be so annexed to said town, the said The Mayor and Council of the Town of Selbyville shall adopt a resolution describing and defining accurately the territory proposed to be annexed and shall give notice that the petition for such annexation has been presented by causing said resolution to be published in one newspaper in said town, if there shall be no newspaper published in said town; then by posting a copy of said resolution in five or more of the most conspicuous places in said town; and within sixty days thereafter, if sufficient cause to the contrary be not shown to The Mayor and Council of the Town of Selbyville, it may by ordinance, two-thirds of all the members concurring therein, annex to said town the territory described and defined in the resolution, and such territory thereupon shall become part of said town.

Nomination of
Candidates

Section 6. The Mayor and Councilmen, herein named, shall continue in office until the expiration of their respective terms as stated in Section 3 of this Act. At least ten days prior to the first Saturday in March of each and every year after the approval of this Act, the said The Mayor and Council of the Town of Selbyville shall call a public meeting of the town of the qualified voters of said town for the purpose of nominating candidates to be voted for at such election, by posting notices in ten or more of the most public places in said town, at least five days prior to the time designated in said notices for the said town meeting, giving the date, hour and place for the holding of said town meeting and the offices for which nominations are to be made at such town meeting. The Secretary of the Town Commissioners shall call the meeting to order and thereupon a Chairman and Secretary of the meeting shall be elected by a majority of the qualified voters present. At such meeting, nominations shall be made for the various offices to be voted for at such election, by a majority of the qualified voters present, provided, that other nominations may be made if filed in writing with the Secretary of the Town Com-

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misisoners five days prior to the time of holding such election. Provided that in case of any vacancy for any of the said offices occurring between the holding of said town meeting and the time for the holding of such election, caused by any person duly nominated as aforesaid, refusing to be a candidate, or, otherwise, then and in such event, The Mayor and Council of the Town of Selbyville shall nominate a qualified person or persons to fill such vacancy or vacancies on the ticket. ^{Vacancy on ticket}

No person shall be nominated or elected to hold any of the aforesaid offices except citizens of said town who shall have attained to the age of twenty-one years or upwards, and who are taxables of said town, and who shall have paid all town taxes theretofore levied and assessed against them. ^{Qualifications of persons nominated}

Not less than five days prior to the date for holding such election, the Town Commissioners shall cause the election ballots to be printed. Upon such ballots the names of the candidates for the offices to be filled, arranged alphabetically under each office, shall be placed, and immediately below each group of names, instructions as to how many to vote for; for instance, "Vote for One," or "Vote for Two," or as many as the voter shall be entitled to vote for in any particular case. The voters shall designate their choice of candidates to be voted for, for each particular office, at such elections, by drawing a line through the names of all persons who are candidates for each particular office, except those candidates in each group desired to be voted for; provided, however, that no elector at any such election shall be allowed to vote for more candidates for any particular office (but may vote for less) than the number to be elected at said election. Defective designation of a voter's choice under the head of one or more of such groups of candidates shall not invalidate such ballot so far as there shall appear to be a proper designation of choice in any other of said groups of candidates. ^{Ballots} ^{Voting}

SELBYVILLE

Voting

The method of voting shall be by striking out the names of those not voted for, so that the eligible number of candidates for any particular office shall remain on the ballot.

Election
deferred
pending
passage of
Act

If, after the approval of this Act, there is not sufficient time before the first annual election on the first Saturday in March, nineteen hundred and thirty-one, as herein provided, to comply with all the provisions of this Act in reference to calling a town convention for the purpose of nominating candidates to be voted for at said election, posting notices thereof, giving notice of said election, and printing ballots, etc.; then and in such event it shall be lawful to defer said first election for one or more weeks in order to give sufficient time to comply with all of the provisions of this Act, in all other respects, except as to the actual date for holding said first election; provided, however, that said first annual election shall not be deferred for a greater number of weeks than is reasonably necessary to give sufficient time for making nominations and holding said election according to the provisions of this Act; and provided further, that, in all other respects, in holding said first election, the provisions of this Act shall be complied with; and provided further that, in the event that said first election under this Act shall be deferred as herein stated, then and in such event all officers whose terms expire on the first Saturday in March, nineteen hundred and thirty-one, shall continue until such election and until their successors are elected.

Annual
Election

That on the first Saturday in March, A. D. 1931, (or as hereinabove provided), and on the same day in every year thereafter, there shall be held an election at the town hall in Selbyville, at which election two Councilmen, or two Councilmen and a Mayor, as the case may be, shall be elected to serve for a term of two years. The polls shall remain open from two o'clock until four o'clock in the afternoon of said first Saturday in March and the persons to be chosen as Councilmen and Mayor shall be resident freeholders in said town, and said Councilmen and Mayor shall be elected to

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serve for a term of two years, or until his or their successor or successors shall have been elected and qualified; said election shall be held by two freeholders of said town, to be named by the said The Mayor and Council of the Town of Selbyville, who shall be judges of the election and decide upon the legality of the votes offered. The said judges of said election may appoint one or more citizens of said town of Selbyville to act as Clerk or Clerks of said election. At such election every person, male or female, of said town above the age of twenty-one years who has been a resident of said town at least thirty days previous to said election and who has paid all town taxes assessed against him or her shall be entitled to a vote.

Section 7. There shall be twelve stated meetings of the said The Mayor and Council of the Town of Selbyville, each year, the same to be held on the first Monday evening of each and every month, at which stated meetings it may adopt such ordinances as it may deem necessary for the government of said town, the improvement of the streets, the paving or other improvements of the sidewalks, the planting and protection of ornamental trees, the repair and making of public pumps, and for all other matters relating to the general welfare of said town, provided the same be not inconsistent with the provisions of the Constitution or the laws of the State of Delaware, or of the United States. By such ordinances it may impose fines, penalties or forfeitures and provide for their collection. The Mayor also, at the request of two or more of the Councilmen, may call such special meetings as may be deemed necessary properly to look after the interests and welfare of said town, of which special meetings, members of said Council shall be notified, and at such special meetings it shall have the right to transact any business that it may have the power to transact at any stated meeting. The Mayor shall preside at the meetings of the Council, but shall have no vote on any question except in case of a tie of the members. He shall have general supervision of the streets of said town, and of the persons who

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Mayor

may be employed by the Council, and receive complaints of nuisances and other complaints of citizens of violation of laws and ordinances, which complaints shall be in writing and signed by the complainants, and present the same to the Council at its first meeting thereafter for action, and shall cause anyone who violates the laws and ordinances of the town to be proceeded against before the Alderman. He shall sign all warrants drawn on the Treasurer for the payment of any money and shall perform such other duties as may be prescribed by any ordinance or ordinances of the town. He may be paid for his service any sum which may be unanimously agreed upon by the other members of the Council, provided said sum does not exceed Fifty Dollars in any one year. Each of said Councilmen shall receive the sum of One Dollar for attendance upon each of the stated meetings provided for in this Section, as full compensation for services rendered to said Town.

Amount of
Taxes to be
raised

Assessor

Property
exempt from
taxation

Section 8. The said The Mayor and Council of the town of Selbyville shall at its first stated meeting in every year determine the amount of taxes to be raised in said town for that year, provided that the amount to be raised shall not in any year be more than Ten Thousand Dollars (\$10,000) ; and it shall appoint an assessor, who may or may not be one of the Councilmen, to make an assessment of persons and property in said town ; and it shall also appoint a collector and treasurer who may or may not be the same person. It shall be the duty of the assessor of said town within two weeks from his appointment to make a true, just and impartial valuation and assessment of said town, and also an assessment of all the citizens of said town, both male and female, of the age of twenty-one years and upwards, as well as those owning real estate as those not owning real estate of Two Dollars as a poll tax. Provided, however, that nothing herein contained shall in any way render subject to levy and taxation any property in said town that may now be expressly exempted from taxation and assessment by law. The said assessor, after making said assess-

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ment, shall forthwith deliver to the Mayor and Council of the Town of Selbyville a duplicate containing the names of all persons assessed and the amount of the assessment, distinguishing the real and personal property of each. The Council shall assess the real and personal estate of the assessor. The said The Mayor and Council of the Town of Selbyville shall within fifteen days after receiving said duplicate assessment list cause a complete and full transcript of said duplicate to be hung up in a public and conspicuous place in said town, there to remain for the space of twenty days thereafter for public inspection; and the said The Mayor and Council of the Town of Selbyville shall, on the Wednesday next after the expiration of the said period of twenty days, from two o'clock to four o'clock in the afternoon, sit to hear appeals from said assessment. Notice of the hanging up of the list, and also at the same time notice of the time and place of hearing appeals shall be given by notices posted in at least six public places in said town. They shall have the power on such day to add to or take from the amount of any assessment, except that of poll tax which shall always remain at Two Dollars per capita. The decision of a majority of the said The Mayor and Council of the Town of Selbyville, upon any appeal, shall be final and conclusive. No member of said Council shall sit upon his own appeal, but the same shall be heard and determined by the others. Immediately after the appeal day the said The Mayor and Council of the Town of Selbyville shall cause the assessment list to be transcribed and the transcript to be delivered to the Collector. He thereupon shall collect from each taxable his proportion of the tax assessed and pay over the whole amount, after deducting his commissions and any delinquencies which may be allowed to the Treasurer, on or before the first day of January next after the receipt of his duplicate. The Collector shall have the same power in the collection of said taxes as is conferred by law upon the Receiver of Taxes and County Treasurer of Sussex County.

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When taxes
due

All taxes shall be due and payable as soon as the warrant for the collection thereof is placed in the hands of the collector; and upon all taxes which are not paid within sixty days after said warrant is placed in the hands of the Collector there shall be added and collected, in addition to the original amount of said tax, a penalty of one per centum per month, so long as such tax shall remain unpaid.

Use of money
raised by
Taxation

Section 9. The said The Mayor and Council of the Town of Selbyville shall have authority to use the money in the Treasury of the town for the general improvement, benefit and ornamentation of said town, and all money paid out by the Treasurer shall be paid only upon order of the said The Mayor and Council of the Town of Selbyville; provided, that the said The Mayor and Council of the Town of Selbyville shall have no authority to create debts or obligations on said town to an amount greater than is authorized to be raised by taxation, together with what it may receive from the Levy Court of Sussex County. On or before the twentieth day of February of each year a financial statement, showing in detail the receipts and expenditures of the town for the year then closing, shall be made and published in a newspaper published in the town of Selbyville, or posted in some public and conspicuous place in said town.

Financial
statement

Owners of
property to
pave

Section 10. Any ordinances which may be adopted for the paving or improving of the sidewalks of the town, shall apply only to those persons owning the property along or in front of which said pavements are to be laid, and said persons so owning said property in fee shall bear the expense of making the pavement or other improvements when the same shall be ordered. If such ordinances be not complied with in three months after proper notice upon such owner or owners, the said The Mayor and Council of the Town of Selbyville may procure the materials and do the work ordered, and collect the costs of the same, after thirty days' notice by advertisements in some newspaper in the

Failure to
pave

SELBYVILLE

town of Selbyville, or by posting in five or more of the most public and conspicuous places in said town, out of the personal property or real estate of the person or persons in default, situated in said town; the sale may be made by any person whom the Council may deputize for that purpose, and if the proper notice has been given, the sale shall be valid, and shall transfer all of the title of the person or persons in default in such property to the purchaser or purchasers, subject to prior liens and encumbrances. The money realized from the said sale shall be paid to the Treasurer for the use of the town, but if there be any surplus, after paying the claim for which the sale was made, such surplus shall be paid over to the persons owning said property; the person seizing and selling any such property shall be allowed reasonable compensation therefor.

Sale of
property
to pay for
paving

Surplus
receipts from
sale

Section 11. The collector and treasurer shall be severally sworn or affirmed to discharge the duties of their respective office with fidelity; such oath or affirmation to be administered by any person authorized by the laws of this State to administer oaths, or by the Mayor of the town. They shall also before entering upon the duties of their offices, give bond to The Mayor and Council of the Town of Selbyville, with sufficient surety or sureties to be approved by it, in such sum as may be required by the said The Mayor and Council of The Town of Selbyville, conditioned for the faithful discharge of the duties of their said offices, and for the payment to their successors in office of all sums of money belonging to said town which may remain in their hands upon the settlement of their accounts, to which said bond and condition there shall be annexed a warrant of attorney for the confession of judgment for said penalty. The said The Mayor and Council of the Town of Selbyville may at any time, in its discretion, require such officers to furnish additional bond as aforesaid, as the amount of money which will come into the hands of said officers may increase. And it shall be the duty of the said The Mayor and Council of the Town of Selbyville to require bond of said officers in at least

Collector and
Treasurer

Oath

Bond

SELBYVILLE

Duties of
Treasurer

double the amount of money likely to come into his or their hands. The said Treasurer shall pay all orders drawn on him by the said The Mayor and Council of the Town of Selbyville, and signed by the Mayor, out of any moneys in his hands belonging to said town. He shall settle his accounts annually on or before the first Saturday in March, and shall make settlements at such other time as may be required of him.

Alderman

Section 12. The Mayor and Council of the Town of Selbyville, at its first meeting after the annual election, or as soon thereafter as convenient, shall proceed to elect by ballot some suitable person resident in said town to be Alderman of the town of Selbyville, who may or may not be a Justice of the Peace of said town, to serve as such for the term of one year, or until his successor shall be duly elected and qualified, subject to the said removal from office at any time by a majority vote of the said The Mayor and Council of the Town of Selbyville. Before entering upon his duties he shall be sworn or affirmed by the Mayor or by anyone of the Councilmen to perform the duties of his office honestly, faithfully and impartially.

Town Clerk

Section 13. The said The Mayor and Council of the Town of Selbyville shall appoint a town clerk whose duties shall be to keep an accurate record of all the transactions of the said The Mayor and Council of the Town of Selbyville and shall perform such other duties as the said The Mayor and Council of the Town of Selbyville may require of him. The said town clerk may be a member of the Council or any other qualified citizen of the town of Selbyville, and shall be paid for his services such sum as the said The Mayor and Council of the Town of Selbyville may fix, provided that said compensation shall not exceed the sum of Twenty-five (\$25.00) per annum; and provided further, that if said Town Clerk is chosen from among the members of the said The Mayor and Council of the Town of Selbyville, he shall not receive the monthly compensation of One Dollar, herein pro-

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vided to be paid to the members of the Council, in addition to the compensation to be paid him for his services as Clerk. Compensation of Treasurer

The Treasurer of the said The Mayor and Council of the Town of Selbyville also shall receive for his services as treasurer such sum as may be determined upon by the said The Mayor and Council of the Town of Selbyville, provided that the compensation to be paid the said treasurer shall not exceed the sum of Twenty-five Dollars (\$25.00) per year.

Section 14. The said The Mayor and Council of The Town of Selbyville shall appoint a Town Constable, and it shall be the duty of said Town Constable and of the Alderman to suppress all riotous, turbulent, disorderly and noisy assemblages or gatherings of persons, at any time or anywhere within the corporate limits of the town of Selbyville. It shall be the duty of the Constable to seize and arrest any persons so offending, and take them before the Alderman of said town, whose duty it shall be to hear and determine the case, and upon conviction before him, he may fine such persons so convicted a sum not exceeding Twenty-five Dollars (\$25.00) and in default of payment of such fine, may commit such persons to the County Jail for a period not exceeding thirty days. In all such cases the fee of the Alderman and of the Constable shall be One Dollar each, and in any case where the fees of the said officers are not specified they shall receive such fees as may be specified by law in similar cases. Any fines imposed and collected by the Alderman shall be paid into the town treasury, to be used for municipal purposes. Town Constable Fines

Section 15. All manufacturing industries that may locate in said town, after the adoption of this Charter, shall be exempt from all town tax for a period of ten years. Manufacturing industries exempt from Town taxes

Section 16. The said The Mayor and Council of the Town of Selbyville is authorized, empowered, and directed to appropriate out of the funds raised in said town by taxation, a sum not to exceed Five Hundred Dollars (\$500.00) Money for fire company

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in any one year, for the support and maintenance of the fire company of said town of Selbyville. The funds so to be appropriated to said fire company shall be used for the purpose of keeping the fire fighting equipment in good condition and to add thereto as necessity may arise.

Publication
and recording
of ordinances

Section 17. All ordinances, rules and regulations adopted or passed by the said The Mayor and Council of the Town of Selbyville shall be preserved and recorded at length in a suitable book kept for that purpose, and all ordinances of a general or permanent nature and those imposing a fine or penalty, shall be published at least twice in some newspaper published in the town of Selbyville, or shall be posted in five or more public and conspicuous places in said town. All ordinances, rules and regulations heretofore adopted or passed by the said The Mayor and Council of the Town of Selbyville, whether published in any newspaper or not, shall be valid and binding upon all persons in anywise affected thereby.

Powers of
Mayor and
Council

Section 18. The said the Mayor and Council of the Town of Selbyville shall be vested with all the powers, rights, privileges, franchises, and immunities heretofore belonging to The Mayor and Council of the Town of Selbyville, as a municipal corporation, and generally shall have all the powers, privileges and franchises incident to a municipal corporation or body politic.

Repeal of
prior laws

That all previous Acts to incorporate the town of Selbyville are hereby made null and void from the date on which this Act becomes effective and operative, saving and excepting, however, from the effects of such repeal and hereby expressly declaring that all ordinances, rules and regulations heretofore adopted and enacted and now in force in pursuance of any law of this State, shall continue in full force and effect until repealed, altered or amended by the said The Mayor and Council of the Town of Selbyville. That all the acts and doings of the said The Mayor and

Ordinances,
Rules,
Regulations
to remain
in force

SELBYVILLE

Council of the Town of Selbyville or of any officer of said town lawfully done or performed under the provisions of any law of this State, or of any ordinances of the said The Mayor and Council of the Town of Selbyville are hereby ratified and confirmed. That all debts, fines, penalties and forfeitures due to the said The Mayor and Council of the Town of Selbyville, and all debts due from the said The Mayor and Council of the Town of Selbyville to any person or persons whomsoever, or to any corporation, are hereby 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 powers now conferred by law upon the collector for the collection and enforcement of all taxes in said town heretofore assessed and uncollected, shall be fully collected and paid. That the official bonds of the collector and other officials required to give bond, shall be unaffected and unimpaired by this repeal, and they and their sureties therein shall continue liable for any breaches of any of the conditions of said bonds, and that all of the proceedings heretofore commenced for the collection of any penalty, fine, forfeiture or debt to said town, under any law or ordinances, shall in no wise be affected or impaired by this repeal, but the same shall be prosecuted to judgment and execution until fully paid, liquidated and discharged.

Debts, fines,
forfeitures
not affected
by repeal

Official bonds
not affected

Approved March 5, 1931.

CHAPTER 167

SLAUGHTER BEACH

AN ACT to Incorporate the Town of Slaughter 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. BODY CORPORATE.

Town of
Slaughter
Beach
incorporated

That the inhabitants of the Town of Slaughter Beach, Sussex County, Delaware, are hereby constituted a municipal Corporation and body politic. The name and style of said Corporation shall be, "The Commissioners of the Town of Slaughter Beach" by which name the said corporation may sue and be sued, plead and be impleaded, complain, answer and defend in all courts of this State, and the said Corporation shall have and use a common seal of its own devising with power to alter and renew the same.

Section 2. BOUNDARIES AND TOWN PLOT.

Boundaries

The boundaries of said Corporation hereinafter designated as the Town of Slaughter Beach shall be as follows, viz: Beginning at the center of the road now leading into the Town of Slaughter Beach over the bridge to the west of said Town, where it intersects the road called Bay Avenue that has been built just back of, and to the west of, the principal row of cottages in said Town of Slaughter Beach, thence from said point one mile to the north. A line drawn through this terminal point between the Bay, and the Canal to the west of the Town, shall constitute the Northern Boundary of the said Town. The Southern boundary of the said Town shall be a line drawn through a point one mile south from the point of beginning, between the Bay, and the Canal to the west of the Town, both of said boundary lines to be parallel to the main road now leading into the Town from the west over the Canal. The Eastern boundary line of the

SLAUGHTER BEACH

Town shall be the Delaware Bay and the western boundary line shall be the Canal to the west of the Town. The Commissioners of the Town are hereby authorized to have a survey made of the territory embraced within its boundaries, which survey shall show all roads, streets, and boardwalks within the limits of the said Town. Following such survey a plot shall be made, approved by the said Commisisoners, and then recorded in the proper office at Georgetown, Delaware.

Survey and
Plot

Section 3. TOWN COMMISSIONERS, QUALIFICATIONS, TERM, NOMINATION AND ELECTION.

The Town of Slaughter Beach shall be governed by five Commissioners. They shall elect a President, a Secretary, and a Treasurer, from their own number. Until the Second Monday of July, A. D. 1932, Herman D. Johnson, C. Donnan Holzmueeller, Harry H. Mulholland, Isaac Thomas Simpson and Clesson E. Bridgham, shall be the Commissioners of the said Town of Slaughter Beach. Any vacancy among the Commissioners shall be filled by those remaining, who are required to elect some qualified person to fill the vacancy until the next annual election, at which time the electors of the Town shall fill the vacancy or vacancies by the election of a person or persons for the unexpired term or terms. No person shall be eligible to the office of Commissioner unless he or she be at least twenty-one years of age, a freeholder in the Town of Slaughter Beach or the holder of a lease of land therein for a term of years, or the owner of property therein held by him or her under ground rent. No person shall be eligible to the office of Commissioner who owes to the Town any unpaid taxes, nor shall any person be elected to fill the office who is not qualified to vote for a member of the House of Representatives of the State of Delaware in the district in which he or she resides. The Term of a Commissioner shall be two years from the second Monday in July following his or her election, or until his or her successor has been duly elected and qualified; provided, that at the annual Town election, to be held the first Monday in

Town
Commissioners

Vacancy

Qualifications

Term

SLAUGHTER BEACH

Term	July in the year A. D. 1932, three Commissioners shall be elected for a term of one year and two Commissioners shall be elected for a term of two years, and thereafter, the successors of Commissioners whose terms expire shall be elected for the aforesaid term of two years.
Nominations	<p>The Town Commissioners shall be nominated and elected as follows, viz: at least five days before the day of the annual election, which is fixed for the First Monday in July in each year after the year A. D. 1931, any eligible person who may be a candidate for Town Commissioner shall file his or her name with the President or Secretary of the Town Commissioners as a candidate to be voted for on the following first Monday of July. On said date the election shall be open from 7:00 P. M. to 9:00 P. M. The Town Commissioners shall have ballots printed or typewritten containing the names of all persons who have filed their names as candidates as aforesaid, together with a statement thereon of the number of persons to be elected and the terms for which they are to be elected. A voter shall express his choice by drawing a line through the names of all those candidates for whom he or she does not desire to vote. Each qualified elector shall have one vote for each dollar or fraction thereof of tax paid by him or her to the Collector of the Town of Slaughter Beach in the year in which said election is held. The Collector of the Town of Slaughter Beach shall be present with the assessment of the Town and the record of taxes paid. No voter shall cast his ballot or ballots until the Collector has determined the amount of his or her tax and whether or not said tax has been paid for the year in which the election is held. In the absence or disability of the Collector the Town Commissioners shall select some other suitable person to use the Collector's books and accounts as aforesaid. Notice of the annual election shall be posted by the Town Commissioners at least ten days before it is held, and in five or more public places in the Town, which notice shall state the day, hour, and place of the election, the number of Commissioners to be elected and the</p>
Annual Election	
Ballots	
Voting	
Notice of election	

SLAUGHTER BEACH

terms for which they are to be elected. Failure of the Town Commissioners to do as directed in this section shall not invalidate any election but shall render said Commissioners ineligible to be voted for at any election not conducted as herein provided.

Failure of
Town
Commissioners
to comply
with section

The annual election shall be held by the President of the Town Commissioners, or by any other Commissioner in his absence, the Town Collector, and some suitable elector of the Town who shall be chosen by the legally qualified voters present at the opening of the polls. These three persons shall be judges of said election, and shall decide the legality of the votes offered. They shall receive the ballots, ascertain the result and certify the same on the books of the Town Commissioners. In case of a tie, they shall by majority vote decide who is elected.

Officers
holding
election

At every such election, every person twenty-one years of age, or over, who has paid his or her taxes for the year in which the election is held, and who is a freeholder in the Town, or the holder of a lease of land therein for a term of years, or the owner of property therein held by him or her under ground rent, shall be a qualified elector. Residents of the Town who have lived therein for at least nine months preceding the election who are not qualified as aforesaid, but who have paid any poll or capitation tax assessed against them shall be entitled to one vote.

Qualifications
of Voters

Section 4. ORGANIZATION OF TOWN COMMISSIONERS.

One week following the annual election, the Commissioners shall meet, and organize by the election of a President, a Secretary and a Treasurer, all of whom shall be Town Commissioners. Before entering upon the duties of their offices, the newly elected Commissioners shall be sworn by a Notary Public or by a holdover member of the

Organization
of Town
Commissioners

SLAUGHTER BEACH

President of Town Commissioners, to faithfully and impartially perform their duties.

PRESIDENT OF TOWN COMMISSIONERS

The duties of the President of the Town Commissioners shall be to preside at all meetings of the Commissioners; to have general superintendence of Town affairs, provided, however, that such general superintendency shall in all cases be subordinate to the authority of all committees, and appointees as selected by the Town Commissioners for the superintendency or conduct of any specified Town activity; to receive complaints of nuisances and all complaints of violations of Laws or Ordinances and present the same to the Commissioners at their first meeting thereafter for action of the Commissioners 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 countersign the checks of the Treasurer, and shall perform such other duties as may be prescribed by resolution or ordinance of the Commissioners. If the President be incapacitated from acting by reason of absence, or for any other cause whatsoever, then all 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 the Town Commissioners, shall be exercised and performed by the Commissioner chosen by the Town Commissioners as acting President for the period of such incapacity .

The President shall have the same right as other Commissioners to vote on all matters and may at any time appoint another Commissioner to preside if he desires to make

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a motion, move the adoption of a resolution, second either, or Secretary 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 the Town Commissioners at all meetings and to do and perform such other matters and things as may be prescribed by this Act, or Law, or which the Commissioners may from time to time prescribe by resolution or ordinance.

ACT OF MAJORITY OF TOWN COMMISSIONERS

That in the general performance of their duties, the acts, doings and determinations of a majority of the Town Majority vote of Town Commissioners Commissioners shall be as good as the acts, doings and determinations of all the Town Commissioners, 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 Town Commissioners. No ordinance, resolution, motion, order or other act of the Commissioners, except as immediately hereinabove provided for, shall be valid unless it received the affirmative vote of a majority of all members elected as Town Commissioners.

DISQUALIFICATION

If any Commissioner shall, during his term of office, Disqualification of Town Commissioner lose his citizenship in the State of Delaware, or be found guilty of any crime or misdemeanor, he or she shall forthwith be disqualified to act as a Town Commissioner, and his or her office shall be deemed vacant and shall be filled by the remaining Commissioners, as aforesaid.

REGULAR MEETINGS OF THE TOWN COMMISSIONERS

Regular
meetings of
Town
Commissioners

The Town Commissioners shall hold regular meetings on the first Monday of January, June, July and August and the second Monday of July in each year, at seven-thirty o'clock P. M., standard time. All regular meetings, except the January meeting, shall be held at some suitable place in the Town of Slaughter Beach to be selected by the Town Commissioners. The January meeting may be held in the Town of Milford, Delaware. At the January meeting, a Town Collector shall be elected. All Town Commissioners shall receive notice of the place of all meetings in time to attend.

SPECIAL MEETINGS

Special
meetings

Special meetings shall be called by the Secretary upon the written request of the President of the Town Commissioners, or upon the written request of any two Commissioners, 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 Commissioner of the day, hour and place of such special meeting and of the subject and subjects proposed to be considered thereat, unless members do not require, and will sign waivers of, such notice. The Town Commissioners of the Town of Slaughter Beach 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 they have at a regular meeting, provided that all members received ample notice to attend said meeting.

Section 5. POWERS OF TOWN COMMISSIONERS.

Powers of
Town
Commissioners

The Town Commissioners 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 the Town Commissioners shall extend to any distance within one mile of the corporate limits of the Town; to define, prevent and

SLAUGHTER BEACH

abate nuisances; to ascertain and fix the boundaries of boardwalks, streets, squares, lanes, alleys and sidewalks; ^{Powers} to repair and improve the same; 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 the Town Commissioners 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 streets, boardwalks, 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 to regulate or prevent the keeping of pigs and hogs in 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, lanes, alleys, boardwalks, and sidewalks, and the building lines upon the same, and generally to do and perform all other matters of a cognate nature as may be deemed necessary by the Town Commissioners. The Town Commissioners shall have superintendence and oversight of all boardwalks.

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Powers of
Town
Commissioners

The Town Commissioners 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 Commissioners shall have power and authority to levy and collect license fees, annually, for such various amount or amounts as they 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, and to require that licenses from the Town be secured and to determine the amount or amounts, to be paid therefor; and 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 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 the Town Commissioners shall provide any fine of more than Twenty Five Dollars, exclusive of costs, nor any penalty by way of imprisonment, in excess of five days, but the Town Commissioners may provide for both fine and imprisonment, not in excess of said limits. And provided further, that no license fee collected in any one year from one person, firm, corporation or public utility shall exceed the sum of Twenty-five Dollars (\$25.00).

The enumeration of particular powers of the Town Commissioners of the Town of Slaughter Beach herein shall not be held or deemed to be exclusive, but in addition to the

SLAUGHTER BEACH

powers enumerated in this Act, implied hereby or appropriate to the exercise hereof, it is intended and enacted that the Town Commissioners of the Town of Slaughter Beach 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.

General
Powers

All powers of the Town Commissioners 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 Commissioners. All bills against the Town shall be approved by the Town Commissioners, before payment is made. The Town Commissioners 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 interest of the said Town, as the Town Commissioners 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 the Town Commissioners.

Powers of
Town
Commissioners

The Town Commissioners of the said Town shall have full power and authority to borrow, upon the faith and credit of the Town of Slaughter Beach, a sum or sums of money not exceeding Three Thousand Dollars (\$3,000.00), in any one fiscal year, when in the opinion of the majority of the Town Commissioners the needs of the said Town demand it. Said Town Commissioners may secure said sum or sums of money by promissory note or notes or certificates of indebtedness of the Town of Slaughter Beach, duly authorized by resolution of the Town Commissioners, and signed by the President, or the acting President of the Town Commissioners, and by the Secretary, and either with or without the corporate seal of the Town affixed as is requested by the

Borrowing of
money

SLAUGHTER BEACH

Borrowing
of moneyRepayment
money
borrowed

Bank or person advancing the money on said notes or certificates, and no officer nor member of the Town Commissioners shall be personally liable for the payment of such note or notes, because of his signature as an officer of the Town Commissioners, his membership as a Town Commissioner or his approval of the authorizing resolution. Provided, however, that any sum of money borrowed by the Town Commissioners on the faith and credit of the Town of Slaughter Beach 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 6. OFFICERS OF THE TOWN.

Officers

Upon approval of this Act, the Town Commissioners named herein shall meet, organize, and elect a Town Collector, to hold office until the First Monday of January, A. D. 1932, an Alderman and a Town Constable, to hold office until the second Monday of July A. D. 1932. The Town Commissioners shall elect on the second Monday of July A. D. 1932, and annually thereafter, an Alderman and a Constable or Constables to serve for one year, beginning on the day of election. Such officers need not be residents or freeholders of the Town of Slaughter Beach. The Town Collector shall be elected on the first Monday of January 1932, and annually thereafter for a term of one year, beginning on the day of election.

DUTIES AND POWERS OF ALDERMAN

Alderman

It shall be the duty of the Alderman to execute all laws and ordinances enacted for the government of the Town of Slaughter Beach, and to carry into effect all proper orders and instructions of the Town Commissioners made in pursuance of this Act or any Law of the State of Delaware, or in pursuance of any ordinance that the Town Commissioners

SLAUGHTER BEACH

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 offenses 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 the Town Commissioners duly passed and established for the government of said Town; and also of all neglect, omissions or defaults of any Town Constable, Collector, Treasurer, 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 Twenty Five Dollars, exclusive of costs, and shall not impose any jail sentence of more than five days, and shall have no jurisdiction in civil matters. The fees of the Alderman for any 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 Commissioners. If the Alderman shall resign, he shall deliver to his successor in office, within ten 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 ten days after his resignation, 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 One Thousand Dollars.

The Alderman shall, at every meeting of the Town Commissioners, report to the Town Commissioners all fines im-

SLAUGHTER BEACH

Alderman

posed by him since the last meeting and on the same day pay to the Treasurer of the Town of Slaughter Beach 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 ten 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 One Thousand Dollars.

Oath

Before entering upon his duties, he shall be sworn by the President of the Town Commissioners or the acting President to perform the duties of his office faithfully and honestly. He may be required to give bond as required by the Town Commissioners.

TOWN COLLECTOR

Town
Collector

It shall be the duty of the Town Collector to collect all Town Taxes and all other kinds of Town revenue and to pay the same to the Town Treasurer, as provided by the Town Commissioners.

The Town Collector, before entering upon the duties of his office, shall give bond to the Town of Slaughter Beach, premiums to be paid by the said Town, with sufficient surety to be approved by the Town Commissioners, in the sum of One 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, and all other Town revenue and for the settlement of his accounts with the Treasurer of the Town at the end of his term of office, and oftener and at such other times as the Town Commissioners 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 One Thousand Dollars.

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After his election on the first Monday of January and before the first of March following in each year, the Town Collector shall obtain from the records of the County Board of Assessment at Georgetown, Delaware, a list of the taxable real estate and personal property, within the limits of the Town of Slaughter Beach, together with names of owners thereof, and of the assessment of such property by the County Board of Assessment. This list shall be the official assessment list of said Town. He shall be authorized to add to such list any taxable real estate within the Town which may have been omitted from the County list. He shall have authority to assess such added property and to the proper owners thereof. He shall also have authority to add to such list of names of any residents of Slaughter Beach who have resided in the said Town for nine months or more immediately preceding the date he makes the assessment, if such names were for any reason omitted from the County list. After preparing his assessment list as aforesaid, he shall submit the same to the Town Commissioners for their approval. After their approval, he shall post said assessment in five (5) or more public places in the said Town during the last half of the month of May following his election, for the inspection of the taxables of the said Town. On said list there shall be a statement to the effect that the Town Commissioners will sit at their regular meeting the first Monday of June in each year to hear appeals from said assessment. At such meeting, the Town Commissioners shall have power to add to or decrease only the assessments made by the Town Collector. No Commissioner shall sit on his own appeal. When the appeal day is past, the Town Commissioners shall without delay cause the assessment list to be transcribed, and the transcript to be delivered to the Collector, who shall thereupon collect from each taxable his proportion of taxes laid, and pay over the whole amount deducting commission and delinquencies which shall be allowed by the Commissioners, to the Treasurer of the Town at least once during each month, after said transcript has been delivered to him, for the collection of taxes, as

SLAUGHTER BEACH

Commission
for Collection
of Taxes

aforesaid. The Town Collector shall be allowed commission of five (5) per centum of all taxes collected by him for the said Town. All taxes shall be due the Town as soon as assessment has been handed to the Collector. After September the first in each year, a penalty of one (1) per centum per month shall be added to all uncollected taxes. The Collector shall have the same power for the collection of said taxes and penalties, as are conferred by law, upon the Collector of Sussex County taxes, provided, however, that vacant lots or tracts of land in the said Town exceeding five (5) acres in area shall not be taxed for Town purposes.

Penalty

TREASURER

Treasurer

The said Town shall have a Town Treasurer, who shall be a member of the Town Commissioners. The term of the Town Treasurer shall be one year from the second Monday in July in each year, or until his successor has been duly elected and qualified.

Oath

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 the Town Commissioners.

Bond

The Town Treasurer, before entering upon the duties of his office shall also give bond to the Town of Slaughter Beach, premium to be paid by the said Town, with sufficient surety to be approved by the Town Commissioners, in the penal sum of Four Thousand Dollars (\$4,000.00), 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.

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The Treasurer shall pay all bills ordered paid by the ^{Treasurer} Town Commissioners, out of any monies in his hands belonging to said Town. He shall settle his accounts with said Town Commissioners annually on the second Monday of July in each year, and oftener and at such other time as the Town Commissioners may require. He may be removed at any time by majority vote of the Town Commissioners.

CONSTABLES

The Town Commissioners of Slaughter Beach may ^{Constables} appoint such number of Town Constables as shall be deemed necessary from time to time, who shall constitute the police force of the said Town. The Town Commissioners shall also have power and authority to remove from office any Town Constable, so appointed by him, at any time by a majority vote of the five Commissioners. It shall be the duty of the Constable or 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 Commissioners thereof, now in force or hereafter put into force, which shall place any enforcement or other responsibility upon such Constable or Constables; to suppress all riotous, turbulent, disorderly, noisy or unauthorized or unlawful assemblages or gatherings of persons in or about any beach, boardwalk, street, road, lane or other public or private place in said Town; to prevent and disperse all gatherings which may interfere with the free and unmolested use of any beach, boardwalk, street, road, 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.

Each Constable or Constables of the Town shall be vested with all the power and authority within the Town limits and within one mile outside of said limits, (and, in

SLAUGHTER BEACH

the case of pursuit of an offender, without limit), of a Constable of Sussex County.

Compensation
of officers

The Town Treasurer, the Secretary, the Alderman, and the Constable or Constables, of the Town of Slaughter Beach, shall be paid for their services such sum or sums of money as the Town Commissioners shall from time to time determine.

Section 7. TAXATION.

Taxation
limited

The Town Commissioners of the Town of Slaughter Beach are hereby authorized and empowered to levy and collect from the taxables of said Town, according to the terms and provisions of this Act, such sum of money as may be deemed by the Town Commissioners necessary and proper for the general municipal needs of said Town, which sum shall in no year exceed Two Thousand Dollars (\$2,000.00), clear of all delinquencies and expenses of collection. The amount to be raised annually by taxation and the rate of taxation shall be fixed annually at the regular June meeting of the Town Commissioners, and by said Commissioners.

POLL TAX

Poll Tax

The Town Commissioners may annually at the regular June Meeting fix the sum to be assessed upon each and every citizen on the assessment list of 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.

Section 8. FISCAL YEAR, ANNUAL STATEMENT.

Fiscal Year

The fiscal year of the said Town shall begin the first day of January in each year and shall end with the next succeeding thirty-first day of December. The Town Commis-

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sioners 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 posted in three or more public places in the Town of Slaughter Beach, during the latter half of May in each year, and during the same period have the said statement published in a newspaper printed in Milford, Sussex County, Delaware.

Annual
statement
posted

Section 9. AUDITORS.

It shall be the duty of the Town Commissioners to appoint annually in the month of June two competent and suitable persons, who shall be taxables of the Town of Slaughter Beach, auditors of the Accounts of the Town Commissioners for the Town of Slaughter Beach, whose duty it shall be to examine all the accounts of the Collector and Treasurer and of the Town Commissioners for the Town of Slaughter Beach for the preceding fiscal year, and to audit the same. The said auditors shall on or before the last day of June next ensuing their appointment make a report of said accounts so examined and audited and post the same on the first Monday of July at the polling place where the annual town election is held and before the opening of said election. For the purposes of said audit they shall have access to all records belonging to the Town Commissioners of the Town of Slaughter Beach, and of all records of all the officers of said Town. The said auditors shall also convey to any taxable of said Town the result of said audit, upon request.

Auditors

Section 10. BOARDWALKS AND STREETS.

The Town Commissioners of the Town of Slaughter Beach, or a majority of them, 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 Slaughter Beach, before or in front of which the said Town Commissioners may deem proper that a pave-

Boardwalks
and streets

SLAUGHTER BEACH

Boardwalks
and streets

ment or boardwalk should be laid or built, to lay or build a pavement or boardwalk of wood, brick, concrete, smooth stones, or of any other material which may be approved by said Town Commissioners, the length and width of such pavement or boardwalk to be prescribed by said Town Commissioners. If such proprietor or proprietors shall neglect or refuse for the space of twenty days after being directed as aforesaid, to lay or build such pavement or boardwalk, he, she or they shall forfeit and pay to the Town of Slaughter Beach for the use of said Town the sum of Five Dollars for each day thereafter, during which said pavement or boardwalk shall remain unlaid or not built as aforesaid; and also upon the neglect or refusal aforesaid, it shall and may be lawful for the members of said Town Commissioners, and they, or a majority of them are empowered to cause pavements or boardwalks to be laid or built 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 boardwalk already made shall at any time by the members of said Town Commissioners or a majority of them be deemed an insufficient pavement or boardwalk, they or a majority of them shall have power and are hereby required to direct in writing the proprietor or proprietors thereof to make a sufficient one, and upon neglect or refusal so to do for the space of twenty days, the members of said Town Commissioners, 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 Slaughter Beach, 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, the members of said Commissioners or a majority of them may cause any sidewalks or

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portions thereof as are 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 notice, penalty and means of recovering costs and penalty shall be as above prescribed. The Town Commissioners shall have the authority to curb any of the sidewalks or any portion thereof in said Town. The costs of setting the same and the material thereof shall be at the expense of the town. The Town Commissioners shall also have the right to fix the grade of any of the streets, sidewalks, boardwalks, lanes or alleys in said town.

Section 11. COUNTY ROAD.

The County Road known as Bay Avenue, which has been constructed just west and to the rear of the principal row of cottages in the Town of Slaughter Beach shall remain under the care of the Levy Court of Sussex County, and be maintained and repaired by said Body.

Section 12. The Town Commissioners of the Town of Slaughter Beach shall be authorized and empowered to pass ordinances granting franchises, and to enter into contracts, in the manner, and for the purposes, described in Chapter 144, Volume 35, Laws of Delaware, provided that the granting of any such franchise shall be by two-thirds vote of the Town Commissioners.

Section 13. If any part of this Act shall be held unconstitutional, such holding shall not in any wise invalidate the remaining provisions of this Act.

Section 14. This Act shall be deemed and taken to be

Approved March 23, 1931.

TITLE TEN

Religious Reformatory and Charitable Institutions

CHAPTER 168

ASBURY DAY NURSERY, INC.

AN ACT Making An Appropriation to Asbury Day Nursery, Inc., a Corporation of the State of Delaware.

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

Section 1. That the sum of Fifteen Hundred Dollars (\$1,500.00) be and the same is hereby appropriated to Asbury Day Nursery, Inc., a corporation of the State of Delaware, for the maintenance of said nursery, and for repairs and replacement.

Appropriation
to Asbury Day
Nursery, Inc.

Section 2. That the said sum shall be paid to the President of the said corporation by the State Treasurer and that the receipt of the President of the said corporation, duly attested by its Secretary, under the corporate seal of the said corporation, shall be a sufficient voucher therefor.

Section 3. 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 May 6, 1931.

CHAPTER 169

CHILDREN'S BUREAU OF DELAWARE

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 Eight Thousand Dollars (\$8,000) be and the same hereby is appropriated to Children's Bureau of Delaware for the maintenance of children within the State of Delaware. Appropriation to Children's Bureau of Delaware

That the said sum of Eight Thousand Dollars (\$8,000.00) shall be paid in two equal annual installments of Four Thousand Dollars (\$4,000.00) each, payable respectively for the years 1932 and 1933.

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 25, 1931.

CHAPTER 170

DELAWARE CHILDREN'S HOME SOCIETY

AN ACT to appropriate Six 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 of each branch thereof concurring therein):

Appropriation
to Delaware
Children's
Home Society

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 the Delaware Children's Home Society to be used for operation expenses of said society.

Section 2. That the said sum of Six Thousand Dollars (\$6,000) shall be paid to the said society, in two annual installments of Three Thousand Dollars (\$3,000) each, for the years 1932 and 1933.

Approved April 3, 1931.

CHAPTER 171

DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

AN ACT to Appropriate Certain Money 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 seventy-nine thousand four hundred and twenty-two dollars and fifty cents (\$79,422.50) 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.

Appropriation
for salaries,
wages,
operation, to
Delaware
Industrial
School for
Girls

Section 2. That the said sum of seventy-nine thousand four hundred and twenty-two dollars and fifty cents (\$79,422.50) shall be paid to the said School in two annual instalments of forty thousand one hundred and forty-six dollars and twenty-five cents (\$40,146.25) and thirty-nine thousand two hundred seventy-six dollars and twenty-five cents (\$39,276.25) for the years 1932 and 1933 respectively.

Approved April 25, 1931.

CHAPTER 172

DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

AN ACT Appropriating Certain Money to the Delaware Industrial School for Girls for the Erection, Furnishing and Maintenance of a New Building.

WHEREAS, the present facilities of Delaware Industrial School for Girls are inadequate for the proper schooling of the individuals committed to that institution by the Counties of this State;

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):

Appropriation
to Delaware
Industrial
School for
Girls for
building and
maintenance
thereof

Section 1. That the sum of Fifty Thousand Dollars be, and the same is hereby appropriated to be used for the erection of a school and gymnasium building with an assembly hall therein, upon the property of Delaware Industrial School for Girls in Brandywine Hundred, New Castle County.

Section 2. Said sum of Fifty Thousand Dollars shall be paid by the State Treasurer from time to time upon orders signed by the President or Vice-president, and Treasurer of Delaware Industrial School for Girls, accompanied by vouchers showing the expenditure of such an amount.

Section 3. That the further sum of Fifteen Thousand Dollars be and the same is hereby appropriated to be used for the furnishing and maintenance of said buildings.

Section 4. 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 25, 1931.

CHAPTER 173

DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

AN ACT Making An Appropriation to the Delaware Industrial School for Girls.

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

Section 1. That the sum of Four Thousand Dollars (\$4,000.00) be and the same is hereby appropriated to the Delaware Industrial School for Girls to pay the deficit in the expenses of the maintenance of the school for the years 1930 and 1931.

Appropriation
to Delaware
Industrial
School for
Girls for
deficit

The said sum shall be payable to said School at any time prior to June 30, 1931, upon its warrant in accordance with the provisions of Sec. 20, Chapter 15, of the Revised Code.

Section 2. 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's Treasury.

Approved April 29, 1931.

CHAPTER 174

EVER READY CIRCLE OF KINGS DAUGHTERS

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):

Appropriation
to Ever-Ready
Circle King's
Daughters for
Old Folk's
Home

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 (\$3,000) each, for the years 1932 and 1933.

Approved April 25, 1931.

CHAPTER 175

FERRIS INDUSTRIAL SCHOOL

AN ACT to Relieve the County Treasurers of New Castle, Kent and Sussex Counties from any Payments to the "Ferris Industrial School of Delaware" for the Maintenance and Education of Any Boys Who May be Legally Committed to Its Custody, and to Provide for the Maintenance Thereof by the State of Delaware.

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

Sec. 1. That hereafter New Castle, Kent and Sussex Counties shall not be required to make any payments to the Ferris Industrial School of Delaware for its maintenance and operation, and the Levy Court of each of the said Counties is hereby relieved from the obligation of paying any money for the maintenance and education of boys committed to said school.

Counties
relieved of
payments to
Ferris
Industrial
School

Sec. 2. That the Board of Trustees of said school shall hereafter prepare a budget showing its needs and requirements and submit the same to the person or Board charged with the preparation of the Budget Appropriation Bill, and shall make a request of the General Assembly for such amount of money as in their judgment is necessary for the operation of said school during the next biennium.

Sec. 3. The General Assembly shall make such appropriation for the maintenance of said school as may be necessary.

General
Assembly to
appropriate
money

Sec. 4. That the Board of Trustees of said school shall make an annual report of its receipts and expenditures for the preceding year in such detail as may be required by the Governor or other legally authorized authority of the State of Delaware.

Report of
receipts and
expenditures

Approved April 6, 1931.

CHAPTER 176

FERRIS INDUSTRIAL SCHOOL

AN ACT to Appropriate Certain Money to the Ferris Industrial School of Delaware for the Construction and Equipment of a Dormitory, Kitchen and Mess Halls, and a Recreation Building.

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

Appropriation
to Ferris
Industrial
School for
Buildings

SECTION 1. That the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) be and the same is hereby appropriated to the Ferris Industrial School of Delaware for the construction and equipment of a dormitory, kitchen and mess halls, and a recreation building.

SECTION 2. That the said sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) shall be payable at any time to the said Ferris Industrial School of Delaware upon its warrant or warrants in accordance with the provisions of 474, Section 20 of Chapter 15, of the Revised Code of Delaware.

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 of the State Treasury.

Approved April 25, 1931.

CHAPTER 177

FERRIS INDUSTRIAL SCHOOL

AN ACT to Appropriate Certain Money to the Ferris Industrial School of Delaware for the Completion of the Sewage Disposal 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 Fifteen Hundred Dollars (\$1,500.00) be and the same is hereby appropriated to the Ferris Industrial School of Delaware for the completion of the repairs of the existing Sewage Disposal System and the necessary extensions to the same.

Appropriation
to Ferris
Industrial
School for
Sewage
Disposal Plant

Section 2. That the said sum of Fifteen Hundred Dollars (\$1,500.00) 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 3. 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 25, 1931.

CHAPTER 178

FERRIS INDUSTRIAL SCHOOL

AN ACT to Appropriate Certain Money to the Ferris Industrial School of Delaware for Improvements to the Existing Water Supply at Said School.

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

Appropriation
to Ferris
Industrial
School to
improve water
supply

Section 1. That the sum of Fifteen Thousand Dollars (\$15,000), be and the same is hereby appropriated to the Ferris Industrial School of Delaware for improvements to the existing water supply at said school.

Section 2. That the said sum of Fifteen Thousand Dollars (\$15,000), 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 Supplementary Appropriation Act, and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury.

Approved April 25, 1931.

CHAPTER 179

HOSPITALS

AN ACT to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents.

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

Section 1. Every charitable association, corporation or other institution maintaining a hospital in the State of Delaware, supported in whole or in part by private charity, shall have a lien upon any and all claims or demands, all rights of action, suits, counterclaims of any person admitted to any such hospital and receiving treatment, care and maintenance therein arising out of any personal injuries received in any such accident which any such injured person may or shall have, assert or maintain against any such other person or corporation for damages, compensation or other claim on account of such injuries, for the amount of the reasonable charges of such hospital for all medical treatment, care and nursing and maintenance of such injured person while in such hospital, to the extent of the full and true consideration paid or given to, or on behalf of such injured person or his legal representative.

Liens in favor
of Hospitals
and other
Charitable
Institutions
furnishing
Care to
injured
persons

Section 2. Said charitable association, corporation or other institution shall file in the office of the Prothonotary of the County in which such injuries shall have occurred a notice in writing, containing the names and addresses of the injured person, the date of the accident, the name and location of the hospital, and, if then known, the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to such injured person by reason of the injuries received, prior to the payment of any moneys to such injured person or his or her legal representative by such person or persons, firm or firms, corporation or corporations to such injured person. Copies of said notice shall

Filing of
notice of
claim in
office of
Prothonotary

HOSPITALS

be sent by registered mail by the hospital to such injured person and all parties in interest, who may then be known. Thereafter an affidavit by a competent person, acting on behalf of such institution, setting forth such service, and all attempts to serve the same shall be filed in the office of the Prothonotary.

Lien to attach
to judgments
and amounts
due injured
person on
account of
injury

Section 3. The lien of any such hospital shall attach to any verdict, report, decision, decree, award, judgment or final order made or rendered in any action or proceeding in any court of record of Delaware, or any public board or bureau, in any suit, action, or proceeding brought by such injured person, or by the estate of such injured person in case of deaths as the result of such injuries, against any other person or corporation for the recovery of damages or other compensation or payment in any way arising out of injuries received in any such accident, as well as to the proceeds of any settlement thereof, any claim or demand effected by any such injured person or on his behalf, with any other person or corporation in any way liable to said injured person, or his legal representative, in case of death, by reason of said injuries, effected with any other person or corporation on account thereof.

Release by
injured not
to affect lien
of Hospital

Suit within
a year

Section 4. After the filing of the notice as herein provided, no release of any judgment, claim or demand by such injured person shall be valid or effectual as against such lien, and the person or persons, firm or firms, corporation or corporations making any payment to such injured person or his legal representative as compensation for the injuries sustained shall for a period of one year from the date of such payment as aforesaid remain liable to such hospital for the amount of its reasonable charges due at the time of such payment as aforesaid, to the extent of the full and true consideration paid or given to, or on behalf of such injured person or his legal representative, and any such charitable association, corporation or other institution or body maintaining such hospital may, within such period, enforce its

HOSPITALS

lien by a suit at law against such person or persons, firm or firms, corporation or corporations making any such payment.

Section 5. Every Prothonotary shall, at the expense of the county, provide a suitable, well-bound book, to be called the hospital lien docket, in which, upon the filing of any lien claim under the provisions of this act, he shall enter:

Hospital Lien Docket
Entries therein

The name of the injured person, the date of the accident, the name of the hospital or other institution making the claim, and the filing of an affidavit setting forth the service of, or attempts to serve, of all parties in interest.

And the said clerk shall make a proper index of the same in the name of the injured person; and such clerk shall be entitled to One Dollar (\$1.00) for filing each claim, and at the rate of twenty five cents (25c) per folio for such entry made in the lien docket and twenty five cents (25c) for every search in the office for such lien claim.

Index
Fee for filing

Section 6. Any person or persons, firm or firms, corporation or corporations legally liable or against whom a claim shall be asserted for compensation for such injuries, shall be permitted to examine the records of any such association, corporation or other institution or body maintaining such hospital in reference to such treatment, care and maintenance of such injured person.

Hospital records may be examined

Section 7. If any section, clause, sentence, paragraph or other part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder of this Act, or any part thereof, but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall be rendered. It

Act not invalidated by invalidity of part

HOSPITALS

being hereby declared the Legislature would have enacted the remainder of this Act without such part adjudged to be invalid.

Approved April 6, 1931.

CHAPTER 180

INDUSTRIAL SCHOOL FOR COLORED GIRLS

AN ACT to Relieve the County Treasurers of New Castle, Kent and Sussex Counties from any Payments to the Industrial School for Colored Girls of Delaware for the Maintenance and Education of any Girl or Girls Who May be Legally Committed to Its Custody, and to Provide for the Maintenance Thereof by the State of Delaware.

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

Sec. 1. That hereafter New Castle, Kent and Sussex Counties shall not be required to make any payments to the Industrial School for Colored Girls of Delaware for its maintenance and operation, and the Levy Court of each of the said Counties is hereby relieved from the obligation of paying any money for the maintenance and education of colored girls committed to said school.

Counties
relieved of
maintenance
of Industrial
School for
Colored Girls

Sec. 2. That the Board of Trustees of said school shall hereafter prepare a budget showing its needs and requirements and submit the same to the person or Board charged with the preparation of the Budget Appropriation Bill, and shall make a request of the General Assembly for such amount of money as in their judgment is necessary for the operation of said school during the next biennium.

Trustees to
submit needs
to General
Assembly

Sec. 3. The General Assembly shall make such appropriation for the maintenance of said school as may be necessary.

General
Assembly to
make
necessary
appropriation

Sec. 4. That the Board of Trustees of said school shall make an annual report of its receipts and expenditures for the preceding year in such detail as may be required by the Governor or other legally authorized authority of the State of Delaware.

Annual
financial
report made

Approved April 6, 1931.

CHAPTER 181

INDUSTRIAL SCHOOL FOR COLORED GIRLS

AN ACT to appropriate Certain Money to the Industrial School for Colored Girls of Delaware for the Erection and Equipment of a School Building.

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

Appropriation
for school
building at
Industrial
School for
Colored Girls

SECTION 1. That the sum of Thirty Thousand Dollars (\$30,000.00) be and the same is hereby appropriated to the Industrial School for Colored Girls of Delaware, for the erection and equipment of a school building.

SECTION 2. That the moneys hereby appropriated shall be payable at any time to the Industrial School for Colored Girls of Delaware upon its warrant or warrants in accordance with the provisions of 474, Section 20, Chapter 15, 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 6, 1931.

CHAPTER 182

INDUSTRIAL SCHOOL FOR COLORED GIRLS

AN ACT to Appropriate Certain Money to the Industrial School for Colored Girls of Delaware for Repairs and Additions to the Sewage Disposal 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 eight thousand dollars (\$8,000) be and the same is hereby appropriated to the Industrial School for Colored Girls of Delaware for the repair of the existing sewage disposal system and the necessary extensions to the same.

Appropriation
for sewage
disposal
system at
Industrial
School for
Colored Girls

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.

Construction
according to
plans of State
Board of
Health

Section 3. That the said sum of eight thousand dollars (\$8,000) shall be payable at any time to the said school upon its warrant or warrants, in accordance with the provisions of 474, Section 20, of Chapter 15, of the Revised Code of the State of Delaware.

Appropriation
to school

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 April 22, 1931.

CHAPTER 183

INDUSTRIAL SCHOOL FOR COLORED GIRLS

AN ACT to Amend Chapter 155, Volume 32, Laws of Delaware, Relating to the Industrial School for Colored Girls of Delaware.

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

Section 1. That Chapter 155 of Volume 32, Laws of Delaware, be and the same is hereby amended by adding the following new section, to be known as Section 13.

Misdemeanor
to assist in
escape from
Industrial
School for
Colored Girls

Or to assist
violation of
parole

Penalty

Section 13. Whoever shall knowingly advise, promote or aid in the escape or running away of any girl from the guardianship or custody of the Board of Trustees of the Industrial School for Colored Girls of Delaware, or shall knowingly harbor or conceal, or aid in harboring or concealing any girl who has escaped from the guardianship or custody of the Board of Trustees of said School, or whoever shall advise, promote or aid in the violation of the terms of parole of any girl who has been released on parole by the Board of Trustees of said School, or shall harbor or conceal or aid in harboring or concealing any girl after she has been released on parole by said Board of Trustees and after the terms of her parole have been violated, shall be deemed guilty of a misdemeanor and shall, on conviction thereof before any Justice of the Peace in the County wherein the said offense has been committed or before the Municipal Judge of the City of Wilmington, be fined not less than ten nor more than one hundred dollars, to be paid to the Treasurer of said School for the use thereof.

Approved April 22, 1931.

CHAPTER 184

INDUSTRIAL SCHOOL FOR COLORED GIRLS

AN ACT Appropriating Money to Pay for Land Recently Purchased by President of the Board of Trustees of the Industrial School for Colored Girls of Delaware.

WHEREAS Edward L. Richards, President of the Board of Trustees of the Industrial School for Colored Girls of Delaware, has purchased a certain lot or piece of ground adjoining other property of said school for the purpose of annexing the same thereto

AND WHEREAS, there is owing and unpaid on said lot or piece of ground the sum of Three Hundred and Seventy-two Dollars and Eighty-six cents, (\$372.86) which it is desirable should be paid; therefore

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

Section 1. That the sum of Three Hundred and Seventy-Two Dollars and Eighty Six Cents (\$372.86) be, and the same is hereby, appropriated to be paid to the said Edward L. Richards in payment for said land upon receipt of sufficient deed or deeds from the said Edward L. Richards conveying said land unto the State of Delaware in fee simple.

Appropriation
to pay for
land for
Industrial
School for
Colored Girls

Approved April 25, 1931.

CHAPTER 185

LAYTON HOME FOR COLORED

AN ACT to Appropriate Three 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) :

Appropriation
to Layton
Home for
Aged Colored
People

SECTION 1. That the sum of Three Thousand Dollars (\$3,000) 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 Three Thousand Dollars (\$3,000) shall be paid to the said Home, in two annual installments of Fifteen Hundred Dollars (\$1500) each, for the years 1932 and 1933.

Approved April 3, 1931.

CHAPTER 186

ST. MICHAEL'S HOME FOR BABIES

AN ACT to Change the Name of St. Michael's Day Nursery and Hospital for Babies.

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

Section 1. That the name of St. Michael's Day Nursery and Hospital for Babies, a corporation for charitable purposes sustained in whole or in part by the State, be and the same is hereby changed to St. Michael's Home for Babies.

Change of
name to St.
Michael's
Home For
Babies

Approved February 25, 1931.

CHAPTER 187

ST. MICHAEL'S HOME FOR BABIES

AN ACT to Appropriate Seven Thousand Dollars to St. Michael's Home for Babies.

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):

Appropriation
to St.
Michael's
Home for
Babies for
repairs and
replacements

Section 1. That the sum of Seven Thousand Dollars (\$7,000) 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 Home for Babies, for operation and for repairs and replacements.

Section 2. That the said sum of Seven Thousand Dollars (\$7,000) shall be paid to the said St. Michael's Home for Babies, in two annual installments of Thirty five hundred dollars (\$3500) each, for the years 1932 and 1933.

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 of the State Treasury.

Approved March 30, 1931.

CHAPTER 188

ST. MICHAEL'S HOME FOR BABIES

AN ACT to Appropriate Thirteen Thousand Dollars (\$13,000) to St. Michael's Home for Babies.

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 Thirteen Thousand Dollars (\$13,000) 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 Home for Babies, for operation and for repairs and replacements.

Appropriation
to St.
Michael's
Home for
Babies, for
operation,
repairs and
replacements

Section 2. That the said sum of Thirteen Thousand Dollars (\$13,000) shall be paid to the said St. Michael's Home for Babies in two annual installments of Sixty-Five Hundred Dollars (\$6,500.00) each, for the year 1932 and 1933.

Approved April 3, 1931.

CHAPTER 189

STATE WELFARE HOME

AN ACT to Authorize, Empower and Direct the State Old Age Welfare Commission to Acquire Land and to Erect or Cause to be Erected Thereon a State Welfare Home for the Care and Support of Indigent Persons Resident in the State of Delaware; to Define the Powers and Duties of Said Commission for This and Other Purposes; to Appropriate Funds Out of the State Treasury for Carrying Out the Purposes of This Act; to Provide for the Maintenance of the Said Home and the Care and Support of the Inmates, and for Other Expenses, Out of Public Funds, Supplied in Part by the Counties and in Part by the State; to Abolish Existing Alms Houses and Transfer Certain Inmates of Said Houses to Said Home; to Dissolve the Trustees of the Poor; and to Prescribe Penalties for the Violation of the Provisions of This Act.

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

State Old Age
Welfare
Commission
to acquire
land for
State Welfare
Home

Section 1. The State Old Age Welfare Commission is hereby authorized, empowered and directed to acquire the necessary land, in a suitable location in the State of Delaware, and to erect or cause to be erected on said land a State Welfare Home, with all the required appointments and equipment, for the proper care and support of indigent persons, resident in said State, as hereinafter provided. The said Commission shall enter upon its duties under this Act within ninety days after its approval by the Governor.

Members of
Commission
sworn

Compensation

Section 2. The members of the Commission, before entering upon their duties under this Act, shall be severally sworn or affirmed, to faithfully and diligently perform the duties devolving upon them. They shall serve without salary, but shall be entitled to receive a fee of Five Dollars (\$5.00) for attending each meeting of the Commission, on

STATE WELFARE HOME

the business and affairs of the Home, and in addition, a reasonable allowance for expenses incurred in the performance of their duties.

Section 3. The Commission shall have full jurisdiction and control over said Home and its inmates. It may adopt and enforce rules and regulations for the exercise of its powers and the performance of its duties. It may appoint a Treasurer and such other subordinate officers, agents and servants as may be found necessary, fix their compensation, and dispense with their services at any time. The Treasurer shall give bond to the State, with surety approved by the Commission, in such sum as it may prescribe, for the faithful and diligent performance of his duty and the true and correct accounting for all moneys coming into his hands, which bond shall have a warrant of attorney attached to confess judgment thereon. The Commission shall cause the accounts of its Treasurer to be examined and verified annually, or oftener, if the Commission shall deem it necessary.

Commission
to have
jurisdiction
over Home

Treasurer

Section 4. The Commission shall have power to acquire land, in the name of the State, by purchase or otherwise, upon which to erect the said State Welfare Home. Whenever the Commission cannot agree with the owner or owners of such land for the purchase thereof, the Commission may, after due notice to said owner or owners, apply to the Resident Judge of the Superior Court for the County in which said land is located, for the condemnation thereof, and the said Resident Judge shall thereupon make such order, or orders, respecting such condemnation as he may deem right and proper. The said Commission shall also have power to enter into contracts, in the name of the State, for the erection of said Home and for its appointments and equipment. No member of said Commission, and no person holding a position under said Commission, shall have any pecuniary interest, directly or indirectly, in the purchase or condemnation of land and the erection of the Home thereon, with its appointments and equipment.

Condemnation
of land

STATE WELFARE HOME

\$500,000
appropriated
for land and
building

Section 5. The sum of Five Hundred Thousand Dollars (\$500,000.00) is hereby appropriated out of the general funds in the State Treasury for the acquisition of the necessary land and the erection of the State Welfare Home thereon, with its appointments and equipment. The said sum shall be expended under the direction of the Commission. The State Treasurer shall make payments from said sum, from time to time, upon the presentation by said Commission of vouchers duly verified and approved.

Who may be
admitted

How
admitted

Section 6. Any person, man or woman, having a legal residence in the State of Delaware, who has been unable to obtain employment, or is unable to work, who has no property or income sufficient to provide the necessities of life, who has no permanent place of abode, and no relatives or friends to care for him or her, may be admitted for the time being to said Home, on the written order of any member of the Commission, in the interim of the meetings of said Commission, or by order of the Commission when in session, upon the presentation to said Commissioner, or to the Commission as a whole, of a statement in writing setting forth the facts in his or her case, attested by two credible witnesses, and verified under oath or affirmation. In every such case the Commission shall cause diligent inquiry to be made into all the facts and circumstances, and, upon ascertainment that the statement submitted is just and true, may make such further order respecting such person as the facts and circumstances may warrant. The Commission may, in its discretion, and in cases of extreme emergency, or upon the order of any Court having competent jurisdiction in such cases, admit other persons to the Home. If an indigent person requiring public relief, including medical and surgical treatment, should not be or cannot be removed to the Home, any member of the Commission may grant him or her outside relief until the Commission meets, when such person shall be provided for by the Commission either by the continuance of such outside relief or by removal to the Home; and the cost of such outside relief shall be a proper charge

Outside
relief

STATE WELFARE HOME

against said Home, as much so as if said indigent person were an inmate thereof, and shall be included in the cost of the maintenance of said Home and the care and support of its inmates. In the event of the death of an indigent person, whether an inmate of the Home or dying outside of the Home, he or she may be buried at the public expense, on the order of the Commission, or any member thereof, but in no case shall the expense of the burial exceed One Hundred Dollars (\$100.00).

Burial of
indigent
person

Section 7. No insane or vicious person, or a person having a criminal record, unless such person by thorough reformation shall have acquired a good reputation, shall be admitted to the Home. Any inmate of the Home who shall be guilty of the violation of any law of the State of Delaware shall be dismissed from the Home and placed in the custody of the proper authorities. Any inmate of the Home who shall become incorrigible shall be dismissed. Any inmate of the Home who shall marry shall be dismissed.

Persons not
admitted

Dismissal

Section 8. If an inmate of the Home shall be found to own property, such property shall be liable for the expense incurred in the care and support of such inmate. If a husband, without sufficient cause, separate from his wife, or a father or mother desert his or her children, so that such wife or children shall be admitted to the Home, the property of such husband, father or mother shall be liable for the expense incurred in the care and support of such wife or children. In all such cases the Commission shall take legal proceedings to seize the property to pay said expense. The parents, grandparents, children or grandchildren of an indigent person, an inmate of the Home, shall be liable, in the order named, for the expense incurred in the care and support of such person, provided they shall be found able to pay such expense. The Commission shall take legal proceedings to enforce this liability, if warranted by the facts and circumstances.

Property of
inmate liable
for expense

Liability of
of relatives

STATE WELFARE HOME

Penalty for
fraud in
connection
with
admission

Section 9. Any person who by wilful false statements, or misrepresentation, or other fraudulent devise, obtains or attempts to obtain, or aids or abets any other person to obtain admission to the Home, when such person is not entitled to admission under the provisions of this Act, or any person who disposes of any property, or aids or abets in the buying or in any other way disposing of the property of a person applying for admission, or who has already been admitted to the Home, without the knowledge or consent of the Commission, which property is liable for the expense incurred in the care and support of such person in said Home, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding Five Hundred Dollars (\$500.00), or to undergo imprisonment not exceeding three years, or both in the discretion of the Court.

Commission
to conduct
Home

Section 10. The Commission shall conduct said Home and provide for the care and support of the inmates with due regard for their comfort and well being. The inmates shall be classified and grouped, as far as may be feasible, according to their color, their mental and physical condition, and their previous occupation, with a view to their mental and physical betterment. They shall be assigned to such work, when physically able, as will interest and encourage them. Facilities shall be afforded them for educational improvement, edifying and inspirational entertainment and healthful recreation. Such methods in general shall be employed by the Commission as will provide good order, fraternal relations, and self respect among the inmates, under humane and helpful regulations, with special reward for meritorious service and gentle reproof or reasonable restraint for misbehavior, as each particular case may warrant. No member of said Commission, and no person holding a position under said Commission, shall have any pecuniary interest, directly or indirectly, in the purchase of supplies of any kind for said Home and its inmates, or in expenditures authorized by said Commission for any purpose in connection with said Home and its inmates.

STATE WELFARE HOME

Section 11. The cost of the maintenance of said Home and the care and support of its inmates, including the necessary expenses of the Commission, shall, on and after the date of the opening of said Home, be a charge against the Counties of the State, apportioned according to the number of inmates from each County. The Commission shall annually submit to the Levy Court of each County an estimate of the cost and expenses chargeable against such County. The Levy Court of each County shall include the amount of said estimate in the taxes laid for that year, and the same shall be credited by the Treasurer of the County to the said Commission, subject to its order. The Commission shall, at the close of each month, furnish the Treasurer of each County with a detailed, minute and accurate account of the cost and expenses during the month chargeable to the County, the amount of which account shall be paid to the Treasurer of the Commission, who shall disburse the same in the payment of claims against said Home, as the same shall have been verified and ordered by the Commission to be paid.

Cost of
maintenance
a charge on
Counties

Section 12. The State shall semi-annually re-imburse each County to the extent of one-half the amount expended by said County for the cost of the maintenance of the Home and the care and support of its inmates, including the necessary expenses of the Commission. Claim for such reimbursement shall be first approved by the Commission and thereafter be presented by the Treasurer of each County semi-annually, in January and July, to the State Treasurer. Before payment of said claim shall be made it shall be duly verified by the State Auditor, who shall certify the correctness thereof to the State Treasurer. The State Treasurer shall thereupon pay the amount of such claim to the Treasurer of the County presenting the same. The estimated amount of said claims shall be included in the annual appropriations made by the General Assembly. If, at any time, there would be a deficit in the funds required to be provided by the Levy Court of each County for the cost of the main-

State to
reimburse
Counties for
one-half of
expense

STATE WELFARE HOME

Deficit tenance of the Home and the care and support of its inmates, including necessary expenses of the Commission, as aforesaid, chargeable to said County, such deficit shall be paid out of the State Treasury upon requisition of the said Commission and shall be deducted by the State Treasurer from the amount to be paid to said County in re-imbursement of the amount expended by it, as hereinbefore provided.

Inmates of Alms Houses admitted to Home Section 13. When the Home, with its appointments and equipment, shall have been completed and is ready for occupancy, the inmates in the several Alms Houses in the State, who come within the classification of such persons as may be admitted, shall be transferred to said Home, and the Almshouses as such shall be abolished. At the time of the transfer the Trustees of the Poor shall deliver to the Commission all papers and records relating to the inmates transferred to the Home. All insane inmates of the Alms Houses shall be committed to the Delaware State Hospital at Farnhurst.

Insane

Alms House properties to pass to Counties Section 14. When the Alms Houses shall have been abolished as hereinbefore provided, the jurisdiction and control over the properties, including all lands, buildings and improvements, and all personal property of every kind and description, shall forthwith pass to the respective Counties in which said Houses were located. The Trustees of the Poor in each County shall execute and deliver such conveyances, or other instruments of writing, as may be required to effectuate the transfer to the said County of such jurisdiction and control.

Trustees of Poor to settle with Levy Courts Section 15. When the Alms Houses shall have been abolished and the jurisdiction and control of the properties shall have passed to the respective Counties in which said Houses were located, the Trustees of the Poor in each County shall make a full and complete settlement with the Levy Court of such County and shall cause all funds in their

STATE WELFARE HOME

possession, or under their control, to be paid to the Treasurer of the County, who shall credit said funds to the Commission, subject to its order. The said Trustees of the Poor, as a corporation, shall then be dissolved, and the terms of office of the members thereof shall terminate; and thereupon all the powers and duties of the said Trustees of the Poor shall cease and determine and all laws in relation thereto, including Chapter Fifty-four of the Revised Code, shall be and are hereby repealed.

Laws relating
to Trustees
of Poor,
repealed

Section 16. Any person who violates any provision of this Act, for which no penalty is specifically prescribed, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding Five Hundred Dollars (\$500.00), or to undergo imprisonment not exceeding three years, or both in the discretion of the Court.

Penalty for
violating
provisions
of Act

Section 17. The Commission shall annually, within ninety days after the close of each calendar year, make a full report of its proceedings to the Governor and to the Levy Court in each County, including detailed information regarding the Home and its inmates and a Statement of receipts and Expenditures.

Annual
reports by
Commission

Section 18. This Act shall be named and cited as the State Welfare Home Act of the State of Delaware.

Section 19. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved April 29, 1931.

CHAPTER 190

SUSSEX COUNTY HOME

AN ACT Providing for the Change of Name of the Alms House of 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 home for the poor located near Georgetown, Sussex County, State of Delaware, under the management and control of the Trustees of the Poor and now known as the "Alms House" shall be and is hereby changed to the "Sussex County Home", and shall hereafter be known and called by that name.

Approved February 2, 1931.

TITLE ELEVEN

Education

CHAPTER 191

FREE SCHOOLS

AN ACT Making Appropriations for the School Budget for the School Years Beginning Respectively July 1, 1931, and July 1, 1932, and Ending Respectively June 30, 1932, and June 30, 1933.

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 the sum of Three Million Six Hundred Twelve Thousand Dollars (\$3,612,000.00) for the School Budget hereinafter described for the school year beginning July 1, 1931, and ending June 30, 1932, and there is hereby further appropriated the sum of Three Million Six Hundred Twelve Thousand Dollars (\$3,612,000.00) for the said School Budget for the school year beginning July 1, 1932, and ending June 30, 1933, 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.

Appropriation
for School
Budget for
year ending
June 30, 1932

For year
ending June
30, 1933

Deficiency
made up out
of General
Fund by
way of
advances

Section 2. The State Treasurer is hereby directed to pay the amounts appropriated in this Act on warrants of

Payment on
Warrants of
State Board of
Education

FREE SCHOOLS

Restrictions
on
expenditures

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 two per centum of the total budget for the functions of the State Board, its offices, officers and employes;

"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 seven and five-tenths per centum of the total budget for transportation of pupils; and may reserve not more than one and nine-tenths per centum of the total budget for the following activities: Expenses of Teacher Training, expenses of teachers at Summer School, Oratorical and Declamation Association, and Adult Education.

"FIXED CHARGES" not more than two 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:

FREE SCHOOLS

(a) Salaries and expenses of the members of the State Board of Education and the expenses of the business office. Restrictions on expenditures

(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: Instructional Service to include

(a) The Supervisional part of salaries of Superintendents and Supervisors and their expenses.

(b) Salaries of Principals and Teachers.

(c) Text Books 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. Operation to include

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. Maintenance shall include

The term "AUXILIARY AND CO-ORDINATE ACTIVITIES" as used in Section 2 shall include all expenditures for transportation of pupils, scholarships in Teacher-Training, Vocational Teacher-Training under Smith-Hughes, expenses Auxiliary and Co-ordinate activities shall include

FREE SCHOOLS

of teachers at Summer School, Americanization, Adult Education, Promotion of Health, expenses of teachers' and trustees' meetings and other auxiliary activities.

Fixed Charges
shall include

The term "FIXED CHARGES" as used in Section 2 shall include all expenditures for Insurance and Premiums paid for workingmen's compensation insurance.

Capital outlay
shall include

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.

Division of
appropriations
after deduc-
tions for State
wide activities

Section 4. After the sums for the State wide activities hereinbefore mentioned have been deducted from the Three Million Six Hundred Twelve Thousand Dollars (\$3,612,000.00) the remainder shall be divided among the State Board, the City of Wilmington and the various Special School Districts of the State as follows:

1st. For every pupil enrolled in grades, ten, eleven and twelve during the previous school year Ninety Dollars (\$90.00) per pupil.

2nd. For every pupil enrolled in grades seven, eight and nine during the previous school year Eighty Two Dollars and Fifty Cents (\$82.50) per pupil.

3rd. The remainder shall be divided among the said divisions in the proportion which the net enrollment in grades one to six, inclusive, during the previous school year in each of these divisions bears to the total net enrollment in said grades 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:

FREE SCHOOLS

1. To be counted enrolled a pupil must attend twenty or more school days in a public school in Delaware. Net enrollment of pupils calculated

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 per week.

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. Transfer of funds

Approved April 22, 1931.

CHAPTER 192

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. The State Treasurer is hereby directed to set aside immediately from moneys in his hands to the credit of the School Fund in a special account in the Farmers Bank of the State of Delaware to be known as the "State School Building Account" the sum of Three Million Dollars (\$3,000,000.00).

The said 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

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grounds, and, or additions to, alterations or remodeling of old school buildings, or additional school 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.

Tentative
Building
Program
prepared

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.

Program
submitted to
Local Boards
affected

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 four members 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 of one of the members elected to said School Building Commission, the surviving members of said Commission shall appoint some suitable person to fill the vacancy thereby created.

Program
submitted to
School
Building
Commission

How
Commission
composed

Vacancy

The said four members elected as hereinafter provided, to the said School Building Commission, shall have equal authority and power to act in all respect as have the four members of the State Board of Education who are hereby made members of the said School Building Commission.

Authority of
members of
Commission

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Contribution
of districts

Where no
improvements
since Jan. 1,
1900

Where
improvements
made since
Jan. 1, 1900

No Credit for
Bonds paid by
State

Where District
bonded to
amount equal
to two per
centum of
1919 assess-
ment

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 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

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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. No bond issued under the provisions of this section shall come due before July 1, 1933.

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.

Districts
outside
Wilmington
notified of
proposed
costs

Resolution
by Boards

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 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 elec-

New plan if
resolution of
Board be
adverse

Vote of local
Board on new
plan

Matter
submitted to
voters if
petition
received

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Referendum

tion 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 of 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.

Effect of
voteMoney payable
by districts
raised by
bond issueUnder Section
53 of prior ActGifts may be
received

Effect of

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 Section 53 shall be deemed and held applicable to every such case aforesaid precisely as if the provision of said Section 53 were repeated herein; provided, however, that every such Board of Education or Board of School Trustees may accept and receive gifts for all or any portion of the amount required to be contributed by the district toward the cost of the school building improvement therein and in such case it shall not be necessary to proceed under

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the provisions of Section 53 as aforesaid except to the extent of any difference, if any there be, between the aggregate of such gifts and the amount required to be contributed by the district toward the cost of the school building improvement therein.

If the district shall through its local board within three months after the approval of the school building improvement therein by a resolution of the local board or by a referendum as provided in Section 4 of this Act pay to the State Treasurer the full amount required as its contribution to the cost of the school building improvement therein, the State Board of Education shall direct the School Building Commission, hereinafter in this Act created, to proceed with the work necessary to accomplish such school building improvement.

Improvement
begun if local
district pays
amount
required

In the case of any district which is not required under the provisions of this Act to make any contribution toward the cost of the school building improvement therein, the State Board of Education is authorized upon the receipt of a certified copy of a resolution in favor of such improvement, adopted by a majority vote of the School Trustees or Board of Education of such district, to direct the School Building Commission to proceed with the work necessary to accomplish such improvement.

Where District
not required
to make
contribution

SECTION 6. The moneys paid to the State Treasurer by each district as its contributions to the cost of the school building improvement therein under the provisions of this Act, shall be deposited by the State Treasurer in the Farmers Bank of the State of Delaware in a special account to be known as the "School Building Account for District in County." Every such special account shall be credited with 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

Contribution
of District
deposited in
Special
Account

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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.

Boards of
Assessment
provide 1919
assessment
lists

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.

Boundaries
of Districts
furnished

School
Building
Commission

SECTION 8. That 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, who shall be designated by the President of the said State Board to serve in this capacity, 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 by a majority vote of the taxables since the year 1919 a referendum authorizing an issue of bonds for school improvement such as are contemplated in this Act and no addi-

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tional 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 Commission 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.

Special
election of
Voters to
elect members
of Commission

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.

No Act
binding unless
five members
concur

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.

Expenses of
Commission
paid

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.

School
Building
Commission
to prepare
plans

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 its adoption.

Plans require
approval of
five members

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Cost of
improvement
ascertained

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 have been made for an improvement which will not be greater than the amount available as aforesaid.

Modification
of improve-
ment to
conform to
available
funds

Powers and
Duties of
School
Building
Commission

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.

Supervision

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.

Secretary of
State Board
of Education
to be
Secretary of
School
Building
Commissions

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

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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.

Exception

Accounting system

The various School Building Commissions shall have power to employ an engineer or engineers and an architect or architects 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 Commission throughout the State.

Power to employ necessary assistants and fix salaries

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.

Bonds from employees, contractors, etc.

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.

Bills approved

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School
Building
Commissions
to have no
jurisdiction
in Wilmington

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.

Share of
appropriation
devoted to
purposes
of Act

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.

State Auditor
and State
Treasurer
informed of
improvement
costs in
Districts

The State Board of Education shall certify to the State Auditor 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.

Expenses
Payable

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 State Auditor, 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

How

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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.

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 programs 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 State Auditor 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.

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Accounts

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.

Time limit extended

SECTION 18. This 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.

Money not to revert

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.

Excess funds deposited in school fund

Duty to make improvements

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.

Land acquired

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 district is authorized to select and acquire such land. And whenever land shall be required for the accomplishment of any improvement under

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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. How acquired

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. Land costs part of school building improvement

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 in any special school district shall be vested in the said City or the said special school district, as the case may be. Title to land acquired

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 an 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. Condemnation proceedings

Approved March 23, 1931.

CHAPTER 193

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.

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

SECTION 1. Amend said Act by striking out all of Section 2 thereof and inserting in lieu thereof a new Section 2 as follows:

Governor to
appoint State
Board of
Education of
six members
to have
general
administra-
tion of free
schools

Terms

Qualification
of members

Vacancies

"SECTION 2. From and after the first day of July, 1931, the general administration and supervision of the free public schools and of the educational interests of the State shall be vested in a State Board of Education, composed of six members, who shall be appointed by the Governor from the citizens of the State. Two members shall be appointed to serve for three years, two for two years, and two for one year, beginning on the first day of July next succeeding their appointment and until their successors qualify. Following the expiration of the term of office of each member his successor shall be appointed to serve for three years and until his successor shall qualify. No more than three members of the Board shall belong to the same political party and no person shall be eligible to appointment who has not been for at least five years preceding his appointment a resident of this State. The members of the Board shall be appointed solely because of their character and fitness, but no person shall be appointed to this Board who is in any way subject to its authority. Vacancies on the Board for any cause shall be filled by the Governor for the unexpired term and until a successor qualifies. Any member of this Board shall be eligible for reappointment unless otherwise disqualified by the provisions of this Act. In constituting the said Board the appointments shall be made so that there shall always

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be on the Board at least one resident of the City of Wilmington, one resident from New Castle County outside of ^{Residence} Wilmington, one from Kent County and one from Sussex County."

Approved March 12, 1931.

CHAPTER 194

FREE SCHOOLS

AN ACT in Reference to Election of Trustees in the Public School Districts of the State of Delaware.

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

Candidates
for School
Trustee shall
file names

Section 1. That all candidates for the office of trustee of any School District in this State shall file their names with the Board of School Trustees of the particular district in which they are candidates, at least five days prior to the day set for such election in said district.

Section 2. That All Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby repealed to the extent of such inconsistency.

Approved March 30, 1931.

CHAPTER 195

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, as amended, approved May 1, 1925, as amended.

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

SECTION 1. That the 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, as amended, being Chapter 173, Volume 34, Laws of Delaware, be and the same is hereby amended by striking out in the thirty-second line of the seventh paragraph of Section 1 thereof the word "County" and inserting in lieu thereof the word "State".

Approved May 1, 1931.

CHAPTER 196

FREE SCHOOLS

AN ACT to Provide for the Appointments of Boards of Education and Boards of School Trustees.

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

SECTION 1. That from and after the passage of this Act the 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 31, 1921", being Chapter 169, Volume 33, Laws of Delaware, be and the same is hereby repealed.

Resident
Judge to
appoint
members of
Board of
Education of
Special
School
Districts

Terms

Where
District in
two Counties

Present
members to
fill out Terms

SECTION 2. That the general administration and supervision of the free public schools and educational interests of each Special School District shall be vested in a Board of Education which shall be composed of four members appointed from the residents of the Special School District by the Resident Judge of the County in which the Special School District is located, no more than two of which members shall be of the same political party. Each member shall be appointed for a term of four years beginning with the first day of July next succeeding his appointment. Provided, however, that in case a district is located partly in each of two Counties the appointments shall be made alternately by the Resident Judges of the two Counties, the first appointment being made by the Resident Judge of the County in which the greater number of residents of the Special School District live.

The members of the Boards of Education now holding office shall continue until the terms of office for which they were elected under the former law shall expire and their successors shall be appointed as herein provided, and the Resident Judge shall, as soon as possible after the approval of this Act, appoint a fourth member of each Board of

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Education of a Special School District, which fourth member shall serve until the 30th day of June 1934. A vacancy in any Board shall be filled by the Resident Judge for the unexpired term.

Whenever a new Special School District shall be created and erected the Resident Judge of the County in which the said Special School District is created shall at once appoint the Board of Education from the residents of the new Special School District, one of whom shall serve for one year, one for two years and one for three years and one for four years, as designated by the said Resident Judge. Their successors shall be appointed as hereinbefore provided.

SECTION 3. That from and after the passage of this Act the Act entitled "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", being Chapter 213, Volume 36, Laws of Delaware, be and the same is hereby repealed.

SECTION 4. 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 Trustees in this Act. The Board of School Trustees in each School District shall be composed of four members appointed by the Resident Judge of the County in which the School District is located. Each member shall be appointed for a term of four years beginning with the first day of July next succeeding his appointment. Provided, however, that in case a School District is located partly in each of two Counties the appointments shall be made alternately by the Resident Judges of the two Counties, the first appointment being made by the Resident Judge of the County in which the greater number of residents of the School District live.

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Present
members to
serve terms

Resident
Judge to
appoint fourth
member

The members of the Boards of School Trustees now holding office shall continue until the terms of office for which they were elected under the former law shall expire and their successors shall be appointed as herein provided. As soon as practical after the approval of this Act, the Resident Judge shall appoint a fourth member of each Board of School Trustees, which fourth member shall serve until June 30, 1934. A vacancy in any Board of School Trustees shall be filled by the Resident Judge for the unexpired term.

SECTION 5. 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 31, 1921" being Chapter 172, Volume 33, Laws of Delaware, be and the same is hereby amended by striking out all of the fourth paragraph thereof the following new paragraph:

Resident
Judge to
select new
Board when
Districts
Consolidate

"When consolidation has been effected the Resident Judge of the County in which the consolidated district is erected shall select from the Boards of Education or Boards of School Trustees of the Districts so consolidated four members of a new Board, one of whom shall serve for one year, one for two years, one for three years and one for four years, as the said Resident Judge shall designate. Their successors shall be appointed as hereinbefore provided."

Where Terms
of members
expire June
30, 1931

SECTION 6. In the case of a Board of Education or Board of School Trustees, the terms of office of whose members expire June 30, 1931, because of appointment under a former law the Resident Judge shall appoint four members, all of whose terms shall begin July 1, 1931, one to serve for one year, one to serve for two years, one to serve for three years, and one to serve for four years.

Approved April 10, 1931.

CHAPTER 197

FREE SCHOOLS

AN ACT to Provide for Compulsory School Attendance of Children Between Seven and Sixteen Years of Age Having a Legal Residence in the City of Wilmington.

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

Section 1. Every child between the age of seven and sixteen years of age having a legal residence in the City of Wilmington is required to attend a day school in which the common English branches are taught in the English language; and every parent, guardian, or other person in the City of Wilmington, having control or charge of any child or children, between the ages of seven and sixteen years, is required to send such child or children to a day school in which the common English branches are taught in the English language; and such child or children shall attend such school continuously throughout the entire term, during which the public schools shall be in session; provided, that the certificate of any principal or teacher of a private school, or of any institution for the education of children, in which said common English branches are taught in the English language, setting forth that the work of said school is in compliance with the provisions of this act, shall be sufficient and satisfactory evidence thereof. Regular daily instruction in the common English branches as aforesaid for the time herein required, by a properly qualified private tutor, shall be deemed a compliance with the provisions of this section, if such instruction is satisfactory to the Superintendent of Public Schools in Wilmington.

Compulsory
school
attendance
for children
having legal
residence in
Wilmington

Section 2. Every principal or teacher in every public or private school, and in every institution for children, and every private teacher in the City of Wilmington may, sub-

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Excuse from
attendance

ject to such rules and regulations as the Board of Public Education in Wilmington may adopt, excuse any child or children from attendance at school for any of the following reasons which shall be considered lawful excuses: personal illness or physical incapacity; mental incapacity; quarantine; death in the immediate family; very inclement weather; other urgent reasons which the Board of Public Education in Wilmington may consider as being sufficient justification for absence from school. The term "urgent reasons", however, shall be strictly construed.

Not to apply
to child
holding
employment
certificate
nor to gradu-
ate of high
school or
equivalent

Section 3. The provisions of this act requiring regular attendance shall not apply to any child, who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who holds an employment certificate issued according to law, nor to any child who holds a diploma or a certificate of graduation from an accredited four-year high school or its equivalent.

Proceedings
where child
incurrigible,
Etc.

Section 4. In case any child between seven and sixteen years of age cannot be kept in school in compliance with the provisions of this act, on account of incorrigibility, truancy, insubordination, or other bad conduct, or if the presence of any child attending school is detrimental to the welfare of such school, on account of incorrigibility, truancy, insubordination, or other bad conduct, then, in any such case, the Board of Public Education in Wilmington may, through their Superintendent or some other person whom he may designate, under such rules and regulations as said Board may adopt, proceed against said child before the juvenile court, or otherwise, as is now or may hereafter be provided by law for incorrigible, truant, insubordinate, or delinquent children.

Penalty for
failure of
parent,
guardian,
to comply

Section 5. Every parent, guardian, or person in parental relation in the City of Wilmington, having control or charge of any child or children between the ages of seven

FREE SCHOOLS

and sixteen years, who shall fail to comply with the provisions of this act regarding compulsory attendance shall be guilty of a misdemeanor, and on conviction thereof either by a Justice of the Peace, or the Municipal Court of the City of Wilmington, shall be sentenced to pay a fine, to the Wilmington City Treasurer to be credited to the account of the Board of Public Education in Wilmington, not exceeding two dollars (\$2.00) for the first offense, and not exceeding five dollars (\$5.00) for each succeeding offense, together with costs, and in default of the payment of such fine and costs, by the person so offending such person shall be sentenced to the county jail for a period not to exceed five days; provided, that any person sentenced to pay any such fine may, at any time within five days thereafter, appeal to the Court of General Sessions of the State of Delaware in and for New Castle County, upon entering into a recognizance, with one or more proper sureties, in double the amount of penalty and costs: And provided, that before any proceedings are instituted against any parent, guardian, or person in parental relation, for failure to comply with the provisions of this act, such offending person shall have three days' written notice given him by the Superintendent of Public Schools in Wilmington, or by the Principal, Headmaster or teacher of the private school, or any institution for children, in which the child of said parent or guardian is enrolled, and if, after such notice has been given, the provisions of this act regarding compulsory attendance are again violated by the persons so notified at any time during the same school year, such person so again offending shall be liable under the provisions of this act without further notice.

Penalty for
failure to
comply

Notice to
offending
person before
proceedings

When liable
without
notice

Section 6. If at any time after proceedings have been instituted against any person under the provisions of this act, sufficient cause be shown by such offending person for non-compliance with its requirements, or if the cost of such proceedings cannot be collected from such offending person,

Costs, upon
dismissal or
inability to
collect from
offender

FREE SCHOOLS

such costs may be paid out of the funds of the Board of Public Education in Wilmington.

Enumeration
of children

Section 7. The Board of Public Education in Wilmington may, between April 1 and September 1 of each year, cause to be made by the attendance officers, teachers, or other persons employed for this purpose a careful, correct, and accurate enumeration, of all children less than sixteen years of age having a legal residence within the City of Wilmington, giving the full name, date of birth, age, sex, nationality, place of residence, name and address of parent or persons in parental relation, the name and location of the school where the child is enrolled or belongs, the name and address of the employer of any child under sixteen years of age who is engaged in any regular employment or service, together with any other similar information which may be necessary for a complete and accurate enumeration. Such enumeration may be made by careful inquiry at the residence of each family having a legal residence within the City of Wilmington. Such enumeration may also include the names and addresses of all persons, firms or corporations employing or accepting service from children under sixteen years of age.

Penalty for
hindering
official in
performance
of duty under
Section

If any person shall hinder or prevent, or attempt to hinder or prevent, any attendance officer or teacher, or other duly authorized person from performing any duty provided for in this section, he shall on conviction thereof either by a Justice of the Peace, or the Municipal Court of the City of Wilmington be sentenced to pay a fine to the Wilmington City Treasurer to be credited to the account of the Board of Public Education in Wilmington, not exceeding five dollars (\$5.00), and in default of the payment of such fine and costs, shall be sentenced to imprisonment for a period not to exceed five days.

Section 8. Every principal or teacher in a school other than a public school, and the head of every institution for

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children, and every private teacher in the City of Wilmington, shall immediately after their admission to such school or institution, or at the beginning of such private teaching, furnish to the Superintendent of Public Schools in Wilmington or some other person whom he may designate, lists of the names and residences of all children between seven and sixteen years of age enrolled in such school or institution, or taught by such private teacher; and shall further report at once to said Superintendent or some other person whom he may designate, the name and date of withdrawal of any such pupil withdrawing from any such school or institution or from such private instruction, if such withdrawal occurs during the period of compulsory attendance in the said City of Wilmington. And every Principal, Headmaster or teacher in a school other than a public school, and the head of every institution for children, and every private teacher in the City of Wilmington, shall, whenever any children of school age, who are enrolled in their school, have been absent three days, or their equivalent, during the same school year, without lawful excuse as defined in Section 2 of this Act, serve upon the parent, guardian, or other person in parental relation to such children, the written notice hereinbefore provided, and if it shall appear that, within three days thereafter, any child, parent, guardian, or other person in parental relation shall have failed to comply with the provisions of this act, said Principal, Headmaster or teacher shall proceed against the person so offending in accordance with the provisions of this Act.

Duty of
principal or
teacher in
schools other
than public

Withdrawal
of pupils
reported

Absence for
three days

Section 9. It shall be the duty of every principal or teacher of a public school to report immediately to the Superintendent of Public Schools in Wilmington or some other person whom he may designate, the names of all children assigned to him who have not appeared for enrollment, and he shall also properly report, from time to time, to said Superintendent, or some other person whom he may designate, the names of all children who have been absent three days, or their equivalent, during the same school year,

Principal or
teacher to
report failure
to appear for
enrollment

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Absence for
three days
reported

without lawful excuse as defined in Section 2 of this Act. Such person shall thereupon serve upon the parent, guardian, or other person in parental relation to such children, the written notice hereinbefore provided, and if it shall appear that, within three days thereafter, any child, parent, guardian, or other person in parental relation shall have failed to comply with the provisions of this act, said Superintendent, or some other person whom he may designate, shall proceed against the person so offending, in accordance with the provisions of this act.

Penalty for
refusal of
officer or
teacher to
comply with
Act

Section 10. Any attendance officer, or teacher of any public or private school, or any private teacher, or any principal or teacher in any institution for the education of children, who wilfully refuses or neglects to comply with the provisions of this act, shall, upon conviction thereof, in said Municipal Court or before a Justice of the Peace in Wilmington, be guilty of a misdemeanor and liable to a fine not exceeding twenty-five dollars (\$25.00), to be paid to the City Treasurer of The Mayor and Council of Wilmington, to be credited to the account of the Board of Public Education in Wilmington for the use of said Board, together with costs, and in default of payment thereof may be sentenced to imprisonment for a period not exceeding thirty days. Such proceedings may be had by, or in the name of, the Board of Public Education in Wilmington; provided, that any such attendance officer, principal, or teacher, upon whom a sentence is imposed, may, at any time within five days after the imposition of such sentence, appeal to the Court of General Sessions of the State of Delaware in and for New Castle County, on furnishing proper bail, with surety, in double the amount of such fine and costs.

Appeal

Attendance
officer to
have police
power

Section 11. Any attendance officer who may be appointed by the Board of Public Education in Wilmington for the purpose of carrying out the provisions of this act regarding compulsory attendance shall have full police power without warrant, and may arrest or apprehend any child

FREE SCHOOLS

who fails to attend school in compliance with the provisions of this act, or who is incorrigible, insubordinate, or disorderly during attendance at school or on his way to or from school.

Section 12. When an attendance officer arrests or apprehends any child who fails to attend school as required by the provisions of this act he shall promptly notify the parents, guardian, or person in parental relation to such child, if such person can be found in the district, and unless requested by such parent, guardian or person in parental relation to place said child in a school other than public school, he shall place said child in the public school in which the child is, or should be enrolled.

Parents or
guardians
notified of
arrest of child

Section 13. Such attendance officer shall have full power and authority to enter, during business hours, any place where any children are employed, to ascertain whether or not any child is engaged therein that should attend school as herein provided, and such attendance officer shall have the right to demand and inspect the employment certificate of any child engaged therein.

Power of
attendance
officer to
enter places
where
children
employed

Section 14. Any officer, director, superintendent, manager, employee, or other person, at any place in Wilmington where any minor is employed on a working certificate, who refuses to permit or in any way interferes with the entrance therein of any attendance officer employed by the Board of Public Education in Wilmington, the Superintendent of Public Schools in Wilmington, or his duly authorized representative, shall be guilty of a misdemeanor, and on conviction thereof before the Municipal Court of the City of Wilmington or any Justice of the Peace in Wilmington shall be sentenced to pay a fine to the Wilmington City Treasurer to be credited to the account of the Board of Public Education in Wilmington, of not less than five dollars (\$5.00) or more than twenty-five dollars (\$25.00), together with costs, and in default of the payment of such fine and

Penalty for
refusing
entrance to
attendance
officer

FREE SCHOOLS

costs, such person may be sentenced to imprisonment not exceeding thirty days; provided, that any person upon whom a sentence is imposed, may, upon giving proper surety in double the amount of penalty and costs, at any time within five days thereafter, appeal to the Court of General Sessions of Delaware in and for New Castle County.

To apply only
to children
legally
resident of
Wilmington

Section 15. The provisions of this Act shall be deemed to apply only to children having a legal residence in the City of Wilmington.

Section 16. All Acts or parts of Acts inconsistent with this Act are hereby repealed but only to the extent of such inconsistency.

Approved April 29, 1931.

CHAPTER 198

CHILDREN OF WORLD WAR VETERANS

AN ACT to Amend Chapter 226, Volume 36, Laws of Delaware, Appropriating Moneys for Education and Training of Children of the World War Veterans who Died While in the Service of the Army, Navy or Marine Corps of the United States.

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

Section 1. That Chapter 226, Volume 36, Laws of Delaware, be amended by striking out Section 1 thereof and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated the sum of Fifteen Hundred Dollars (\$1500.00) for the calendar year 1932 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."

Appropriation
for
education of
children of
Deceased
World War
Veterans

Section 2. That Chapter 226, Volume 36, Laws of Delaware, be amended by striking out Section 2 thereof and inserting in lieu thereof the following:

"Section 2. Be it further enacted by the authority aforesaid that not more than Two Hundred Dollars (\$200.00) shall be paid under the provisions of this Act to any one child for any one year."

Payments for
one child
limited to
\$200.00

CHILDREN OF WORLD WAR VETERANS

Section 3. That Chapter 226, Volume 36, Laws of Delaware, be amended by striking out Section 3 thereof and inserting in lieu thereof the following:

Payments to
Institutions
upon approval
of Director
of State
Board for
Vocational
Education

Duty of
Director

Director to
receive
necessary
expenses up to
\$100.00

"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, but his necessary expenses incidental to the administration of the provisions of this Act shall be paid by the State Treasurer upon proper voucher signed by the State Auditor, provided said expenses shall not exceed the sum of One Hundred Dollars (\$100.00) in any one year, and further provided that said incidental expenses so appropriated shall be in addition to the moneys appropriated in Section 1 of this Act."

Approved March 30, 1931.

CHAPTER 199

FREE SCHOOLS

AN ACT Appropriating Money for the Establishment and Maintenance of Kindergartens.

WHEREAS, In Chapter 170, Volume 23, Laws of Delaware, the State Board of Education is authorized to establish kindergartens; and

WHEREAS, In Chapter 222, Volume 36, Laws of Delaware, Special Districts are authorized to establish kindergartens; and

WHEREAS, Hitherto there have never been any funds allotted to the various school units of the State for the purpose of establishing kindergartens; 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 the sum of Twenty-five Thousand Dollars (\$25,000.00) for the fiscal year beginning July 1, 1931, and ending June 30, 1932, and there is hereby further appropriated the sum of Twenty-five Thousand Dollars (\$25,000.00) for the fiscal year beginning July 1, 1932, and ending June 30, 1933, for the purpose of establishing and maintaining kindergartens in the various school units of the State.

Appropriations
for establishing
and
maintaining
kindergartens

SECTION 2. That the funds appropriated by this Act shall be allotted by the State Board of Education, on the basis of Fifty Dollars (\$50.00) per pupil of kindergarten age, to each Special School District, to the State Board and to the City of Wilmington when the State Board receives application from any of these respective units setting forth that they have established or are about to establish kindergartens approved by the State Board of Education.

How funds
allotted

FREE SCHOOLS

SECTION 3. That the funds so allotted shall be paid by the State Treasurer from funds accruing to the State Treasury for school purposes in the same manner that other school funds are disbursed.

Approved April 14, 1931.

CHAPTER 200

SERVICE BUREAU FOR FOREIGN BORN RESIDENTS

AN ACT Authorizing an Appropriation for the Service Bureau for Foreign Born Residents.

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, 1931, and July 1, 1932, be and is hereby appropriated out of the general 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.

Appropriation
to Service
Bureau for
Americaniza-
tion Work

Section 2. This Act shall be known as a Supplementary Appropriation Act to take effect on July 1, 1931.

Approved April 25, 1931.

CHAPTER 201

FREE SCHOOLS

AN ACT to Amend "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," being Chapter 206, Volume 36, Laws of Delaware, Approved April 10, 1929.

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

Section 1. That "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", being Chapter 206, Volume 36, Laws of Delaware, approved April 10, 1929, be amended by striking out Section 17 of said Act and inserting in lieu thereof a new Section 17 to read as follows:

Proportion of
appropriation
for school
buildings
devoted to
Wilmington

"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, shall be devoted to such school building improvements as shall be approved from time to time by the Board of Public Education in Wilmington."

Acts of Board
of Public
Education in
Wilmington
ratified

Section 2. That the acts of the Board of Public Education in Wilmington in using, employing and disbursing or assuming to use, employ and/or disburse the funds appropriated under said Chapter 206, Volume 36, Laws of Delaware, or any part thereof, are hereby ratified, approved and confirmed.

Section 3. That Section 20 of said Act be and the same is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

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"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.

Land acquired

"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.

How

"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.

Cost of land

"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 Board of Public Education in Wilmington or the said special school district, as the case may be.

Title to land

"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 Act to

Condemnation
proceedings

FREE SCHOOLS

provide for the establishment and maintenance of a general and efficient system of free public schools," approved March 31, 1921, as amended, or under the provisions of any special law conferring powers of condemnation upon said Board of Public Education in Wilmington or the said special school district."

Approved March 5, 1931.

CHAPTER 202

FREE SCHOOLS

AN ACT to Amend Chapter 163, Vol. 32, Laws of Delaware, entitled "AN ACT to further amend Chapter 92, Vol. 23, Laws of Delaware, being an act entitled 'An Act to provide for the organization and control of the public schools 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 Section One of Chapter 92, Vol. 23, Laws of Delaware as the same was amended by Chapter 163, Vol. 32, Laws of Delaware entitled "An Act to further amend Chapter 92, Vol. 23, Laws of Delaware, being an act entitled 'An Act to provide for the organization and control of the public schools of the City of Wilmington' ", be and the same is hereby amended by striking out said section and inserting in lieu thereof a new section to be known as Section One, as follows :

"SECTION 1. That the City of Wilmington with the territory within its limits, or which in the future may be included by additions thereto, shall be and constitute a consolidated school district, and the supervision and government of public schools and public school property therein shall be vested in a board of six members, to be called and known as the "Board of Public Education in Wilmington." Said Board, as hereinafter constituted, is hereby created a corporation, having perpetual existence and succession, and by and in said name shall have power to purchase, lease, receive, hold and sell property, real and personal, sue and be sued, and to do all things necessary to accomplish the purpose for which such school district is organized, and shall succeed to and be vested with, and be seized and possessed of all the privileges and property of whatever kind or nature granted or belonging to any previous school corporation, or Board of Education, or school districts in the

Public schools
affairs under
Control of
Board of
Public
Education

Power

FREE SCHOOLS

City of Wilmington and said territory, or officers thereof authorized or empowered by an enactment of the General Assembly of the State to do anything in reference to public education, or to hold any of said property."

SECTION 3. That Section Three of said Act be and the same is hereby amended by striking out said section and inserting in lieu thereof, a new section to be known as Section Three, as follows:

Six member
Board
appointed by
Resident
Judge

Terms

Political
affiliation

Vacancy

"SECTION 3. On or after the Thirtieth day of June, A. D. 1931, the Board of Public Education in Wilmington shall be composed of six members, who shall be appointed by the Resident Judge of New Castle County from the citizens of the City of Wilmington, without reference to ward boundaries or political divisions. Two members shall be appointed to serve for four years, two for three years and two for two years beginning on the First day of July next succeeding their appointment and until their successors qualify. Following the expiration of the term of office of each member his successor shall be appointed to serve for four years and until his successor shall qualify. No more than three members of the Board shall belong to the same political party. No member of the City Council shall be a member of the Board of Public Education in Wilmington. Upon the organization of the Board of Public Education in Wilmington, appointed under and in accordance with the provisions of this act, the terms of office of the members of the present board shall immediately terminate. In case a vacancy shall occur in the office of a member of the Board of Public Education in Wilmington for any cause, the Resident Judge of New Castle County shall fill such vacancy by appointment. The member so appointed shall hold office until the expiration of the term for which the vacating member was appointed. Any member of this Board shall be eligible for re-appointment unless otherwise disqualified by the provisions of this Act."

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SECTION 4. That Section Four of the said act be and the same is hereby amended by striking out the first paragraph of said section and inserting in lieu thereof a new paragraph as follows:

"SECTION 4. That members of the Board shall be at least thirty years of age, and shall have been residents of the City of Wilmington for at least three years immediately preceding their appointment. They shall be ineligible to any elective or appointive office under such Board while holding membership in said Board. They shall not be interested either directly or indirectly in any contract with or claim against the said Board of Education in Wilmington. If at any time after the appointment of any member of said Board, such member shall become interested in any such contract with or claim against said Board, he shall thereupon be disqualified to continue as a member of said Board, and a vacancy shall thereby be created. Every member of said Board shall, before assuming the duties of his office, take an oath or affirmation, as follows: I,, do solemnly swear (or affirm) that I have been a bona fide resident of the City of Wilmington for the period of three years prior to my appointment as a member of the Board of Public Education in Wilmington, and that I possess all the qualifications required by law for members of said Board; that I will diligently and faithfully perform the duties of a member of said Board according to the best of my knowledge and judgment; that I will not, while serving as a member of the said Board, become interested, directly or indirectly, in any contract with or claim against the said Board; and that I will not be influenced in any vote or action as a member of said Board by political or sectarian considerations, or by anything except merit and fitness. The President, the Secretary, and the members of said Board are authorized to administer the oath or affirmation hereinabove provided to members of the said Board or to each other.

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Repeals

SECTION 5. That Section Five of the said act be and the same is hereby amended by striking out said section of said Act.

SECTION 6. That Section Six of the said act be and the same is hereby amended by striking out said section of said Act.

SECTION 7. That Section Nine be and the same is hereby amended by striking out Paragraph One of said Section and inserting in lieu thereof a new paragraph, as follows:

Quorum
officers

"SECTION 9. Four members shall form a quorum for the transaction of business. The officers of the Board shall be a President, who must be a member, a Secretary, and such other officers and agents as may be found necessary. The Board may appoint a person not a member of the same, Secretary thereof, prescribe his duties, require from him bonds with surety for his faithful performance of said duties, if deemed expedient, and allow him compensation for services by stated salary or otherwise, as may be considered proper."

Approved March 30, 1931.

FREE SCHOOLS

CHAPTER 203

FREE SCHOOLS

AN ACT to Make the State Treasurer the Treasurer of Boards of Education, Boards of School Trustees and 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:

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 all of Section 30 thereof and inserting in lieu thereof the following new Section 30:

"SECTION 30. TREASURER:—The State Treasurer shall serve as Treasurer of each Special School District in the State. He shall receive and hold all moneys which the respective Boards of Education of the several Special School Districts are entitled to by law and which may come into their possession, and shall deposit all such moneys in the financial institution which is the legal depository of state moneys in the custody of the State Treasurer."

SECTION 2. That the said Act be further amended by striking out in the sixteenth line of the seventh paragraph of Section 54 thereof the word "County" and inserting in lieu thereof the word "State".

SECTION 3. As soon as practicable after the thirtieth day of June, 1931, the Auditor of Accounts shall audit the accounts of all the school districts and special school districts in the State now in the hands of the County Treasurers and the said County Treasurers shall as soon as the audits are complete pay over to the State Treasurer all bal-

State
Treasurer to
serve as
Treasurer of
Special School
District

Auditor of
Accounts to
audit school
accounts in
hands of
County
Treasurers

FREE SCHOOLS

ances to the credit of the respective school districts and special school districts.

Taxes collected to be paid monthly to State Treasurer

In all cases where the County Receiver of Taxes collects taxes for any school district or special school district he shall at regular intervals, not less than once in each calendar month, pay over to the State Treasurer all funds collected in their behalf.

State Treasurer Custodian of funds allotted to Wilmington

SECTION 4. That on and after July 1st, 1931, the State Treasurer shall be the custodian of all State funds which shall be credited or allotted to the Board of Public Education in Wilmington and shall pay out all such funds only on the orders of the said Board signed by its President and Secretary.

Approved April 25, 1931.

CHAPTER 204

FREE SCHOOLS

AN ACT to Amend "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington," being Chapter 92, Volume 23, Laws of Delaware, as amended.

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

SECTION 1. That Section 17 of said Chapter 92, Volume 23, Laws of Delaware, as amended by Chapter 163, Volume 32, Laws of Delaware, be and the same is hereby amended by striking out said Section and inserting in lieu thereof the following:

SECTION 17. For all work and labor hereafter required to be done, and goods, chattels, wares, merchandise, materials, tools and machinery to be furnished, or had and used by or for account of the said Board, where the cost in any particular case will probably exceed the sum of one hundred dollars, the Board shall publicly invite sealed proposals for the doing of such work and the furnishing of such goods, chattels, wares, merchandise, material, tools and machinery, and give the contract to the lowest responsible bidder or bidders; provided, that the Board shall have authority to reject any and all bids, and provided, that the Board may require from all or any of the bidders security for the faithful performance of their contract.

Bids invited
for school
work and
supplies in
Wilmington

SECTION 2. That said Chapter 92, Volume 23, Laws of Delaware, be and the same is hereby amended by inserting at the end thereof a new section to be known as Section 20, as follows:

SECTION 20. Whenever the Board of Public Education in Wilmington cannot agree with the owner or owners

FREE SCHOOLS

Condemnation of land for school purposes

of any land, building, easement, franchise or other property necessary to be taken or used in the construction, alteration or repair of any building, structure or other property permitted to be acquired or used by said Board of Public Education in Wilmington, for the purchase thereof, the said Board of Public Education in Wilmington may apply to the Associate Judge of the State of Delaware in and for New Castle County for the condemnation of such property, 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 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 City of Wilmington at least five days prior to the intended application, and such publication shall be sufficient notice; upon application made as aforesaid, the said Associate Judge shall appoint five judicious and impartial freeholders to view the premises or ascertain the easement or franchise, and assess the damages which the owner or owners will sustain by reason of the taking of such property. The freeholders shall be sworn or affirmed before some officer authorized to administer oaths or affirmations, before entering on the premises or before ascertaining the easement or franchise, faithfully and impartially to perform the duties assigned them. They shall give ten days' notice, in writing, to the owner or owners of the premises or property so proposed to be condemned or to their guardian or guardians, duly appointed, if within the State and to the said Board of Public Education in Wilmington of the time of their meeting to view the premises or ascertain the easement or franchise; if the owner or owners are unknown or are without the State or if 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 the City of Wilmington 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

Notice

Freeholders appointed

Notice of meeting to view premises

Record of proceedings

FREE SCHOOLS

and return the same to the Prothonotary of the County in which the said proceedings were instituted, and shall certify their findings and awards to the owner or owners of the property and to the said Board of Public Education in Wilmington; if the said Board of Public Education in Wilmington or any party in interest is dissatisfied with such findings or awards, it or he may, on application to said Prothonotary within fifteen days after such findings and awards have been made and filed, sue out a writ of ad quod damnum, requiring the Sheriff of said New Castle County, in the usual form, to inquire of twelve impartial men of his bailwick of the damages which will be sustained as aforesaid, and their report shall be final. The said commissioners or the said jury shall, in assessing the damages aforesaid, take into consideration the benefits and advantages to the owner or owners resulting from the proposed improvement and set off the value of such benefits or advantages against the loss, detriment and disadvantages, which such owner will suffer, provided that in no case shall the amount estimated as and for benefits and advantages exceed the amount allowed for loss, detriment or disadvantage to such owner. The amount of damages being ascertained, the Board of Public Education in Wilmington may pay or tender the amount thereof within two months after the same shall have been so ascertained, to the person or persons so entitled thereto, or, if the person or persons so entitled refuse to accept or reside out of or are absent from the county during all or any part of said period of two months, the same may be deposited to his credit in the Farmers' Bank of the State of Delaware, at Wilmington, Delaware, within said time, and thereupon said property may be taken and occupied for the use and purpose for which it was condemned, provided that the Board of Public Education in Wilmington, in its discretion, after it has made application as aforesaid, for the condemnation of property, may occupy or use such property without delay, and the proceedings for the ascertainment of the damages shall proceed as in this section provided, but in the event of such immediate use or occupation as last afore-

Findings

Writ of ad
quod damnumWhen amount
of damages
deposited in
Farmers' Bank

FREE SCHOOLS

Expenses said, the Board of Public Education in Wilmington shall pay to the owner or owners thereof if within the State, or if such owner or owners refuse to accept the amount of damages or are without the County, deposit to his or their credit in the said bank as aforesaid, within ten days after the damages have been ascertained, the amount thereof. The expenses of the assessment by the said commissioners of the damages aforesaid of the fees of the said Sheriff and Prothonotary and of all costs incurred in the execution of the writ of ad quod damnum, shall in all cases be paid by the

Vacancy Board of Public Education in Wilmington. The said judge shall have power to fill any vacancy in any commission and thereafter the commission shall proceed as though no vacancy had occurred. Record of said proceedings shall be

Record of
proceedings made in the office of the Recorder of Deeds for New Castle County, as required by Section 3238-a of the Revised Code of 1915, contained in Chapter 197, Volume 34, Laws of Delaware, approved April 2, 1925. Whenever any property

Title to
Property shall be acquired by the said Board of Public Education in Wilmington in any manner, the title to such property shall be taken in the name of the said Board of Public Education in Wilmington.

Approved April 29, 1931.

CHAPTER 205

HARRINGTON SPECIAL SCHOOL DISTRICT

AN ACT Authorizing Harrington Special School District to Borrow the Sum of Ten Thousand Dollars 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 the Harrington Special School District the sum of Ninety-six Thousand Dollars (\$96,000.00) for school building improvements in the said district for the year 1928; and

WHEREAS, in pursuance of Chapter 206, Volume 36, Laws of Delaware, the State Board of Education, allotted to the Harrington Special School District the sum of Thirty-three Thousand Dollars (\$33,000.00) to supplement the aforesaid allotment of Ninety-six Thousand Dollars (\$96,000.00) for school building improvements in the said district.

WHEREAS, after the said allotments were made the Board of Education of said district found that an additional sum of Ten Thousand Dollars (\$10,000.00) 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 Ten Thousand Dollars (\$10,000.00); and

HARRINGTON SPECIAL SCHOOL DISTRICT

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:

Harrington
Special School
District
authorized to
borrow money
to complete
payment of
building

Section 1. That the Board of Education of Harrington Special School District be and it is hereby authorized and empowered to borrow on the faith and credit of Harrington Special School District the sum of Ten Thousand Dollars (\$10,000.00) in order to carry out the provisions and purposes of this Act.

Board to
refund money
advanced

Section 2. That the said Board of Education of said Harrington Special School District is hereby authorized and directed to refund and pay, with the money secured under the provisions of this Act, the sum of Ten Thousand Dollars (\$10,000.00) advanced as aforesaid.

Bonds may be
issued

Section 3. That the Board of Education of Harrington Special School District for the purpose set forth in Section 1 of this Act, shall have full power and authority to issue bonds of Harrington Special School District, said bonds to be denominated "Harrington Special School District Refunding Bonds, Series of 1933" to an amount not exceeding in the aggregate the sum of Ten Thousand Dollars (\$10,000.00).

Authority of
Board of
Education

The said bonds shall be issued in such denomination or denominations as the Board of Education of Harrington Special School District shall determine, shall bear date July 1, 1933, 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 First National Bank of Harrington at Harrington, Delaware.

HARRINGTON SPECIAL SCHOOL DISTRICT

The principal of the said bonds shall also be payable at the First National Bank of Harrington, at Harrington, Delaware.

Where
Principal
payable

Section 4. That the Board of Education of Harrington 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 carry into effect the provisions of this Act.

Preparation
of Bonds

Section 5. That the form of said bonds shall be prescribed by the Board of Education of said Harrington 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 Harrington Special School District, and sealed with the corporate seal of said district, and shall be exempt from State, County and Municipal taxation.

Form of

The bonds may or may not have coupons attached as the said Harrington Special School District shall determine.

Coupons

Section 6. That the Board of Education of Harrington 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 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

Necessary
money to pay
interest and
principal
may be raised
by taxation

Bonds
retired

HARRINGTON SPECIAL SCHOOL DISTRICT

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 Harrington Special School District.

As the said bonds shall be paid, the same shall be cancelled as the Board of Education of Harrington Special School District shall direct.

Faith of
District
pledged for
payment of
bonds

Section 7. That the faith of the Harrington Special School District is hereby pledged for the payment of any bonds that may be issued under the provisions of this Act.

Special
election
before issu-
ance of bonds

Voters

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 said advertisements and notices the amount of bonds proposed to be issued and the purposes therefor shall be set forth plainly. At said special election, every citizen male or female, resident of said Harrington Special District, who would be entitled at the time of the holding of the said special election to register and vote in any election district of the said Harrington Special School District at a general election, if such general election were to be held at the time of the said special election, shall be deemed to be a qualified voter and entitled to vote at such special election regardless of the fact whether he or she is at that time a registered voter or not. 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

HARRINGTON SPECIAL SCHOOL DISTRICT

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 the 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 the 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 23, 1931.

CHAPTER 206

LAUREL SPECIAL SCHOOL DISTRICT

AN ACT Authorizing Laurel Special School District to Expend Certain Surplus Moneys Raised by it by Taxation for the Purpose of Fencing, Grading and Equipping Its Playgrounds.

Whereas, the playground or athletic field of Laurel Special School District abuts on the main concrete highway passing through the town of Laurel and is not separated or protected from the dangers resulting from the traffic passing up and down said main highway by a fence, thus making the use of said playground or athletic field a constant source of danger to the lives and limbs of the pupils of said school; and,

Whereas, there is no fund available for the use of said Laurel Special School District to expend in the building of a proper and adequate fence around said playground or athletic field for the purpose of protecting the children from the dangers aforesaid; and,

Whereas, the said Laurel Special School District by virtue of the authority contained in Section 6, Chapter 159, Volume 35, Laws of Delaware, has accumulated a surplus fund amounting to Three Thousand Dollars (\$3,000.00) which surplus fund so raised by taxation by said Laurel Special School District, the said Laurel Special School District desires to use and expend for the purpose of erecting a suitable fence around said playground or athletic field and to grade and equip the same to make it adequate for the purposes for which it was intended:

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 Laurel Special School District be and it hereby is authorized and empowered to expend

LAUREL SPECIAL SCHOOL DISTRICT

from the surplus funds raised by it by taxation, in accordance with the provisions of Section 6, Chapter 159, Volume 35, Laws of Delaware, a sum not exceeding in the aggregate the sum of Three Thousand Dollars (\$3,000.00), for the purpose of erecting around the playgrounds or athletic field of Laurel Special School District a fence adequate for the proper protection of the lives and limbs of the children using the same, and for grading and equipping said playgrounds or athletic field owned or controlled by the said Laurel Special School District for the use, enjoyment and development of the children of the town of Laurel and vicinity composing said Laurel Special School District.

Laurel Special School District to expend surplus funds for fence around Athletic Field, and grading and equipping grounds

Approved March 30, 1931.

CHAPTER 207

UNIVERSITY OF DELAWARE

AN ACT Providing for the Payment and Cancellation of a Certificate of Indebtedness of the State of Delaware, Payable to the Trustees of Delaware College in the Sum of Eighty-three-Thousand Dollars (\$83,000.00), Issued Pursuant to an Act dated February 22, 1877, and Representing a Donation of the Congress of the United States to States Providing Colleges for Instruction in Agriculture and Mechanic Arts, dated July 2, 1862, and Directing its Reinvestment and the Disbursement of Income.

WHEREAS, the Congress of the United States by an Act approved July 2, 1862, did donate to the several States which should provide colleges for the benefit of agriculture and mechanic arts, certain public lands of the United States amounting to thirty thousand (30,000) acres for each Senator and Representative in Congress; and

WHEREAS, said Act provided that those States having no public lands subject to entry, or insufficient lands, should receive from the Secretary of the Interior, land scrip for such States' distributive share of public land at One Dollar and Twenty-five cents (\$1.25) per acre. This scrip was by said Act made salable by the States receiving the same and the proceeds applied to the uses and purposes of the Act and for no other purpose; and

WHEREAS, the State of Delaware did receive from the Secretary of the Interior its proportionate share of said scrip amounting to ninety thousand (90,000) acres, and did sell the same as in said Act provided; and

WHEREAS, said Act provided that the proceeds of the sale of said land scrip should be invested in stocks of the United States or some other safe stocks yielding not less than five (5) per centum upon the par value of said stocks; and

UNIVERSITY OF DELAWARE

WHEREAS, the State of Delaware by an Act of the General Assembly dated February 7, 1867, accepted the provisions of said Act of July 2, 1862, and when required have accepted the provisions of all Acts amendatory thereto, and thereafter received from the sale of said land scrip the sum of Eighty-three Thousand Dollars (\$83,000.00), and invested the same in Bonds of the State of Delaware, bearing six (6) per centum interest per annum, which Bonds were subsequently cancelled, pursuant to an Act of the General Assembly dated February 22, 1877, and there was authorized by the same Act to be executed a Certificate of Permanent and Perpetual Indebtedness of the State of Delaware to the Trustees of Delaware College for the sum of Eighty-three Thousand Dollars (\$83,000.00), with interest at the rate of six (6) per centum per annum, which Certificate was duly issued under the hands of the Governor, Secretary of State and State Treasurer, and is now outstanding and in the possession of the Board of Trustees of the University of Delaware; and

WHEREAS, by an amendatory Act of Congress, dated April 13, 1926, it was provided that all monies from the sale of said land scrip should be invested in bonds of the United States or of the State, or some other safe bonds; or the same may be invested by the States having no State bonds in any manner after the Legislature of such States shall have assented thereto and engaged that such funds shall yield a fair and reasonable rate of return to be fixed by the State Legislatures, and that the principal sum thereof shall forever remain unimpaired; Provided, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished, and the interest of which shall be inviolably appropriated to the endowment, support and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such

UNIVERSITY OF DELAWARE

manner as the Legislature of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life; and

WHEREAS, it is desired to have cancelled the said Certificate of Indebtedness for the sum of Eighty-three Thousand Dollars (\$83,000.00), now in the possession of the Board of Trustees of the University of Delaware, and to provide for the reinvestment of the said Eighty-three Thousand Dollars (\$83,000.00) by the State in some other security to be prescribed by the General Assembly of the State of Delaware, in accordance with an Act of Congress approved April 13, 1926, the income therefrom as received to be thereafter appropriated to the University of Delaware; therefore

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

Cancellation
of Certificate
of Indebted-
ness of State
to University
of Delaware

Sec. 1. That upon the receipt by the Governor of a resolution adopted by the Board of Trustees of the University of Delaware agreeing to the cancellation of a certain perpetual certificate of indebtedness issued by the State of Delaware to Delaware College, now the University of Delaware, in the sum of Eighty-three Thousand Dollars (\$83,000.00) pursuant to the Act of February 22, 1877, with interest thereon at the rate of six (6) per centum per annum, the Governor and State Treasurer are hereby authorized to receive said Certificate of Indebtedness and to cancel the same.

Appropriation
for investment
in lieu of
Certificate of
Indebtedness

Sec. 2. The sum of Eighty-three Thousand Dollars (\$83,000.00) is hereby appropriated out of the General Funds of the State of Delaware and the investment of the said Eighty-three Thousand Dollars (\$83,000.00) is directed to be made by the Governor and State Treasurer in securities selected by them, which securities shall conform in all respects to the requirements of an Act of Congress

UNIVERSITY OF DELAWARE

of the United States effective on April 13, 1926, and shall yield a net return of not less than four (4) per centum per annum. The General Assembly does hereby engage that such return would be a fair and reasonable rate of return and that the principal thereof shall forever remain unimpaired and the income shall be inviolably appropriated to the University of Delaware in accordance with the requirements of the Act of April 13, 1926, and the amendments thereto.

General
Assembly to
guarantee
principal and
interest

Sec. 3. The securities when so purchased, shall be held by the State Treasurer in a separately designated fund, as investments of the State are held, the income collected and disbursed as herein provided.

Securities
held by State
Treasurer

Sec. 4. Upon the cancellation of said Certificate of Indebtedness, the Governor is hereby directed to return said Certificate of Indebtedness to the Trustees of the University of Delaware for preservation by reason of its historical association with the University of Delaware.

Cancelled
Certificate
returned to
University

Approved April 22, 1931.

CHAPTER 208

UNIVERSITY OF DELAWARE

AN ACT providing for the Establishment and maintenance of a Chair of Physical Education at the University of Delaware for Delaware College.

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

Chair of
Physical
Education at
University
of Delaware

SECTION 1. That as soon as practical after the approval of this Act, the trustees of the University of Delaware for Delaware College shall establish and maintain a Chair of Physical Education. The objects and purposes of said Chair shall be the teaching of Physical Education and other allied subjects in Delaware College under the direction of the Trustees of the University of Delaware for Delaware College.

Appropriation
for
equipment

SECTION II. That for the purpose of establishing the Physical Education Course, the sum of \$2,000.00 is hereby appropriated out of any money in the Treasury not otherwise appropriated for the purpose of purchasing the necessary equipment.

Appropriation

Amount for
repairs to
Equipment

SECTION III. That for the purpose of carrying into effect the provision of this Act, the sum of \$4,500.00 is hereby appropriated annually out of any money in the Treasury not otherwise appropriated, and the State Treasurer is hereby authorized and directed to pay to the Trustees of the University of Delaware for Delaware College the said sum of \$4,500.00 in each and every year. From the above appropriation of forty-five hundred dollars (\$4,500.00), five hundred dollars (\$500.00) is to be set apart each year for maintenance, renewal and repairs of equipment. The balance of said sum to be used exclusively for the purpose of this Act as directed by the said Trustees.

Approved May 1, 1931.

CHAPTER 209

UNIVERSITY OF DELAWARE WOMEN'S COLLEGE

AN ACT Appropriating Money for the Completion and Equipment of the Gymnasium Building 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:

Section 1. For the purpose of completing and equipping the Gymnasium Building now being erected on the grounds of the Women's College 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 17, 1929, the further sum of Eighty-seven thousand four hundred and thirty-five dollars is hereby appropriated out of any moneys in the Treasury of the State of Delaware. The completion of said building and the installation of the equipment therein to be under the direction of the Trustees of the University of Delaware; and the Treasurer of the State of Delaware is hereby authorized and directed to pay the bills for labor, materials, equipment, and other expenses incurred in the completion and equipment of said building, upon warrants therefor, from time to time presented to him, signed by the Business Administrator of the University of Delaware, and by the Architect of said building, up to and aggregating the sum of Eighty-seven thousand four hundred and thirty-five dollars.

Appropriation
to complete
Gymnasium
Building at
Women's
College

Approved April 22, 1931.

CHAPTER 210

UNIVERSITY OF DELAWARE

AN ACT Appropriating Seven Hundred and Fifty 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 :

Appropriation
for
Scholarships
to 4-H Boys'
and Girls'
Clubs

Section 1. That the sum of Seven hundred and fifty dollars (\$750.00), 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 6, 1931.

CHAPTER 211

STATE COLLEGE FOR COLORED STUDENTS

AN ACT Making an Appropriation to State College for Colored Students for the Erection, Equipment, Replacement, and Repairs of Necessary Buildings.

WHEREAS, State College for Colored Students is seriously handicapped because of the inadequacy of dormitory, dining room and other facilities, therefore

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

SECTION 1. That the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) be and the same is hereby appropriated for the erection and equipment of suitable buildings for Dining Hall and Home Economics purposes, at the State College for Colored Students.

Appropriation
for Dining
Hall and
buildings for
Home
Economic
purposes

SECTION 2. That the said sum be distributed and used as follows: For the erection of a Dining Hall and Home Economics Building, One Hundred and Thirty-seven Thousand Five Hundred Dollars (\$137,500.00); for the equipment of Dining Hall and Home Economics Building, Twelve Thousand Five Hundred Dollars (\$12,500.00).

Sum
Distributed

SECTION 3. That the moneys hereby appropriated, or so much thereof as may be needed shall be available during the fiscal years 1931 and 1932 and 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.

Money
available—
when

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 in the State Treasury, not otherwise appropriated.

Approved May 1, 1931.

TITLE TWELVE

Fish, Oysters and Game

CHAPTER 212

FISH, OYSTERS AND GAME

AN ACT to Amend Chapter 74 of the Revised Code of Delaware, as Amended, 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, as amended, be further amended by striking out 2376 A Section 19 A and substituting in lieu thereof a new Section to be styled 2376 A Section 19 A as follows :

Closed Season
for Ring
Necked
Pheasants

2376 A Section 19 A. That from and after the passage of this Act until November 15, 1933, 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 propagating purposes.

Penalty

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 propagating purposes, such person shall be deemed guilty of a common nuisance, and shall be fined Twenty-five Dollars (\$25.00) 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

FISH, OYSTERS AND GAME

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.

Justice of
Peace to have
jurisdiction

Approved February 25, 1931.

CHAPTER 213

FISH, OYSTERS AND GAME

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware, by making it unlawful to kill, hunt, take or destroy any wild turkey in the State of Delaware.

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

SECTION 1. That Chapter 74, of the Revised Code of the State of Delaware, be amended by adding after 2376 A. Section 19 A., a new Section to be known and styled as "2376 B. Section 19 B.", as follows:

Wild Turkeys
protected

"2376 B. Section 19 B. That from and after the passage of this Act, it shall be unlawful for any person in this State to hunt, kill, take or destroy, or have in his possession after same has been killed, any wild turkey, except for scientific or propagating purposes.

Penalty

If any person shall be found within the State hunting, wilfully killing, taking or destroying, or having in his possession after the same has been killed, any wild turkey, except for scientific and propagating purposes, such person shall be deemed guilty of a common nuisance, and shall be fined Twenty-five Dollars and costs for each offense, and failing to pay forthwith any fine imposed under the provisions of this 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.

Justice of
Peace to have
jurisdiction

The Justices of the Peace shall have plenary jurisdiction of all offenses against the provisions of this Section."

Approved February 18, 1931.

CHAPTER 214

FISH, OYSTERS AND GAME

AN ACT to amend Chapter 74, of the Revised Code of the State of Delaware, Relative to Daily Bag Limit, on Ducks.

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, paragraph known as 2384. Sec. 27, be and the same is hereby amended by striking out the word "twenty" after the word birds, and before the word ducks in the second line of said paragraph and inserting in lieu thereof the word "fifteen".

Ducks—Daily
Bag Limit

Approved March 16, 1931.

CHAPTER 215

FISH, OYSTERS AND GAME

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware by Making a Bag Limit on Bull Frogs.

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 adding after 2384 Sec. 27 a new Section to be known as 2384 A Sec. 27 A as follows :

Bull Frogs—
Bag Limit

Penalty

2384 A Sec. 27 A. It shall be unlawful for any person to take or kill more than twenty-four bull frogs in any one day or night, or to have same in his possession for more than five days after the close of the season for killing same, excepting when they are had in possession alive for scientific or propogating purposes. Any person violating any of the provisions of this Section shall on conviction thereof be subject to a fine of not less than five dollars nor more than ten dollars.

All acts or parts of acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved March 16, 1931.

CHAPTER 216

OYSTER REVENUE COLLECTOR

AN ACT to amend 2461 Sec. 104 of the Revised Code of the State of Delaware by making the revenue received from the Collector of the Oyster Revenue payable to the General Fund.

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

Sec. 1. That Chapter 74, Revised Code of the State of Delaware be and is hereby amended by the repeal of 2461 Sec. 104 and the insertion in lieu thereof of the following which shall be styled 2461 Sec. 104.

2461 Sec. 104. MONIES PAID TO STATE TREASURER; HOW APPLIED: The money paid to the State Treasurer by the Collector of the Oyster Revenue, directed under this article shall be deposited to the credit of the General Fund of the State of Delaware.

Money from
Oyster
Revenue
Collector
deposited to
Credit of
General
Fund

Approved April 25, 1931.

CHAPTER 217

FISH, OYSTERS AND GAME

AN ACT to amend an Act Entitled "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 and Chapter 234 of Volume 36, be and the same is hereby further amended by striking out 2480 Section 123 and inserting in lieu thereof a new section to be known as 2480 Section 123 as follows :

Area to
Citizens for
oyster plant-
ing in Indian
River, Reho-
both Bay and
Assawaman
Bay

2480 Section 123. Any citizen of the State may, with the approval of the Collector of Oyster Revenue, lease from the State of Delaware a part not exceeding ten acres of the bottom of Indian River, Rehoboth Bay or Assawaman Bay, for planting oysters, which part 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 citizen so intending to appropriate any such part of the bottom of said Indian River, 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 said Collector of Oyster Revenue, 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, Rehoboth Bay or Assawaman Bay; provided that no such

Filing of
plot and
description of
area staked

FISH, OYSTERS AND GAME

bottom shall be leased which shall, in the judgment of the said Collector of Oyster Revenue deprive, prevent or otherwise interfere with any person or persons in the catching of crabs, oysters, clams or other shellfish along the shore, or which the said Commissioner shall deem advisable to keep open for public use; and provided he shall, within six months after he has so as aforesaid staked off the area as aforesaid, plant therein fifty bushels of oysters on each acre of his area and make affidavit that he has so deposited or planted said quantity of oysters within said area; said affidavit to be appended to the aforesaid plot or description and recorded therewith in the office aforesaid. If he shall fail to file a plot and description and affidavit, or deposit or plant said quantity of oysters within the time aforesaid, he shall forfeit all right, title and claim to the area aforesaid, and the same may be appropriated for the purposes aforesaid by any other citizen of said State.

Planting of
oysters on
leased plot

Approved April 25, 1931.

CHAPTER 218

FISH, OYSTERS AND GAME

AN ACT to Amend Chapter 74, of the Revised Code of the State of Delaware, as amended, pertaining to Distribution of Rabbits, Quail and Pheasants by the Fish and Game Commission.

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, be further amended by adding after 2570 Section 213 thereof, the following new Section to be hereafter known and designated as 2570A, 213A :

Rabbits, quail,
pheasants,
distributed
equally
among the
representative
districts

2570A, 213A. That Rabbits, Quail and Pheasants shall be distributed by the Chief Game and Fish Warden throughout the State except the City of Wilmington; the number of Rabbits, Quail and Pheasants allotted to each county shall be distributed equally among the representative districts of that County.

Approved April 22, 1931.

CHAPTER 219

FISH, OYSTERS AND GAME

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware, as amended, pertaining to Menhaden Fishing in Delaware Bay and Atlantic Ocean.

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

Section 1. That 2573, Section 216, of Chapter 74 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended by striking out the word "menhaden" where it appears in said Section, so that when amended said Section shall read as follows:

"2573 Sec. 216. It shall be unlawful for any person, ^{Menhaden Fishing} firm or corporation to catch or take or to attempt to catch or take from the waters of the Atlantic Ocean within three nautical miles of the coast line of this State or from the waters of the Delaware Bay within the jurisdiction of the ^{License necessary} State of Delaware, with purse or shirred nets, any sharks, porpoises or herring-hogs without having first obtained a license therefor in accordance with the provisions of this Section.

Any person, firm or corporation intending to catch or take sharks, porpoises or herring-hogs with purse or shirred nets from the waters aforesaid, shall make an application to the Board of Game and Fish Commissioners of the State of Delaware for a license to take sharks, porpoises or herring-hogs with purse or shirred nets, from the waters aforesaid. Upon the receipt of such application the said Board of Game and Fish Commissioners, and upon payment to the said Board of the sum of one hundred dollars for each steam, naphtha or oil vessel, not over one hundred and twenty-five net tons, and two hundred dollars for each vessel over one hundred and twenty-five net tons, and twenty-five dollars for each vessel other than steam or sailing vessel ^{Application for license and payment of fees}

FISH, OYSTERS AND GAME

Licenses
expire

with tenders to be so employed in the taking of sharks, porpoises or herring-hogs by means of such purse or shirred nets, and twenty-five dollars for each vessel other than steam or sailing vessel to be employed in taking sharks, porpoises or herring-hogs as aforesaid, as a license fee, shall issue to such person, firm or corporation a license to catch and take sharks, porpoises or herring-hogs with purse or shirred nets from the waters aforesaid. Such licenses shall all expire on the thirty-first day of December of the year issued.

Funds from
licenses and
fines paid to
State
Treasurer

All funds arising from the sale of such licenses and from fines imposed for any violations of the provisions of this Section shall be paid by said Board to the Treasurer of the State of Delaware in accordance with the provisions of 2360 A. Sec. 3 A of Chapter 74 of the Revised Code of the State of Delaware.

Penalty for
Violations

Any person, firm or corporation violating any of the provisions of this Section, shall, upon conviction thereof, be fined not less than five hundred dollars, nor more than one thousand dollars, and costs of prosecution, together with a forfeiture of all nets, boats and other appliances used. If any person shall fail to pay any fine and costs imposed under the provisions of this act, such person shall be committed to the jail of the County where such conviction is had for a period not exceeding ninety days or until such fine and costs are paid.

Prosecutions

All prosecutions for violations of any of the provisions of this act shall be in accordance with the provisions of 2410. Sec. 53 of Chapter 74 of the Revised Code of the State of Delaware."

Approved March 19, 1931.

CHAPTER 220

FISH, OYSTERS AND GAME

AN ACT Prohibiting the Killing of Raccoons and Opposums or Destroying Their Dens During Certain Hours of the Day.

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

Section 1. It shall be unlawful to kill any raccoon or opossum, or needlessly destroy, break or interfere with any den or lair of any raccoon or opossum, or to set fire to, burn or otherwise mutilate any tree, living or dead, stump or log for the purpose of killing or destroying in any way any such raccoon or opossum at any time of the year, between one hour before sunrise and one hour after sunset.

Raccoons and
Opposums
not to be
killed—when

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed as to such inconsistency only.

Approved March 23, 1931.

CHAPTER 221

FISH, OYSTERS AND GAME

AN ACT to amend Chapter 74, of the Revised Code of the State of Delaware, Relative to Game, by making it Compulsory that all Game Breeders of Game Animals and Birds be Required to Obtain a License.

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

Breeders of
Game
Animals and
Birds required
to obtain
license

Section 1. That any person, persons, partnership, company or corporation now engaged or who may hereafter become engaged in the breeding of game animals or game birds for commercial purposes shall be, and are hereby, required to obtain a license to engage in or carry on said business or industry from the Board of Game and Fish Commissioners for which he shall pay to the said Board of Game and Fish Commissioners a fee of Ten Dollars (\$10.00) for each and every year.

Not to apply

Section 2. The provisions of this Act shall not apply to birds or animals raised by or for the State Game Commission, or to any person engaged in the breeding of game animals or game birds the total of which shall not exceed twenty-five in number.

Permit to sell
game animals
and Game
Birds

Section 3. A permit to sell any game animals or game birds shall be required of said breeder to ship said game animals or game birds out of this State. Said permit to be obtained from the office of the Board of Game and Fish Commissioners. When such game birds or game animals are shipped out of the State a tag permitting such shipping must be fastened to such crate or carrier, carrying said game animals or game birds.

Penalty for
Violation

Section 4. Any person violating any of the provisions of this Act, shall upon conviction thereof be subject to a fine of Ten Dollars (\$10.00) for each and every offense.

Approved March 23, 1931.

CHAPTER 222

FISH, OYSTERS AND GAME

AN ACT Regulating the Oyster Industry in the Broadkiln River and Mispillion River.

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

Section 1. It shall be lawful for any person to catch in any one day, for the purpose of sale or otherwise, from either the Broadkiln River or the Mispillion River, any quantity of oysters not exceeding nine bushels; in case of the sale or disposal of said quantity or any part thereof taken or caught from either the waters of Broadkiln River or the Mispillion River, it shall be unlawful to sell or otherwise dispose of the same, or any part thereof, to be transported or carried away through the mouth of said Broadkiln River and the Mispillion River into the Delaware Bay by any boat or vessel, whether for planting or for consumption as food, or for any other purpose.

Daily quantity of oysters, person may take from Broadkiln River and Mispillion River

Section 2. It shall be unlawful for any person to take or catch by any lawful means any oysters from either the Broadkiln River or the Mispillion unless he shall have first paid to the Collector of the Oyster Revenue the sum of Fifteen Dollars and has received from the said Collector a license therefor. Provided, however, that residents of Delaware, may take or catch for home consumption, without obtaining a license therefor, a quantity of oysters not exceeding three bushels in any one week.

License necessary to take oysters in Broadkiln River or Mispillion River

Exception

Section 3. That Chapter 74 of the Revised Code of Delaware be amended by striking out of 2471 Section 114, on the sixth line thereof the words "two and one-half" and inserting in lieu thereof, the word "three".

Section 4. For the purpose of protecting the oyster beds in the Broadkiln River and the Mispillion River, and

. FISH, OYSTERS AND GAME

Watchboat maintained in those who have planted, or may hereafter plant, oysters therein, the Collector of the Oyster Revenue shall keep and maintain upon each of said Rivers a suitable watchboat, upon each of which shall be placed a Warden and any other person or persons necessary, in his judgment, to enforce the oyster laws relating to the Broadkiln River or the Mispillion River. The said Wardens and other on said watchboats shall be appointed by the Governor, to serve at his pleasure; the Warden employed on said watchboat patrolling the Broadkiln River shall be a resident of Lewes and Rehoboth Hundred, in Sussex County; the Warden employed on the watchboat patrolling the Mispillion River shall be a resident of Cedar Creek Hundred in Sussex County. The said Wardens and other employees on said watchboats shall be paid a salary commensurate with their duties by the State Treasurer upon proper voucher signed by the Collector of the Oyster Revenue. The said watchboats shall be employed at all times in the protection of the natural oyster beds in said Rivers and any other oyster plantations of the several planters and shall cruise at all times, when the weather will allow, over the oyster beds and plantations for their protection and for the purpose of carrying into effect the laws of this State pertaining to oysters in the Broadkiln River and Mispillion River.

Penalty for Violation

Section 5. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be compelled to pay a fine of Fifteen Dollars for the first offense and Fifty Dollars for every additional offenses. Upon a third conviction, in addition to the penalty above provided, it shall be the duty of the Collector of Oyster Revenue upon proper certification of the same to revoke the license of the convicted person for a period of one year from the date of said third conviction.

Section 6. All Acts or parts of Acts inconsistent herewith are hereby repealed as to such inconsistency only.

Approved April 8, 1931.

CHAPTER 223

FLOATS OR BRIDGES IN CERTAIN STREAMS FOR
PROTECTION OF BASS**AN ACT Directing Game and Fish Commission to Clean Out
and Place Floats or Bridges in Certain Streams for Pro-
tection of Bass and Other Game Fish and Appropriat-
ing Moneys Therefor.***Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met :*

SECTION 1. That the Game and Fish Commission of the State of Delaware be, and is hereby, authorized and directed, in accordance with the provisions of this Act, to clean out certain streams and ponds in this State, to place therein floats or bridges and otherwise provide for the protection and propagation of bass and other game fish in said streams and ponds.

Floats and
Bridges to
protect Bass

SECTION 2. That before the said Game and Fish Commission shall take any action under the provisions of this Act, there must first be presented to said Commission a petition or petitions signed by responsible citizens of this State, residing in the vicinity of such stream or pond, citing the need for such action on the part of the Commission and requesting it to apply to said stream or pond the provisions of this Act. Upon receipt of said petition the said Commission shall cause an investigation to be made, in such manner as it may deem advisable, concerning the facts set forth in said petition and shall give notice, in such manner that the petitioners and residents of the community in question shall have due knowledge thereof, of its findings with reference thereto.

Petitions of
Citizens
presented
before action
taken

SECTION 3. Before any action is taken by said Commission as to said streams or ponds, twenty per cent of the sum of money to be used in any one case shall be provided by the petitioners or parties interested and placed in the

Petitioners
must provide
20% of
necessary
funds

FLOATS OR BRIDGES IN CERTAIN STREAMS FOR
PROTECTION OF BASS

hands of the Commission, or under its control, and no appropriation shall be made by said Commission unless and until such sum has been provided.

Appropriation
for work

SECTION 4. For the purpose of carrying out the provisions of this Act the sum of Twenty Thousand Dollars (\$20,000.) is hereby appropriated out of the General Fund in the hands of the State Treasurer not otherwise appropriated and shall be paid by him upon proper vouchers signed by the President of said Commission.

Approved April 6, 1931.

CHAPTER 224

FISH, OYSTERS AND GAME

AN ACT Relative to the Taking of Oysters from the Rivers in the State of Delaware.

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

SECTION 1. That from and after the approval of this Act, it shall be lawful for any bona fide resident of this State to catch and take oysters by means of tongs only, from the following Rivers, namely, Leipsic, Simons, Jones and Murderkill; to sell and dispose of the said oysters for planting only, in quantities of not over twenty-five (25) bushels daily per man in Jones River and Murderkill River, during the months of April, May, and September (there being no daily limit on the amount taken from Leipsic or Simons River, except that there shall be a closed season in these two rivers during July and August); all other months of the calendar year shall be termed as a closed season on said Rivers.

Oysters taken
from Rivers
for planting

Said tongs shall pay to the Oyster Revenue Collector a fee of Three Dollars and fifty cents (\$3.50) per man each year for said privilege. All money derived from the sale of said licenses shall be used to defray the expenses of patrolling the said Creeks and Rivers.

Fee paid by
tongers to
Oyster
Revenue
Collector

It shall be unlawful to sell or offer for sale any oysters from the aforesaid Rivers for consumption as food, until the State Board of Health shall give its approval that the oysters taken from the aforesaid Rivers may be used for that purpose.

Unlawful to
sell for food
until approval
of State Board
of Health

SECTION II. After the approval of this Act, the State Oyster Revenue Collector shall work in conjunction with the Board of Game and Fish Commissioners of Delaware, as well as the State Board of Health.

Oyster
Revenue
Collector to
act with other
officials

FISH, OYSTERS AND GAME

Oysters not to
be sold to
shucking
houses

It shall be the duty of the said Oyster Revenue Collector to see that no oysters are taken from any of the aforesaid Rivers and sold to shucking houses, directly or indirectly.

Oysters to
remain where
planted

All oysters planted shall remain where planted for such a time as shall be approved of by the State Board of Health.

Officers may
act as
Wardens—
Board of
Game and
Fish Commis-
sioners to
have charge of
Rivers with
respect to

The said Oyster Revenue Collector and State Police boat, together with the crew of same, shall be at the command of the Board of Game and Fish Commissioners for the further protection of Fish and Game. They shall have full power to act as Wardens of the Board of Game and Fish Commissioners of the State.

The Board of Game and Fish Commissioners shall have full power and control over the aforesaid Rivers together with their Wardens, to enforce all Laws pertaining to the taking and planting of oysters therefrom.

Penalty

SECTION III. Any person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall forfeit all equipment and pay a fine not exceeding Fifty Dollars (\$50.00).

SECTION IV. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved April 8, 1931.

CHAPTER 225

DOGS

**AN ACT Prohibiting the Carrying of Gun While Training
Dog or Dogs.**

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

SECTION 1. That from and after the passage of this Act, it shall be unlawful for any person to carry a gun while training dog or dogs in closed game season.

Unlawful to
carry gun
while training
dogs in closed
season

SECTION II. Any person or persons violating this Act, shall be punishable with a fine of not less than Fifty Dollars (\$50.00), nor more than One Hundred Dollars (\$100.00) for each offense together with costs of prosecution, unless an appeal be taken, shall be committed to the County jail in the County in which such offense was committed for thirty days, unless said fine and costs be sooner paid.

Penalty for
Violation

Approved April 22, 1931.

CHAPTER 226

FISH. OYSTERS AND GAME

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware, as amended, Relative to the Catching of Crabs in the Waters Within the State of Delaware.

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

Taking of
Crabs from
tidal waters
of State by
residents

By non-
residents

Section 1. That on and after the passage of this Act, it shall be lawful for any person, a citizen of the United States, to catch and take crabs, of not less than four inches in length, in any of the tidal waters of the State of Delaware without a license, provided that a non-resident shall not use at any time more than two hand lines and shall not take more than twenty-four crabs of not less than four inches in length on each line in any one day.

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved May 6, 1931.

CHAPTER 227

FISH, OYSTERS AND GAME

AN ACT Making Silver Lake, near Dover, a State Bird Refuge.

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

SECTION 1. That Silver Lake, near Dover, in Kent ^{Silver Lake and adjacent land a State Bird Refuge} County, and such land or lands adjoining or adjacent thereto as may be acquired by deed, gift or otherwise be and the same are hereby made a State Bird Refuge.

SECTION 2. That from and after the approval of this ^{Hunting within borders not allowed} Act it shall be unlawful for any person or persons to hunt upon or discharge a firearm or firearms within the borders of said Bird Refuge.

SECTION 3. Any person convicted of having vio- ^{Penalty for conviction} lated any of the provisions of this Act shall be punishable with a fine of not less than Twenty-five Dollars nor more than One Hundred Dollars for each offense.

Approved April 29, 1931.

TITLE THIRTEEN

Deaf, Dumb, Blind and Insane

CHAPTER 228

DELAWARE STATE HOSPITAL

AN ACT to Appropriate Moneys to the State Board of Trustees of Delaware State Hospital at Farnhurst for the Purpose of Acquiring Certain Lands Adjoining the Lands of Said Hospital.

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

Appropriation
to acquire
land at
Farnhurst

SECTION 1. The sum of Eleven Thousand Dollars is hereby appropriated to the State Board of Trustees of Delaware State Hospital at Farnhurst for the purpose of enabling said Board to acquire certain real estate adjoining the property of the said Delaware State Hospital at Farnhurst and full power and authority is hereby conferred upon said State Board of Trustees to acquire, own and hold the said property for the uses of the said Hospital. The appropriation hereby made shall become available to said State Board of Trustees immediately upon the approval of this Act.

Approved April 8, 1931.

CHAPTER 229

DELAWARE STATE HOSPITAL

AN ACT Appropriating Monies for the Construction of a New Building 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 :

Sec. 1. For the purpose of constructing a new building for the use of the Delaware State Hospital at Farnhurst, and to pay for the grading and incidental expenses in connection with the construction of said building, there is hereby appropriated to The State Board of Trustees of The Delaware State Hospital at Farnhurst the sum of Three Hundred Thousand Dollars, (300,000.00) to be paid out of the General Fund of the State of Delaware, not otherwise appropriated.

Sec. 2. The said construction shall be done under the supervision of the said Board of Trustees and the said Board of Trustees shall cause plans and specifications for said construction to be prepared and the contract for the construction of such building, 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 Board of Trustees. The said Board of Trustees shall have the power to reject any and all bids submitted to them. The expenditure of the monies by the said Board of Trustees shall be made in accordance with and subject to the provisions of Section 21, Chapter 15, of the Revised Code of Delaware.

Approved April 22, 1931.

CHAPTER 230

DELAWARE COMMISSION FOR FEEBLE MINDED

AN ACT Making an Appropriation for the Erection and Equipment of Certain Buildings at the Institution for the Feeble Minded, and Providing for Operation and Maintenance.

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

Appropriation
for additional
buildings at
home for
feeble minded

Section 1. That the sum of One Hundred and Thirty-five Thousand, Nine Hundred and Sixty Dollars, (\$135,960.00), is hereby appropriated for the erection, equipment and maintenance of additional buildings at the Institution for the Feeble Minded.

How applied

Section 2. The said sum of One Hundred and Thirty-five Thousand, Nine Hundred and Sixty Dollars (\$135,960.00), or so much thereof as may be necessary, shall be applied and used, as follows:

For the erection of an additional dormitory for boys, Thirty Thousand Dollars (\$30,000.00), and for the equipping and furnishing said building, Six Thousand Dollars (\$6,000.00), and for maintenance and operation Twelve Thousand, Eight Hundred and Eighty (\$12,880.00) Dollars.

For the erection of a dormitory for colored boys, Thirty Thousand Dollars (\$30,000.00), and for equipping and furnishing said building Six Thousand Dollars (\$6,000.00), and for the maintenance and operation Seven Thousand, Eight Hundred and Eighty Dollars (\$7,880.00).

For the erection of a hospital or infirmary, Twenty Thousand Dollars (\$20,000.00), for equipping and furnish-

DELAWARE COMMISSION FOR FEEBLE MINDED

ing the same, Five Thousand Dollars (\$5,000.00) ; for main-
tenance and operation, Six Thousand Dollars (\$6,000.00). How
appropriation
applied

For the erection and equipment of a milk house One
Thousand Dollars (\$1,000.00).

For the erection and equipment of a barn Ten Thousand
Dollars (\$10,000.00).

For the erection of two silos Twelve Hundred Dollars
(\$1200.00).

Section 3. That the said money so 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 Chairman of the Commission for the
Feeble Minded, and countersigned by the Treasurer of said
Commission. Money—
How paid

Section 4. This Act shall be known as a supplementary
appropriation act, and shall be paid out of the general funds
in the State Treasury not otherwise appropriated.

Approved April 22, 1931.

CHAPTER 231

DELAWARE COMMISSION FOR FEEBLE MINDED

AN ACT Appropriating Moneys for the Purchasing or Securing of Certain Lands for the Institution of the Feeble Minded.

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

Appropriation
for additional
land at
Institution
for feeble
minded

SECTION 1. That the sum of Five Thousand Dollars (\$5,000.00) be, and the same is hereby, appropriated to the Institution for the Feeble Minded, near Stockley, for the purpose of purchasing or otherwise securing certain lands adjoining the lands of said Institution consisting of approximately One Hundred and Seventy Five Acres and necessary to straighten out the lines and boundaries of the lands now held for said Institution.

Commission
to acquire
land

SECTION 2. That the Commission for the Feeble Minded, in charge of said Institution shall be, and is hereby, authorized and directed to take such procedure as they may deem proper and necessary in order to acquire said lands and to perform any and all Acts incidental thereto.

Payment

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 funds of the State Treasury not otherwise appropriated.

Approved April 22, 1931.

TITLE FOURTEEN

General Provisions Respecting Trade

CHAPTER 232

AN ACT to Permit Any Officer, Board, Commission, Committee or Department or Other Branch of the State Government to Request from any Proposed Bidder on any Public Work a Questionnaire and to Thereafter Reject Bids from Proposed Bidders not Qualifying.

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

Sec. 1. That it shall be lawful for any officer, board, commission, committee or department, or other branch of the State government to require from any person proposing to bid on public work duly advertised, a standard form of questionnaire and financial statement containing a complete statement of the person's financial ability and experience in performing public work, before furnishing such person with plans and specifications for the proposed public work advertised.

Questionnaire
may be
requested
from
proposed
bidders

Sec. 2. That whenever such officer, board, commission, committee or department, or other branch of the State government is not satisfied with the sufficiency of the answers contained in such standard questionnaire and financial statement of such person, it may refuse to furnish such person with plans and specifications on public work duly adver-

Plans and
specifications
refused if
answers not
satisfactory

GENERAL PROVISIONS RESPECTING TRADE

tised and the bid of any person to whom plans and specifications have been issued may be disregarded.

"Person"
defined

Sec. 3. That the word "person" as used herein shall mean and include any individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever.

No action
because of
refusal

Sec. 4. That no action of any nature or description out of any court of competent jurisdiction shall lie against any officer, board, commission, committee, department or other branch of the State government because of such refusal to furnish such person with plans and specifications on public work duly advertised.

Sec. 5. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 22, 1931.

CHAPTER 233

LEGAL HOLIDAYS

AN ACT to amend Chapter 78, Article 17, 2841, Section 197 of the Revised Code of the State of Delaware, as amended, relative to Negotiable Instruments.

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

Section 1. That Chapter 78, Article 17, 2841, Section 197 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended by striking out 2841, Section 197 thereof and inserting in lieu thereof a new section to be known as 2841 Section 197, as follows:

2841 Section 197. The legal holidays within the meaning of this Chapter are Christmas, the Fourth of July, Thanksgiving Day whenever proclaimed, New Year's Day, the twenty-second day of February known as Washington's Birthday, the thirtieth day of May, known as Memorial Day, Saturday afternoons after twelve o'clock noon, known as Bank Half Holiday in New Castle and Sussex Counties, the first Monday in September, known as Labor Day, the twelfth day of February known as Lincoln's Birthday, and the day of the General Election as it biennially occurs, and the twelfth day of October known as Columbus Day; provided that if any of said legal holidays falls on Sunday, the Monday following shall be a legal holiday within the meaning of this Chapter.

Approved March 30, 1931.

CHAPTER 234

LEGAL HOLIDAYS

AN ACT to amend An Act entitled "An Act Making the Eleventh Day of November Known as Armistice Day a Legal Holiday".

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 making the Eleventh Day of November known as Armistice Day a legal holiday", being Chapter 191, Volume 34, Laws of Delaware, be and the same is hereby amended by adding at the end of said Act the following words:

Educational
institutions
of State to
hold
appropriate
exercises on
"Armistice
Day" if in
session

Provided, however, the provisions of this Act shall not apply to educational institutions of this State that are in session on the eleventh day of November, known as "Armistice Day", but after the passage and approval of this Act all educational institutions in this State that are in session on the eleventh day of November, known as "Armistice Day" shall hold appropriate exercises between the hours of eleven o'clock A. M. and twelve o'clock noon, in memory of "Armistice Day".

Approved March 30, 1931.

CHAPTER 235

WEIGHTS AND MEASURES

AN ACT to amend Chapter 82 of the Revised Code of the State of Delaware as Amended by Chapter 216 Volume 28, relative to Weights and Measures.

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

Section 1. That Chapter 82 of the Revised Code of the State of Delaware, as amended by Chapter 216, Volume 28, be further amended by striking out 2920 Section 7 and inserting in lieu thereof the following:

"2920 Section 7. The appointment of the Regulators ^{Regulators of Weights and Measures} shall be, and is hereby, revoked as of April 1, 1931. Thereafter, appointment of said Regulators shall be made by the Governor, to serve at his pleasure; said Regulators shall ^{Appointment} devote their full time towards carrying out the duties of their office and shall be paid for their services annually One Thousand Eight Hundred Dollars in New Castle County and Twelve Hundred Dollars in Kent and Sussex Counties, said salaries to be paid by the State Treasurer as other salaries ^{Salary and expenses} of State employees are paid. The said Regulators shall be reimbursed for their reasonable expenses after the same have been duly certified by the Governor or such person as may hereafter be designated by him; said expenses shall not be allowed for a sum exceeding Fifty Dollars for any one month for each Regulator."

Section 2. That 2928 Section 15 of the Revised Code of the State of Delaware, be amended by striking out Section 15 and inserting in lieu thereof the following to be styled 2928 Section 15:

WEIGHTS AND MEASURES

Levy Courts
to make
equipment
available to
Regulators

"2928 Section 15. The Levy Courts of the three counties shall cause to be made available to the Regulators of the respective counties, as named under this Act, who shall preserve and keep the same in good order, the duplicate standards and balances and other equipment now used by the said Regulators in the performance of their duties; that thereafter all equipment shall be furnished by the State.

Regulation of
standards by
originals

The said Regulators shall attend, with duplicate standards, at the office of the State Chemist, when required by him in writing so to do, for the purpose of having them regulated by the originals."

Repeals

Section 3. That 2927 Section 14 of the Revised Code of the State of Delaware, as amended by Section 7 of Chapter 216, Volume 28, Laws of Delaware, be and the same is hereby repealed; that 2922 Section 9 and 2922 A Section 9 A of the Revised Code of the State of Delaware, as amended by Section 6 of Chapter 216, Volume 28, Laws of Delaware, be, and the same are hereby repealed.

Section 4. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended by adding after 2918 Section 5 a new Section to be styled 2918 A Section 5 A:

Reports by
Regulators

"2918 A Section 5 A. Each Regulator shall make a complete report each and every month to the Governor, or such State official or employee as may be designated by him to receive such report, covering all official acts on his part and furnishing a complete itemized statement of all expenses incidental to the performance of his duties.

Appropriation
for additional
equipment

Section 5. The sum of Five Hundred Dollars is hereby appropriated out of the general fund of the State Treasury not otherwise appropriated, to cover the cost of such addi-

WEIGHTS AND MEASURES

tional equipment as may be deemed necessary by the Governor, or such person as may be designated by him under Section 1 of this Act; said sum of Five Hundred Dollars to be paid by the State Treasurer upon proper voucher signed by the Governor or the person so designated by him.

Approved March 30, 1931.

TITLE FIFTEEN

Domestic Relations

CHAPTER 236

MARRIAGE

AN ACT amending Chapter Eighty-five, 2996 Section 5 Relative to Marriage Licenses.

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

Section 1. That Chapter Eighty-five 2996, Section 5
be amended as follows:

Information
regarding
divorce
placed on
marriage
licenses

That there shall be endorsed on the back of the marriage license, when issued, the following information as given in the application for marriage license sworn to before the Clerk of the Peace or Justice of the Peace, certified by the person issuing the license to be correct.

SINGLE

WIDOW OR WIDOWER

DIVORCED

If divorced, state from and by whom divorce was obtained, the ground or grounds there for and the jurisdiction in which the divorce was granted.

Approved March 19, 1931.

CHAPTER 237

PROBATION OFFICERS

AN AST to amend Chapter 87 of the Revised Code of the State of Delaware, relating to Probation Officers.

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

Section 1. That Chapter 87 of the Revised Code of the State of Delaware, as amended by Chapter 53, Volume 31 of the Laws of the State of Delaware, and further amended by Chapter 190 of Volume 35, of the Laws of the State of Delaware, be and the same is hereby further amended by striking out all of 3038, Section 6 of said Chapter and inserting in lieu thereof the following, which shall be styled "3038, Section 6".

3038, Sec. 6. Whenever the Court of General Sessions may deem it necessary or desirable, it may appoint one or more discreet persons of good character to serve as probation officers, during the pleasure of the Court, for the performance of such duties as the Court shall direct. Said probation officer or officers shall receive a salary to be determined by the Court, but such compensation shall not exceed One Hundred and Eighty-three and 33/100 Dollars (183.33) per month for each officer; and this, together with the necessary expenses incurred while in the actual performance of duty, shall be paid monthly by the Levy Court Commissioners of the County, upon the order of the Court.

Probation
officer may be
named by
Court of
General
Sessions

Compensation

Approved May 1, 1931.

CHAPTER 238

MASTERS, APPRENTICES AND EMPLOYEES

AN ACT to amend Chapter 90, 3171 Section 71 of the Revised Code of the State of Delaware as amended by Chapter 232 Volume 29, Laws of Delaware, Extending the Age Limit at which Children shall be Exempted from the Provisions of An Act in Relation to the Preserving or Preparation for Canning or Preserving Perishable Fruits and Vegetables.

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

Section 1. That Chapter 90, 3171, Section 71 of the Revised Code of the State of Delaware, as amended by Chapter 232 Volume 29, Laws of Delaware, be, and the same is hereby further amended by repealing all of said Section and substitute in lieu thereof a new Section to be styled 3171 Section 71:

Age of
Children in
Canning or
Preserving
factories

3171. Section 71. The provisions of this Act shall not apply to any child over the age of fourteen years who may be employed, permitted or suffered to work in any establishment used for the purpose of canning or preserving or preparation for canning or preserving perishable fruits and vegetables. The burden of proving said child's age to be fourteen years and over shall be on the parent, who shall be required, by the Labor Commission, to present documentary proof of same to its satisfaction.

All acts or parts of acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved March 16, 1931.

CHAPTER 239

WORKMEN'S COMPENSATION LAW

AN ACT to amend Article 5 of Chapter 90 of the Revised Code of the State of Delaware, Relating to Workmen's Compensation.

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

Section 1. That 3193 h, Section 101 of Article 5 of Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of subsections (a) and (b) of said Section 101, and inserting in lieu thereof the following :

"(a) No compensation shall be paid for any injury which does not incapacitate the employee for a period of at least one week from earning full wages, but if incapacity extends beyond the period of one week compensation shall begin on the eighth day after such incapacity ; provided, however, that if such incapacity continues for four weeks or longer, such compensation shall be computed from the date of incapacity."

Compensation
—when to
begin

"(b) During the first thirty days after the injury, the employer shall furnish reasonable surgical, medical, and hospital services, medicines and supplies, as and when needed, unless the employee refuses to allow them to be furnished by the employer. The cost of such services, medicines, and supplies shall not exceed One Hundred and Fifty Dollars."

Care by
employer
during first
thirty days

If the employer shall, upon application made to him, refuse to furnish reasonable surgical, medical, and hospital services, medicines and supplies, the employee may procure

Failure of
employer to
furnish care

WORKMEN'S COMPENSATION LAW

the same, and shall receive from the employer the reasonable cost thereof within the above limitations."

Section 2. That 3193 j, Section 103 of said Article 5 of Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by adding at the end of said Section the following new sub-section to be styled (e):

Compensation
for
subsequent
injury

"(e) If an employee, having previously sustained a permanent injury from any cause whether in line of employment or otherwise, shall sustain any other permanent injury, he shall be entitled to compensation for the subsequent injury in the same amount, and only in the same amount, as though the previous injury had not occurred: Provided, that if the subsequent injury shall be sustained in the employment of the same employer and in the course of work of the same classification as the previous injury, then the amount of compensation to which the employee shall be entitled shall be the amount which would be payable if both such injuries were the result of one accident, less an amount equal to the compensation fixed in this Act for the previous injury.

Section 3. That 3193 z and Section 119 of said Article 5 of Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out all of said 3193 z, Section 119 and inserting in lieu thereof the following:

Employer to
keep liability
insured in
approved
company or
organization

"3193 z Section 119. Every employer under this Article shall either insure or keep insured his liability hereunder in some corporation, association or organization approved by the Industrial Accident Board and authorized to transact the business of Workmen's Compensation Insurance in this State, or shall furnish to the Industrial Accident Board,

WORKMEN'S COMPENSATION LAW

satisfactory proof of his financial ability to pay direct the compensation in the amount and manner and when due as provided for in this Article. In any case, the Board may, in its discretion, require the deposit of an acceptable security, indemnity or bond, to secure the payment of compensation liabilities as they are incurred.

Or furnish
proof of
financial
ability to pay

Whenever a self-insurer under this Section shall enter into an agreement to pay compensation to an injured employee or his dependents in case of his death, or whenever an award shall be made by the Board in favor of such injured employee or his dependents in case of his death, the employer shall pay the full liability under said agreement or award to a Savings Bank or Trust Company in accordance with the provisions of 3193 u, Section 114, and the said fund together with all interest arising from the investment thereof, shall be held and paid out in accordance with the provisions of said last mentioned Section. Failure on part of the employer to make such payment within thirty days after such an agreement or award shall forthwith terminate the right of such employer to carry his own insurance."

Self-Insurer
to pay full
liability to
Bank or
Trust
Company,
according to
Law

Approved April 10, 1931.

CHAPTER 240

WORKMEN'S COMPENSATION LAW

AN ACT to amend Article 5, Chapter 90, Revised Code of Delaware, called and cited as the Delaware Workmen's Compensation Law of 1917, as amended.

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

Section 1. That 3193 V. V. Section 141, of Article 5, Chapter 90, of the Revised Code of Delaware, as amended, be and the same is hereby further amended, by adding at the end of the first paragraph thereof the following words, to wit: "and excepting officers and employees of the "The Mayor and Council of New Castle," 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."

Section 2. That 3193 V. V. Section 141, of Article 5, Chapter 90, of the Revised Code of Delaware, as amended, be and the same is hereby further amended, by adding at the end of the second paragraph thereof, the following words, to wit: "and the said election by the Mayor and Council of New Castle shall be by and be under the control of the Town or City Council of the said municipal corporation."

Approved April 13, 1931.

CHAPTER 241

WORKMEN'S COMPENSATION LAW

AN ACT to amend Chapter 90 of the Revised Code of the State of Delaware, as amended, in relation to 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:

Section 1. That Chapter 90 of the Revised Code of the State of Delaware, as amended by Chapter 233, Volume 29, Laws of Delaware, be and the same is hereby further amended by striking out the words "Twenty-five Hundred Dollars" where they appear in the ninth paragraph of 3193 W Section 116 thereof and by substituting in lieu thereof the words "Three Thousand Dollars".

Section 2. All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 29, 1931.

TITLE SIXTEEN

Titles to Real Property

CHAPTER 242

CONVEYANCES

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:

Record of
deeds having
defective
acknowledg-
ments, made
valid

Evidence

Section 1. That the record of any deed dated prior to the first day of January, A. D. 1931, 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 February 18, 1931.

CHAPTER 243

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 ^{Satisfaction of Mortgages} 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 ^{When} 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 ^{By whom} 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 Assistant Cashier, or Treasurer or Assistant Treasurer, or the Attorney of said corporation duly constituted, and attested by the Recorder.

Approved April 8, 1931.

CHAPTER 244

CONVEYANCES

AN ACT to vest the title of the New Castle Academy and the lot of ground in the City of New Castle in a Commission having charge of the Old State or Court House and other Public Property.

WHEREAS, by an Act of the General Assembly passed June 13th, 1772, being Chapter 212-A, Volume 1, Laws of Delaware, by Section 2 of said Act, a lot of ground therein described was vested in certain Trustees named in said Act in trust for the erecting of a school house or school houses thereon and to be of that use forever; and

WHEREAS, on the said lot of land mentioned in the foregoing Act a school building known by the name of The New Castle Academy was erected by private subscription and by funds advanced by the Trustees of New Castle Common; and

WHEREAS, by an Act of the General Assembly passed January 30th, 1801, being Chapter 80, Volume 3, Laws of Delaware, the Trustees of the New Castle Academy were created a corporation, and by Section 9 thereof the surviving trustee under the Act of 1772 was empowered and directed to convey the said lot of land to the Trustees of the said New Castle Academy; and

WHEREAS, pursuant to this Act a deed was executed by Thomas McKean surviving trustee under the original Act to the Trustees of the New Castle Academy by deed dated the 6th day of June A. D. 1808 and recorded in the office of the Recorder of Deeds in and for New Castle County in deed Record, I Vol. 3, Page 100 &c.; and

CONVEYANCES

WHEREAS, the Trustees of the New Castle Academy have for many years gone out of existence and there are now no Trustees of said Academy and have been none for many years past, the management of said New Castle Academy being taken over many years ago by the Trustees of New Castle Common and subsequently by the Board of Education of the City of New Castle; and

WHEREAS, the said building and lot has now been vacated by the said Board of Education and is not now used or intended to be used for school purposes and it is desired to vest the title of said lot or land and the buildings thereon in trust for the benefit of the citizens of the said City of New Castle; and

WHEREAS, the remaining parts of the Market Square or plot of ground, including the old State House or Court House and other public buildings, in the centre of the town of which the hereinabove mentioned lot originally formed a part is vested in a Board of Trustees created pursuant to the provisions of Chapter 191, Volume 24, Laws of Delaware and of Chapter 219, Volume 27, Laws of Delaware, and Chapter 136, Volume 28, Laws of Delaware, consisting at present of James G. Shaw, Andrew M. Gallagher, Alexander E. Goudiss, William Deakyne, and Jacob H. Speicher, in whom it is intended to vest the title of the first herein mentioned lot of ground.

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

SECTION 1. That the lot of ground mentioned in Section 2 of the Act of 1772 therein set apart for school purposes and hereinbefore mentioned be and it is hereby vested and settled upon the Trustees mentioned in the preamble to this Act and their lawful successors in the trust. The said

Lot of ground
vested in
Trustees

CONVEYANCES

Trustees to
have control
over Academy
building

How
successors
selected

Trustees and their successors in the Trust shall have the same custody and control over said Academy building as over other property in their charge with authority to lease the said Academy building or part thereof to such person or body corporate and for such term as to them or their successors in the Trust may seem best. The successors in the Trust shall be selected in the same manner as for the Old State House or Court House and other public property in the said square so that the Trustees of the old State House or Court House shall always be in charge of the other public property in said square including the old New Castle Academy building.

Approved April 25, 1931.

TITLE SEVENTEEN

Administration of Estates

CHAPTER 245

SETTLEMENT OF PERSONAL ESTATES

AN ACT to amend Chapter 98 of the Revised Code of the State 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 the State of Delaware (1915) be and the same is hereby amended by striking out and repealing all of 3393, Section 60.

Section 2. That Chapter 98 of the Revised Code of the State of Delaware (1915) be and the same is hereby amended by striking out all of 3394, Section 61 and inserting in lieu thereof the following:

3394. Sec. 61. Acquittances from Guardian or Trustee; Form of; Filed with Register; How Treated in Account before Register: Whenever an executor or administrator shall make an assignment of any investment or shall transfer or deliver any personal property of any testator or intestate to a guardian or trustee as payment in whole or in part of a legacy or distributive share, such guardian or trustee shall give to such executor or administrator a receipt therefor at the valuations affixed in the appraisalment of

Acquittances
from guardian
or Trustee

SETTLEMENT OF PERSONAL ESTATES

Receipt
therefor

Discharge of
executor,
administrator,
and surety

Proviso

Repeal

the estate of such testator or intestate, and such receipt, when delivered to the Register of Wills before whom it shall be the duty of such executor or administrator to pass his account, shall be a sufficient discharge of such executor or administrator and of his sureties for any investment and/or property so assigned, transferred or delivered, and such Guardian or Trustee may take over such property and may without liability for any loss or depreciation therein continue to hold the same, until in the exercise of due care it shall become no longer wise so to do; provided, however, that in case a trustee, guardian or other fiduciary is acting under authority of an instrument, the terms and provisions of such instrument shall be controlling as to the power and duty of such trustee, guardian or other fiduciary.

Section 3. That Chapter 98 of the Revised Code of the State of Delaware (1915) be and the same is hereby amended by striking out and repealing all of 3395, Section 62.

Approved April 25, 1931.

TITLE EIGHTEEN

The General Police

CHAPTER 246

SMALL LOANS

AN ACT to amend Chapter 100 of the Revised Code of Delaware relating to 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 by Chapter 260, of Volume 36, of the Laws of Delaware, be, and the same hereby is, amended by striking out and repealing 3556. Sec. 121, 3557. Sec. 122, 3558. Sec. 123, and 3560. Sec. 125 of said Chapter 260, of Volume 36, of the Laws of Delaware, and substituting in lieu thereof the following:

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

Small loan
dealers must
secure
Certificate
from State
Bank
Commissioner

Interest
Charges

SMALL LOANS

Loans to one person if capital exceeds ten thousand dollars

on the amount loaned; and no additional interest, commission or charge of any kind shall be made; provided, however, that if the paid in capital of any such organization which is not subject to withdrawal shall exceed Ten Thousand Dollars, such loans may be made in an amount to any one person which shall not exceed ten per centum of the amount of such paid in capital.

Copy of evidence of indebtedness given to borrower

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 the amounts provided for in Sec. 121 of this Act, 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.

Penalty for failure to give such evidence

Penalty if excess interest charged

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 loans 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 ren-

SMALL LOANS

dered 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 loans 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.

3560. Sec. 125. Nothing in Sections 119 to 125 A, inclusive, of this Chapter shall be construed to authorize the loaning of money by any person, association, firm, partnership, corporation, trustee, trustee system, association or combination of persons in sums exceeding the amounts provided in Sec. 121 of this Act where such loans are repayable in weekly or monthly installments, at a greater rate of interest than that of six per centum (6%) per annum, and the penalties provided for the violation thereof shall be in addition to the penalties provided by the usury laws of this State. National banks or State banks or Trust Companies organized under the laws of this State shall have the right to make loans repayable weekly or monthly installments in amounts to any one person not exceeding ten per centum of the paid in capital and surplus of such bank or trust company, without first obtaining a Certificate of Registration under the provisions of this Act, and to deduct or retain for interest, at the time of granting any loan, a discount from the amount of the loan of six per centum per annum. It is also expressly provided that nothing in Sections 119 to 125

Penalty for
excess
charges

Certain
loans not
authorized

Certain class
of Banks not
required to
obtain
Certificate of
Registration

Interest
deducted
from loan

SMALL LOANS

Sections not
intended to
modify or
repeal other
Laws

A, inclusive, of this Chapter shall be construed to modify or repeal any part of 3562. Sec. 127, of this Chapter as amended by Chapter 208, of Volume 35, of the Laws of Delaware, but said section shall remain in full force and effect and the penalties provided for the violations of said last mentioned statute shall be in addition to the penalties provided by Sections 119 to 125 A, inclusive, of this Chapter.

Approved April 25, 1931.

CHAPTER 247

GENERAL PROVISIONS RESPECTING THE POLICE

AN ACT providing for the Protection of Firemen, and prescribing a penalty for willfully causing a False Alarm of Fire to be Sounded.

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

Section 1. It shall be unlawful for any person to willfully sound, or cause to be sounded, a fire siren, bell or whistle or any other fire alarm apparatus, which has been duly designated as such, in any city, town or village, in the State of Delaware, or in any other manner willfully give or cause to be given, an alarm of fire, when no fire exists to cause the sounding or giving of such fire alarm. Unlawful to willfully cause false alarm of fire to be sounded

Section 2. Any person or persons violating the provisions of this Act shall, upon conviction, be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), and in default of the payment of the fine herein imposed, shall be imprisoned in the County Jail for a term not exceeding sixty (60) days. Penalty Every Justice of the Peace of the State of Delaware and the Municipal Court of the City of Wilmington shall have original jurisdiction of all cases arising under the provisions of this Act. Jurisdiction

Approved March 30, 1931.

CHAPTER 248

EXPLOSIVES

AN ACT to regulate the transportation of Explosives over the Highways of this State.

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

DEFINITIONS:

"Motor Truck"
defined

Section 1. The term "Motor Truck", as used in this act, shall mean and include all vehicles operated or propelled by any form of engine, motor or mechanical power and designed or used for carrying freight or merchandise.

"Vehicle"
defined

The term "Vehicle" as used in this act shall mean and include any vehicle drawn by animals and designed or used for carrying freight or merchandise.

"Explosives"
defined

The term "Explosives", as used in this act, shall mean and include any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

"Highways"
defined

The term "Highways", as used in this act, shall mean and include all public roads, streets, avenues, alleys, boule-

EXPLOSIVES

wards, parks and squares, also bridges and approaches thereto.

The term "Owner", as used in this act, shall mean and include the person or persons having a motor truck in his or their possession as owner or as lessor under a lease or contract of conditional sale or other like agreement. "Owner" defined

The term "Chassis", as used in this act, shall mean and include the entire vehicle exclusive of the body or any load thereon. "Chassis" defined

The term "Railroad", as used in this act, shall mean and include any steam, electric or other railroad which carries passengers, freight and/or merchandise. "Railroad" defined

The term "driver", as used in this act, shall mean and include any person who operates a motor truck, or drives a vehicle. "Driver" defined

MOTOR TRUCKS

Section 2. Motor trucks and/or vehicles when used for transporting explosives over the highways of this State must be strong enough to carry the load and in first-class condition. The battery and wiring of motor truck must be located so that neither will come in contact with packages of explosives. All electric wiring must be completely protected and securely fastened to prevent short-circuiting. Worn insulation must be repaired before any explosives are loaded in the motor truck. Motor trucks or vehicles handling explosives must be in certain condition

The sides and ends of an open bodied motor truck, and/or vehicle must be high enough to prevent packages of explosives from falling off. The floor of each motor truck

EXPLOSIVES

and/or vehicle must be tight so that nothing can pass through it. Any exposed metal on the inside of the body liable to come in contact with explosives, must be covered or protected with wood or other non-metallic material.

MARKING

Motor trucks
and vehicles—
How marked

Section 3. Motor trucks and/or vehicles, when used for transporting explosives, must be marked or placarded on both sides and the rear with the word "Explosives" in letters not less than three inches high, or must conspicuously display a Red Flag not less than twenty-four inches square marked with the word "Danger" in white letters not less than six inches high.

FIRE EXTINGUISHERS

Fire
Extinguishers

Section 4. A motor truck, when used for transporting explosives, must be equipped with not less than two fire extinguishers, filled and ready for immediate use, placed at convenient points on the motor truck.

INSPECTION

Daily
inspection to
determine
fitness

Section 5. When a motor truck is to be used for transporting explosives, it shall be the duty of the owner to see that the motor truck is inspected daily to determine that:—

- (a) Fire extinguishers are filled and in working order.
- (b) Electric wiring is completely insulated and firmly secured.
- (c) Chassis, engine, pan and bottom of body are clean and free from surplus oil and grease.
- (d) Gasoline tank and feed line from same have no leaks.

EXPLOSIVES

- (e) Brakes and steering apparatus are in good condition.
- (f) Generally the motor truck is in proper condition for handling explosives.

DRIVER

Section 6. A motor truck and/or vehicle transporting explosives must be driven by and be in charge of a driver who is careful, capable, reliable, able to read and write the English language and not addicted to the use or under the influence of intoxicants or narcotics. No person shall smoke or carry matches, or any other flame-producing device, firearms or loaded cartridges while on or near the motor truck and/or vehicle. The driver must be familiar with the road rules, the State laws and local ordinances and regulations governing the transportation of explosives in this State, and must comply with them. The driver must be familiar with the necessary safety rules for handling and transporting explosives.

Qualifications
of driver

PROHIBITED ARTICLES

Section 7. No metal, metal tools, carbides, oils, matches, firearms, electric storage batteries, inflammable substances, acids, oxidizing or corrosive compounds shall be carried in the bed or body of any motor truck and/or vehicle transporting explosives; nor shall blasting caps or electric blasting caps be carried in or upon motor trucks and/or vehicles carrying other explosives.

Motor trucks
or vehicles
carrying
explosives
must not
carry certain
articles

EXPLOSIVES

LOADING

Loading

Section 8. Explosives to be transported by motor truck and/or vehicle must be loaded and transported in the body of such motor truck and/or vehicle.

Motor trucks and/or vehicles must not be loaded with explosives beyond their rated capacity. Packages of explosives must not be placed where they are likely to fall off the motor truck and/or vehicle.

Bale hooks or metal tools must not be used for loading, unloading, or handling explosives.

Motor trucks and/or vehicles equipped with an open body must have the explosives completely covered with a tarpaulin to protect them from the weather and from fire.

TRANSPORTING EXPLOSIVES

Explosives not
transported in
trailer

Section 9. Explosives must not be transported in any form of trailer, nor shall any trailer be attached to a motor truck and/or vehicle hauling explosives.

Driver

The driver must always have the motor truck and/or vehicle under complete control.

Stop at rail-
roads and
highways

Motor trucks and/or vehicles when transporting explosives, must come to a full stop before crossing any railroad track and must not cross it until it is known that the way is clear and no train or engine is approaching. Such motor trucks and/or vehicles must also come to a full stop in approaching main highways and then only proceed when the way is clear. Motor trucks must not coast down hill.

EXPLOSIVES

Unauthorized persons or passengers must not ride on motor trucks and/or vehicles transporting explosives. Other requirements

The gasoline tank of a motor truck shall not be filled while explosives are on the motor truck except in emergency, and then only when the engine of the motor truck is stopped.

Motor trucks containing explosives must never be left until the motor is stopped and the brakes securely set.

Vehicles transporting explosives must not be left unless team is securely tied and brakes set.

All unnecessary stops must be avoided. Stops for meals should only be made at a wayside restaurant and, in such event, the motor truck and/or vehicle should be left well away from traffic, fire risk and parked vehicles.

Motor trucks and/or vehicles containing explosives must never be taken into a garage or repair shop for repairs or storage.

Explosives should, when possible, be transported during daylight. If lights other than the lights of the motor truck are necessary, only an electric flashlight or a electric lantern may be used. Transported during daylight

DELIVERING EXPLOSIVES

Section 10. The driver of a motor truck and/or vehicle transporting explosives must deliver said explosives only to someone authorized to receive them, except in the case where said explosives are placed in a magazine and the Delivery

EXPLOSIVES

magazine is immediately thereafter locked. In unloading, packages of explosives must never be piled immediately back of the exhaust of a motor truck.

PENALTIES

Penalties

Section 11. Whoever fails to comply with or violates any of the provisions of this act shall be liable to a fine of not less than Twenty-five Dollars, nor more than One Thousand Dollars, or imprisonment not exceeding one year, or both, in the discretion of the Court.

REPEAL

Repeal

Section 12. All acts or parts of acts in conflict with this act are hereby repealed.

Section 13. This act shall take effect immediately.

Approved April 29, 1931.

CHAPTER 249

MACHINE GUNS

AN ACT making it Unlawful for any person or persons other than the State Military Forces or Duly Authorized Police Departments to have a Machine Gun in his or their possession, and prescribing a Penalty for same.

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

Section 1. On and after the passage and approval of this Act it is and shall be unlawful for any person or persons other than the State Military Forces or duly authorized Police Departments to have a machine gun in his or their possession, within the State of Delaware. Any person or persons convicted under the provisions of this Act shall be deemed guilty of a felony and shall be punished by either fine or imprisonment, or both, in the discretion of the Court.

Possession of
machine gun
unlawful

Exceptions

Penalty

All Acts or parts of Acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved February 25, 1931.

CHAPTER 250

GENERAL PROVISIONS RESPECTING THE POLICE

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 :

Section 1. That Chapter 100 of the Revised Code A. D. 1915, of the State of Delaware be and the same is hereby amended by adding thereto a new section to be styled 3568-A, Section 133-A.

3568-A, Section 133-A. Withdrawal of certain funds. Treasurer of the Poor New Castle County.

Funds in
New Castle
County Banks
to Credit of
Treasurer of
Poor payable
on order of
Certain
Officials

Any and all sums of money which are now or may hereafter be held by any Bank or Trust Company in New Castle County, under the provisions of 3568, Section 133 of the Revised Code, A. D., 1915, of the State of Delaware, as passed or as amended, or which are now or may hereafter stand, to the credit of the Treasurer of the Poor of New Castle County in any such Bank or Trust Company, shall be payable by such Bank or Trust Company upon the order, check, or warrant, signed by the County Treasurer of New Castle County, the Comptroller of New Castle County and the President of the Levy Court of said New Castle County.

Approved April 22, 1931.

CHAPTER 251

JAILS AND WORKHOUSES

AN ACT to amend Chapter 101 of the Revised Code of Delaware, by providing for the parole of certain prisoners sentenced to be confined in the New Castle County Workhouse.

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

That Chapter 101 of the Revised Code of the State of Delaware as amended by Chapter 220, Volume 33, Laws of Delaware, be and the same is hereby further amended by adding after paragraph 5 of 3608 L Section 12 L, a new paragraph to be known as paragraph 5 A:

5 A. That whenever the physical or mental condition of any prisoner confined in the New Castle County Workhouse demands treatment which The Board of Trustees of said Institution cannot furnish, the said Board may, if such action seem to it necessary to save the life of such prisoner, recommend that the case be considered by the State Board of Parole at a regular or special meeting. When such case is so considered, the Board of Parole, if satisfied that removal from the New Castle County Workhouse is necessary to save the life of such prisoner, may order the release of such prisoner on parole without regard to the time already served by such prisoner in the Workhouse. The Board of Parole shall parole in such a case only when arrangements have been made for the treatment of the prisoner in some institution. The Board of Parole may impose any conditions in case of parole as aforesaid, and may revoke the parole without hearing at any time and for any cause, and order the return of the prisoner to the Workhouse.

Parole of
Prisoner to
save life

Trustees of
Workhouse
and Board of
Parole must
approve

Conditions

Approved April 25, 1931.

CHAPTER 252

JAILS AND WORKHOUSES

AN ACT to Amend Chapter 101 of the Revised Code of the State of Delaware as amended relative to the employment of prisoners.

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

Section 1. That 3612 Section 16 of Chapter 101 of the Revised Code of the State of Delaware, as amended, be and the same is hereby further amended by adding at the end of Section 3612 Section 16 a new section to be styled 3612 C Section 16 C.

After June 1,
1931, unlawful
for prisoners
at Workhouse
to do work on
automobiles

3612 C. Section 16 C. That on and after the first day of June 1931 it shall be unlawful for any prisoner or prisoners confined in the New Castle County Workhouse to be employed at or to work at the labor of repairing, painting or refinishing any automobile except such automobiles as may be owned by the State of Delaware or some political subdivision thereof. All acts or parts of acts inconsistent herewith are hereby repealed in so far as the inconsistency may appear only.

Exceptions

Approved April 25, 1931.

CHAPTER 253

JAILS AND WORKHOUSES

AN ACT to amend Chapter 101 of the Revised Code of the State of Delaware, A. D., 1915 as amended, by providing for an increase in the cost of the Maintenance of the Prisoners 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, A. D., 1915 as amended, be and the same is hereby amended, by the repeal of 3612 Section 16 thereof as amended and by substituting in lieu thereof a new Section to be known as 3612 Section 16 as follows:

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 the 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 One Dollar daily per capita, until the Workhouse Loan is liquidated, 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

Prisoners at
New Castle
County
Workhouse to
be employed

Pay for
overwork

Cost of
maintenance
of prisoners
to Counties

To be actual
Cost when
Loan
liquidated

JAILS AND WORKHOUSES

Estimates to
Levy Courts

Taxes to
provide
payments

When pay-
ments made

Use of money
received

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.

When
effective

The provisions of this Act shall not become effective until the First day of July, A. D., One Thousand Nine Hundred and Thirty-one.

Approved April 25, 1931.

CHAPTER 254

JAILS AND WORKHOUSES

AN ACT to amend Chapter 101 of the Revised Code of the State of Delaware, A. D., 1915, Relating to Jails and Workhouses.

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, A. D., 1915, be and the same is hereby amended, by the repeal of 3602 Section 6 thereof and by substituting in lieu thereof a new Section, to be known as 3602 Section 6 as follows:—

3602 Section 6. UNITED STATES PRISONERS; COMPENSATION FOR AND SUPPORT OF:

The keepers of the public jails or workhouses in this State are authorized to receive and safely keep all persons committed under the authority of the United States until they shall be legally discharged, provided that the officer or body having the jurisdiction over and control of said jails or workhouses shall authorize the said keepers to so receive and keep such persons so committed and provided further that the United States shall agree to pay to the officer or body having such jurisdiction over and control of said jail or workhouse for the use of the County in which said jail or workhouse is located, such sum as shall be fixed by the said officer or body for the support and maintenance of such prisoner.

United States prisoners may be received in jails and workhouses of State

Compensation for maintenance of

The provisions of this Act shall not apply to persons committed to the public jails or workhouses in this State

Not to apply to prisoners already committed

JAILS AND WORKHOUSES

under the authority of the United States prior to the approval of this Act, but the provisions of law existing immediately prior to the time of the approval of this Act shall apply to such persons.

Approved March 23, 1931.

CHAPTER 255

JAILS AND WORKHOUSES

AN ACT to repeal Chapter 222, Volume 33, Laws of Delaware providing for the establishment of the New Castle County Farm for Women.

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

SECTION 1. That Chapter 222, Volume 33, Laws of Delaware, entitled "An Act to Amend Chapter 101 of the Revised Code of the State of Delaware by the providing for the establishment of the New Castle County Farm for Women" be and the same is hereby repealed.

Repeal of
Chap. 222,
Vol. 33, Laws
of Delaware

Approved April 29, 1931.

CHAPTER 256

DITCHES & DRAINS IN KENT CO.

AN ACT with reference to Ditches and Drains in Kent County.

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

Care and maintenance of ditches or drains may be turned over to State Highway Department

SECTION 1. That from and after the passage of this act any ditch or drain company or corporation providing for the care and maintenance of ditches or drains in Kent County may delegate or turn over to the State Highway Department the care and maintenance of any or all ditches in Kent County which may come under its supervision; the said State Highway Department thereafter to have full charge of, and shall be responsible for, the care and maintenance of any and all ditches so placed under their control.

Ditch or drain company not to levy taxes after delegation

SECTION 2. That no ditch or drain company or corporation, in delegating the care and maintenance of certain ditches or drains shall thereafter be permitted to make any assessments or levy any taxes with reference to the said ditches or drains so delegated to the said State Highway Department, but shall thereafter relinquish all right, title or interest therein.

Appropriations to carry out provisions of Act

SECTION 3. For the purpose of carrying out the provisions of this Act the sum of Ten Thousand Dollars (\$10,000.00) is hereby appropriated out of the General Funds of the State Treasury not otherwise appropriated for the year beginning July 1, 1931 and ending June 30, 1932, and the further sum of Ten Thousand Dollars (\$10,000.00) for the year beginning July 1, 1932, and ending June 30, 1933.

DITCHES & DRAINS IN KENT COUNTY

SECTION 4. If however, the sum appropriated by Section 3 of this Act be deemed insufficient by the State Highway Department, for the purposes of maintenance herein set forth, then the State Treasurer shall and is hereby directed to pay such additional warrants, when accompanied by proper vouchers, as may be drawn by the State Highway Department on the State Highway Fund in the same manner that other expenditures of said Highway Department are paid.

Additional
sums from
State
Highway
Funds

Approved March 26, 1931.

TITLE NINETEEN

Courts

CHAPTER 257

BAILIFFS

AN ACT to amend Chapter 108 and Chapter 156 of the Revised Code of the State of Delaware, as amended, by increasing the Fees of Certain Public Officers, i. e. Bailiffs.

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

SECTION 1. That 3692 Section 10 of Chapter 108 of the Revised Code of the State of Delaware, as amended, be further amended by repealing all of 3692 Section 10, and inserting in lieu thereof a new section to be styled 3692 Section 10.

Number of
Bailiffs in
Kent and
Sussex
Counties

Compensation

Number and
Compensation
in New Castle
County

Uniforms of
New Castle
County Bailiffs

3692 Section 10. The Superior Court, Court of General Sessions and Court of Oyer and Terminer may require the attendance of two bailiffs, during the term, to be paid by the county, Five Dollars (\$5.00) per day in Kent and Sussex Counties, and three cents per mile going and returning. In New Castle County, there shall be not less than five bailiffs, each of which shall receive a salary of Twelve Hundred Dollars (\$1,200) per annum, payable semi-monthly, in the same manner as the salaries of other county officers are paid.

The bailiffs of the several courts of New Castle County, when in the performance of their duties and attendance upon

BAILIFFS

the Courts of said County, shall be clothed in some suitable and distinguishing uniform, the style, color and quality of which shall be designated by the Judges of said Court.

The uniforms provided for by this section shall be worn by said bailiffs only at such times as said bailiffs are engaged in the performance of their official duties. The Levy Court of New Castle County shall furnish the uniforms provided for by this section, and shall pay the cost of the same out of the Treasury of said County.

When
uniforms
worn

Levy Court
to furnish

Section 2. That 4866 Section 19 of Chapter 156 of the Revised Code of the State of Delaware, as amended, be further amended by striking out all of 4866 Section 19 and inserting in lieu thereof a new section to be styled 4866 Section 19.

4866 Section 19. For attendance upon a Court by a bailiff, not being a Constable, Five Dollars (\$5.00) per day in Kent and Sussex Counties, and three cents per mile going and returning, to be paid by the County Treasurer upon certificate of attendance under the hand of the Clerk of the Court. In New Castle County each bailiff shall receive a salary of Twelve Hundred Dollars (\$1,200) per annum, payable semi-monthly, in the same manner as the salaries of other County Officers are paid.

Compensation
in each
County

All acts and part of acts inconsistent herewith are hereby repealed in so far as the inconsistency may occur only.

Approved April 2, 1931.

CHAPTER 258

COURT CRIERS

AN ACT to amend Chapter 108 of the Revised Code of the State of Delaware, as amended by Chapter 63, Volume 31, Laws of Delaware, relating to the Salary of the Crier of the Courts of the State of Delaware holding such office in New Castle County.

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

Section 1. That Chapter 108 of the Revised Code of the State of Delaware, as amended by Chapter 63, Volume 31, Laws of Delaware, be and the same is hereby amended by the repeal of Section 3693, Section 11 thereof, as amended and by inserting in lieu thereof the following paragraph, to be known as 3693, Section 11.

Salaries of
Court Criers
in three
Counties

“3693. Section 11. CRIERS, SALARIES OF; FEES HOW TREATED AND DISPOSED OF: The Criers of the Courts of the State of Delaware, holding such office in Kent and Sussex Counties shall receive a salary of Seven Hundred Dollars (\$700.00) per year and in New Castle County, two thousand and four hundred dollars (\$2,400.00) per year payable semi-monthly, in the same manner as the salaries of other County Officers are paid. All fees, costs, allowances and other perquisites collected by any officer of the County or State for the use of such Crier shall be paid by the officer collecting the same to the County Treasurer of the respective Counties, for the use of such County.

Fees for use
of Counties

All fees, costs, allowances and other perquisites, taxable as Crier's fees, shall be charged and collected by the County officers and by such officers paid to the respective County Treasurers for the use of the County”.

Approved May 1, 1931.

CHAPTER 259

COURT OF CHANCERY

AN ACT in relation to Investments by Trustees, Guardians and Other Fiduciaries and to Property taken over by them, being an Amendment of Chapter 117 of the Revised Code of the State of Delaware.

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

Section 1. That Chapter 117 of the Revised Code of Delaware (1915) be and the same is hereby amended by striking out and repealing all of 3875. Sec. 32. and by substituting in lieu thereof the following:

3875. Sec. 32. TRUST SECURITIES DESIGNATED: Investment of funds by Trustees, Etc.
—Trustees, Guardians and other fiduciaries may invest the funds of their trusts as follows:

(A)—In accordance with the provisions pertaining to investments contained in instruments under which they are acting;

(B)—In the absence of any such provisions, then in securities of the following classes:

(1)—Bonds and other 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.

(2)—Bonds and other interest-bearing obligations of the State of Delaware and of any other state of the United States, and of the District of Columbia, for which the faith and credit of any such state or District

COURT OF CHANCERY

are pledged to provide for the payment of the interest and principal thereof.

Investment of
Funds by
Trustees, Etc.

(3)—Bonds and other interest-bearing obligations of any county of the State of Delaware, for which the faith and credit of any such county are pledged to provide for the payment of the interest and principal thereof.

(4)—Bonds and other interest-bearing obligations of any school district of the State of Delaware issued pursuant to the authority of the law relating thereto and for which the faith and credit of any such district are pledged to provide for the payment of the interest and principal thereof.

(5)—Bonds and other interest-bearing obligations of any incorporated city or town of the State of Delaware for which the faith and credit of any such city or town are pledged to provide for the payment of the interest and principal thereof.

(6)—Bonds and other interest-bearing obligations of any incorporated city of any state of the United States (other than the State of Delaware) for which the faith and credit of the city issuing the same are pledged to provide for the payment of the interest and principal thereof; provided that at the date of purchase of such obligation the city issuing the same shall have a population of not less than one hundred thousand (100,000) persons, according to the most recent Federal census, and shall have a total net debt (determined in accordance with the law applicable to such city defining its total net debt) of not more than ten per cent

COURT OF CHANCERY

(10%) of the most recent assessed valuation of the taxable property in such city.

Investment
of funds by
Trustees, Etc.

(7)—Bonds of either natural persons or corporations secured by first mortgage upon improved and productive real estate (including buildings occupied by owner), free from prior encumbrances, the amount of which mortgage does not exceed sixty per cent (60%) of the value of the property covered thereby as determined at the date of investment.

(8)—Bonds of railroad, transportation, public service and industrial corporations incorporated in one or more states of the United States, secured by mortgage upon the whole or a part of the property, plants and systems of such corporations, the earnings of which, after depreciation, for a period of five fiscal years immediately preceding the date of the purchase, have averaged, in the case of railroad bonds, one and one-half times; in the case of transportation and public service bonds, two times; and in the case of industrial bonds, three times the total fixed charges (including therein interest on funded debt, on bank loans and other forms of floating debt, amortization charges, and discounts on securities sold).

(9)—Equipment trust obligations, issued in connection with the purchase of new standard gauge equipment for use on railroads incorporated in one or more states of the United States, secured by an instrument vesting title to such equipment in a trustee free of any prior encumbrance; provided, however, that the maximum amount of such obligations so issued shall not exceed eighty per cent (80%) of the cost of such equip-

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Investment
of funds by
Trustees, Etc.

ment, and that such obligations shall mature within fifteen (15) years from the date of issue in approximately equal annual or semi-annual installments, beginning not later than three (3) years after the date of issue.

(10)—Bonds of railroad and public service corporations, the principal and interest of which have been assumed or guaranteed by a corporation whose mortgage bonds meet the requirements of paragraph (8) of this section; provided, however, that no default has occurred in the payment of interest on such bonds for a period of five years next preceding the date of purchase thereof.

(11)—Such stocks, bonds and securities as may be approved by the Court having jurisdiction.

Due care
exercised

(C)—The foregoing specification of the classes of securities in which Trustees, Guardians and other fiduciaries may invest the funds of their trusts shall not be construed to relieve such Trustees, Guardians and other fiduciaries from the duty of exercising due care in selecting securities within such classes.

Property may
be taken over

(D)—Nothing contained in this section shall be interpreted as prohibiting Trustees, Guardians or other fiduciaries from taking over (other than by purchase) from any source whatsoever property of any kind, including securities not within any of the classes specified in sub-division (B) hereof; but Trustees, Guardians or other fiduciaries may take over such property and may without liability for any loss or depreciation therein continue to hold the same until in the exercise of due care it shall become no longer

Held until
unwise

COURT OF CHANCERY

wise so to do; provided, however, that in case a Trustee, Guardian or other fiduciary is acting under authority of an instrument, the terms and provisions of such instrument shall be controlling as to the power and duty of such Trustee, Guardian or other fiduciary.

(E)—Securities and/or other property acquired or invested in by Trustees, Guardians or other fiduciaries prior to May 1, 1931, in conformity with the law of the State of Delaware in effect at the time of such acquisition or investment, which are not authorized in sub-division (A) or (B) of this Section, may be retained by such Trustees, Guardians or other fiduciaries without liability for any loss or depreciation therein until in the exercise of due care it shall become no longer wise so to do.

(F)—The proceeds of the sale or other disposition of any securities and/or other property held in accordance with sub-division (D) or (E) of this section shall be invested in accordance with the provisions of sub-division (A) or (B) of this section, as the case may be.

Section 2. That Chapter 117 of the Revised Code of Delaware (1915) be and the same is hereby amended by striking out and repealing 3876. Sec. 33. and 3877. Sec. 34 thereof.

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

Approved April 3, 1931.

CHAPTER 260

COURT OF CHANCERY

AN ACT conferring upon the Chancellor jurisdiction to enjoin the fraudulent sale or exchange of securities within the State of Delaware.

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

That Chapter 117 of the Revised Code of the State of Delaware be amended by adding thereto a certain new Section immediately following 3845, Sec. 2, to be known as 3845 (a) Sec. 2 (a), to read as follows:

Power of
Chancellor to
enjoin
fraudulent
sale or
exchange of
securities

Upon petition
of Attorney
General
temporary
restraining
order issued

Perpetually
enjoined—
after hearing

3845 (a) Sec. 2 (a) : The Chancellor shall have power at Chambers, as well in vacation as in term, to enjoin the fraudulent sale or exchange, or proposed fraudulent sale or exchange within the State of Delaware of stocks, bonds, notes or other securities by any person, firm, association of persons or corporation. Upon a verified petition filed by the Attorney General averring that any person, firm, association of persons or corporation is engaged in, or is about to engage in, the fraudulent sale or exchange of stocks, bonds, notes or other securities within the State of Delaware, the Chancellor may, in his discretion, issue a temporary restraining order, without bond, enjoining and restraining such person, firm, association of persons or corporation from selling or exchanging or negotiating for the sale or exchange of any such stocks, bonds, notes or other securities within the State of Delaware, until hearing or further order of the Chancellor. Any such person, firm, association of persons or corporation may upon hearing be perpetually enjoined in like manner. The Chancellor shall have authority to make

COURT OF CHANCERY

such further orders incidental to and in aid of the foregoing ^{Further}
as may be appropriate or necessary to carry out the intent ^{orders}
and purpose of this Section.

Approved April 29, 1931.

CHAPTER 261

ORPHANS' COURT

AN ACT to amend Chapter 118 of the Revised Code of the State of Delaware (1915) relating to Orphans' Court by repealing 3926. Sec. 19 thereof.

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

Repeal of
Section
relating to
investments
by Guardian

Section 1. That Chapter 118 of the Revised Code of the State of Delaware (1915) be and the same is hereby amended by striking out and repealing all of 3926. Sec. 19.

Approved April 8, 1931.

CHAPTER 262

COURT OF COMMON PLEAS

AN ACT creating a Court of Common Pleas for Kent County.

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

SECTION 1. That from and after the passage of this Act there shall be, and there hereby is, created for Kent County a Court to be known as "The Court of Common Pleas for Kent County."

The Court of
Common Pleas
For Kent
County,
created

SECTION 2. This Court shall be composed of, be in charge of and be presided over by one Judge who shall be appointed and who shall serve as hereinafter provided.

Judge

Upon the passage and approval of this Act the Governor of the State of Delaware shall appoint and commission a Judge who shall hold office for a term of four years and who shall have power and authority to hold and preside over the Court of Common Pleas for Kent County. No person shall be eligible to the office of Judge of The Court of Common Pleas for Kent County unless he be a person learned in the law and of good standing as a practicing attorney in the Superior Court of the State of Delaware, and a resident of Kent County. In the event the said Judge of the Court of Common Pleas for Kent County shall be unable for any cause to preside over said Court, said Judge shall notify the Chief Justice of the State of Delaware, who shall thereupon assign one of the Judges of the Superior Court of the State of Delaware to hold said Court of Common Pleas during the absence of the said Judge.

Term

Qualifications

Judge of
Superior Court
to preside
during
absence of
Judge

COURT OF COMMON PLEAS

Salary

SECTION 3. The Judge of the said Court of Common Pleas for Kent County shall receive for his salary or compensation the sum of Three Thousand Six Hundred Dollars (\$3,600.00) per year, payable monthly by the State Treasurer out of the General Funds of the State.

Sessions

SECTION 4. The said Court of Common Pleas shall hold its first term of Court on the first Monday in May, A. D. 1931, and it shall thereafter hold Court and establish such terms as public business may require and as shall be provided for by the rules adopted for the said Court.

Court held in
DoverLevy Court to
provide
quarters and
necessary
supplies

SECTION 5. The said Court shall be held in the City of Dover, and it shall be the duty of the Levy Court of Kent County, and the same is hereby authorized and directed, to provide some suitable place in the Kent County Court House, or such other place as the said Levy Court shall provide, for the holding of said Court of Common Pleas. All expenses of said Court for books, records, writs and other papers necessary for the said court shall be paid by the Levy Court of Kent County upon bill presented to the same, verified by the Judge of said Court of Common Pleas.

Seal and Rules
adopted with
consent of
Superior
Court

SECTION 6. The Judge of said Court, by and with the consent and advice of the Superior Court of the State of Delaware, shall have full power for and on behalf of the said Court of Common Pleas for Kent County to adopt a seal, to make and publish general rules regulating the practice and procedure therein and the keeping of its records, including a schedule of costs and fees, and providing for such deposits as may be deemed necessary, and subject to the provisions of this Act, said Court of Common Pleas shall have all the powers of a Court of record possessed by the Superior Court of the State of Delaware.

Powers of
Court of
Record

COURT OF COMMON PLEAS

SECTION 7. The Judge of the Court of Common Pleas for Kent County shall appoint a Clerk for said Court, and such other officer or officers as he shall deem necessary to perform the business of the said Court of Common Pleas, which said Clerk or other officer or officers shall hold office at the pleasure of the said Judge and shall receive such salary or salaries as may be fixed from time to time by the Judge of the said Court of Common Pleas; provided, however, that the combined salary or salaries of such Clerk or other officer or officers shall not exceed in the aggregate in any one year the sum of Eighteen Hundred Dollars (\$1800.00). The salary of said Clerk shall be paid in equal monthly installments by the Levy Court of Kent County and the salary or compensation of such other officer or officers of the said Court shall be paid by the Levy Court of Kent County upon presentation of bills for the same, which shall be approved by the Judge of said Court.

The Clerk of the Court of Common Pleas for Kent County shall have the care of the records of said Court and the records of all proceedings had before the Judge of said Court, and he shall receive all fees, fines and costs arising out of any proceedings had in said Court, or before said Judge, and shall pay the same over as hereinafter provided. He shall, before entering upon the duties of said office, give bond to the State of Delaware in the sum of Two Thousand Dollars (\$2,000.00) with approved surety to faithfully perform and execute all the duties of his office during his continuance therein, said bond to be approved by the Judge of said Court; and should said Clerk so appointed fail to give bond as required within ten days from the date of his appointment, the Judge of said Court shall make a new appointment. The said Clerk may administer all necessary oaths; he shall enter the judgments, issue commitments and

COURT OF COMMON PLEAS

executions to enforce the same and make up and keep the records of the Court in all cases therein under the direction of the Judge of the said Court. He shall issue all process under his hand and the seal of the Court, and teste the same in the name of the Judge, signing such process by his title of office, and shall tax costs.

Duties and
powers of
Clerk

The said clerk may issue warrants upon complaint filed in writing, and under oath, in all cases to be returnable before the Judge of the Court of Common Pleas for Kent County. The Clerk may take bail from persons arrested when the Court is not in session, subject to revision by the Court, which authority to take bail shall include the right to take such bail as is hereinafter provided for in Section 17 of this Act. He shall perform such other duties as shall be assigned to him from time to time by the Judge of said Court. In case of sickness, absence or inability of the Clerk of said Court, the Judge thereof may appoint a Deputy Clerk to serve in said absence, who shall have the same powers and duties as the Clerk.

Deputy Clerk

Constables to
serve process

SECTION 8. The writs, rules and processes of said Court of Common Pleas shall be served and executed by any Constable for Kent County now authorized by law to serve general process. Any such Constable, making any arrest, serving any writs, rules, processes or warrants, or otherwise serving said Court, shall receive the same fees as are now allowed by law to such Constable for such service performed on writs issued by a Justice of the Peace, except as to mileage, which shall be allowed at the rate of ten cents (10c) per mile going and returning from any such service.

Fees of
Constable

Fees and
mileage taxed
as costs

The fees and mileage provided for in this Section of this Act shall be taxed as a part of the costs of such proceeding,

COURT OF COMMON PLEAS

and shall be paid by the Clerk of the said Court to such Constable when said costs are paid; provided, however, that in all criminal actions brought before said Court of Common Pleas, such fees and mileage charges, if the costs are not paid by the defendant in such proceeding, shall be paid by the Levy Court of Kent County upon bills presented therefore, which shall have been approved by the Judge of said Court of Common Pleas.

SECTION 9. The Court of Common Pleas shall have all of the powers of a Court of Record possessed by the Superior Court, and the Court of General Sessions of the State of Delaware, in the enforcement of its writs, rules and processes, the attendance of witnesses, the production of documents, books and records and the production of all other necessary evidence.

Witnesses attending said Court shall receive the sum of One Dollar (\$1.00) for each day in so attending and three cents (3c) per mile going and returning.

In civil cases all fees shall be taxed as a part of the costs of the proceeding and shall be paid to the persons entitled thereto when the costs are paid.

In criminal cases fees shall be taxed as a part of the costs of such proceeding and shall be paid to the person so entitled thereto when the costs are paid; provided, however, that in all criminal cases the County Treasurer shall, upon the production of a Certificate of Attendance under the hand of the Clerk of the Court of Common Pleas, pay the fees for witnesses on behalf of the State, or on behalf of a person tried and acquitted in the Court of Common Pleas for Kent County.

COURT OF COMMON PLEAS

Money
received by
Court—How
payable

SECTION 10. The fees, fines, costs or other sums of money received by the Clerk of said Court, Constable or other officer of said Court shall be paid to the County Treasurer of Kent County, except as in this Act is otherwise provided, and also except fines and penalties which under any law of the State of Delaware are required to be paid otherwise, and excepting also payments received towards the satisfaction of any judgment of said Court, or in pursuance to any rule of said Court, which sum so received shall be paid unto said Court, and be subject to the order of said Court.

CIVIL JURISDICTION

Concurrent
jurisdiction
with
Superior
Court up to
\$1,000.00

SECTION 11. The said Court shall have concurrent jurisdiction in Kent County with the Superior Court in all civil actions at law, arising ex contractu or ex delicto, where the value of the matter or thing in controversy, exclusive of interest, shall not exceed the sum of One Thousand Dollars (\$1000.00).

Amount
claimed
conclusive as
to jurisdiction

The amount claimed by the plaintiff, where the said claim is for a sum certain and not in excess of One Thousand Dollars (\$1000.00), exclusive of interest, shall be conclusive as to jurisdiction of the said Court. In all actions at law, whether ex contractu or ex delicto, not involving any sum certain, the plaintiff shall file with his statement of the cause, a certificate as to the amount of damages claimed or the value of the thing or matter in controversy, which statement shall be conclusive as to the jurisdiction of the said Court.

Certificate as
to amount of
damages
conclusive as
to jurisdiction

The said Court shall have jurisdiction, power and authority to receive, hear, try and dispose of all such argu-

COURT OF COMMON PLEAS

ments, cases, matters and business as, by certificates of the Judges of the Superior Court or Court of General Sessions, may be assigned or transferred to it by the Superior Court or the Court of General Sessions of Kent County, pursuant to the rules of said Courts made for that purpose, provided the same come within the jurisdiction of the said Court of Common Pleas, and also in cases where the parties in interest are entitled to a jury trial, provided they, in writing, filed with said Superior Court or the Court of General Sessions, waive said jury trial.

Jurisdiction to
hear matters
transferred by
certificate
from other
Courts

Jurisdiction
where parties
entitled to
Jury Trial

SECTION 12. A writ of Foreign Attachment may be issued out of said Court of Common Pleas in any action ex contractu or ex delicto against any person, firm or corporation, upon affidavit by the plaintiff or any other credible person and filed in said Court of Common Pleas, that the defendant resides out of the State, or is a corporation not created by or existing under the laws of this State and is justly indebted to the said plaintiff in a sum not exceeding One Thousand Dollars (\$1000.00), to be specified in said affidavit, and where there are two or more defendants, one a resident of this State but without available means to pay the plaintiff's claim, that may be so stated in such affidavit and the attachment thereon may issue against the non-resident defendant or defendants, as if he or they were the only defendant or defendants in the cause.

Foreign
attachment

Where
resident and
non-resident
defendants,
attachment
may issue
against latter.
When

In an attachment to be issued under this Section, judgment may be given for the plaintiff at the expiration of sixty days after service of the writ, unless the defendant shall have appeared and filed an answer, in which case like proceedings shall be had as in other suits commenced in said Court of Common Pleas; and provided further, that if the defendant in the attachment or any sufficient person for

Judgment for
plaintiff after
sixty days

Proceedings
if defendant
appears

COURT OF COMMON PLEAS

Money
received by
Court—How
payable

SECTION 10. The fees, fines, costs or other sums of money received by the Clerk of said Court, Constable or other officer of said Court shall be paid to the County Treasurer of Kent County, except as in this Act is otherwise provided, and also except fines and penalties which under any law of the State of Delaware are required to be paid otherwise, and excepting also payments received towards the satisfaction of any judgment of said Court, or in pursuance to any rule of said Court, which sum so received shall be paid unto said Court, and be subject to the order of said Court.

CIVIL JURISDICTION

Concurrent
jurisdiction
with
Superior
Court up to
\$1,000.00

SECTION 11. The said Court shall have concurrent jurisdiction in Kent County with the Superior Court in all civil actions at law, arising ex contractu or ex delicto, where the value of the matter or thing in controversy, exclusive of interest, shall not exceed the sum of One Thousand Dollars (\$1000.00).

Amount
claimed
conclusive as
to jurisdiction

The amount claimed by the plaintiff, where the said claim is for a sum certain and not in excess of One Thousand Dollars (\$1000.00), exclusive of interest, shall be conclusive as to jurisdiction of the said Court. In all actions at law, whether ex contractu or ex delicto, not involving any sum certain, the plaintiff shall file with his statement of the cause, a certificate as to the amount of damages claimed or the value of the thing or matter in controversy, which statement shall be conclusive as to the jurisdiction of the said Court.

Certificate as
to amount of
damages
conclusive as
to jurisdiction

The said Court shall have jurisdiction, power and authority to receive, hear, try and dispose of all such argu-

COURT OF COMMON PLEAS

ments, cases, matters and business as, by certificates of the Judges of the Superior Court or Court of General Sessions, may be assigned or transferred to it by the Superior Court or the Court of General Sessions of Kent County, pursuant to the rules of said Courts made for that purpose, provided the same come within the jurisdiction of the said Court of Common Pleas, and also in cases where the parties in interest are entitled to a jury trial, provided they, in writing, filed with said Superior Court or the Court of General Sessions, waive said jury trial.

Jurisdiction to
hear matters
transferred by
certificate
from other
Courts

Jurisdiction
where parties
entitled to
Jury Trial

SECTION 12. A writ of Foreign Attachment may be issued out of said Court of Common Pleas in any action ex contractu or ex delicto against any person, firm or corporation, upon affidavit by the plaintiff or any other credible person and filed in said Court of Common Pleas, that the defendant resides out of the State, or is a corporation not created by or existing under the laws of this State and is justly indebted to the said plaintiff in a sum not exceeding One Thousand Dollars (\$1000.00), to be specified in said affidavit, and where there are two or more defendants, one a resident of this State but without available means to pay the plaintiff's claim, that may be so stated in such affidavit and the attachment thereon may issue against the non-resident defendant or defendants, as if he or they were the only defendant or defendants in the cause.

Foreign
attachment

Where
resident and
non-resident
defendants,
attachment
may issue
against latter.
When

In an attachment to be issued under this Section, judgment may be given for the plaintiff at the expiration of sixty days after service of the writ, unless the defendant shall have appeared and filed an answer, in which case like proceedings shall be had as in other suits commenced in said Court of Common Pleas; and provided further, that if the defendant in the attachment or any sufficient person for

Judgment for
plaintiff after
sixty days

Proceedings
if defendant
appears

COURT OF COMMON PLEAS

Attachment
dissolved.
When

Further
Proceedings

Security—
approved by
what Judges

Bail

him, shall at any time after attachment give security for the payment of any judgment that may be recovered in said proceedings, with costs, then the garnishees and all of the property attached shall be discharged and the attachment dissolved and like proceedings be had as in cases of foreign attachment in the Superior Court, in which the attachment has been dissolved by special bail. Such security shall be approved and the form and amount thereof determined by any judge entitled to sit in the Court of Common Pleas. Every such writ issued under the provisions of this Section shall have endorsed thereon by the plaintiff or his attorney, the amount of bail to be taken in such action and any officer of the Court taking bail in any proceedings under this Section shall require the person going bail to justify in the amount so endorsed on said writ, unless said amount shall be reduced as in cases of foreign attachment in the Superior Court.

Chap. 126 of
Revised Code
to govern
writ and
proceedings

Exception

Except as herein otherwise provided, the said writ shall be framed, directed, executed and returned and like proceedings had as in cases of domestic attachment, as provided in Chapter 126 of the Revised code of Delaware, except as to the appointment of auditors and distribution among creditors; for every plaintiff in a foreign attachment shall have the benefit of his own discovery, and after judgment may proceed by order of sale, fieri facias, capias ad satisfaciendum or otherwise as on other judgments.

Same jurisdic-
tion and
powers in
Civil Cases as
Justice of
Peace has

The said Court of Common Pleas for Kent County shall also have and may exercise the same jurisdiction and powers in all civil actions as is now or may hereafter be vested in Justices of the Peace for Kent County.

Civil Actions
begun by
filing state-
ment

SECTION 13. All civil actions in said Court shall be begun by filing a statement of the plaintiff's claim without

COURT OF COMMON PLEAS

the issuance of any formal writ. The said statements shall Statements consist of a concise recital of the facts which the plaintiff claims gives rise to his cause of action, divided into paragraphs, consecutively numbered, as is now the practice in bills filed in the Court of Chancery. Only one averment of fact shall, as far as possible, be included in one paragraph. Where the plaintiff's claim is based upon a written contract or by other writing, a copy thereof shall be annexed to the statement of claim or reason given for the failure so to do. This statement may be filed by the plaintiff or his counsel. All statements shall be verified by the affidavit of the plaintiff or some responsible person for him, excepting counsel, and shall be signed by the plaintiff or his counsel, and shall be filed in duplicate.

The said Court of Common Pleas shall thereupon issue a Summons summons under the seal of the Court, requiring the defendant to appear and file an answer to the plaintiff's claim within ten days after service of the statement upon him. In Answer default of the filing of an answer within ten days the plaintiff may take judgment against the defendant as of course. Judgment in default of answer In order to prevent judgment as aforesaid, the defendant Nature of answer must file within ten days of the service of the summons and statement upon him as aforesaid, an answer which shall consist of a series of numbered paragraphs corresponding to the paragraphs in the plaintiff's statement of his claim and shall contain an admission or denial of each fact averred, provided that if the defendant alleges himself to be ignorant as to the facts averred in any paragraph, he may so state and place the plaintiff under proof of the same as if they had been denied. All facts which the defendant does not deny or aver himself to be ignorant of and demand proof as aforesaid, shall be deemed to be admitted. The answer may be filed by the defendant or his counsel. All answers

COURT OF COMMON PLEAS

Nature of answer	shall be verified by the affidavit of the defendant or some responsible person for him, excepting counsel, and shall be
Case at issue. When new matter Plaintiff's reply	signed by the defendant or his counsel. If the defendant has filed an answer, the case shall be at issue without any formal pleas unless he sets up new matter in separately numbered paragraphs in addition to those answering plaintiff's averments; in which cases plaintiff may, within five days, reply to the new matter as set up in the same manner and all new matter so averred and not denied by plaintiff, or of which he does not declare himself to be ignorant and demand proof, shall be deemed to be admitted. The case shall then be at
Motion for Judgment	issue. Plaintiff may move for judgment for want of a sufficient answer for all or a portion of the claim. When a case is at issue it shall be the duty of the Judge of said Court to
Trial	arrange the trial thereof as promptly as possible, and notify counsel with as little delay as possible.

Civil Judgments entered in Judgment Docket	SECTION 14. All civil judgments rendered by said Court of Common Pleas shall be entered in a Judgment Docket, which shall be properly indexed. Said judgment shall not constitute a lien upon real estate, but a transcript thereof may be filed in the office of the Prothonotary in and for Kent County upon motion made in said Court of Common Pleas by the judgment creditor in said judgment.
When Judgment becomes Lien on Real Estate	Writs of execution for the seizure and sale of personal property based upon judgments obtained in said Court shall be issued in the same manner as is now provided by law for Writs issuing out of the Prothonotary's office in Kent County for the seizure and sale of personal property; provided, however, that said Court, if it deem it advisable so to do, may, by rule of said Court made for that purpose, change said method of procedure.

Trial without Jury	SECTION 15. All civil cases tried before said Court of Common Pleas shall be without Jury; provided, however,
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COURT OF COMMON PLEAS

any party in interest may have a trial by jury to be chosen by the Judge of said Court, if the party desiring the same shall designate his or her preference before the trial. The Jury shall consist of five members of like qualifications as jurors in the Superior Court. Jury trial had

SECTION 16. From any order, rule, decision or judgment of the Court of Common Pleas for Kent County, the aggrieved party shall have the right of appeal to or certiorari from the Superior Court of Kent County in the same manner as is now provided by law as to causes tried before Justices of the Peace. Provided, however, that no appeal shall be allowed from any order, rule, decision or judgment of said Court in any civil action unless the same shall, exclusive of interest and costs, exceed the sum of Two Hundred Dollars (\$200.00). Appeal, Certiorari

Any remedy by appeal, certiorari, writ of error, or otherwise from the judgment of said Superior Court shall be as now provided by law, and as though said cause had originated in said Superior Court.

CRIMINAL JURISDICTION

SECTION 17. The Court of Common Pleas for Kent County shall have and may exercise jurisdiction of all those criminal matters and offenses enumerated in the 30th Section of the 4th Article of the Constitution of the State of Delaware, and committed within Kent County, and to punish all persons convicted of said offenses or any of them, agreeable to the laws of the State of Delaware. Criminal jurisdiction of matters named in 30 Section of Article 4, Constitution of Delaware

The Court of Common Pleas for Kent County shall also have concurrent jurisdiction to hear, try and determine the following offenses, when committed within Kent County: Jurisdiction of specific offenses

COURT OF COMMON PLEAS

Jurisdiction of
specific
offenses

Obstructing or throwing glass upon the Highway, as provided in 3582, Sec. 147 of the Revised Code of the State of Delaware, as amended;

Bill Posting without property owner's consent, as provided in 3487, Sec. 52 of the Revised Code of the State of Delaware, as amended;

Keeping or being concerned in interest in keeping Gaming tables or devices, as provided in 3568, Sec. 133 of the Revised Code of the State of Delaware, as amended;

Contest of skill, speed or power of endurance; Keeping books or devices for recording bets or wagers, as provided in 3572, Sec. 137 of the Revised Code of the State of Delaware, as amended;

Permitting minors to be present at Games of Chance, as provided in 3573, Sec. 138 of the Revised Code of the State of Delaware, as amended;

The use of slot machines, as provided in 3574, Sec. 139 of the Revised Code of the State of Delaware, as amended;

Granting temporary support order as provided in 3036, Sec. 4 of the Revised Code of the State of Delaware, as amended;

Regulating the use of milk receptacles, as provided in 3594, Sec. 159 of the Revised Code of the State of Delaware, as amended;

Regulating aerial navigation, as provided in Chapter 249 Volume 36 Laws of Delaware;

Licensing air-men and air-craft, as provided in Chapter 249 Volume 36, Laws of Delaware;

COURT OF COMMON PLEAS

Threatening to kill or wound another or to injure him
in person or estate;

Jurisdiction of
specific
offenses

All charges of the Breach of the Peace.

The Court of Common Pleas for Kent County shall also have and may exercise the same jurisdiction and powers in criminal matters as is now or may hereafter be vested in Justices of the Peace for Kent County; provided, however, that the accused, in all cases where the Justice of the Peace now has jurisdiction and power to hear and finally determine the matter, shall have the right to elect to have the case tried by the Court of Common Pleas for Kent County, and it shall be the duty of every Justice of the Peace for Kent County, and the officer making the arrest to advise such accused of his right to so elect, and every officer making the arrest and every Justice of the Peace for Kent County is hereby required to so advise the accused before the said Justice of the Peace shall have jurisdiction and power to try the case.

Jurisdiction of
Criminal
matters
vested in
Justices of
the Peace

When accused
may elect to
have case
tried in this
Court

Duty of
Justice and
arresting
officer to
advise accused
of right to
elect

In all those cases where, by the provisions of this Act, the accused has the right to elect to be tried by the Court of Common Pleas for Kent County, if the accused when brought before a Justice of the Peace for Kent County, shall elect to be tried by the Court of Common Pleas for Kent County, the Justice of the Peace shall hold such accused under sufficient bail for a hearing or for his appearance at said Court of Common Pleas, and in default of bail, the person accused shall be committed to the custody of the Sheriff of Kent County to await the session of the said Court of Common Pleas; provided, however, if the accused is unable to give sufficient bail the Justice of the Peace may accept as a forfeit, conditioned upon the accused's ap-

Justice of the
Peace to hold
under bail for
Court of
Common
Pleas, when

COURT OF COMMON PLEAS

- Nature of bail accepted** appearance as aforesaid, a sum of money equal in amount to the costs and maximum fine which could be imposed for such offense, or in lieu of such bail or forfeit may accept any article of sufficient value, which article may be sold for non-appearance in the manner provided by the rules of the said Court of Common Pleas. All bail bonds, money deposits, or articles accepted in lieu of bail or money, shall be turned over to the Clerk of the Court of Common Pleas of Kent County forthwith, together with an itemized statement of all costs which may have accrued up to that time, and the same shall be taxed as costs against the accused in any judgment or sentence which may be pronounced against such accused in the said Court of Common Pleas, and when collected, the costs of said Justice of the Peace shall be paid by the Clerk of said Court of Common Pleas to said Justice of the Peace.
- Costs accrued**
- Contempt** The said Court shall have authority to punish contempt and to issue all processes necessary for the exercise of its criminal jurisdiction, which process may be executed in any part of the State.
- Proceedings in Criminal Cases without Indictment or Jury Appeal** The proceedings in all criminal cases in the said Court of Common Pleas for Kent County shall be without indictment by Grand Jury, or trial by petit jury, with the right of appeal as provided in the 30th Section of the 4th Article of the Constitution of the State of Delaware.

SECTION 18. The invalidity of any Section or part thereof of this Act shall not affect the validity of any other Section or part thereof, which can be given effect without such invalid part.

Approved May 13, 1931.

TITLE TWENTY

Justices of the Peace

CHAPTER 263

JUSTICES OF THE PEACE

AN ACT to amend Chapter 119, of the Revised Code of the State of Delaware, A. D., 1915, relating to Justices of the Peace.

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

Section 1. That Chapter 119 of the Revised Code of the State of Delaware, be and the same is hereby amended by the addition of a new Section to be known as 3952 A, Section 4 A.

Section 3952 A, Section 4 A. The respective Justices of the Peace shall be and they are hereby authorized to deliver to the Prothonotaries of their respective Counties, all records, writs, process and other papers in their legal custody or pertaining to their respective offices, on and after the expiration of ten years from the date of such records, writs, process and other papers; and it shall be the duty of such Prothonotaries upon such delivery, to accept and safely keep such records, writs, process and other papers in their respective offices or in some other suitable and convenient place in the Courthouse of their respective Counties, provided however that such records, writs, process and other papers shall be arranged by the respective Justices of the Peace, for filing, in a convenient and proper order, so that

Records of
Justices filed
with
Prothonotaries
When

Records made
available for
inspection

JUSTICES OF THE PEACE

any such record, writ, process or other paper shall be readily and conveniently available for inspection.

Approved April 22, 1931.

TITLE TWENTY-ONE

Civil Actions, Pleading and Practice

CHAPTER 264

ATTACHMENTS

AN ACT to amend Chapter 128 of the Revised Code of the State of Delaware relative to Set-Off.

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

That 4188, Section 25 and 4189, Section 26 of the Revised Code of the State of Delaware be and the same are hereby amended by the repeal thereof and the substitution of the following in lieu of the same, to be known as 4188, Section 25, and 4189, Section 26 of the Revised Code of the State of Delaware.

4188. Sec. 25. Set-Off: What Debts or Credits are Subject of:—Mutual debts or credits between parties to an action, due, at the time of action brought, in the same right, and being for a sum liquidated, or which can be ascertained by calculation, may be the subject of set-off in such action and a verdict may be rendered in favor of either party for the balance found to be due and judgment entered thereon. If, in any case in which the defendant pleads a set-off, the action of the plaintiff is discontinued, dismissed, abated, or a

Attachments
set off; what
debts or
credits are
subject of

Set off of
Defendant
proceeded
with to
Judgment.
When

ATTACHMENTS

voluntary non-suit suffered, the set-off, nevertheless, may be proceeded with to judgment.

Set off: In
suits where
Executors or
administrators
are Parties

4189. Sec. 26. Set-Off: In Suits Where Executors or Administrators are Parties: If either party sue, or be sued, as an executor or administrator, and there are mutual debts or credits between his testator, or intestate, and the other party, one debt or credit may be set off against the other.

Approved May 13, 1931.

CHAPTER 265

ATTACHMENTS

AN ACT to amend Chapter 126 of the Revised Code of the State of Delaware relating to Attachments.

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

That Chapter 126 of the Revised Code of the State of Delaware be and the same is hereby amended by inserting immediately after 4144 Section 27, the following section to be known as 4144A, Section 27A:—

4144A. Section 27A. Every writ* of foreign attachment issued under any preceding sections of this Chapter, shall be automatically dissolved unless the plaintiff, or one or more of the plaintiffs in such proceedings, shall within five days from the issuance of the writ give a bond in an amount and with surety to be approved by the Court out of which the writ has issued, or some judge thereof, conditioned that if the said suit shall not be prosecuted with effect, or if the judgment rendered therein shall be in favor of the defendant or defendants, the plaintiff or plaintiffs will pay any and all costs which may be awarded to the defendant or defendants, together with any and all damages, not exceeding the amount of the bond, which the defendant or defendants in said suit may have sustained by reason of such attachment. A bond executed by a surety company alone, without joinder of plaintiff or plaintiffs, satisfactory to the said Court or any judge thereof, shall be deemed a compliance with the foregoing provision.

Attachments

Plaintiffs to
give bondSurety bond
alone deemed
compliance

Approved April 29, 1931.

CHAPTER 266

ATTACHMENTS

AN ACT to amend Chapter 126 of the Revised Code of the State of Delaware, as amended by Chapter 232, Volume 33, Laws of Delaware, relating to Attachments.

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

That Chapter 126 of the Revised Code of the State of Delaware, as amended by Chapter 232, Volume 33, Laws of Delaware, be and the same is hereby amended by the repeal of 4145 Section 28 thereof and the insertion in lieu thereof the following:

Proceedings in
Foreign
attachment
similar to
proceedings
in Domestic
attachment

Except as to
Appearance of
Defendant

Appearance
after Second
Term

4145. Section 28. The said writ of foreign attachment shall be framed, directed and executed and returned, and like proceedings had, as in case of domestic attachment, except that as to suits hereafter instituted an appearance may be entered for the defendant in the manner hereafter provided and defense made without entry of security for the discharge of such attachment at any time before the execution of the order of sale or the writs of fieri facias, capias ad satisfaciendum or otherwise, as hereinafter provided. Appearance may be entered at any time before the expiration of the second Term after the issuance of the writ of foreign attachment in the same manner as appearances are entered in cases commenced by summons. After the expiration of the second Term after the issuance of the writ of foreign attachment, no such appearance may be entered except upon notice and after an order entered upon a petition to the court or any judge thereof in vacation showing good cause therefor, and the court or judge may impose such terms as it or he shall deem proper, and any judgment

ATTACHMENTS

which may have been entered upon any such suit shall, upon the entry of such appearance, be opened and the defendant let in to a trial. In all cases where the defendant has appeared, like proceedings shall be had as in cases begun by summons, provided that the lien upon the property seized under said writs of foreign attachment shall in no respect be disturbed or affected by the entry of such an appearance, defense and proceedings thereupon as hereinabove provided, but shall remain as security pro tanto for the satisfaction of any personal judgment secured against a defendant so entering an appearance, for every plaintiff in a foreign attachment shall have the benefit of his own discovery, and after judgment may proceed by order of sale, fieri facias, capias ad satisfaciendum, or otherwise, as on other judgments; provided further, that in such suits upon foreign attachment, there shall be no appointment of auditors for distribution among creditors; and provided further, that in case no appearance has been entered, as by this Section provided, in said cause the plaintiff, before receiving any sum under his judgment in foreign attachment shall enter into recognizances, as required by Section 18.

Where
defendant
appears

Lien upon
property to
remain as
security pro
tanto

Plaintiff to
have benefit
of own
discovery

No appoint-
ment of
auditors for
distribution
among
creditors

Plaintiff to
enter into
recognizance
before
judgment, if
no appearance

Approved April 29, 1931.

CHAPTER 267

JUDGMENTS

AN ACT to amend Chapter 132 of the Revised Code of the State of Delaware by providing for the Satisfaction of Judgments.

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

SECTION 1. That Chapter 132 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out 4307, Section 26 thereof, and inserting in lieu thereof the following:

Satisfaction of
Judgment

By whom
entered,
signed

Where holder
is Corporation

4307, Section 26. Satisfaction; By Whom Entered; By Whom Signed:—Satisfaction as aforesaid shall be entered by the legal holder of such judgment or decree of such satisfaction upon the record of the said judgment or decree. Such entry shall be signed by the holder of such judgment or decree or his or its Attorney of record, or his or its Attorney duly constituted, or when a corporation is the holder by the Cashier or Assistant Cashier, or Treasurer or Assistant Treasurer of said corporation or the Attorney thereof duly constituted and attested by the Prothonotary.

Approved April 8, 1931.

TITLE TWENTY-FOUR

Crimes and Punishment

CHAPTER 268

SEDITION

AN ACT defining Sedition and Prescribing the Punishment therefor.

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

Section 1. That the word "sedition" as used in this Act shall mean:

(a) Any utterance or conduct, either individually or in connection or combination with another or others, which proximately causes any violence or demonstration of violence against the State of Delaware or the United States, or clearly advocates a change by means of violence in the form of the State or Federal Government.

Proximate Cause of violence

Or clear advocacy of change in form of government by violence

(b) The distribution, through sale, gift or otherwise, of any printed or written matter in any form which proximately causes any violence or demonstration of violence against the State of Delaware or the United States, or clearly advocates a change by means of violence in the form of the State or the Federal Government.

Distribution of certain printed or written matter

(c) Organizing or helping to organize, or knowingly becoming or remaining a member of an assembly, society,

Organizing or becoming member of group having certain purpose

SEDITION

or group having as its purpose or one of its purposes violence, or a demonstration of violence, against the State of Delaware or the United States, or the advocacy of a change, through violence, in the form of the State or the Federal Government.

Penalty for
sedition

Two witnesses
to Convict or
Confession in
open Court

Section 2. Any act of sedition shall be a felony, and any person convicted thereof shall be sentenced to a fine of not less than \$100 and not more than \$10,000 and to imprisonment not exceeding twenty years, either or both, in the discretion of the court, but no person shall be convicted of sedition unless on the testimony of two witnesses to the same utterance, conduct or act or on confession in open court.

Section 3. All acts or parts of acts inconsistent with or in conflict with the provisions of this act are hereby repealed.

Section 4. 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 29, 1931.

CHAPTER 269

SABBATH BREAKING

**AN ACT to amend Chapter 153, Revised Code of Delaware,
relating to Sabbath Breaking.**

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

Section 1. That Chapter 153, Revised Code of Delaware, be and the same is hereby amended by adding at the end of 4784. Sec. 4. thereof the following:

Provided that, within the corporate limits of the City of Wilmington, The Mayor and Council of Wilmington, acting by and through the agency of its Board of Park Commissioners, may permit swimming, tennis and golf, under such conditions, fees, charges, restrictions, rules and regulations as said Board of Park Commissioners shall adopt for such purpose.

Swimming,
tennis and
golf may be
permitted in
Wilmington

Approved April 22, 1931.

RESOLUTIONS

CHAPTER 270

SENATE CONCURRENT RESOLUTION

BE IT RESOLVED BY THE SENATE, THE HOUSE
CONCURRING THEREIN:

That when the session of the Legislative day of January 6, 1931, is at an end the two Houses of the General Assembly shall adjourn until 11.00 A. M., January 12, 1931.

Adjournment
until Jan.
12th

Approved January 19, 1931.

CHAPTER 271

SENATE CONCURRENT RESOLUTION

BE IT RESOLVED BY THE SENATE, the House of Representatives concurring therein, that the President Pro Tempore of the Senate appoint a committee of two (2) members on the part of the Senate to serve with a committee to be appointed by the Speaker of the House of Representatives, to notify the Governor that both branches of the One Hundred and Third General Assembly are duly organized and ready to receive any communications that he may desire to present, or receive any message that he may choose to deliver, at such time as he may designate.

Joint Committee
to notify
Governor of
organization
of General
Assembly

Approved January 19, 1931.

CHAPTER 272

SENATE CONCURRENT RESOLUTION

WHEREAS, it is provided in Section 10, Chapter 26, Volume 32, Laws of Delaware, That the Standing Committees of each house in charge of the "Budget Appropriation Bill" shall sit jointly in open session while considering the budget and said Budget Appropriation bill; and

WHEREAS, it is further provided that such joint meetings shall begin within five days after the budget and said Budget Appropriation Bill has been submitted to the General Assembly by the Governor; therefore

Finance
Committee of
Senate and
Appropriation
Committee of
House to
organize for
Budget
hearings

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, That the Finance Committee of the Senate and the Appropriation Committee of the House of Representatives are hereby authorized and directed to organize by the selection of a Chairman and a Secretary at their earliest convenience and proceed therewith to the consideration of the said budget and the Budget Appropriation Bill, and hear the requests of the various agencies of the State and otherwise that are asking appropriations from the State Treasury; and

Custodian to
furnish
quarters for
hearings

BE IT FURTHER RESOLVED, That the Custodian of the State House be authorized and directed to furnish suitable quarters for the hearings to be heard by the said joint committees.

Approved January 19, 1931.

CHAPTER 273

SENATE CONCURRENT RESOLUTION

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, That Verner VanFleet be and he is hereby selected and authorized to act and to serve as Bill Clerk of the Senate and that Vera G. Davis be and she is hereby selected and authorized to act and to serve as Bill Clerk for the House of Representatives during the sessions of the One Hundred and Third General Assembly of the State of Delaware. .

Verner Van
Fleet selected
Bill Clerk of
Senate

Vera G. Davis
selected Bill
Clerk of
House

Approved January 19, 1931.

CHAPTER 274

SENATE CONCURRENT RESOLUTION

Joint Commit-
tee to allocate
rooms for
attorneys and
stenographers

BE IT RESOLVED by the Senate of the State of Delaware, the House of Representatives concurring therein that the President Pro Tempore of the Senate appoint a Committee of two to serve with a like Committee of two appointed by the Speaker of the House of Representatives for the purpose of allocating rooms for the Senate and House Attorneys and the Senate and House stenographers.

Approved January 19, 1931.

CHAPTER 275

SENATE CONCURRENT RESOLUTION

WHEREAS, The members of the General Assembly have learned of the practical and constructive program being carried out by the Mayor's Emergency Unemployment Relief Committee of Wilmington; and

WHEREAS, This program has as its direct object, the making of work, and the extension of relief to workers and their families, who may be suffering due to unemployment; therefor,

BE IT RESOLVED, That we extend to Mayor G. W. K. Forrest, of the Municipality of Wilmington, and his aggressive and energetic emergency unemployment committee, our sincere commendation for the effective manner in which they have met a pressing situation, and be it further

Mayor Forrest
and Chairman
McHugh
commended
for relief work
for unem-
ployed

RESOLVED, That we extend to General Chairman, Frank A. McHugh, of the Mayor's Committee, our hearty congratulations on the manner in which the said committee has responded to the call for immediate action, and has supplied work and relief for those who were unemployed, and be it further

RESOLVED, That we recommend to the citizens of the Wilmington District, the necessity of generously subscribing to the Mayor's fund, because every dollar raised goes directly to making and paying for work, or in application of relief.

Approved January 27, 1931.

CHAPTER 276

SENATE CONCURRENT RESOLUTION

New Business
Limited

BE IT RESOLVED BY THE SENATE, the House of Representatives concurring therein, that no new bills, other than the Omnibus Appropriation Bills and no new resolutions to which the concurrence of both Houses of the General Assembly may be necessary other than the Claims Resolutions or of Adjournment or of Joint Session shall be received at the present session of the One Hundred and Third General Assembly after 4 P. M., Eastern Standard Time, Monday, February 23d. A. D. 1931.

Approved January 27, 1931.

CHAPTER 277

SENATE CONCURRENT RESOLUTION

WHEREAS Senate Concurrent Resolution No. 11 providing that the President Pro Tempore of the Senate appoint a Committee of two members of the Senate and the Speaker of the House of Representatives appoint a Committee of two members of the House of Representatives and said Committee so appointed being authorized to appoint three citizens of the State not a member of either House, to inquire into the advisability of placing in Statuary Hall in the Capitol at Washington, D. C., a statue or statues of prominent Delawareans was passed by both Houses of the One Hundred and Second General Assembly, as reference to the Journals of said Session will appear, and

WHEREAS The President Pro Tempore of the Senate appointed Senators Jacobs and Hollis from that body, and the Speaker of the House of Representatives appointed Representatives Conwell and Hart from that body and those members so appointed selected Josiah Marvel, Esq., Henry C. Conrad, Esq. and Thomas E. Peeney, which said members so appointed have held several meetings, and said Committee so chosen is now functioning and will continue to function for the next two years, and

WHEREAS Through an error in the Journal of the Senate of the State of Delaware, the name of Senator Hall appears as a member of said Committee instead of the name of Senator Jacobs, and whereas Josiah Marvel, Esq. and Henry C. Conrad, Esq. other members of said Committee so appointed have since died,

THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF DELAWARE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN;

SENATE CONCURRENT RESOLUTION

That said Committee, so appointed, is hereby abolished,
and

WHEREAS There is further work for a like Commission,

Commission to
place statues
of Delaware-
ans in
Statuary
Hall at
Washington

THEREFORE, BE IT FURTHER RESOLVED that
Senators Jacobs and Hollis, Representatives Conwell and
Hart, and Thomas E. Peeney continue to serve on said
Committee for the further period of two years and that the
said surviving members, i. e., Jacobs, Hollis, Conwell, Hart
and Peeney be and they are hereby authorized to, by a ma-
jority vote, choose two other citizens of the State of Del-
aware to serve with them as members of said Commission.

Approved February 2, 1931.

CHAPTER 278

SENATE CONCURRENT RESOLUTION

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

That the two Houses of the One Hundred and Third General Assembly meet in Joint Session in the House of Representatives at 2 o'clock P. M. Monday, February 16th, 1931, for the purpose of hearing a report from the Statuary Hall Committee.

Approved February 25, 1931.

CHAPTER 279

SENATE CONCURRENT RESOLUTION

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

Joint session
to hear
Women's
Joint
Legislative
Committee

That the two Houses of the One Hundred and Third General Assembly meet in Joint Session in the House of Representatives at 2:30 P. M. on Monday, March 2, 1931, for the purpose of granting a hearing to the Women's Joint Legislative Committee which hearing shall be for one hour only.

Approved February 25, 1931.

CHAPTER 280

SENATE CONCURRENT RESOLUTION

WHEREAS, the One Hundred and Third General Assembly appointed a Committee to inquire into the advisability of placing in Statuary Hall in the Capitol at Washington, D. C., statues of distinguished deceased citizens of Delaware; and

WHEREAS, the said Committee made a report at a joint session of the One Hundred and Third General Assembly on February 16th, 1931, recommending that two statues in marble be placed in Statuary Hall, one of Caesar Rodney and one of John M. Clayton;

Statues of
Caesar Rodney
and John M.
Clayton to be
placed in
Statuary Hall

THEREFORE, BE IT RESOLVED that the Committee so appointed be authorized and empowered to make all necessary arrangements for the placing of the said Statues in Statuary Hall.

Approved February 25, 1931.

CHAPTER 281

SENATE CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION No. 15 authorizing the President Pro Tempore of the Senate and the Speaker of the House to appoint a committee to confer with the Oyster Commission to recommend legislation regulating the Oyster Industry in this State.

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

Joint Committee to recommend necessary Oyster legislation

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 shall serve as a committee to meet with the members of the Oyster Commission appointed by the Governor pursuant to an act of the Legislature at its Session in 1929, for the purpose of conferring and recommending necessary legislation regulating the oyster industry in this State.

Approved March 23, 1931.

CHAPTER 282

SENATE CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION authorizing the President Pro Tempore of the Senate and the Speaker of the House of Representatives, to appoint a committee to consider the needs of the Trustees of the New Castle County Workhouse.

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

That the President Pro Tempore of the Senate appoint three members of the Senate, one from each County, and the Speaker of the House of Representatives appoint three members of the House, one from each County, 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 consider the needs of the Trustees of the New Castle County Workhouse, with reference to whether the said Workhouse should be enlarged and improved and whether the amount paid by the respective Counties for the maintenance of prisoners confined therein should be increased, and report the committee's findings to this General Assembly on or before the Second day of April, A. D., One Thousand Nine Hundred and Thirty-one.

Joint Committee to consider and report on needs of Trustees of New Castle County Workhouse

Approved April 2, 1931.

CHAPTER 283

SENATE JOINT RESOLUTION

WHEREAS the 11th day of October 1779, is the date in American history of the heroic death of Brigadier General Casimir Pulaski, who died from wounds received on October 9th, 1779, at the siege of Savannah, Georgia; and

WHEREAS The States of Indiana, Wisconsin, Michigan, Ohio, South Carolina, Pennsylvania, New York, Minnesota, Maryland, New Jersey, Illinois, Rhode Island, New Hampshire, Nebraska, Georgia, and other States of the Union have by legislative enactment designated October 11, 1929, to be "General Pulaski's Memorial Day", and

WHEREAS, it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War; therefore

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

Observance of
October 11th
in commemoration of
General
Casimir
Pulaski

That the Governor of the State of Delaware be authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11th of each year and inviting the people of the State of Delaware to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Approved February 25, 1931.

CHAPTER 284

SENATE JOINT RESOLUTION

**SENATE JOINT RESOLUTION requesting report from
Commission on Delaware-New Jersey boundary dispute.**

WHEREAS there was passed by the One Hundred and First General Assembly of the State of Delaware and approved by the Governor, a Joint Resolution appointing Robert H. Richards, William S. Hilles, Charles W. Cullen, William M. Short and William F. Cummins Commissioners of the State of Delaware to confer with like Commissioners representing the State of New Jersey, for the purpose of framing 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 Delaware River and Bay, and

WHEREAS said Commissioners were to report to either that session of the General Assembly or some subsequent Session thereof, and

WHEREAS a sum of money amounting to two thousand dollars (\$2000.00) was appropriated therefore, and

WHEREAS certain members of said Commission having died, the One Hundred and Second General Assembly provided for the filling of the vacancies, and that Clarence A. Southerland, David J. Reinhardt, Howard M. Buckson, James B. Robinson and Charles W. Cullen now comprise said Commission, and

WHEREAS attempts at amicable adjustment of said controversy have been of no avail and said dispute is now

SENATE JOINT RESOLUTION

in litigation before the Supreme Court of the United States, and

WHEREAS a Master, William L. Raws, Esq. of the State of Maryland, has been appointed by said Court to take evidence and the State of Delaware is represented by the Attorney General of this State, and the State of New Jersey is represented by its Attorney General, and

WHEREAS pending litigation, the States of Delaware and New Jersey, through their Commissions, entered into a gentleman's agreement for their oystermen not to work certain natural rocks in controversy in said litigation, and

WHEREAS it has been brought to our attention that the taking of evidence has been postponed on many occasions by the Attorney General of the State of New Jersey, while the State of Delaware is ready and has been ready at all times to present its case before said master, and

WHEREAS according to the log of the Delaware watch-boat the abovementioned gentleman's agreement has been broken by New Jersey Oystermen on many occasions, and

WHEREAS further delay on the part of the Attorney General of the State of New Jersey is, therefore, extremely prejudicial to the interests of the State of Delaware and its citizens,

Report on
status of New
Jersey
Delaware
boundary
dispute
requested

THEREFORE BE IT RESOLVED: That said Commission and the Attorney General of the State of Delaware be requested to report within ten days, to this General Assembly, the present status of the litigation and all other matters germane to the controversy, so that this General

SENATE JOINT RESOLUTION

Assembly may be apprised of what action to take to protect the interests of the State of Delaware and the citizens thereof.

Approved March 5, 1931.

CHAPTER 285

SENATE JOINT RESOLUTION

WHEREAS, the General Assembly of the State of Delaware appointed a Committee to inquire into the advisability of placing a Statue or Statues of distinguished deceased citizens of the State of Delaware in Statuary Hall in the Capitol at Washington, D. C.; and

WHEREAS, the said Committee made a report in joint session of the One Hundred and Third General Assembly, recommending that a statue of Caesar Rodney and a statue of John M. Clayton, in marble, be erected in Statuary Hall in the Capitol at Washington, D. C.; THEREFORE,

Appropriation
for statues
in Statuary
Hall

BE IT RESOLVED that the sum of Twenty Thousand Dollars (\$20,000.00) be and the same is hereby appropriated out of the State Treasury of the State of Delaware from funds not otherwise appropriated for the purpose of placing in Statuary Hall in the Capitol at Washington, D. C., two statues to be made of marble, one statue to be of Caesar Rodney and one statue to be of John M. Clayton, the said money to be paid by the State Treasurer upon vouchers signed and approved by the Chairman and Secretary of the said Committee.

Approved April 6, 1931.

CHAPTER 286

SENATE JOINT RESOLUTION

SENATE JOINT RESOLUTION providing for the appointment of a Commission to represent the State of Delaware at the Yorktown "Sesqui Centennial", appropriating funds for same to be used for expenses for the General Assembly and the Governor to visit same.

WHEREAS, there is to be held in Yorktown, Virginia, during October, 1931 a celebration commemorating its surrender, known at the Yorktown Sesqui Centennial Celebration, and

WHEREAS, the State of Delaware being one of the thirteen original states, the first to ratify the Constitution of these United States, and a State which holds a most conspicuous place in our country's history, and

WHEREAS, said State of Delaware has been requested to take a conspicuous part in said Celebration, therefor

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 a Committee of three members of the State Senate of the One Hundred and Third General Assembly of which he, the President Pro Tempore, shall be one member, and that the Speaker of the House of Representatives appoint a Committee of three members of the House of Representatives of the One Hundred and Third General Assembly of which he, the Speaker of the House, shall be one member and said Committee of six members so appointed shall be known as the "Delaware Commission for the Yorktown Celebration",

Delaware
Commission
for the
Yorktown
Celebration

SENATE JOINT RESOLUTION

Organization which said Commission, so appointed, shall meet and organize, within thirty days after the passage and approval of this Act, by electing a Chairman and Secretary.

Appropriation
for attendance
at Celebration

BE IT FURTHER RESOLVED, that the sum of Ten Thousand Dollars (\$10,000.00) be and the same 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 Commission, the Governor of the State of Delaware and the members of the One Hundred and Third General Assembly in connection with their attendance at said Celebration, and such other expenses as said Commission may deem necessary, and

BE IT FURTHER RESOLVED that the State Treasurer be and he is hereby authorized and directed to pay such sums of money from time to time upon warrants drawn by the Chairman and Secretary of the said Commission, as shall not exceed in the aggregate the sum of Ten Thousand Dollars (\$10,000.00).

Approved April 6, 1931

CHAPTER 287

SENATE JOINT RESOLUTION

JOINT RESOLUTION appointing Directors on the part of the State for the Farmers' Bank of the State of Delaware.

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

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; and 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; and 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.

Directors on
part of State
for Farmers'
Bank

Approved April 25, 1931.

CHAPTER 288

SENATE JOINT RESOLUTION

SENATE JOINT RESOLUTION authorizing the appointment of a Commission to recommend a Revision of the Game and Fish Laws of the State of Delaware and appropriating money for its expenses.

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

Governor to
appoint
"Commission
on Revision of
Game and
Fish Laws"

Section 1. That the Governor be and he is hereby authorized and directed to appoint a commisison of five persons, residents and citizens of the State of Delaware, not more than three of whom shall be of the same political party, which shall be known as the "Commission on Revision of Game and Fish Laws", whose duty it shall be to make a full and complete investigation of the Game and Fish Laws of the State of Delaware, determine what changes are desirable, and report its conclusions and recommendations to the next General Assembly of this State, with a view to a complete and comprehensive revision of all Game and Fish Laws in this State.

Report to
General
Assembly

Members paid
expenses

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.

Terms of
office

Vacancies

Organization

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 compensa-

Expenses

•SENATE JOINT RESOLUTION

tion of its counsel and other assistants, shall not exceed the Limit of Expenses sum of Five Thousand Dollars (\$5,000.00), which sum is hereby appropriated for that purpose out of any moneys in the general fund of the State Treasury not otherwise appropriated.

Approved April 22, 1931.



CHAPTER 289

SENATE JOINT RESOLUTION

SENATE JOINT RESOLUTION providing for the appointment of a Commission to represent the State of Delaware at the Chicago International Exposition of 1933, appropriating funds for same to be used for expenses for the General Assembly and the Governor to visit same.

WHEREAS, there is to be held in Chicago, Illinois, during the year 1933, a Celebration of the Centennial Anniversary of the granting of the Charter organizing the inhabitants of the little settlement on the shores of Lake Michigan into a corporate village, and

WHEREAS, it is appropriate that the State of Delaware be represented at said Exposition, therefore

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

Joint Committee of 103rd General Assembly to represent State at Chicago Exposition

Organization

Appropriation for expenses

That the President Pro Tempore of the Senate appoint a Committee of three members of the State Senate of the One Hundred and Third General Assembly of which he, the President Pro Tempore, shall be one member, and that the Speaker of the House of Representatives appoint a Committee of three members of the House of Representatives of the One Hundred and Third General Assembly of which he, the Speaker of the House, shall be one member and said Committee of six members so appointed shall be known as the "Delaware Commission for the Chicago International Exposition of 1933", which said Commission, so appointed, shall meet and organize, within thirty days after the passage and approval of this Act, by electing a Chairman and Secretary.

BE IT FURTHER RESOLVED, that the sum of Ten Thousand Dollars (\$10,000.00) be and the same is hereby appropriated from any moneys in the Treasury of the State

SENATE JOINT RESOLUTION .

of Delaware not otherwise appropriated for the purposes of defraying the expenses of the said Commission; the Governor of the State of Delaware and the members of the One Hundred and Third General Assembly in connection with their attendance at said Celebration, and such other expenses as said Commission may deem necessary, and

BE IT FURTHER RESOLVED that the State Treasurer be and he is hereby authorized and directed to pay such sums of money from time to time upon warrants drawn by the Chairman and Secretary of the said Commission, as shall not exceed in the aggregate the sum of Ten Thousand Dollars (\$10,000.00).

State
Treasurer to
pay upon
warrants

Approved April 14, 1931.

CHAPTER 290

SENATE JOINT RESOLUTION

SENATE JOINT RESOLUTION creating a Commission for the purpose of studying and investigating the Packing and Marketing of Delaware Food Products and defining powers of said Commission.

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

Governor to
appoint
Commission
to investigate
packing and
marketing of
Delaware
food products
in foreign
markets

SECTION 1. That the Governor of the State of Delaware shall be, and he is hereby, authorized and directed to appoint two members of the State Board of Education, two members of the State Board of Agriculture and two other citizens of the State of Delaware, who shall compose a commission for the purpose of studying and investigating the packing and marketing of Delaware food products in foreign markets with a view of improving the packing and marketing of same.

Employment
of experts

SECTION 2. That said Commission shall be, and is hereby authorized and empowered to employ any expert or experts or such other assistance as they may deem necessary to properly carry out the purpose for which this Commission is chosen; it shall be, and is hereby, authorized and directed to take such other steps in the performance of their duties as they, in their judgment, may deem proper.

Other Powers

Methods
recommended
to be taught
in Public
Schools

SECTION 3. That as soon as is practical and convenient after the report of said Commission, the methods recommended for properly packing and marketing said products shall be taught and demonstrated in the proper Departments of the Public Schools of this State.

Report to
General
Assembly

SECTION 4. That the said Commission shall make a report of its findings to the next session of the General Assembly.

SENATE JOINT RESOLUTION

SECTION 5. The sum of Five Thousand Dollars is Appropriation hereby appropriated to said Commission out of the General Fund in the hands of the State Treasurer not otherwise appropriated for the purpose of carrying out the provisions of this Act.

Approved April 22, 1931.

CHAPTER 291

SENATE JOINT RESOLUTION

SENATE JOINT RESOLUTION authorizing the Governor to appoint a Committee to be known as the Housing Committee to investigate housing conditions in the City of Wilmington.

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

Governor to
appoint
committee to
investigate
housing
conditions in
Wilmington

Report to
General
Assembly

That the Governor shall be and is hereby authorized and empowered to appoint three citizens of the State of Delaware residing in the City of Wilmington who shall constitute a committee to be known as the Housing Committee and who shall investigate housing conditions in the City of Wilmington and report its findings and recommendations, based upon such investigation, to the next session of the General Assembly in 1933.

Approved April 25, 1931.

CHAPTER 292

SENATE JOINT 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:

Hugh A. George Co. a/c Supreme Court	\$382.50
Thomas W. Killen, a/c Supreme Court	116.00
Carroll B. Massey, a/c Supreme Court	48.00
Austin D. Smith, a/c Supreme Court	10.00
Harry Hopkins, a/c Supreme Court	34.00
William Waters, a/c Supreme Court	48.00
Gideon F. LeGates, a/c Supreme Court	10.00

Approved May 6, 1931.

CHAPTER 293

HOUSE CONCURRENT RESOLUTION

Resolution on
death of Hon.
Walter
Beaston

WHEREAS, in the death of the Honorable Walter Beaston, who was an honored and respected member of the House of Representatives of the State of Delaware in the One Hundred and Second General Assembly, the State has lost a useful and valuable servant; and

WHEREAS, it is fitting that this General Assembly give public expression and offer, at its first opportunity, its sympathy to the family of the late Mr. Beaston 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 the General Assembly, on behalf of all the citizens of the State of Delaware, does hereby express deep regret at the death of the Honorable Walter Beaston of Middletown, and emphasizes it and their full and sincere appreciation of his services to his State;

That we extend to his family the sincere sympathy of this General Assembly;

That a copy of these resolutions be spread at large upon the Journal, a copy be delivered to the press, and a copy sent to Mrs. Beaston.

Approved January 27, 1931.

CHAPTER 294

HOUSE CONCURRENT RESOLUTION

WHEREAS, in the death of the Honorable J. Thos. Lowe, who was an honored and respected member of the House of Representatives of the State of Delaware in the Seventy-ninth General Assembly, the State has lost a useful and valuable servant; and

Resolution
upon death of
Hon. J. Thos.
Lowe

WHEREAS, it is fitting that this General Assembly give public expression and offer, at its first opportunity, its sympathy to the family of the late Mr. Lowe 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 the General Assembly, on behalf of all the citizens of the State of Delaware, does hereby express deep regret at the death of the Honorable J. Thos. Lowe of Little Creek, and emphasizes it and their full and sincere appreciation of his services to his State:

That we extend to his family the sincere sympathy of this General Assembly:

That a copy of these resolutions be spread at large upon the Journal, a copy be delivered to the press, and a copy sent to his family.

Approved January 27, 1931.

CHAPTER 295

HOUSE CONCURRENT RESOLUTION

IN REFERENCE to Adjournment out of respect for the late Mrs. Fannie Herrington Layton.

Adjournment
out of respect
to Mrs. Fannie
Herrington,
Layton,
Deceased

WHEREAS, the late Mrs. Fannie Herrington Layton has served this State most faithfully and loyally as private Secretary to many of the Governors of this State, and as Secretary of State; and

WHEREAS, we have learned with the sincerest regret of the death of Mrs. Fannie Herrington Layton on Saturday last at the Jefferson Hospital in Philadelphia, Pennsylvania; and

WHEREAS, Mrs. Fannie Herrington Layton is to be buried at 1:30 o'clock this afternoon at Barret's Chapel;

THEREFORE, Be it Resolved by the House of Representatives, the Senate Concurring therein, that both Houses of this One Hundred and Third General Assembly shall recess from 1 o'clock until 2 o'clock this 21st day of January, A. D. 1931, out of respect for Mrs. Fannie Herrington Layton.

Approved January 27, 1931.

CHAPTER 296

HOUSE CONCURRENT RESOLUTION

Requesting the Governor to ascertain the probable cost of having a survey made of the System of County Governments of the Respective Counties.

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

SECTION 1. The Governor is hereby requested to ascertain the probable cost of having a survey made of the County Governments in New Castle, Kent and Sussex Counties, by qualified specialists, with the object of ascertaining if such systems can be improved, and if so, in what manner; and reporting such estimated cost to the present General Assembly.

Governor
requested to
ascertain
cost of
survey of
County
Governments

Approved January 27, 1931.

CHAPTER 297

HOUSE CONCURRENT RESOLUTION

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

Joint Session
on House Bill
No. 27

That the two Houses of the One Hundred and Third General Assembly meet in Joint Session in the House of Representatives at 2 o'clock P. M. Wednesday, February 18th, 1931 for the purpose of hearing arguments on House Bill No. 27.

Approved February 25, 1931.

CHAPTER 298

HOUSE CONCURRENT RESOLUTION

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

That it is the desire of the One Hundred and Third General Assembly of the State of Delaware that the appreciation of the whole said State be expressed to the Federal Government for its very courteous hearing given, not only the members of Congress from said State, but also accorded to the Delaware City Canal Commission in relation to the improvement to the Delaware City entrance to the Delaware and Chesapeake Canal, and

Resolution
expressing
appreciation
to Federal
Government
in reference to
entrance to
Delaware and
Chesapeake
Canal

BE IT FURTHER RESOLVED, that the entire citizenship of the State, through its duly chosen Legislative Body hereby heartily endorses the effort being made by said Representatives in Congress and by said Commission, since said improvement will be of unestimable benefit to the whole State, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of both Houses of the One Hundred and Third General Assembly, and that a copy be forwarded to the Board of U. S. Engineers and to our members in Congress at Washington, D. C.

Approved March 5, 1931.

CHAPTER 299

HOUSE CONCURRENT RESOLUTION

**Expressing the Appreciation of the General Assembly for
Gift of Flowers.**

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

Resolution
expressing
appreciation
for gift of
flowers to
Governor and
General
Assembly

That this General Assembly greatly appreciates the thoughtful consideration of Mr. Lester C. Lovett and Mr. Clayton A. Bunting, in sending to the Governor and to the members of the Senate and House of Representatives and to the attaches of both Houses the lovely gifts of most beautiful flowers received from them today;

That we express to Messrs. Lovett and Bunting our sincerest thanks for their lovely gift and wish them every success and prosperity and extend to them the compliments and best wishes of the season;

That a copy of these resolutions be spread upon the Journal;

That a copy be sent to Messrs. Lovett and Bunting, and a copy given to the Press.

Approved April 22, 1931.

CHAPTER 300

HOUSE CONCURRENT RESOLUTION

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring therein, that this Session of the One Hundred and Third General Assembly of the State of Delaware shall adjourn, ^{Adjournment} sine die, on the Legislative day of April 14th, A. D. 1931, at the hour of four o'clock in the afternoon.

Approved April 22, 1931.

CHAPTER 301

HOUSE CONCURRENT RESOLUTION

Expressing the sorrow of the General Assembly of the State of Delaware at the news of the death of the Honorable Nicholas Longworth, the Speaker of the House of Representatives at Washington and a member of that body from the State of Ohio.

Resolution
expressing
sorrow of
General
Assembly at
news of
death of
Nicholas
Longworth,
Speaker of
Federal House
of Representa-
tives

WHEREAS the General Assembly of the State of Delaware just learns with profound sorrow of the death of the Honorable Nicholas Longworth, the Speaker of the House of Representatives at Washington and a member of that body from the State of Ohio, and

WHEREAS, the deceased was not only recognized as an eminent lawyer but served the people of his State of Ohio on their boards of education, in their State Senate and in many other positions of trust and responsibility at home as well as nearly thirty years in the Congress of the United States and was recognized by the people of the United States, irrespective of party affiliation, as one of the outstanding Americans of the age, and one who in his long and honorable service, gave to the people of his State and Country the benefits of a learned and efficient statesmanship, and

WHEREAS, by the death of Mr. Longworth, the Country sustains an irreparable loss; therefore

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

That the General Assembly of the State of Delaware by this resolution, in its humble manner, desires to express its sorrow at the great loss the Country has sustained in the death of Mr. Longworth and to extend to his bereaved family its sympathy in this hour of its great trouble, and

HOUSE CONCURRENT RESOLUTION

That a duly certified copy of this resolution be sent to the National House of Representatives and to his widow, Alice Roosevelt Longworth.

Approved April 22, 1931.

CHAPTER 302

HOUSE CONCURRENT RESOLUTION

EXTENDING THANKS to Thomas Jefferson, Custodian, for the capable manner in which he has served the members and attaches of the Senate and House of Representatives.

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

Resolution
expressing
thanks of
General
Assembly to
Thomas
Jefferson,
Custodian

That the Senate and House of Representatives desire to convey to Thomas Jefferson, Custodian, their hearty thanks and appreciation for the capable manner in which he has served the members and attaches of the Senate and House of Representatives during the present Session of the Legislature.

Approved April 22, 1931.

CHAPTER 303

HOUSE JOINT RESOLUTION

A RESOLUTION authorizing the appointment of a Commission to recommend a revision of the Laws of the State of Delaware affecting the Descent and Distribution of Property of Intestates, the duties and powers of Executors, Administrators, Guardians, Trustees and other Fiduciaries and appropriating the sum of Two Thousand Dollars for its expenses.

WHEREAS, The General Assembly of the State of Delaware has, from time to time, through new statutes and amendments to or modification of existing statutes, made changes in the laws relating to the descent and distribution of property and to the settlement of estates and the administration of trusts;

WHEREAS, It seems advisable, before further changes are made, to have a thorough study made of the laws of the State with respect to these subjects with a view to the modernization, simplification, and codification of such laws; Now, Therefore,

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

Section 1. That the Governor of the State of Delaware be and he is hereby authorized and directed to appoint a commission of nine members. Vacancies in the commission occurring from any cause shall be filled by the Governor.

Governor to
appoint
Commission
to study
revision of
laws of State
affecting
descent and
distribution
of property

Section 2. The duty of such commission shall be to investigate and to recommend as to the advisability of a revision of the laws of the State of Delaware affecting the descent and distribution of property of intestates, the duties and powers of executors, administrators, guardians, trustees and other fiduciaries, and all other statutes of this State as the commission may deem advisable for the purpose of

HOUSE JOINT RESOLUTION

modernizing and simplifying the law relating to estates and trusts and the systems for the devolution of real and personal property, and to prepare proposed legislation for such purposes.

Section 3. The members of such commission shall receive no compensation for their services, but shall be entitled to the actual and necessary expenses incurred in the performance of their duties.

Report

Section 4. The Commission shall make a report of its proceedings, together with its recommendations, to the General Assembly of Delaware on or before the third day of January, 1933.

Appropriation

Section 5. The sum of Two Thousand Dollars (\$2,000.00) or so much thereof as shall be necessary, is hereby appropriated out of the moneys in the State Treasury not otherwise appropriated for the expenses of the commission created by this resolution. The money so appropriated shall be paid out of the State Treasury from time to time on vouchers submitted by the commission and signed by the chairman or vice chairman thereof and countersigned by the secretary.

Approved April 22, 1931.

CHAPTER 304

HOUSE JOINT RESOLUTION directing the payment of Sixty-five (\$65.00) Dollars by the State Treasurer, upon warrants of the Chairman of the Lincoln Day Celebration, for rental of piano, transportation of band and printing of programs; therefore

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

That the Treasurer of the State of Delaware is hereby directed to pay the sum of Sixty-five (\$65.00) Dollars, from any funds of the State of Delaware not otherwise appropriated, upon warrants of the Chairman of the Joint Lincoln Day Celebration of the One Hundred and Third General Assembly, to such individuals as he directs for the rental of a piano, transportation of the band and the printing of programs for said Celebration.

Appropriation
for Lincoln
Day Celebration

Approved April 22, 1931.

CHAPTER 305

**HOUSE JOINT RESOLUTION appropriating certain money
out of the State Treasury of the State of Delaware to
pay certain Claims against the State.**

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

Claims

That the several sums of money hereinafter named are hereby appropriated out of the treasury of this State and chargeable against moneys collected for the support of public schools 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 herein designated:

James B. Bice Company	\$68.32
James B. Bice Company	12.00
James B. Bice Company	20.06
Emma Howard Long	31.25
Mrs. James L. McClure	25.00
E. L. Jones Company	10.00
J. H. Humes & Son	3.00
Town of Bridgeville	82.00
Robert L. Layton & Co.	25.10
Delaware Power & Light Co.	9.04
Delaware Power & Light Co.	3.14
Harry D. Boulden	34.00
H. B. Danforth, Inc.	3.00
Charles Carrigione	4.80
Norman E. Hastings	13.56
E. E. West	3.00
John F. Hughes	10.00

Approved April 22, 1931.

CHAPTER 306

**HOUSE JOINT RESOLUTION appropriating certain money
out of the State Treasury to pay Certain Claims against
the State of Delaware.**

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

That the following amounts be and the same are hereby ^{Claims} appropriated out of any money in the general fund of the State Treasury not otherwise appropriated, for the payment of certain claims against the State of Delaware, and the State Treasurer is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names, viz:

Delaware State News, Dover	\$120.00
J. O. Baker, Laurel	102.80
Diamond State Telephone Co., Dover	5.35
E. I. duPont deNemours & Co., Wilmington	41.98
Jos. Grezlikowski, 716 Spruce St., Wilm.	6.50

Approved April 25, 1931.

CHAPTER 307

HOUSE RESOLUTION appropriating money out of the State Treasury to pay Certain Expenses connected with the Present Session.

Expenses

BE IT RESOLVED by the House of Representatives of the One Hundred and Third General Assembly of the State of Delaware, 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 expenses of the House of Representatives connected with the present session, and the State Treasurer is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names, viz:

The Diamond State Telephone Co.	\$250.54
Thos. E. Hickman, Ocean View	50.00
M. C. Dager	50.00
Lillian V. Hulse, Typewriter rent	16.00
Virginia A. Walton, Typewriter rent	16.00
Bertha L. Butz, Typewriter rent	16.00
Virginia S. Nichols, Typewriter rent	16.00

Approved April 22, 1931.

CHAPTER 308

HOUSE RESOLUTION

APPROPRIATING certain money out of the State Treasury to pay Certain Expenses of the House of Representatives of the State of Delaware connected with the Present Session thereof.

BE IT RESOLVED by the House of Representatives of ^{Expenses} the State of Delaware, 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 for printing expenses connected with the present session thereof, viz:

Milford Chronicle Publishing Co. \$2,264.60

Capital Printing Company 8,553.51

Approved April 22, 1931.

TITLES OF PRIVATE ACTS

Excluded From Publication

Titles of
Private Acts

CHAPTER 309

AN ACT to amend further an Act to Incorporate the "Brandywine Trust and Savings Bank", approved at Dover, April 11, 1921.

Approved April 29, 1931.

CHAPTER 310

AN ACT to vest the title of certain real estate in "Delaware Baptist State Convention, Inc."

Approved March 30, 1931.

CHAPTER 311

AN ACT to incorporate "Diamond State Savings Association".

Approved May 14, 1931.

CHAPTER 312

AN ACT to amend an act entitled "An Act to Incorporate the Peoples Bank of Harrington", approved April 6, A. D. 1905, by increasing the Capital Stock of the said bank and providing for an Assistant Cashier and an Assistant Secretary.

Approved March 5, 1931.

TITLES OF PRIVATE ACTS

CHAPTER 313

AN ACT to amend an act entitled "An Act to Incorporate the Security Trust and Safe Deposit Company," passed at Dover March 25, 1885, as amended, granting to said corporation the right to increase the number of its Board of Directors.

Security
Trust and
Safe Deposit
Company

Approved March 12, 1931.

CHAPTER 314

AN ACT to amend an act entitled "An Act to incorporate the Security Trust and Safe Deposit Company," passed at Dover, March 25, 1885, 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 the State of Delaware.

Approved March 12, 1931.

CHAPTER 315

AN ACT to amend An Act entitled "An Act to incorporate The Sussex Trust, Title and Safe Deposit Company," passed at Dover, May 7th, 1895, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to incorporate The Sussex Trust, Title and Safe Deposit Company,' passed at Dover and duly approved March 2, 1911.

Approved March 30, 1931.

TITLES OF PRIVATE ACTS

Titles of
Private Acts

CHAPTER 316

AN ACT to amend An Act entitled "An Act to incorporate the Wilmington Savings Fund Society" passed at Dover January 11, 1832, as the same has since been renewed, amended and changed, by adding to the powers, objects and purposes of said corporation.

Approved April 2, 1931.

PROCLAMATIONS OF THE GOVERNOR

STATE OF DELAWARE

PROCLAMATION

EXECUTIVE DEPARTMENT.

DOVER, DELAWARE

WHEREAS, Automobile accidents are responsible for enormous and unnecessary losses of life, injuries to person and damages to property; and

WHEREAS, A large proportion of these accidents are directly traceable to the failure upon the part of motorists to observe the laws requiring equipment and mechanism to be kept in proper condition; and

Inspection of
Motor
Vehicles

WHEREAS, Charles H. Grantland, Secretary of State, is charged with the duty of enforcing those laws within this State; and

WHEREAS, Secretary of State Grantland, to aid in enforcing the motor laws, has arranged, with the cooperation of the automotive industry of the State and all garages and service stations, for an inspection, free of charge, of all motor vehicles during the month beginning June 15, 1929, and ending July 15, 1929, inclusive, such inspection to include an examination of brakes, horns, lights, steering mechanism, mirrors, windshield wipers, registration plates, clearance lights (for trucks), and operator's licenses;

NOW, THEREFORE, I, C. Douglass Buck, Governor of the State of Delaware, cooperating with the continuous

PROCLAMATIONS

Proclamation
of Governor
regarding
inspection of
Motor
Vehicles

safety campaign of the Delaware Safety Council, do proclaim the period from June 15, 1929, to July 15, 1929, inclusive, as Safety Save-A-Life Month.

I earnestly call upon all owners and operators of motor vehicles to avail themselves of this opportunity to have their motor vehicles inspected without charge, and upon learning of any defects in mechanism or equipment or the adjustment thereof, to have such defects eliminated immediately.

I further urge the press, motor clubs, chambers of commerce and civic organizations within Delaware to emphasize the importance of this safety movement as a means of cooperating with the authorities of this State in their effort, through enforcement of the law, to reduce the hazard to life and property occasioned by defective and improperly adjusted automotive equipment.

GIVEN, under my hand and the Great Seal of the State of Delaware, this third day of June, in the year of our Lord one thousand nine hundred and twenty-nine and in the Independence of the United States the one hundred and fifty-fourth.

By the Governor:

C. D. BUCK.

(Great Seal)

CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS
STATE OF DELAWARE

PROCLAMATION

EXECUTIVE DEPARTMENT.
DOVER, DELAWARE

WHEREAS, the Thirteenth Annual Roll Call of the ^{Red Cross} American Red Cross, will be conducted as usual from Armistice Day, November 11th, to Thanksgiving Day, November 28th; and

WHEREAS, during this period an opportunity will be given to each individual in the nation to join the American Red Cross through the medium of the 3,500 chapters of the organization, and

WHEREAS, in the words of the President, "the history of the American Red Cross for the last five years has proved the necessity for maintaining at all times a National organization prepared to act instantly and efficiently in time of great disaster",

NOW, THEREFORE, I, C. D. Buck, Governor of the State of Delaware, do invite and urge the people of our State to respond to the Thirteenth Annual Roll Call of the American Red Cross by taking out memberships. It is by membership that the Red Cross exists, and is enabled to give aid in minor disasters and maintain its trained services. JOIN! It is only by your cooperation that this service to humanity can be performed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be hereto affixed this fourth day of November, in the year of our Lord one thousand nine hundred and twenty-nine and in the Independence of

PROCLAMATIONS

the United States of America, the one
hundred and fifty-fourth.

(Great Seal)

By the Governor:

C. D. BUCK.

CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS
STATE OF DELAWARE
THANKSGIVING PROCLAMATION

EXECUTIVE DEPARTMENT.
DOVER, DELAWARE

In accordance with the proclamation of the President of the United States and in observance of a custom from the earliest days of our National and State governments to give public recognition of the beneficent Providence which rules above the changing affairs of men, and, as the season of gathered harvests is a fitting time to reflect upon and renew our sense of gratitude for the Divine care, I, C. D. Buck, do therefore call upon our citizens to set apart

Thanksgiving
Proclamation

THURSDAY
THE TWENTY-EIGHTH DAY OF NOVEMBER,

as an occasion for public and private thanksgiving to Almighty God for His goodness to us, to the end that we may do justly, have mercy and walk humbly with Him from Whom all blessings flow.

IN WITNESS WHEREOF, I, C. D. Buck, 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 fifteenth day of November, one thousand nine hundred and twenty-nine and of the Independence of the United States, the one hundred and fifty-fourth.

(Great Seal)

By the Governor:

C. D. BUCK.

CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

STATE OF DELAWARE

PROCLAMATION

EXECUTIVE DEPARTMENT.

DOVER, DELAWARE

WHEREAS, the State Tax Department of the State of Delaware reported to me on the seventh day of January, A. D. 1930, a list of all the corporations, which for the two years next preceding such report, had failed, neglected or refused to pay the franchise taxes assessed against or due by them under the laws of this State; and

Tax payments
by United
Credit and
Finance
Corporation

WHEREAS, the Governor of the State of Delaware did issue his proclamation on the seventeenth day of January, A. D. 1930, proclaiming "UNITED CREDIT AND FINANCE CORPORATION" as having failed, neglected or refused to pay the taxes aforesaid:

To Franchise Tax for year 1926	\$5.00
Penalty	1.05
To Franchise Tax for year 1927	5.00
Penalty	.45
To Franchise Tax for year 1928	5.00
	<hr/>
	\$16.50

NOW, THEREFORE, I, C. D. Buck, Governor of the State of Delaware, do hereby proclaim that

"UNITED CREDIT AND FINANCE CORPORATION", a corporation incorporated under the laws of the State of Delaware on July 7, 1926, it having been established to my satisfaction that said corporation has not neglected or refused to pay the annual franchise taxes assessed against said corporation heretofore reported by the State Tax De-

PROCLAMATIONS

partment, was inadvertently reported to me by said Department as failing, neglecting or refusing to pay said taxes as aforesaid; and that pursuant to the authority vested in me by virtue of Section 79, Chapter 6 of the Revised Statutes of 1915, as amended from time to time, I hereby correct such mistake and make the same known by filing a proclamation to that effect in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I. C. D. Buck, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of said State to be hereunto affixed this fourteenth day of February, in the year of our Lord one thousand nine hundred and thirty and of the independence of the United States of America, the one hundred and fifty-fourth.

(Great Seal)

By the Governor:
C. D. BUCK.

CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

STATE OF DELAWARE

PROCLAMATION

EXECUTIVE DEPARTMENT.

DOVER, DELAWARE

Extending
time for
U. S. Wrench
Mfg. Co., Inc.,
to pay taxes

I, C. Douglass Buck, 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 September, 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 eighteenth day of February, A. D. 1929.

(Great Seal)

By the Governor:

C. D. BUCK.

CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS
STATE OF DELAWARE
PROCLAMATION

EXECUTIVE DEPARTMENT.
DOVER, DELAWARE

WHEREAS, the Governor of the State of Delaware did issue his Proclamation on the twenty-second day of January, A. D. 1910 proclaiming the "ENDOWMENT BUILDING AND LOAN ASSOCIATION OF WILMINGTON, DELAWARE" as having failed, refused or neglected to pay the taxes assessed by the Secretary of State.

Regarding
taxes paid by
Endowment
Building and
Loan Association
of
Wilmington,
Delaware

NOW, THEREFORE, I, C. Douglass Buck, Governor of the State of Delaware, do hereby proclaim that "ENDOWMENT BUILDING AND LOAN ASSOCIATION OF WILMINGTON, DELAWARE", a corporation incorporated under the laws of the State of Delaware, February 16, A. D. 1905, it having been established to my satisfaction that said company has not neglected or refused to pay the annual franchise taxes assessed against said corporation heretofore reported by the State Treasurer, due from said company, and that said company was inadvertently reported to me by said State Treasurer as failing, refusing or neglecting to pay said taxes as aforesaid; that pursuant to the authority vested in me by virtue of Section 60 Chapter 6 of the Revised Statutes of 1915 to correct such mistake, I hereby make the same known by filing this Proclamation to that effect in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I, C. Douglass Buck, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of this State to be hereunto affixed this eighteenth day of March, in the year of our Lord one thousand nine

PROCLAMATIONS

hundred and twenty-nine, and of the Independence of the United States of America, the one hundred and fifty-third.

(Great Seal)

By the Governor:

C. D. BUCK.

CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

STATE OF DELAWARE

PROCLAMATION

EXECUTIVE DEPARTMENT.

WHEREAS, Pierre S. duPont, Tax Commissioner on behalf of the Tax Department 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. Repealed
Charters

NOW, THEREFORE, I, C. D. Buck, 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:

Abercrombie Corporation, The, A. C. Warner Company, A. F. Pierce Co., A. H. Rogers, Incorporated, A. I. R., Inc., A. J. M. Silk Company, A. J. Connolly Well Sinking Corporation, A. J. Schroder Company, A. M. Daniels Company, Inc., A. P. Moore, Inc., A. R. Corporation, A. R. Finck & Company, Incorporated, A. R. Pani, Inc., of Delaware, Abe's Service Corporation, Absopure Sales Company, A. T. Schroth & Sons, Inc., Acme Brass Corporation, Acme Construction Co., Acme Concrete Products Corporation, Acme Diesel Engine Corporation, Acme Foundry and Machine Company, Achievement Films, Incorporated, Acme House Moving Co., Acme Loan Company, Acme Manufacturing Corporation, Ace Oil Corporation, Acme Wheel Corporation, Adams Advertising Agency, Incorporated, Adjustment Corp., The, Administration & Finance Corporation, Advance Governor Corporation, Adams-Hahn Manufacturing Co., Adastra, Incorporated, Advitant Laboratory, Inc., Ad-Lane Advertising Corporation, Advance Products Co., Adair Realty & Mortgage Company, Inc., Adams Stair & Millwork Co., Inc., Adel-

PROCLAMATIONS

phia Shoe Company, Adelphia Theatre Ticket Service, Inc., Aero Coast Express Company, Air Cooled Motors, Incorporated, Affiliated Finance Company, Aetna Lumber & Supply Company, Incorporated, Akely & Lewis Co., Agricultural Lime Corporation, Inc., Aetna Mfg. Company, Inc., Ahlburg Oil Corporation, Agate Oil Company, Aetna Products Corporation, Akimoff Propellor Company, Air Safety Bumper Company, Aladdin Advertising Service, Inc., Albert A. Schwartz, Inc., Altarelli Building and Construction Co., Alma Company, The, Alexander Chambley Company, Algonquin Coal Securities Company, Albright Coal Company, Alner Corporation, The, Albert F. W. Vick Company, The, Albert G. Ruben, Incorporated, Albany Gasoline Distributing Co., Almonesson Gardens Co-Operative Amusement Park, Inc., Alaska Gold Mining & Developing Company, Alford-Lewis Shoe Company, Alum Mountain Industries, Inc., Aliquippa Navigation Corporation, Alva Oil Corporation, Alaska Palladium Company, Alaska Pacific Coal Company, Albert S. Wright & Company, Allied Art-Craft, Inc., All Arts Group, Inc., Allegheny County Coal Co., Allentown Crown Company, Allied First Mortgage Corporation, Alliance Funding Company, Alloway Fund, Inc., The All-In-One Motors, Inc., Alpine Laundry Company, Allgyp Lath Company, Alliance Note & Mortgage Company, Inc., All Planets Oil and Gas Company, All-Wer Silk Corporation, Inc., Alturas Development Company, The, Alva Morse, Inc., Amiesite Asphalt Company of Ohio, Amacuzac Hydraulic & Nitrate Corporation, The, Amarillo Interests, Incorporated, Amyx Oil Company, Amfot Oil Corporation, Amalgamated Petroleum Corporation, Am-Tex Refining Company, American Arms Company, Inc., American Art Student Publishing Co., American Agar Company, American Armor Corporation, American Airways Corporation, American Aluminum Asbestos Brake Band Company, American Bosshardt Furnace Corporation, American Barium and Strontium Corp., American Bootblack Parlors, Inc., American Business Association, American Cold Storage Co., Inc., American Ceylon Graphite Company, American Coal Corporation, The,

PROCLAMATIONS

American Collieries Corporation, American Columbian Corporation of Delaware, American Commissaries, Inc., American-Chinese Canning Company, Inc., American Development Corporation of Texas, American Ethiopian Mica Mines Corporation, American Farms Company, American Foods Corporation, American-Foreign Trading Corp., American Fibre Coöperage Company, Inc., American Fuel Co., American Field Glass Service, Inc., American Finance and Discount Company, American Fuel Combustion Corporation, The, American Fireproof Warehouse Company, American Greek Estates Corporation, American Guarantee Oil Company of the United States, American Gas Corporation, American Gledhill Corporation, The, American Greyhound Racing & Breeding Association, American Hosiery Salvage Corporation, American Heat Treating Plant, Inc., American Heat Treatment Company of Pennsylvania, American Home University, Inc., American Lumber Sales Company, American Land & Building Corporation, American Land and Fur Company, American Light and Heat Company, American Mines Development Corporation, American Motorcoach System, Inc., American Marble, Incorporated, American Messenger Service, Inc., American Music Sales Company, American Non-Skid Company, American Nitrate Company, Incorporated, American & Near East Trade Development Co., Inc., American Non Metallics Corporation, American Navigation Company, American Outdoor Advertising Co., American Profit Sharing Corporation, American Peoples Development Company, Incorporated, American Production Company, American Paper Mache Company, Inc., American Popular Music Co., The, American Petroleum & Transportation Company, American Reamer Operating Company, American Rayon Company, American Remedy Co., American Rotary Valve Engine Co., American Research and Development Company, American Railway Grade Crossing Gate Corporation, American Rubber Corporation, American Retail Confectioners Corporation, The, American Realty Finance Co., American Reclamation Corporation, American Sales Service, Inc., The, American Spring Wheel Company, Inc., American

PROCLAMATIONS

Service Company of Pittsburgh, American Spinning Company, American Shelled Nut Corporation of California, American Steel Refining Company, American Therapeutic Gas Company, The, American Traders Corporation, American Turkish Corporation, The, American Transit Co., American Waters Corporation, American Warehouse Corporation, American Weevil Exterminator Company, Anchor Block Co., Anacostia Lumber Co., Inc., The, Anchor Petroleum Company, Anchor Securities Corporation, Anglo-American Investment Company, Inc., Anolcoal Burner Company, Anderson-Bechmann Company, Angels Creek Mining Company, Andrews Land and Buildings Company, Inc., The, Anthony Manufacturing Co., Antilla Port and Railroad Company, Anthracite Preparation Company, Animated Products Corporation, Anderson Pneumatic Spring and Tire Co., Anglo-South-American Corporation, The, Apex Amusement Company, Apartment Casa Del. Sol Company, Apex Pharmaceutical Co., Apple Radio Corporation, Armature & Bearing Corporation, Arkansas City Refining Company, Arango Corporation, The, Ariadne Corporation, The, Aroma Coffee Company, Artco Corporation, Argentum Development Corporation, Arlington Drug Store, Inc., Artistic Display Sign Co., The, Armstrong Dairy Company, The, Arcadia Full Fashioned Hosiery Corporation, Arredondo Gardens, Inc., Arizona Hotel and Transportation Company, Arizona Imperial Mines, Inc., Argonauts, Inc., The, Arizona Lead Mines Company, Artists and Models Magazine, Inc., Arco Oil and Gas Corporation, Arkansas and Osage Oil Corporation, Arthur P. Snader, Inc., Arrow Pipe Co., Inc., The, Art Publications, Inc., Archer Park Company, Artistic Productions Co., Inc., Aspinwall Coal Company, Associated Cinema Theatres Corporation, Associated Chemical & Manufacturing Engineers, Inc., Associated Exhibitors, Inc., Associated F. O. B. Sales Agency, Inc., Astoria Hotel Company, Associated Investors Service Bureau, Inc., Associated Independent Markets, Inc., Ashland Limestone Company, Asher Oil Company, Associated Products Company, Associated Realtors, Inc., Assurance Service Company, Aspen Smelting Company, Ascher

PROCLAMATIONS

Theatrical Enterprises, Inc., Associated Underwriters, Inc., Atlantic City Heights Development Co., Atlas Chemical Solvents Corporation, Atlantic City Amusement Enterprises & Kennel Club, Atlantic Coast Towing & Transportation Company, Atlas Construction Company, Atlas Development Co., Atlanta Extract Company, The, Atlas Finance Corporation, Atlas Ken-Rock Corporation, Atlas Ken-Rock Company, Atlantic Mortgage Company, Atlantic Steamship Company, Athletic Supply Co., The, Automatic Appliance Company, Automatic Advertiser, Inc., The, Automotive Appliance Company, Automatic Cafe Co., Automatic Carbonating Machine Corporation, Audiphone Company of America, Auburn Electric Store, Inc., Auto Finance Company, Automatic Fire Extinguisher Co., The, Automatic Garage Door Company, The, Automatic Glare Deflector Corporation, The, Automobile Identification Underwriters, Inc., Automatic Jack Corporation, Automobile Loan Corporation, The, Automatic Lock Nut Corporation, Automatic Machine Service Company, Autophone Manufacturing Corporation, Aurora Mines Corporation, Aut-O-Lantern Co., Automatic Popcorn Machine Company of America, Automatic Packing Machine Company, Audubon Park Natatorium, Inc., Auto Parking Devices Co., Augustine Rotary Motor Company, Auto-Speed Control Corporation, Automat Sanitary Lunch Company, Automotive Safety Equipment Corporation, Automatic Self Lubricating System, Inc., Automatic Straight Air Brake Company, Automatic Stemmer Co.

Bahia Company, The, Babbitt Construction Company, Ba-Det Company, The, B. F. Keith Program Co., B-K Development Corporation, B. and O. Company, Bahten Poultry Ranching Company, Inc., B. Straube & Sons, Inc., Back's Variety Store, Inc., Bailey and Pequegnat, Incorporated, Baker's Ice Cream Company, Bala Corporation, The, Bald Eagle Gunning Club, Bal-Mar Company, Ltd., Baldwin-Pacific, Incorporated, Balco Products, Incorporated, Banff Corporation, The, Bancnational Corporation, Bankers Certificate Company, Bankers Discount Corporation of Washington, D. C., The, Bamboo Inn, Inc., The, Bankers Identification

PROCLAMATIONS

Service, Inc., Banker Mortgage and Realty Company, Bankers Mortgage & Trust Company, Bangor Natural Slate Company, Bankers Service Corporation of America, Bangor United Slate Company, Bankers Underwriting Syndicate, Baras Finance Corporation, Barrett Lock Company, Inc., Barry Tailors, Incorporated, Basler American Union Co., Basic Corporation, The, Basic Mineral Co., The, Battrett Corporation, Battle of Gettysburg Exhibition Corporation, Bayer, Kline and Ross, Inc., Bavarian Restaurant Company, Beamer, Inc., Beattie, Incorporated, Beam's Motor Freight Service, Incorporated, Bear Pen Coal Company, Beattle Sales Corporation, Beesley Iron & Steel Corporation, Belvel Associates, Inc., Bellmore Apartment Company, Belmorbray Company, Belmont Concrete Products Co., Inc., Bell Drug Company, Belle Grove Land & Orchards Co., Inc., Belle Isle Corporation of Pittsburgh, Belmont Oil & Gas Co., Belasco Productions, Inc., Belmont Tailors, Inc., Bell Theatre Company, Benjamin Buckley's Son, Inc., Bench Folding Box Company, Benjamin Franklin Cigar Manufacturing Company, Benjamin Franklin Gift Shop, Inc., Bentley Oil Corporation, The, Bensons Fruit Products, Inc., Bergen Coal Mining Company, Berkeley Finance Corporation, Berkeley Sales Corporation, Berson Company, Bernard Land & Cattle Company, Bessemer Coal & Refractories Corporation, Bethlehem Drug Company, Better Health Service, Inc., Best Realty Company, Best Yeast Corporation, Betty Zane Soap Co., Inc., Big Bear Fur Ranching Co., Inc., Bible Corporation of America, Big Four Incorporated, Biblical Films Corporation, Big Five Development Corporation, Billings Oil Company, The, Bigpiny Oil Company, Big Three Oil Company, Biscayne Bay Hotel Company, Binger Machine Company, Bituminous Products Company, Birdie Window Cleaner Company, Inc., Blackstone Corporation, The, Black Hawk Oil and Gas Co., Black-Hawkins, Incorporated, Black Rock Asphalt Co., Incorporated, Bluestone Block & Supply Co., Blue Diamond Coal Sales Company, Blue Diamond Mining Company, The, Bloomsburg Engineering and Manufacturing Company, Bluebird Furniture Company,

PROCLAMATIONS

Inc., Block Funding Corporation, Blue Heron Beach Company, Blue Hills Petroleum Company, Blue Ridge Lumber & Building Company, Inc., Blue Taxi Company, Bohemia Beverage Company, Inc., Bopixca Abstract and Trading Company, Bonny Blue Coal Co., Bong Battery Corporation, Bondshare Corporation, Bonners Incorporated, Boone and Jackson, Incorporated, Bonelli Monolithic Pipe Company, Bolivian Rubber Corporation, Bosul Co., Inc., Botanical Import Co., Inc., Border Oil Corporation, Boyle and Company, Inc., Bowne Coal Company, Boyd-Ferguson China Company, The, Box Motors Company, The, Bracey Medicine Company, Brad-dock Nail and Manufacturing Company, Bradley Oil Company, Brady Process Company, Bram Trading Company, Ltd., Brays Bayou Realty Co., Brazoria Fig Orchards, Inc., Brewer, Brown & Company, Brilliant Fuel Corporation, Brier Hill Corporation, Bridgeport Motor Truck Corporation, The, Brightwood Securities Corporation, Brief Stories, Inc., British-American Petroleum Co., British-American Film Producers Alliance, Inc., British-American Securities Corporation, British-Canadian Shore Fuel Process Corporation, Brite-Light Garage, Inc., Broadway Auto Supply Co., Broad Pass Mining, Milling and Development Company, Bromley-Myers Company, Broderick Steel Frame Corporation, Brotherhood of Man Foundation, Inc., The, Brothers Oil Company, Inc., Brown Gold Oil Company, Brown's Peppisoda Corporation, Brown Tube Sales Corporation, Brunner Engineering Company, Brunner Engineering Sales Corporation, Brunswick Shop, Inc., Buck Beverage Company, Buch-Groff Company, Buckley Public Markets, Inc., Buena Granite Company, Bullock-Price & Co., Inc., Buehler Poultry and Egg Company, Bullock Radio Company, Builders System Extension Cor., Building Trades Credit Bureau, Inc., Burlington Bristol Bridge Company, Burkhardt Company, Inc., The, Burrough Development Company, Burton eights Co-Operative Oil Co., Burrows Incorporated, Burrows Service, Inc., The, Burrows Train Control Co., Business Men's Credit Association, Bushwick Mortgage Corporation, Bus Terminal Co., Inc., Buttercup Mining Company.

PROCLAMATIONS

C. A. Gustafson Company, C.-A.-B Signal Company, Cal-Ad Realty Company, Inc., C. B. Yonts Securities, Inc., Caldwell & Boone, Inc., Calaveras Central Mining Corporation, Calvada Coppermines Company, California Citrus Fruit Juice Company, C. & D. Convoy Co., C. F. Nardin Engineering Corporation, The, C. G. R. Novelty Advertising Company, The, Calmont Gold & Lead Mines, Inc., Cabco Iron Works, Inc., C. & K. Baking Corporation, California-New York Steamship Company, Cal-O-Tex Realty Company, Calvey-Paige Motor Company, Caesar Rodney Hotel Co., C. Russell Feldman & Co., Inc., California Steamship Corporation, Calvert Specialty Company, Inc., California Seamless Shoe Company, Calmex Trading & Navigation Company, C. W. Davies Company, Camp Canadohta for Girls, Inc., Camden Carbon Corporation, Campbell Coal Mining Company, Camelot Mountain Resort Corporation, Cambridge Orchard Company, Cambrian Sales Corporation, Campbell and Tracey, Inc., Capitol Bowling Alleys, Inc., Capehart Coal & Coke Company, Capital Coal Company of Washington, Canario Copper Company, Incorporated, Capital Grange Number Eighteen (Inc.), Capitol Pharmaceutical Company, Incorporated, Canadian Pacific West Indies Transportation Company, Capitol Weather Strip and Screen Company, Carbondale Anthracite Collieries Company, Carbonizing Coal Company of Canada, The, Carolinas Cafeterias Corporation, Carbodyne Company, The, Carbureted Coal Company of St. Louis, Carmean Gold Mining Company, Carlson, Inc., Cardinal Securities Corporation, Carbon and Stainless Steel Products Corporation, Carpenter Electric Export Co., Inc., Carrick Enterprise Co., Car-Speirs Organization, Inc., The, Cartoon and Movies Magazines, Inc., Cash Feed Stores, Inc., Castilian Hotel Corporation, Caspar Oil Sales Company, Casoga Oil and Development Company, Cascade Realty Company, Central Agricultural Finance Corporation, Cellon Corporation, Cedarbrook Coal Co., Inc., Central City Finance Company, Castasaqua Food Products Corporation, Central Oil Company of Michigan, Century Products Company, Central Pennsylvania Oil Company, Century Theatre Company, The,

PROCLAMATIONS

Chambers Corporation, Chamberlain & Zusi, Inc., Charles A. Brozek, Inc., Charles A. Baxter Company, Inc., Charles B. Ayers Manufacturing Corporation, Charles E. Brickley & Co., Incorporated, Chartiers Lake Park Company, Chas. S. Miller Company, Inc., Chas. S. Walton Company, Inc., Charles Schutte Body Corporation, Charles T. Morgan & Company, Inc., Charles V. Sparhawk Corporation, Charles W. Cromb Company, Charles W. Barger Co., The, Cherry Blossoms, Inc., Chew Bridge Corporation, Cherokes Brick Company, Chemical Corporation, The, Chex Corporation, Chevy Chase Amusement Company, Chayes Dental Instruments Corporation, Chelten Ice Manufacturing Company, Cherrytree Lumber Company, Chattel Title Co., Chesapeake Utilities, Incorporated, Chinese-American Cold Storage Association, Inc., Chieftain Amusement Corporation, Chinese Bazaars of Philadelphia Sesqui-Centennial, Inc., Childs Manufacturing Company, Choctaw Oil Company, China Publishing Company, Incorporated, China-Pacific Motors, Incorporated, Chile Shale Products Corporation, Chinchillas-Saint Paul, Inc., Chicago Tire Patch Company, City Construction Company, Civic Finance Corporation, Citizens Hotel Company, City Light & Water Co., City of Ponce Gas Co., Cisco Refining Company, Citizens Securities Corporation, Cigarettes Vending Machine Company, Inc., Claus A. Tornell Corporation, Clark Contracting Company, Clarence C. Lattomus Company, Clark Motor Company, Clarksdale Motor Company, The, Claymo Oil & Gas Company, Clarence Saunders Stores of California, Inc., Cleveland Armature Works, Inc., Cleveland Household Supply Company, Inc., The, Clearwater Mining Company, Clement Oil Company, The, Clear Spring Carbonating Co., Cleartron Vacuum Tube Company, Club de Montmartre, Inc., Club Finance Corporation, Clover Lunch, Inc., Cligma Metals Corporation, Clinchfield Mica Corporation, Clover Panoro Motor Company, Incorporated, Climax Photodramas, Incorporated, Club Sales Company, Coast Brick Company, Coal and Oil Products Corporation, Coast to Coast Garage Corporation, Coastal Petroleum Company, Cofield Laborator-

PROCLAMATIONS

ies, Inc., Coldak Corporation, Cole Lumber Company, Inc., Cole Service Bureau, Inc., Collins Iron & Supply Company, Collier Oil and Gas Company, Collection Service Company, Incorporated, Colonial Automatic Sales Company, Columbia Brick Machine Corporation, Colorado County Land & Irrigation Company, Columbia Electric Corporation, Columbia Electric Mfg. Co., Colorado-Garfield Mines, Inc., Colonial Improvement Co., Colombia-Magdalena Oil Company, Inc., The, Colombia Mining and Development Company, Inc., Columbia Overseas Corp., Colonial Processing Company, Colorado Producers Corporation, Columbia Realty Company, Colorado River Power Company of Texas, Colonial Salesmen, Inc., Colonial School, Inc., Combuster Company, Commercial Chemical & Mfg. Co., Commodore Club, Incorporated, The, Comer Fuel Saver Service, Inc., of Allentown, Comer Fuel Saver Service, Inc., Commonwealth Finance Loan Corporation, Community Housing Corporation, Community Hotel Corporation of Monrovia, Commercial International Engineers Corporation, Commercial Lighting Corporation, The, Commonwealth Laundry Co., Inc., Compania Minerva "La Nargarita" S. A., Inc., Community Merchants Bureau, Inc., Community Motors Corporation, Community Newspapers, Inc., Combination Pneumatic Tool Company, Community-Standard Corporation, Commonwealth Sales Corporation, Commercial Securities Finance Corporation, Community Thrift Corporation, Community Underwriting Corporation, Compressed Wood Corporation, Coudert Productions, Inc., Concealed Wire Chain Company, Inc., Connecticut Avenue Realty Corporation, Conowingo Marble and Minerals Company, Connecticut Steel Company, The, Consolidated American Corporation, Consolidated American Rubber Company, The, Consolidated Automotive Products Company, Consumers Baking Company, Consolidated Bankers Mortgage Company, The, Consolidated Construction Company of Washington, D. C., Consolidated Coal and Oil Corporation, Consolidated Dredging and Construction Corporation, Consolidated Discount Corporation, Consumers Ditch Company, Consolidated Furniture Factories, Inc., Consolidated Gas Ser-

PROCLAMATIONS

vice Corporation, Consolidated Laboratories, Inc., Consolidated Motor Truck Company, Consolidated Motor Terminals, Incorporated, Consolidated Household Utilities, Incorporated, Consolidated Novelty Company, Inc., Consolidated Newspapers Corporation of New York, Consolidated Oil Fields Corporation, Consolidated Realty Corporation, Consolidated Swimming Pools Corporation, Consolidated Securities & Finance Corporation, Consolidated Sales Corporation, Continental Discount Corporation, Continental Discount Company of Maryland, Continental Finance Corporation of California, Continental Guarantee and Mortgage Company, The, Conoy Spring Products, Inc., Co-operative Apartment Management Co., Inc., The, Co-operative Barber Supply Co., Cooke Corporation, The, Co-operative Marketing Service Bureau, Inc., Cooke Oil Company, The, Cooling-Schulman Company, Copper Exploration Company, Incorporated, Copenhagen Printing Co., Inc., Corcoran Courts Corporation, Corcoran Courts Hotel Corporation, Cornelia-Consolidated Copper Company, Corporate Financial News, Inc., Corona Oil & Refining Company, Inc., Corporation Service Co. of Texas, Cosmopolitan Bond and Mortgage Corporation, Cosmos Coal Company, Inc., Cortez Development Company, Cossacks, Inc., The, Cosmopolitan Laundries Corporation, The, Cosmos Laboratories, Incorporated, Cosmopolitan Printing and Publishing Company, Cosmopolitan Stores, Inc., Council Finance Company, Cotter Investment Company, Inc., Cotton Industrial Corporation, Covey Motor Company, Cowan & Company, Incorporated, Crandon Canning Corporation, Craigulator, Inc., The, Crane Investing Co., Inc., Creditors Association of America, Cremo Corporation, Creston Co-Operative Oil Company, Crest Oil Company, Crutchfield Bellott Sales Company, Crusader Crude Oil Purchasing Company, Crystal Chemical Corporation, Crystal Commercial Company, Crown Fuel Economy Company, Crystal Finance Corporation, Crystal Mountain Mining Company, Crusader Oil Corporation, Crown Oil Company, Crusader Pipe Line Company of Texas, Crude Rubber Corporation of America, Cruise & Silverman, Inc., Cudahy-Linda International Corporation, Cumbeland

PROCLAMATIONS

Park Amusement ompany, Cumberland River Colliery Co., Cudji Realty Corporation, Cumberland Sand and Gravel Company, Culpeper Supply Company, Cummings Vote Register Corporation, Cupranese Corporation of America, Curocoa American Refrigerating Co., Inc., Curves Company, The Curtain Mail Crane Corporation, Cushion Spring Corporation.

Dahl Bit Corporation, D. C. Collier, Inc., D. C. Valand Company, D. C. Campbell Coal Company, D. C. Investment Corporation, D. C. Haber Knitting Company, The, D. M. Shreve Medicine Co., Inc., D. S. F. Loan Company, D. R. Hoffman Tire & Rubber Company, Dahnken Theatres, Inc., Dansant Amusement Corporation, Darby Brick and Tile Company, Dancing Consolidated, Inc., Daryeg Process Company, David B. Coxe, Inc., David Grimes, Inc., David Grimes Radio & Cameo Record Corporation, David Jones Company, The, Davies Mine Switch Lock Company, David Pressure Pump Company, Davis-Watkins Dairyman's Manufacturing Company, Dawson Chemical Company, The, Daylands, Incorporated, Day Lumber & Coal Co., Dayton Portable Typewriter Company, Dealers Acceptance Corporation, De Bray Exposition Company, Inc., The, De Forest Phonfilm Corporation of Spain and Portugal, Dean J. Deakyne Co., Inc., De-Lorane, Incorporated, Decorative Art and Craft Studios, Inc., Dec Distribution Company, Dehydration & Food Products Corporation, Delta Farm Lands Association, Delaplane Land Company, Del-Mar-Va Realty Association, Delair N. J. Investment Corporation, Del-Tex Oil Company, The, Del-Thuraios Club, Delaware Adjustment Company, Inc., Delaware Leather Machinery Co., Delaware Marble & Mining Co., Inc., Delaware Printing and Sales Co., Delawarean Publishing Co., Delaware State Corporation Charter Company, Demuth American Aircraft Corporation, Dennison Accessories, Incorporated, Depositors Bankstock Corporation, Denver Basin Oil Company, The, Desert Express, Inc., Detroit Engineering Company, Detachable Heel Company of America, Desota Land & Lumber Company, Development

PROCLAMATIONS

Corporation, The, Development Promoters, Inc., Dexcar Trading Company, Inc., Diamond Agate Corporation, Diamond Cabinet Company, Diamond Insurance Agency, Inc., "Did Ja" Corporation, Diatomaceous Products Company, Delaware Refining Company, Diamond State Charter Company, Diamond Suspender and Garter Company, Dixie Amusement Enterprise, Inc., Display Advertising Corporation Dixie Brick & Tile Company, District Beverage Company, Discol Company, Inc., Divisional Holding Corporation, Dixie Hatcheries, Inc., District Heights Construction Company, District Realty Company, Direct Steel Corporation, Dodds Electrical Engineering Company, Doctor Miller Laboratories, Inc., The, Dobbins Machine Gun Corporation of America, Dominion Abrasive Wheel Co., Dollar Cleaning Company, Domestic Engineering Corporation, Dominica Enterprises, Inc., Dominican Naval Stores Corporation, Domestic Utilities Corporation, Donnelly Boot Shop, Inc., The, Donald Brothers, Incorporated, Douglas Court, Inc., Dorsey Corporation, Douglass County Packing Company, Dover Coca-Cola Bottling Company, Doverhall Club, The, Double Tier Bus Company of America, Doris Vacuum Cleaner Company, Dorland Waltenbaugh Company, Doylestown Agricultural Co., The, Dramatone Corporation, Drosadine Chemical Company, Dri-Kold Manufacturing Company, Dudleigh Court Apartments, Inc., Dudley Oil & Gas Company, DuPont Publishing Company, The, DuPont-Pathe Film Manufacturing Corporation, Dump Truck Corporation, The, Duplex Compressor Company, The, Duplex Manufacturing Co., Inc., Dunntile Products Company, Dunn Wheat Co., The, Dutchess Oil Corporation, Durham Paper Mills, Inc., Dwinellie Drug Company.

Easton Crown Company, The, Eas-E-Roll Company, Eagle Eye Royalty Company, Eastern Ecuador Development Company, E. E. Norton & Company, E. F. Goldham, Inc., Eastern Food Products Corporation, Earnest Finance & Mortgage Company, Eastern Gasoline & Oil Co., Eames Hat Manufacturing Company, Easton Industrial Loan Company,

PROCLAMATIONS

Inc., E-Jay's Orange Shops, Inc., Eastern-Kansas Oil Company, Easton Manufacturing Company, Eastern Mexico Power & Electric Co., Eastern Oil Products Company, Eastern Old Colony Club, Inc., Eastern Pennsylvania Purecold Corporation, E. R. F. Timer Company, The, Eastern Retail Pork Dealers Company, Inc., The, Eastern Shore Development Company, Eastern Supply Company, E. Shane & Co., Inc., Eastern Truck Corporation, Eastern Trading Company, E. W. Pennypacker & Co., E. W. Ross, Inc., E. & W. Company, E-Z-Bilt Manufacturing Company, Economy Building Products Co., Eberhardt Electric Company, Economy Motor Sales & Service Corporation, Economy Sales Company, Inc., Economy Vigil Light Holder Company, The, Educational Advancement Association, Inc., Eez Corporation, The, Egg-sact Egg Equipment Company, Edge Hill Holding Corporation, The, Efficiency Products Company, Educational Review, Incorporated, Edgar Weil, Inc., Eighth Street Realty Company, El Bacco Company, Electric Cotton Picker Co., Inc., Electone Company, Inc., Electric Finance Company, The, Electric Luminator Advertising Company, Elk Mills Rayons Corporation, Elaterite Paint Sales Corporation, Electric Pier and Amusement Company, Electro-Steam Iron Manufacturing Corporation, Electric Steel Products Company, Electric Truck Transportation Corporation, Ellwood Company, The, Elwood Manufacturing Company, Elmhurst Park Realty Co., Ely Queensborough Plaza Corporation, Elm Realty Corporation, Elton Studios, Inc., The, Equities Corporation, The, Endurance Engineering Corporation, Emil F. Krokoske Company, Engineering & Foundation Corporation, Equity Investment Company, Emporium Iron Manufacturing Corporation, Equitable Land and Mortgage Company, The, Embry & Murray, Inc., Engineering and Management Corporation, Equitable Realty Investment Corporation, The Equitable Supply Company, Eugene Arnett, Incorporated, Essex Cotton Mills, Inc., Eskalon Company, Es'Clair Brassiere Company, Eureka Flint & Spar Company, Eugene G. Miller Hotel Corporation, Essanay Knitting Mills, Inc., Eugenio Leone Mfg. Co., Etna Mineral Springs Park, Inc., Eureka

PROCLAMATIONS

Manufacturing Company, Ethyl Zink Profit Sharing Company, Express Auto Service, Inc., Exploration Company, The, Everybody's Chewing Gum Corporation, Excelsior Finance Company, Everlast Heel & Rubber Company, Even-Heat Oil Burner Corporation, Ever-Hot Water Heater Corporation, Executives Holding Corporation, Inc., Everett Hotel Company, Everywoman, Inc., Everlasting Metallic Roofing and Siding Company, Excerpta Medica Company, Inc., Express Mining Company, The, Export Oil Corp., Ever-Ready Dishwasher Corporation, Exposition Service, Inc., Evans-Steel, Incorporated, Express Spark Plug Corporation, Evolution Toothbrush, Inc.

Fairman Coal Corporation, F. De Rewal Company, F. E. I. Sales Corporation, Famous Fain Co., Inc., Fairmont Finance Company, Fairmount Foundry Co., Famous Names, Inc., F. P. Renald & Company, Fanfax Publishing Company, Fairview Park, Inc., F. Y. Kitzmiller Sons Company, Farm-Home Development Company, Farmastic Paint Company, Faucet-Aid Manufacturing Corporation, Favorite Bakeries, Inc., Faulkner Corporation, The, Faulconer and Proctor, Incorporated, Federal Banking Service, Inc., Federated Cereal Mills, Inc., Fencarlton Construction Co., Inc., The, Feminol Chemical Co., Fenner & Co., Federal Finance Company of Wisconsin, Federal Lumber & Manufacturing Company, Fell Lackawanna Coal Mining Company, Feldstern & McCusker, Inc., Federal Motor Freight Lines, Incorporated, Fedco Marine Appliance Corporation, Federal Motor Freight Corporation, Federal Oil Co., Federal Purchase Corporation, Federal Realty Service Corporation, Federal Stores Corporation, Federal Syndicating & Merchandising Company, Fennell-Texas Oil Company, Ferguson & Brown Company, Fertilizer By-Products Corporation, Fidelity Finance Company of America, The, Fimo Finance Company, Fidelity Interstate Coach Co., Inc., Fidelity Loan Corporation, Figure Properties, Inc., Fidelity Supply Co., Fidelity Service Corporation, The, Firlin Corporation, Finance Corporation of America, Fire & Flame, Inc., Finkelstein & Kressler, Inc.,

PROCLAMATIONS

First National Finance Corporation, First National Realty Bond and Mortgage Corporation, First National Bond & Mortgage Co., of America, Financial Service Publishing Company, First Securities Corporation of Gallup, Financial Service Corporation of America, Fire Safety Corporation of America, Finance & Trade Corporation, The, Fishing Creek Water, Power and Mining Company, Fischer Millinery Stores, Inc., Fitzpatrick Realty Company, Flexo-Motive Corporation, Fleming-Schwartz Corporation, Florida Agricultural and Development Corporation, Florida, Corporation of America, The, Florida Development & Investment Corporation, Florida Estates, Inc., Floridian Homes & Lumber Company, Inc., Florida Improvement Corporation, Florida Oil and Land Company, The, Floyd O. Howarth Oil & Gas Company, Florida Permanent Development Corporation, Florida Poultry Corporation, Flicker Patents Corporation, Florida Realtors, Inc., Florida Syndicates, Inc., Florida Sales & Developing Co., Florence Silver Mines Company, Florida Tropics Development Company, Florida United Land and Investment Co., Florida Water Truck Company, Foltz Coal Mining Corporation, Fontaines, Inc., Foods, Incorporated, Foster Catering Company, Foreign Concessions Corporation, Founders Finance and Discount Corporation, Fownes Oil & Gas Company, The, Forward Publishing Company, The, Foy and Powers, Inc., Fox Products Manufacturing Co., Formby Petrinite Corporation, Fort Pitt Oil and Gas Company, Foundries Service Corporation, Fort Summer Oil Company, Franco-American Corporation, The, Franc-Azteca Petroleum Co., Inc., Franklin Brown Hosiery Co., Inc., Franklin Coal Corporation, Frank Furedy Holding Company, Inc., Franklin 5c to \$1.00 Stores, Inc., Frad Games, Inc., Franklin Home Builders, Inc., Francis Jordan, Inc., Franklin Loan Society, Franklin Mortgage & Investment Co., Inc., Franklin Motor Sales Company, The, Franklin Manufacturing Corporation, Franklin Pottery, Incorporated, Fraternity Shop, Incorporated, The, Frankford Varnish Co., Inc., Franklin Warehousing Company, Frederick A. Niethamer, Incorporated, French-American Opera Comique Company, Fremont Construction

PROCLAMATIONS

Co., Freedom Foundation, Inc., French Maid, Inc., The, French Village, Inc., Friedel Bros., Milling Co., Fruited Cereal Company, Fruto Co., Inc., The, Frigair Company, The, Furcolo Rubber Heel Mfg. Co.

G. C. Hill Construction Company, Inc., G. H. Stahl & Co., Inc., G. Henry Stetson, Inc., G. Lance Brown Company, Inc., Gano Moore Coal Mining Company, Galisteo River Orchards Co., Gale Rhythmic Health Training Institute, Inc., Gabel Sawmill Company, Gackenbach and Treat, Inc., G. & T. Corporation, The, G. W. Bowen Realty Co., Inc., G. W. Becker Manufacturing Company, The, Gardner Bakeries, Inc., Gasoline Consumers Association, Gavin-Ellis Steel Manufacturing Corporation, Gavin-Ellis Detachable Steel Wheel Company, Inc., Gary Homebuilders, Inc., Garrick Maintenance Company, Gary Motor Corporation, Gazette Publishing Company, Gasparilla Production, Inc., Gasoline Producers Corporation, Gas Protective Company, Gateway Park, Inc., Gaston, Williams & Wigmore, Far Eastern Division, Inc., Gaston, Williams and Wigmore Electrical Engineering Corporation, Georgetown Auto Company, Georgia Agricultural & Development Co., Inc., General Airways, Inc., George A. Breon & Company, Inc., General Building, Inc., The, Gelston Concrete Blocks Company, General Company, The, General Combustion Engineering Corporation, Georgia Concrete Products Company, Inc., General Elevator Company, Inc., Georgia Goldfields, Incorporated, Georgia Gold Extracting Co., General Home Improvement Company, Inc., General Heating Corporation, General Lead and Zine Corporation, General Mortgage Company of California, Gehris Motor Company, George M. Brazer, Incorporated, General Pacific Corporation, General Purchasing and Supply Company, General Realty & Investment Company, General Radio and Talking Machine Co., General Securities Company of Dallas, Gearless Transmission Co., Gerhardt-Voigts Co., Inc., Geo. W. De Haven Co., Gibb & Brown, Inc., Gibraltar Manufacturing Company, Gibraltar Stucco Company, Inc., Girard Cold Storage & Products Company, Gillock Development

PROCLAMATIONS

Company, Ginsburg Furniture Co., Inc., Gilmore-Harris-Hornbeck Co., Gillen Laboratories Corporation, Girard Manufacturing Company, Gillette Motor Products Corporation, Gilsonite Rock Asphalt Company, The, Gilbert-Read Corporation, The, Gillespie Steamship Corporation, The, Girard Upholstering Company, Glaser Candy Company, Glacifer Company, The, Glocardax Company, Glandex Company, Inc., The, Globe Fibre Specialty Company, Globe Rock Asphalt Company, Go-Gas Company, The, Godfrey Manufacturing Company, Goddard and Roehm Company, Gold Bullion Production & Manufacturing Company, Golden Eagle Mining Corporation, Goldstein-Gellman, Inc., Gold Ledge Mines and Holding Corporation, The, GOL-Mar Auto Supplies, Inc., Gold Ore Mines of Idaho, Inc., Gold (Plus) Corporation, Golden Rule Mining and Development Co., Gordon Folwell Dickson, Inc., Govatos and Lagges, Inc., Gove Oil & Gas Co., Gordon R. Cowie Organization, Inc., Grains of Health Products Co., Grant Inventions Company, Inc., Graphite Mines Corporation, Grant Oil Corporation, Grand Rapids Cooperative Oil Company, Grand Rapids Wholesale Furniture Show Rooms, Inc., Graham Wilson, Jr., Inc., Great Bras d'Or Gypsum Company, Great Eastern Airlines, Inc., The, Green Key Drug Company, Great Lakes Packing Co., Greeson Manufacturing Company, Great Southwest Power & Development Company, Gregory Auto Awning Corporation, Grillite Corporation of America, The, Griggs Company, The, Grizzard Manufacturing Co., Inc., Griffith Mortgage & Development Co., Griffin Refining and Producing Company, The, Groscup Realty Company, Growers Sales Agency, Inc., Gulfport Amusement Company, Gulf Coast Company, Guaranty Company, The, Gulf Coast Orchards Syndicate, The, Guardian Company of Philadelphia, Inc., Guarantee Corporation of America, Gwynn Developing Co., Inc., Guardian Discount & Finance Corporation, Guy Disc Valve Motor Corporation, Guardian Gasoline Corporation, Guthrie Lithograph Company, Gulf and Lake Realty Corporation, Gummey McFarland & Co., Inc., Guardian Mortgage Credit Corporation, Guild Publishing Company, Inc., Guadalupe Petroleum Com-

PROCLAMATIONS

pany, Gulf Stream Lumber Corporation, Gulf States Construction and Development Co.

H. Arthur Engleman, Inc., H. B. Distributing Company, H. C. S. Cab Manufacturing Corporation, Haddonfield Construction Company, Haddock Corporation, The, H. D. Patterson Company, H. G. Carryl, Incorporated, Haddon Lake Company, H. M. Apfelbaum, Incorporated, H. M. Foster Co., H. & M. Petroleum Company, H. P. Michaelis Company, H. S. Comly, Inc., H. W. Pinkerton Auto Co., Hall Air Lock & Railway Supply Co., Hale Construction Company, The, Halbert-Grier Construction Co., Hal H. Williams Company, Hall Research Corporation, Hamilton Construction Company, Hamilton Mines, Inc., Hammond Typewriter Corporation, Hamilton Triplex Razor Co., Inc., Handy Distributing Corporation, Hancock Daily Mines Co., Harco Company, The, Haroko Company, Inc., The, Haring Co., Harmon Corporation, The, Harold C. Gage, Incorporated, Harco Coal Company, Harkness Garage, Inc., Harbens, Inc., Harper Institute, Inc., The, Harlan-Knox Coal Company, Harmony Milk Company, Harry A. Schmehl, Inc., Harry B. Cohan, Inc., Harris Crankless Engine Corporation, Harry Davis Iron & Steel Company, Harrisburg Engine and Manufacturing Company, Harris Indirex Light Corporation, Harry L. Black's Garage, Incorporated, Harris Zinc Process Company of Michigan, Hartzell Company, Hartman Construction Company, Harvard Development Company, Hays Plate Glass Company, Hayden Real Estate Corporation, Hayden Stern & Co., Heat Equipment Corporation, Health Hold Underwear Company, Health Institute of Texas, Incorporated, Heat Engineers, Inc., Head Petroleum Corporation, Headex Remedy Company, Heating Service Corporation, Helmar Development and Construction Company, Hendershot Electric Company, Henry Gehring Company, The, Henkle Manufacturing Corporation, Henry M. Neely Publishing Company, Henn-O-Kemp, Inc., Henderson Screen Corporation, Hesson Company, The, Herman E. Greenberg Company, Inc., Hermosa Hosiery Mills, Inc., Herald Harbor, Incorporated, Herndon Oil Company, Hercol

PROCLAMATIONS

Process Company, Herb Pennock Silver Foxes, Inc., Hermine Shone, Inc., Highway Motor Coach Company, Highland Nurseries, Incorporated, Highway Specialties Corporation, Hi-Test Products Company, High View Land Company, Highland View Manufacturing Co., Hill Construction Company, Hill & Company, Hilles-Dobbs Company, The, Hill Furniture Company, Hilltop Investment Company, Hiland Land Company, Hilltop Manor Co., Hillard Typewriter Company, Inc., Hinkley Motors and Parts Corporation, Hiram Tyree Products Corporation, Hof-Lak Products Corp., Hoff Metal Products Co., Hoffman Motor Company, Hollywood Bond & Mortgage Corporation, Hollywood Discount Company, Hollister Development Corporation, Hollywood Film Productions Co., Hollyoak Water Company, Holz-Good Mfg. Co., Inc., Holstein Harvey National Co., Holston, Mining & Development Co., Home Bond & Mortgage Company, Home Commercial Co., Home Finance & Builders, Inc., Homestead Finance Corporation, Honk Kong Low, Inc., Hopkins-McNeil Investment Co., Home Products Incorporated, The, Home Products Corporation, Honesdale Radio Corporation, Horn Steamship Lines, Inc., Horticultural Service Company, Hotel Blossburg, Inc., Hotel DuPont of Washington, D. C., Incorporated, Hotel Operating Company of America, Household Refrigeration Corporation, Hotels Trading Corporation, Hoyburn Co., Hudson Bridge Development Co., Inc., Hubbell Mask Company, The, Hudson Navigation Corporation, Hubbard Publishing Co., Inc., Hudson-Stevens and Company, Hudson Tours, Incorporated, Hughes, Incorporated of California, Hungarian Day, Incorporated, Hundredge, Inc., Hydro-Electric Development Corporation, Hyeia Lock Sales Corporation, Hydraulic Transmission Auto Co.

Improved Brick Corporation of Delaware, Imperial Coal Mining Company, Ideal Camp (Incorporated), Imbrie & Co., Immediate Commercial Company, Illinois Farmer Co., Ideal Garbage Container Co., I. Gilbert Kaplan, Incorporated, Ian Import and Export Trading Co., Inc., Idaho Mines Corp., Immigrant Press Publishing Company, Imperial Refining

PROCLAMATIONS

and Pipe Line Company, Imperial Ship Building Corporation, Ideal Truck Equipment Company, Industrial Associates, Inc., Industrial Bankers, Inc., Investors Bond & Mortgage Co., Individual Cold Storage Unit Co., Inc., Industrial Chemical Research Corporation, The, Infibro Co., Inc., Industrial Credit Corporation of San Luis Obispo, Industrial Engineering & Finance Corp., Investment Foundation, Inc., Indian Fork Coal Corporation, Industrial Institute, Inc., Industrial Lending & Credit Corporation, Interstate Mortgage Security Company, Interstate Mortgage and Guarantee Company, The, Independent Oil & Drilling Company, Interocean Products Company, Income Properties Corporation of America, Inca Production Company of Delaware, Inca Petroleum Corporation, Integrity Realty Corporation, Industrial Representatives, Inc., Investors Realty Corporation, Inland Sugar Refining Company, Industrial Sales Corporation, Intracoastal Steamship and Navigation Company of Mexico, Indian Spring Golf Club, Independent Sprinkler Company, Investors Service and Mortgage Company, Inc., Interstate Theatres, Incorporated, Independent Whaling Company, Inc., International Aeriola Corporation, International Automobile Service Corporation, Interstate Amusement Co., International Brown Boveri Securities Corporation, Interstate Bonding and Investment Company, International Colograph Corporation, International Crusaders, Inc., International Contracts, Inc., International Franco-American Corporation, The, International Foot-Wear Products Corporation, International Fibre Coöperage Company, The, International Industrial Chemical Corporation, International Iron and Steel Corporation, The, International Laboratories, Inc., International Music Corporation, International Multigraphing Machine Co., International Mail & Package Tie Company, International Marine Salvage Corporation, Inter-National Engineers Service, Inc., International Patents Holding Corporation, International Rayon Braid Company, Interstate Realty Associates, Inc., Inter-State Sand & Gravel Company, International Society for Universal English, The, Interstate Trust Company, International Utilities Corporation, Italo-

PROCLAMATIONS

American Films Corporation, Israel Silver, Inc., Italian Travertino and Marble Corporation, Irvin Theatre Corporation, Irish Hotels Corporation, The, Iowa-Montana Oil Company, Irving Metallurgical Corporation, International Trustee & Registrar Corporation of America, International Trade Developer Holding Corporation, International Trade Developer Corporation.

James A. Hogg, Inc., J. C. Sherry Manufacturing Company, Inc., Jacwarn Corporation, The, Janes Dietarian Corporation, The, J. E. White & Co., J. Fierman & Company, J. F. Smith Company, Inc., The, Iron Fireman Sales Company of Philadelphia, J. F. Baker Company, Inc., J. G. Miller & Company, J. G. Wright Manufacturing Company, James H. Owen, Inc., Jackson Garage, Incorporated, J. H. West, Incorporated, J. Harold Rapp Company, J. I. Brunson Medicine Manufacturing Company, Jacksonville Investment Securities Company, James J. English Company, J. J. Milburn & Company, Inc., J. K. Manos & Sons, Inc., Jacob L. Lebow, Inc., J. Leidy Tatem Secret Service & Detective Agency, Inc., Jameson Lodge Insurance Agency, Inc., The, Jay Mines, Inc., Jake Manufacturing Company, Inc., J. M. Furnas Electric Company, J. M. Amweg Co., Incorporated, The, Jantha Mining Company, Jack Nelson Music Co., Jamestown Oregon Lumber Company, J. P. Arango & Co., Inc., Jackson Realty Companies Trust, Jackson Stores Corporation, J. S. Ross and Co., Inc., Jacquard Silk Company, J. W. Floyd Company, James W. Dougherty Mfg. Co., Jim Barry, Inc., Jenkins Company, The, Jersey-Florida Realty Corporation, Jersey Holding Corporation, The, Jersey Oil Corporation, Jefferson Oil & Gas Company, The, Jersey-Penn Lands Co., Jega Products Corporation, Jebb Realty Service Corporation, The, Johanna Bieber, Incorporated, John Dockery Thompson, Jr., Inc., Johnson Furniture Co., The, John Garman Productions, Incorporated, John H. Wright, Inc., of Washington, D. C., John J. McGrath Company, John K. Tomlinson Corporation, The, John L. Milner Hardwood Lumber Co., John Potts Realty Company, Johnson Reo Com-

PROCLAMATIONS

pany, Jo Reynolds Mining & Milling Co., Inc., John Stoddard Development Corporation, John S. Trowers' Sons Co., Johnstone Tire Stores Co., Joseph A. Maxwell & Sons Commission Company, Joseph Chichiny Construction Co., Inc., Jones Dental Laboratory, Inc., Joseph Dicarbo Manufacturing Company, The, Jones Home Building Co., Inc., Joseph M. Adams & Co., Juares Consolidated Mining Co., June Oil Corporation.

Kanawha Coal Corporation, Kay Development Co., Inc., The, Kay Electric Company, Karnak, Incorporated, Katy King Oil and Gas Company, The, Kaweah Petroleum Corporation, Kay-Schnider-Kay Co., Inc., Katherine Treasure Vault Gold, Inc., Kansas Yellow Drivurself Company, Keith Albee-De Mille Exchange, Inc., Keeley Institute of Great Britain, Incorporated, Kellman Charter Corporation, The, Kelly Motor Company, Kenbee Builders, Incorporated, Kentucky Coal Corporation, Kent County Gas Company, Kentucky Coal and Land Company, Kentucky Carbonic Co., Kensington Loan and Storage Co., Kentucky Mining & Navigation Company, Kendall Machine Co., Incorporated, Kenyon Manufacturing Company, Kenyon Oil Company, Keokuk Power Transmission Company, Keystone Car and Equipment Company, Keystone Freight Corporation, Keystone Gas Engineering Corporation, Keystone Industrial Finance Corporation, Keystone Knitting Company, Keystone Knitting Mills, Inc., The, Ketchum & Mowen, Inc., Keystone Motor Service Company, Inc., Keystone Products Corporation, Keystone Pecan General Sales Corporation, Keystone Sales & Service Co., Keystone Slicing Stoker and Refractories Company, Inc., Keystone State Shoe Manufacturing Company, Keystone Travel Service, Inc., Keystone Weighing Machine Co., Kick-A-Poo Products, Inc., Kilton Elastic Tire Patch Company, Killarney Gardens, Inc., Kil-Glare Deflector Corporation, Kings County Credit & Discount Corporation, King Chemical Company, Kingham Hat Company, Inc., Kirkeby and Hand, Incorporated, King's Products, Inc., Kirkpatrick-Richards, Inc., Kinsley Steamship Lines, Inc., King Tut Corporation, Kleen-

PROCLAMATIONS

Heet Sales Co., of Washington, Klair and Hollingsworth, Inc., Klipto Loose-Leaf Company, Knox Coal & Lumber Co., Inc., Knittel Krawling Tractor Co., Kokomo Motor Car Company, Koral Company, The, Korjac Company, Inc., Kork Oil Company, Kraft Auto Sales Company, Inc., Krystal Corporation, Kresge and Company, Krystal, Inc., Kres-Kno-Oil-Gas Burner Corporation of New York, Kroyer Motors Company, Kruse Vapor Bath System, Inc., Kugel Corporation, Kyo-graph Photo, Inc., Kynro Pump Company, Kurek-Pospisil Corporation, The, Ky-Silica Asphalt Company, Kuebler Steel Co.

L. A. Nathan Company, The, Labor Bundle Corporation, Laguna Beach Hotel Corporation, Lake Champlain Vacation Camp, Inc., Lacquer Corporation of America, Lake Drive Co-Operative Oil Company, L. F. Haag and Company, Lake Glenada Company, The, L. G. Cates Packing Company, Lake Hall Fishing Club, Lackawanna Investment Company, Lahman Ice Company, Lady Margaret Company, Lake Oil Corporation, Lakeside Oil Refining Company, La Porte Industrial Development Company, Lacquer Products Company, Lakeland Pure Food Company, Lagler Paper Products Co., Inc., Laclede Petroleum Company, Laboratories Sales Corporation, Lamb Electric Store, Inc., Lamont Oil and Gas Corporation, Lambton Paint Products Co., Lambros Restaurant, Inc., Land Sales and Development Company, Lang's Furs, Incorporated, Lank Wood-Work Company, Inc., Larchmont Land Co., Inc., Lapin Manufacturing Company, Latin-American Oil Development Corporation, Latin-American Commercial Alliance, Inc., Latox Corporation, The, Laughs & Chuckles Publishing Co., Laurel Crystal Ice Company, Lauterwasser Institute, Inc., Laughlin Oil & Gas Company, Incorporated, Leading Finance Company, Leader Publishing Company, The, League for Perpetuating American Independence, Inc., Leerah Development Company, Leo A. Donahoe Sales Co., Leland Corporation, The, Lent Commerce Company, Leland Chiropractic College, Incorporated, Letha Gable Company, Lessmann Loader Manufacturing Company,

PROCLAMATIONS

Levin-Lapin Loan Association, Lex Chemical Company, Incorporated, Lewes Cement Brick & Coal Co., Lexington Community Builders, Inc., Lewes and Rehoboth Gas Company, Liberty Automatic Train Control and Stop Co., Liberty Coal Company, Li-Co-Sli- Inc., Lido-on-the-Delaware, Incorporated, Liberty Enterprise, Inc., Lightning Electrolyte Company, Liberty League Distributing Corporation, Lightcap Maytag Co., Inc., Lightfoot Oil Corporation, Liberian Produce Corporation, Liberty Radio Stores, Inc., Liberty School of Business, Inc., Liberty Sanitary Supply Company, Liberty Trust Co., Linville Canyons, Inc., Lincoln Coal and Supply Company, Lincoln-Douglas Life Insurance Company, The, Lincoln Farms Co., Lincoln Operating Company, The, Lion Products Company, Lincoln Park Association, Inc., Linoll Products Company, Inc., Lime & Stone Products Corporation, Linen Supply Equipment Corporation, Little Goddess Dress Co., Inc., The, Liscomb Manganese Products Corporation, Live Oak Producers Corporation, Livingston Oil Corporation, Livingston Refiners Corporation, Live Stock Cattle Loan Company of Omaha, Locktite Bridging Company, Lombard Corporation, Loeb Chemical Company, Logue Realty Co., Logan Valley Glass Company, Inc., Long, Kuntz Mining and Development Co., Lone Pine Mining and Milling Company, Louisiana Brick Company, Louisiana Equipment Corporation, Louis Fleisher Co., Inc., Louis Hall Company, Inc., Louisiana Loan and Investment Corporation of Monroe, Louisiana Milk Products Company, Inc., Louisiana Muskrat Ranch, Inc., Louisiana Public Service Company, Louisville Petroleum Refining Company, Lou-Val Company, Inc., Lower California-Mexico Gold Dredging Company, Loyal Legion of America, Inc., Lower Merion Manor Co., Lucky Tiger Oil Company, Lyons Artificial Silk Co., The, Lyon & Co., Inc., Lyndale Lakes, Inc., Lybolt Motor Sales Company, Inc., Lyon Realty Company.

Mackinole Advertising Co., Inc., M. B. Shantz & Sons, Inc., Mack Company, M. Drusin & Co., M. E. Anderson Company, Mac Gregor and Company, Inc., M. H. S. Paint Manu-

PROCLAMATIONS

facturing Company, The, M. F. Dougherty Company, Macken Motor Corporation, The, M. O. R. Products Co., The, Mac-Oleon Corporation, M. P. Wells, Inc., M. R. Young Company, Inc., M. W. Durham & Company, M. W. Oil Corporation, Madiero Brothers, Inc., Madison Building Company, Magruder, Hicks Manufacturing Company, Inc., Magnetic Ice and Cold Storage Corporation, Magma Mining & Milling Company, Madison Realty Corporation, Madison Square Garden Broadcast Corporation, Magma Sand Corporation, Madison Square Co-Operative Oil Company, Maier & Butress Company, Inc., Mahancy City Wholesale Grocery Company, Mahancy Creek Coal Co., Inc., Maison De France Corporation, Major Petroleum Company, Mammy Jinny Pie Co., Management Associates, Inc., Manhattan & Brooklyn Realty Corp., Manna Corporation, The, Maple City Manufacturing Company, The, Manufacturers Credit Corporation, Mapos Central Sugar Co., Manufacturers Direct Sales Corporation, Manor Development Co., Manchurian Development Company, Manchey-Enderle Co., Inc., Mandell Realty Company, Inc., Manufacturers Sales Company, The, Margaret C. Christie Publicity Service, Inc., Margrace Company, The, Marcum Creamery Company, The, Mardorn Chemical Corporation, Marine Hotel Corporation, Marglen Novelty Company, Maricopa Oil Company, Maracaibo Oilfields, Inc., Mardis Punctureless Tire Company, Marathon Radio Corporation, Maracaibo Securities Company, Margo Steam Laundry Co., Marshall Office Furniture Company (Incorporated), Marley Park Beach Land Company, Inc., Marmon Philadelphia Company, Market Realty Company, Market Securities Company, Market Square Supply Company, Marshallton Woolen Mills, Inc., Maryland Bond & Mortgage Corporation, Maryland Development Company, Maryland Diaton Products Co., Marvel Electric Cooker Corporation, Martself Fuel Products Company, Marvel Laboratories, Inc., Marvelite Mfg. Company, Martself Oil Corporation, The, Maryland Service Company, Maryland Steamship Company, Martha Washington Grocery Stores, Inc., Mason and Hamlin Co., Mason Investment Company, Massey & Company, Master Motors Service

PROCLAMATIONS

Corporation, Master Mfg. Co., Master Realty Corporation, Master Screen Corporation, The, Master Toy Distributors, Inc., Matson Heat Amplifiers, Inc., Mausoleum Construction and Finance Co., Inc., Maynor Company, The, Mauney Diamond Corporation, Mawson & Mawson, Inc., Mays Oil Burning Corporation, Mazdashea Pictures Corporation, Maxfield Phonograph Co., Maxwell Studio Hall Corporation, The, Mecca Co., The, Mechanical Gear Shift Co., Meeds-Moore Lumber Company, Meadows Manufacturing Company, Medical Press, Incorporated, The, Meldrums, Incorporated, Mentopine Corporation, The, Menhaden Fisheries Corporation, Menthol Liniment Company, Mendelin Petroleum Corporation, Merchants Export Cotton Corporation, Mercantile Electric Company, Mercantile Finance and Acceptance Corporation, Merchants Guarantee Finance Company, Merad, Inc., Mere, Incorporated, Merchants-Manufacturers Corporation, Merchants & Manufacturers Finance Corporation, Merchants Oil Company, Merit Products Sales Company, Messenger Publishing Corporation, Metropolitan Bond and Mortgage Company, Metropolitan Coal Corporation, Met Co., Inc., Metalcraft Corporation, Metropolitan Fidelity & Surety Corporation, Metropolitan Hotel Activities, Inc., Metropolitan Mortgage-Securities Company, Inc., Metropolitan Mortgage Company of America, Metropolitan Roofing and Contracting Co., Metropolitan Realty, Inc., Mexican Gulf Fisheries, Inc., Midas Corporation, The, Mid City Stores, Inc., Midsouth Development Company, The, Middletown Drug Company, Michigan Household Service, Inc., Miami Income Properties, Incorporated, Midwest Investment Corporation, Michigan Music Company, Inc., Michigan-Ontario Mines, Inc., Michigan Oil Development Co., Midas Pacific Coast Trade Mark Bureau, Inc., Midland Power Company, The, Midlakes Realty Corporation, Milk Bottle Holder Corporation, Milk-Fed Poultry, Inc., Milford Hotel Corporation, Milford Rendering Company, Mildale Textile Corporation, Mill Creek Mining and Developing Co., Millard Mfg. Co., Millville Natatorium Corporation, Miller Paint and Varnish Company, Minox Chemical Corporation, Minimovie Corporation

PROCLAMATIONS

of America, Minute-Man Wheel Company, Mineral Pigment Company, Mirviss Company, Incorporated, The, Miramar Fruit & Packing Company, Mirimar Holding Company, Missouri Coal and Oil Corporation, Missouri Rob't E. Lee Hotel, Inc., Missouri Valley Company, Mitcheson-Jesser Manufacturing Company, Mizpah Lumber and Building Company, Mixol Manufacturing Company, Ltd., Model Tailors, Inc., Montebello Amusement Company, Inc., Montana Carbon Black Corporation, Monroe County Oil Corporation, Monroe Investment Company, Monarch Knitting Company, Inc., Montana Ranching Corporation, Montana Ranch Club, Inc., Montvale Springs Corporation, Montgomery Silk Mill, Inc., Monarch Steamship Corporation, Monongahela Speedway, Inc., Mooney Plan Corporation, The, Morock Asphalt Company, Morris Bros., Inc., Morgason Company, Inc., Morosco Enterprises, Inc., Moroccan Estates, Incorporated, Morgan Grain Company, Incorporated, Moroccan Trading Co., Mortgage Service Corporation, Mortar Supply Company, Inc., Mossell Amusement Corporation, Motor Bond and Share, Incorporated, Motor Car Sales, Inc., Motley Corporation, The, Motor-Ease Sales Agency, Inc., Motor Finance Company, Inc., of Maryland, Motor Heating Corporation, Motors, Inc., Moss, Inc., The., Mototeria Operating Co., Mossburg Poultry Co., Motion Picture Guild of America, Inc., Motor Plates Corporation, Motor Radiator Manufacturing Corporation, The, Motor Stores, Incorporated, Motor Transport Corporation, Mosnat Tree Company, Inc., Mt. Aetna Products Company, Mt. Carmel Lodge of Newark, Incorporated, Mt. Lebanon Builders Supply Corporation, Mountain Spring Water Ice Co., The, Mt. Vernon Hotel Company, Mount Vernon Realty Corporation, Moyer Fence Company, Mulholland Company, Inc., Muller Engineering Company, Multiplate Valve Company, Murphy Construction Company, Music Master Corporation, Murray Packing Co., Inc., The, Mushroom Specialty Machinery Co., Inc., Mushroom Transportation Company, Inc., My Candy Company, Inc., Mutual Development Corp., Myers, Darling & Hinton Co., of Arizona, Inc., Mutual Finance and Thrift Co., of Pasadena, Mutual Finance

PROCLAMATIONS

& Mortgage Company, Mutual Music Mart, Inc., Mutual Royalties Corp., Myers Radio Laboratories, Inc., Mutual Real Estate Company.

McAdoo Petroleum Corporation, McCready Land Company, McClellan Machine Company, McClellan Refrigerating Company, MacFadden & Company, Inc., McGuckin, Fottrell Publishing Company, McGee and Magruder, Inc., McIlvaine Aircraft Company, The, McKeen-Peen Oil & Gas Pressure Corporation, MacLaren Manufacturing Company, McMullan-Ward Oil Corporation MacNeece Metallic Tire Corporation.

Nadell Co., Nallin Ice Cream Co., N-Oel Metal Corporation, N. and W. Stores, Inc., Nash Brinlee Company, Natstone Chicago Corporation, Natura Food Products Company, Naval Reserve Oil Company, National Automatic Service Corporation, National Automatic Radio Company, National Automatic Stores, Inc., National Arena and Amusement Corporation, National Auto Products Corporation, National Autometer Restaurant Corporation, National Automatic Knitter Company, National Baking Products Company, National Bank Protective Service, Inc., National Business Corporation, The, National Cosmetic Company, National Chemico Electric Corporation, National Co-operative Development League, Inc., The, National Chemical Products Company, National Children's Home and School, Inc., The, National Construction Company, National Carpet Cleaning and Damp Wash Company, National Capital Properties, Inc., National City Finance Company, National Contracting Company, National Credit Reporting Company, National Co-Operative Oil Company, National Drug Products, Inc., National Delivery Association, Inc., National Discount and Finance Company, National Drug Manufacturing Company, National Engineering Corporation, National Educational Council for Foreign Travel, Inc., National Electric Stores, Inc., National Electrical Appliance Corporation, National Electric Water Heater Corporation, National Farms, Inc.,

PROCLAMATIONS

National Gas and Chemicals Company, National Home Seekers Association, National Highway Lodges, Inc., National Hotels Corporation, National Industrial Laboratories Corporation, National Indemnity and Security Company, National Industrial Exposition Corporation, National Industrial Development Corporation, National Lubricating Systems, Inc., of America, National Laboratory Products, Inc., National Motor Transit Lines, Inc., National Mortgage Discount Company, National Mine Development Company, National Motor Racing Association, National Mint Company, National Navigation Company, National Natatorium Corporation, National Playhouses, Inc., National Petroleum Finance Corporation, National Powder Paint Co., National Piston Corporation, National Refreshment Distributing Co., National Rock Asphalt Company, National Rubber and Packing Corporation, National Royalty Company, National Rim Corp., National Small Loan Bankers Corporation, National 'Surfo Burner Corporation, National Safety Fenders Corporation, National Safety Oil Burner Corporation, National Spring Products Company, National Surfo Oil Burner Sales Company, National Vehicle Rim Corporation, Neithercott Hat Manufacturing Company, Neel Finance Company, The, Nelson Land Clearing Development Co., Neff-Moon Toy Company, The, Neilhurst Property Company, The, Nevada Metals Corporation, Nevada Verde Gold, Inc., Neshaminy Valley Country Club, New Brunswick Natatorium Corporation, New England Mills Co., Inc., New England Motor Markets, Inc., New Era Development Corp., New England Tobacco Company, Incorporated, The, New England Industrials, Inc., New Fiction Publishing Corporation, New Griffin House Hotel Co., Inc., New Idea Chocolate Company, Inc., Newark Ice, Coal & Supply Co., New Jersey Silk Lingerie Corp., New Jersey Mutual Benevolent Association, Inc., Newark Opera House Co., Newcastle Paper Products Corporation, New River Coal Company, Newark Realty Company, New Salem Ice Cream Company, Newark Superfuel Company, New York Artificial Stone Co., Inc., New York Quality Shop, Incorporated, New York School of Physio-Therapy,

PROCLAMATIONS

Inc., New York and Western Airways, Inc., Nichols Company, The, Nicksal Construction Company, Inc., Nichols Centrifugal Products Corporation, Nieldes Sport Goods Company, Inc., No Flame Laboratories, Inc., No-Mor Products Co., Inc., The, Noco Production Company, Nonpareil Company, The, Noll Electric Steam Heater Company, Nomad Kit Bag Co., Inc., Nolond Trading and Securities Corporation, Norma Chemical Company, Inc., Norfolk Grain Corporation, Normont Investment Company, North American Paper Company, North American Fluorspar and Lead Corporation, Northside Auto Company, North American Timber Corporation, North Asiatic Company, Northwest Bankers Holding Company, North East Concrete Products Company, Northeast Finance Company, Northwest Fur Colonies, Inc., Northern Lignite Products Company, Northeastern Mausoleum Co., The, North Penn Washer Company, North Penn Oil Company, North Shore Stutz Corporation, North State Land & Investment Company, Inc., The, Northeastern Stevedoring & Lighterage Co., Inc., North Side Motor Co., North Texas Company, The, Northwest Utilities Securities Corporation, Nustile Fabrics Corporation, Nu-Trom Radio Equipment, Inc.

O. B. C. D. Bread Sales Co., O'Connor Spiral Pump & Blower Co., O. F. Moore Company, The, Oaklander, Inc., The O. J. Stevens & Company, Oak Lane Manor Corporation, Oakland Motor Sales Corporation of New Castle, Pa., Oakland Precooling and Cold Storage Company, O'Reilly and Company, Incorporated, Oakmont Restaurant, Inc., O'Sullivan Rubber Co., Ocean City Ice and Cold Storage Company, Ocean City Natatorium, Inc., Occidental Iron Corporation, Octave Mining and Milling Company, Oceanic Oil Corporation, Ohio Amiesite Plant, Inc., Oil Field Refining Company, Ohio Gasoline Co., Oil-Ift Manufacturing Company, Ohio and Mississippi Transport Company, The, Oklahoma Oil Corporation, Ogalalla Petroleum Company, Ohio River Lumber Company, The, Ohio Refining Company, Oil Well Device Corp., The, Oil Well Flowing Company, "Old Bleach" Linen

PROCLAMATIONS

Co., Ltd., Inc., The, Omohundro Co., Inc., Olmore Corporation, The, Old English Ginger Ale Corporation of America, Olyphant Gas and Oil Company, Old Mortgage and Finance Company, Olen-New Mexico Oil Company, Olympic Oil and Gas Company, Operators Coal Company, 1701 Sixteenth Street, Inc., Oriental Concessions Company, Orange Crush Bottling Company, Ornamental Cut Stone Company, Ore Development Company, Inc., Ormond Holding Company, Orme Mahogany Company, Ord Mines, Inc., Oralastic Rubber Products Corporation, Orviston Supply Co., Oregon Wool Corporation, Ortez Y. Co., Inc., Outdoor Amusements, Inc., Outdoor Advertising, Inc., Owens Engineering & Construction Company, Overbrook Mutual Loan Association, Owl Motor Service Station, Inc., Oxford Oil Company, Overland Oil and Gas Co., Overland Petroleum Company, Owen Properties, Inc., The, Ozark Vineyard Association, Oxford Waste Co., Inc.

Pacific-Atlantic Development Company, Packard Auto Heater Corporation, Pacific Agencies & Trading Company, P. and A. Spark Plug Corporation, Pacific Coast Theatrical Corporation, Pacific Credit Service Company, P. D. Q. Co., The, P. & E. Gold and Silver Mining Company, Pacific Fruit Dispatch, Inc., P. M. Jones, Inc., Package Medicine Publishing Company, Pacific Molybdenum Mines, Inc., Pacific Petroleum Corporation, Pacific Royalty Company, The, P. R. R. Maryland Division Athletic Association, Pacific States Holding Company, Pacific States Securities Investment Corporation, Padgett-Stokes, Inc., Pacific States Discount Corp., Pacific Stores, Inc., Paige-Jewett Company of Allentown, Paint Pigment Company of America, Pan-American Rubber Company, Pan-American Double Trap Company, Pan-American Feed Milling Co., Palm Beach Inquirer Publishing Company, The, Palm Beach Ocean Realty Company, Panther Coal Company, Paper Container Patents Corporation, Palmer Creamery, Incorporated, Palestine Economic Corporation, Palace of Fashion, Inc., Palisades Hotel Company, Palace Line, Inc., Pall Mall Petroleum Corporation, Pan-Okla Oil Corporation

PROCLAMATIONS

of America, Pan-Oklahoma Oil Co., Panther Realty and Development Company, Palmer Securities Corporation, Pandora Sign Corporation, The, Parfay Company, The, Paris Modes Corporation, Paramount Mutual Sales Corporation, Paramount Motors Corporation of The Pacific, Parafin Oil Company, Parisian Products, Inc., Parker Regan Corporation, Park Realty Co., Inc., Parking Terminals Corporation, Paul Brothers, Inc., Pay Day Mining Corporation, Pasadena El-Monte Silver Mines Corporation, Patent Garment Corporation, Payson Gold Mining Company, Passmore and Murphy, Inc., Pascol Oil Burner Sales Corporation, Pawnee Petroleum Corporation, Patuxent River Sand and Gravel Company, The, Peau Belle Laboratories, Inc., Peerless Cutter Corporation, Peerless Cleaning and Clothing Corporation, Pecan Development and Producers Corporation, Peach Kaolin Company of Del., Pearl Manufacturing Company, Pedro Pump Company, Syndicate, Peerless Sand Company, Peabody Stone & Company, Peck Safety Windshield Corporation, Pelican Development Company, Peen Auto Body Works, Inc., Pennsylvania Automatic Service Company, Inc., Pennsylvania Builders Material Corporation, Pennsylvania Central Railroad Company, Pennsylvania College of Naturopathy, Inc., Peninsula Driller, Inc., Penn-Del Products, Incorporated, Pennmore Development Co., Penn Eden Oil Co., Pennsylvania Electric Products Company, Pennsylvania First Trust, Inc., Pennsylvania Holding Company, Penn Industries, Inc., Pennsylvania Legion News, Inc., The, Penn Limestone Company, Inc., Pennsylvania Mill Work Company, Pennsylvania Mortgage and Loan Company, Pennsylvania Novelty Company, Inc., Penntucky Oil Co., Penzales Oil Company, Penn-O-Tex Petroleum Products Sales Corporation, Pennsylvania Refining Company, The, Penn-Stroud Manufacturing Co., Inc., Penrod Shoes, Inc., Penn Union Automobile Company, Penn Valley Petroleum Corporation, Perfection Electric Company, Inc., Peoples Association of Philadelphia, The, Peplax Company, Inc., Perfection Electric Company, Inc., Perna Engineering and Contracting Company, Perry-Hampton Springs

PROCLAMATIONS

Co., Ltd., Inc., The, Omohundro Co., Inc., Olmore Corporation, The, Old English Ginger Ale Corporation of America, Olyphant Gas and Oil Company, Old Mortgage and Finance Company, Olen-New Mexico Oil Company, Olympic Oil and Gas Company, Operators Coal Company, 1701 Sixteenth Street, Inc., Oriental Concessions Company, Orange Crush Bottling Company, Ornamental Cut Stone Company, Ore Development Company, Inc., Ormond Holding Company, Orme Mahogany Company, Ord Mines, Inc., Oralastic Rubber Products Corporation, Orviston Supply Co., Oregon Wool Corporation, Ortez Y. Co., Inc., Outdoor Amusements, Inc., Outdoor Advertising, Inc., Owens Engineering & Construction Company, Overbrook Mutual Loan Association, Owl Motor Service Station, Inc., Oxford Oil Company, Overland Oil and Gas Co., Overland Petroleum Company, Owen Properties, Inc., The, Ozark Vineyard Association, Oxford Waste Co., Inc.

Pacific-Atlantic Development Company, Packard Auto Heater Corporation, Pacific Agencies & Trading Company, P. and A. Spark Plug Corporation, Pacific Coast Theatrical Corporation, Pacific Credit Service Company, P. D. Q. Co., The, P. & E. Gold and Silver Mining Company, Pacific Fruit Dispatch, Inc., P. M. Jones, Inc., Package Medicine Publishing Company, Pacific Molybdenum Mines, Inc., Pacific Petroleum Corporation, Pacific Royalty Company, The, P. R. R. Maryland Division Athletic Association, Pacific States Holding Company, Pacific States Securities Investment Corporation, Padgett-Stokes, Inc., Pacific States Discount Corp., Pacific Stores, Inc., Paige-Jewett Company of Allentown, Paint Pigment Company of America, Pan-American Rubber Company, Pan-American Double Trap Company, Pan-American Feed Milling Co., Palm Beach Inquirer Publishing Company, The, Palm Beach Ocean Realty Company, Panther Coal Company, Paper Container Patents Corporation, Palmer Creamery, Incorporated, Palestine Economic Corporation, Palace of Fashion, Inc., Palisades Hotel Company, Palace Line, Inc., Pall Mall Petroleum Corporation, Pan-Okla Oil Corporation

PROCLAMATIONS

of America, Pan-Oklahoma Oil Co., Panther Realty and Development Company, Palmer Securities Corporation, Pandora Sign Corporation, The, Parfay Company, The, Paris Modes Corporation, Paramount Mutual Sales Corporation, Paramount Motors Corporation of The Pacific, Parafin Oil Company, Parisian Products, Inc., Parker Regan Corporation, Park Realty Co., Inc., Parking Terminals Corporation, Paul Brothers, Inc., Pay Day Mining Corporation, Pasadena El-Monte Silver Mines Corporation, Patent Garment Corporation, Payson Gold Mining Company, Passmore and Murphy, Inc., Pascol Oil Burner Sales Corporation, Pawnee Petroleum Corporation, Patuxent River Sand and Gravel Company, The, Peau Belle Laboratories, Inc., Peerless Cutter Corporation, Peerless Cleaning and Clothing Corporation, Pecan Development and Producers Corporation, Peach Kaolin Company of Del., Pearl Manufacturing Company, Pedro Pump Company, Syndicate, Peerless Sand Company, Peabody Stone & Company, Peck Safety Windshield Corporation, Pelican Development Company, Peen Auto Body Works, Inc., Pennsylvania Automatic Service Company, Inc., Pennsylvania Builders Material Corporation, Pennsylvania Central Railroad Company, Pennsylvania College of Naturopathy, Inc., Peninsula Driller, Inc., Penn-Del Products, Incorporated, Pennmore Development Co., Penn Eden Oil Co., Pennsylvania Electric Products Company, Pennsylvania First Trust, Inc., Pennsylvania Holding Company, Penn Industries, Inc., Pennsylvania Legion News, Inc., The, Penn Limestone Company, Inc., Pennsylvania Mill Work Company, Pennsylvania Mortgage and Loan Company, Pennsylvania Novelty Company, Inc., Penntucky Oil Co., Penzales Oil Company, Penn-O-Tex Petroleum Products Sales Corporation, Pennsylvania Refining Company, The, Penn-Stroud Manufacturing Co., Inc., Penrod Shoes, Inc., Penn Union Automobile Company, Penn Valley Petroleum Corporation, Perfection Electric Company, Inc., Peoples Association of Philadelphia, The, Peplax Company, Inc., Perfection Electric Company, Inc., Perna Engineering and Contracting Company, Perry-Hampton Springs

PROCLAMATIONS

Land Company, Peoples Necessities Supply Co., Peoples Publishing Company, Inc., The, Perfect Package Company, Perpetual Petroleum Corporation, Perry Rathbun Company, Personal Stationery Corporation, Peoples Undertakers Corporation, Permo Waver Corporation, Pfunder Chemical Company, Petroleum Gas Equipment Co., Inc., Peters Home Building Company, Petite Motors, Inc., The, Petroleum Reclamation Company of America, Phelps Publishing Company, Philadelphia Audio Laboratory, Incorporated, Philadelphia Bakery Equipment and Machinery Co., Inc., Philadelphia Concrete Products Co., Photographic Corporation of America, Philippino Co., The, Philadelphia Chocolate Mello, Inc., Phototex Corporation, Phillipsburg Concrete Products Company, Phoenix Co., The, Philadelphia Distributing Corporation, Physicians Drug Mfg. Association, Photo-Fabric Corporation, Philadelphia Home Builders Company, The, Philadelphian, Incorporated, The, Physicians' Ob Corporation, Philadelphia Opera Company, Philadelphia Realty & Discount Company, Phoenix Specialties Company, Inc., The, Photo Sculpture Corporation of America, Phillips Steel Co., The, Piercy Company, The, Piankoid Corporation, The, Piano Delivery Corporation, Photographic, Inc., The, Piggly Wiggly Fairfield, Incorporated, Pine Bluff Refining Company, Pine Crest Farm, Inc., Pilgrim Film Co., The, Pine Ridge Petroleum Corporation, Pinker-Walker, Incorporated, Pittsburgh & Allegheny Park Association, Inc., Pittsburgh Die Casting Company, Pittsburgh Absopure Company, Pittsburgh-Alturas Company, The, Pizzi & Co., Pittsburgh Coal, Gas Company, Pittsburgh College of Chiropractics, Inc., Pittsburgh Cooling Tower Company, Pittsburg Development & Manufacturing Co., Pittsburgh-Joplin Lead & Zinc Company, Pitcarin Promotion Company of Pitcarin, Pennsylvania, Pittsburgh Real Estate Exchange, Inc., The, Pittsburgh Store Fixture and Equipment Co., Pittsburgh-Wyoming Oil Co., Plant City Laundry Company, Plate Glass Sales Corp., Plantation Service Corporation, Plaza Theatre Corporation, Plee-Zing Corporation, The, Plumas Copper Company, Pollyanna Appliance Company, Inc..

PROCLAMATIONS

Pomona Company, Inc., Point Coal & Coke Co., Inc., Pocono Concrete Products Corporation, Pocahontas Coal Company, The, Polly Mills, Inc., Point Marion Ice Co., Pomona Orchard Company, Polly Palmer, Incorporated, Portland Cement Products Corporation, Popsicle Corporation of Ohio, Port Dixie Corporation, Portlock Fisheries Corporation, Port-Jay Producing and Refining Company, The, Porfast Manufacturing Company, The, Portugall Manufacturing Co., Inc., The, Powers Company, The, Powell-Evans Log Hoister Manufacturing Company, Power-Factor Improvement Corporation, Potter & Jones Building Corporation, Power Motors Corporation, Pottsville Milling and Produce Company, Posten Press, Inc., Pottstown Racing Association, Powers-Tyson Corporation, Power Truck and Tractor Company, Powertown Tire Corporation, Pratt Coal & By-Products Corporation, Practical Perfection Engineering Company, Prater Tire and Rubber Company, Premium Coal Company, Incorporated, Prednergast Quality Shoe Shop, Inc., Presidential Theatre and Realty Co., Protective Association of America, Incorporated, Progressive Business Association, Inc., Princess Company, Inc., The, Prisa Food Products Corporation, Prince George Apartments Corporation, Provident House Wrecking Company, Progressive Merchants Bureau, Incorporated, Pricetown Manufacturing Company, Princess Mary Cigar Company, Progressive Manufacturing Company of America, Prudential Mortgage and Finance Corporation, Professional Service Corporation, Pro-Zema Products Co., Puritan Candy Company, Pure Lead and Zinc Company, Pyle Leather Corporation, Puritan Poultry Farm, Inc., Purecold Products of America, Inc., Puncture Proof Auto Tire Co. of America, Public Service Directories, Inc., Pur-Vey Carburetor Corporation, The.

Quaker Bond & Mortgage Corporation, Quaker City Beverage Co., Quaker City Amusement Company, Quaker Holding Company, Quillen Motor Company, Quaker Market Company, Quinn Oil Burner Company, Inc., Quality Silk Hosiery Company.

PROCLAMATIONS

R-A-C Tire Corporation, R. A. Speyer & Company, Radium Brakeline Works, Inc., R. B. L. Cigar Co., Inc., Radiant Blue Oil Burner Company, R. B. Vaughn Electric Refrigerating Corporation, Radiotone Company, The, R. C. Osburn & Co., R. D. Jenkins & Co., Inc., Radia-Device, Inc., The, R. E. Wood Lumber Co., Radio Institute, Inc., R. & J. Stobbs Hosiery Co., Inc., R. J. Keppel and Company, Inc., R. M. Products Company, Rainbow Mining Company, Radio Products Sales Corporation, Radio Publicity Corporation, Radio Sales & Supply, Inc., Radiant Safety Match Corporation, R. S. Marshall Company, Radium Springs Corporation of America, Rackle Stone Company, R. T. Rogers Syndicate, Inc., Railway Tie Corporation, R. T. Fennell Sales Corporation, R. W. Tyler Co., R. W. Sharon Company, Randolph Farms, Inc., Rand Hawk Mining Company, Rampart Realty, Incorporated, Rauschenberg, Inc., Raymond R. Walsh Co., Inc., Rau Studios, Inc., Rapid Transit Corporation of America, Reading Auburn Company, Inc., Reeves Carbon Company, Refiners Export Corporation, Reed, Fears & Miller, (Incorporated), Reading Hardware Corporation, Realty Investment Company, Realty Loan Company, The, Record-O-Phone Co., Redlands Orchard Company, Reb Products Co., Inc., Refractories & Power Co., Incorporated, Reclamation Research, Incorporated, Realice Refrigerating Co., Red Star Appliances, Inc., Reed Traffic Signal Co., Rehoboth Bath and Tennis Club, Republic Bond & Mortgage Company of Baltimore, The, Republic Company, The, Reminders Corporation, Reich & Lievre, Inc., Relief Mortgage Company, Reichart Mfg. Corp., Regal Oil Corporation, Regenerative Research Laboratories, Inc., Reliable Shoe Company, The, Retail Coal Merchants Publicity Bureau, Inc., Revelaphone Company, Reserve Mine & Milling Company, The, Rex Oil Burner, Inc., The, Reynolds Oil Corporation, Rex Oil Company of Texas, Resilient Wheel Corporation, The, Rialto Short Subject Exchange, Inc., Rich Briquet & Mines Co., Richland Coal Sales Company, Richie-Daniels Company, Rieke-Berges Electric Company, The, Ridley Phosphate Company, Riesmont Theatres and Realty Corporation, Riesenfeld Theatres Corpora-

PROCLAMATIONS

tion, Riverhead Estates, Inc., Ritter Household, Inc., Rivercliffe Industries, Inc., Riverside Oil Company, Ritten-Shepardson Lumber Company, Rivanna Silk Co., Inc., Robert B. Vaughan Company, Roaring Brook Lumber Company, Robert Hay Service, Inc., Robertson's, Incorporated, Robt. J. Pleasant, Inc., Robertson Paper Co., Inc., Robinson Electrical Co., Inc., Robinson Hotels Corporation, Rock Asphalt Corporation, The, Rockwood, Benton & Lyman, Incorporated, Rockhouse Gardens, (Inc.), Rock Island Construction Company, The, Rock Island Beach and Country Club, Rockville Manufacturing Company, Rockbridge Manganese and Iron Co., The, Rockland Manufacturing Company, Roco Oil Company, Rockstone Stucco & Products Co., Romano Formulas, Inc., Roland J. S. March, Incorporated, Roden Laminated Tire Company, Roller Oil and Refining Company, Rollman & Rose of America, Inc., Rodgers Radio Company, Rosenberg Brothers, Inc., Ross Clock Company, Ross E. Z. Gear Shift Corporation, Rosemary Funeral Directors, Inc., Rosemary Securities Corporation, Rosenfeld Stores, Inc., The, Rovena Motor Company, Rothschild Mortgage and Finance Co., Rotary Motors Company, Rotary Plow Corporation, Royal Blue Coal Company, Royal Burial Vault Co., Inc., The, Roy C. Seeley Mortgage Co., Rox Chemical Company, Royal-De Luxe Bus Mfg. Corp., Royal Equipment Corporation, Royal Finance Company of Maryland, Royalty Oil Refining Company, Rubber Products Company of America, Rubin & Stone Co., Russia-China Tobacco Manufacturing Co., Inc., Rutledge-Lawuill Company, Inc.

Safety Airways, Incorporated, Safety Bumper Corporation, S. E. Noel, Inc., Sabin Electrical Products Corporation, The, S. G. Williams Motors, Inc., Safe Glass Corporation, S. & H. Coal Mining Co., Sadie Mining Company, Safetee Suit Company, S. T. Nelson Co., Inc., Safety Valve & Machine Company, St. Clair, Incorporated, St. John Publishing Company, Inc., St. Louis Underwriters Corporation, St. Tammany Causeway Realty Development Company, Inc., Salwarn Corporation, The, Salemen's Clearing House Corpora-

PROCLAMATIONS

tion, The, Samels & Company, Samuel Cohen Company, Salus-Delaunay Corporation, The, Sampson Development Corporation, Salisbury Iron Corporation, Salute Mineral Water Co., Santa Barbara Biltmore Company, Sapphire Coal Company, Santa Clara Sugar Company, Sanitary Device Corporation, The, San Jaunito Gold, Silver, Lead Mines Company, Sadow-Lewis Institute, Inc., Sanitary Paper Products Co., Santa Rosa Cement Company, Sarel Corporation, Sarco Contracting and Building Company, Inc., Savings Check Corporation, Savings Equipment Co., Saygo Works, Inc., The, Scandinavian Exchange Company, Inc., Scene-In-Action Company, Scheuer and Apt., Inc., Schiff's, Inc., Scherk Importing Company, Inc., Schickerling Products Corporation, Schiel & Yost, Inc., Scholtz Mutual Drug Company, Schutte-Blue Ribbon Body Corporation, Schumacher Corporation, Schumann Heink & Company, Schuylkill Mortgage Company, Scientific Acoustics, Inc., Scientific Heating & Equipment Co., Scout Electric Company, Scotch Ginger Beer Company, The, Scott-Ross Corporation, Sedler Amusement Corporation, The, Seal-A-Void Company, Seals Brand Hosiery Mill, Inc., Security Building Company, Seeger Chain Company, Incorporated, Searchlight Company, The, Seaside Development Company, The, Security Drug Company, Seamless Palm Glove Company, Security Portland Cement Company, Seaboard Realty and Development Corporation, Seamless Shoe & Machinery Corporation, Seaboard Surety Corporation of America, Securities Sales Corporation of Philadelphia, Sentinel Company, Service Garage, Inc., Selective Investment Company, Serrenita Mining Co., Servall Oil Burner Company, Inc., Selluto Publishing Company, Selexart Productions, Inc., Senreco Sales Company, Servurself Soda Co., Select Sales Company, Semar Trading Company, Inc., The, Serv-U-Corporation, Sesqui-Centennial Poster Advertising Co., Inc., The, Sesqui-Centennial Visitors Accommodation, Inc., Seward-Ellis Company, Seymour Ice Cream Company, The, Sesqui Roller Chair Corporation, Seventh Street & Mariposa Investment Company, Shadow Cross Company, Shamrock Contracting Com-

PROCLAMATIONS

pany, Shamokin Land and Development Co., Shanghai Motor Sales Corporation, Shamrock Pipeline Company, The, Shanghai Pao, Inc., Shapiro & Company, Shawmont Knit Products Company, Shawnee Motor Company, Shav-Rite Sales Corporation, Shav-Rite Safety Razor Corporation, The, Sharon Vineyard & Orchard Co., Inc., Shelby Clay Products Co., Sherman & Ellis, Inc., Sherwood Realty & Investment Corporation, Shippers Agency, Incorporated, Shipley-Allen, Inc., Shubin Construction Co., Shreveport Mineral Products Corporation, Shreves Oil Company, Silander Brush Corporation, Silver Black Fox Company, The, Silica Company of California, Inc., Silkol Loan Company, Siegrist & Lenhard, Inc., Silver Oil Co., Sieberts' Publications, Inc., Sieber Products, Inc., Siberian Patent Boot Co., Silent Salesman Company, Simplex Asphalt Paving Company, Sino American Syndicate, Simona Company, The, Sklar Hot Water System, Inc., Sizerville Magnetic Water Company, Solvenian Catholic Independent Beneficial Society Blessed Virgin Mary, Sley's Pennsylvania Dorms, Inc., Smith-Mathews Poultry Ranch and Hatchery, Inc., Smith Meat Co., Smith Specialty Company, Snell Floor Covering Co., Snyder-Turner Construction Co., Inc., Soil Aeration Corporation of America, Softex Laboratories, Inc., South America Exploitation Company, Inc., Southland Battery Company, Inc., Southern Corporation, Souder Company, Inc., The, Southwest Construction Company, Southern Cafeteria, Inc., South Coast Development Corporation, Southern Commerce Texas Finance Company, Inc., Southern Development Company, Southern Equipment Company, Southern Food Products Co., South Florida Development Company, Inc., Southern First Mortgage Company, Incorporated, Southern Field Petroleum Company, Southern Gas Improvement Co., South Hills Development Company, The, Southwest Material Supply Company, Southwestern Mortgage and Discount Co., Southern Minnesota Gas and Electric Company, Southern Ohio Clay Products, Inc., Southern Ohio Gas Company, Southwest Pipe Line Company, Southern Pulp and Naval Stores Company, Southern Pine Product & Land Company, The, Southern Pine Pro-

PROCLAMATIONS

ducts Company, Southland Publishing Company, Southwestern Royalties Corporation, Southern Sulphogerm Sales Agency, Inc., Southern Steel Products Company, Southland Stores Company, Southern Service Stations, Incorporated, Sparton Cabs, Inc., Spanish Gardens, Inc., Sphinx Lacquer Finishing Corporation, Speedee Products Co., Inc., Spanish Stucco and Plaster Co., Tampa, Florida, Spencer T. Lynch, Inc., Spotless, Inc., The, Sporman Manufacturing Company, The, Sponsel Universal Joints Company, The, Spring Brook Squab Farms, Inc., Square Deal Manufacturing Company, Spring Hill Oil & Gas Co., Spruce Men's Stores, Inc., Sprague's Many-Use Oil Corporation, Stafford Bros. Co., Stachler Machine Company, The, Stamplex Corporation, Stamp Rightway Conveyor Company, Standard Amusement Company, Inc., Standard Commercial Investment Company, Standard Engeln Corporation, Standard Feldspar Company, Standard Holding Company of California, Standard Home Building and Finance Corporation, Standard Home Builders Corporation, Standard Lumber Company of Baltimore, The, Standard Metal Garage Company, Standard Minerals Corporation, Standard Matrix Company, The, Standard Oil Securities Holding Company, Standard Oil Company of America, Stanley Plumbing and Supply Company, Standard Protective Agency, Inc., The, Standard Products Manufacturing Company, Standard Petroleum Company, Standard Pictures Distributing Company, Standard Picture Corporation, Standard Rights Company, Standard Shale Chemical Company, The, Standard Sand & Gravel Company, The, Standard Steam Iron Corporation, Standard Tank & Gauge Co., Standard Track Corporation of Delaware, Standard Vending Corporation, Star of Bethel Hall Company, States Building Corporation, State Contracting Company, Stark Candy Company, Inc., Starlock Company, Star-yen Construction Corporation, Stationery Export & Import Corporation, State Marine Company of Baltimore, Star-Times Publishing Company, Stewart Automatic Lubricating System, Inc., The, Stewart E. Hineline, Incorporated, Sterling Fuel Corporation, Stelle Food Company, Stelton Home

PROCLAMATIONS

Products Company, Stewart-Larmon, Inc., Steam Power Company of California, Stewart Products Service Station of Ohio, Stern South American Co., Inc., Steinhatches Syndicate, Inc., Stickle Lumber Corporation, Stiteler-Shoyer Coal Co., Inc., Stockton Acceptance Corporation, Stoker Corporation, The, Stoker Engineering & Sales Corporation, Stoughton Company, Incorporated, Stovall Fruit Farms, Inc., Streets of Canton, Incorporated, Strauss Investment Company, Stuart Electrolytic Cells, Incorporated, Sugar Apparatus Manufacturing Company, The, Sub-Division of Conneaut Lake, Inc., The, Success Engineering Corporation, The, Subers Patents Holding Corporation, Super Anthracite Corporation, Supreme Adjustable Safety Razor Co., The, Surf-Cap Company, Sure Crop Seed Co., Supertype Corporation, The, Sulphogerm Corporation, Summons Finance Corporation, The, Superior Fuel Co., Superex Gasoline Company, Sunshine Health Clubs of the World, Inc., Sunset Knolls Corporation, Sunray Lingerie Corporation, Sun-Lite Systems, Inc., Sussex Manufacturing Company, Sussex Milling Company, Superior Outfitting Company, Supreme Oil Company, Sun Oil Burner Company, Inc., The, Super-Power Corporation of Missouri, Super-Porcelain Corporation, Sun Packing Company, Superior Producing & Refining Co., Superior Signal & Hardware Company, Superior Specimen Rose Corporation, Sulphur Springs Fox Ranch, Inc., Symonds Co., The, Synthide Products Company, Syn-Rub Manufacturing Co., Syndicate Service, Inc., Sylvania Tailors, Inc., The.

T. B. Metzel Co., Tab Corporation, T. J. Hanlon Galvanizing Company, T. J. Callahan Company, T. L. Rose & Son, Inc., Tand W. Manufacturing Co., Tauber Advertising Agency, Incorporated, Tamaqua Beverage Company, Tampa Beach, Inc., Tauble Brothers, Inc., Taliaferro Construction Company, Tacony Creek Country Club, The, Tawa Corporation, The Taylor-Ewart Corporation, Tammy Holding Company, Talisman Silver Mines Corporation, Tacony Steel Company, Tampa Terminals, Inc., Tennessee Amiesite Company, Teeter Coaster Manufacturing Company, Teti & Co.,

PROCLAMATIONS

Tennessee Coal By-Products Corporation, Tenth & E. Service, Inc., Textile Finance Service, Inc., Terminal Land Corporation, Texas Mining Company, Texas, Magdalena Company, The, Texas Panhandle Development Company, The, Technical Research Laboratory, Inc., The, Terite Structural Products Company, Temme Spring Corporation, Telephone Securities Corporation, Temple Theatre Amusement Company, Texas Union Oil Corporation, Tennessee-Virginia Ham Company, Texas Western Mfg. Co., Thacher Keir & Adams (Incorporated), Thermo Manufacturing Company, Thermidyne Radio Corporation, Therapeutic Research Laboratories, Inc., Thumb Butte Gold Mining Company, Thriftbrook Manufacturing Company, Thomas Power Generating Corporation, Three Queens Mining Company, Thomas Thompson & Company, Incorporated, Thompson & West Lumber Company, Thos. Young Corporation, Tidewater Lumber Company, The, Tientsin Shipping Company, Incorporated, Tivoli Construction Co., The, Tobacco Planters, Inc., Todsmith Products Company, Tonopah Ajax Mining Company, Tonopah Colorado Leasing Company, The, Townsend Florida Properties Company, Tower Gasoline & Refining Corporation, Town Hall Drive-It-Yourself System, Inc., Townsend Realty Company, Inc., Torrington Supply Co., Inc., Toy Shoppe, Inc., The, Town Transportation Corporation, Townsend Warehouse Company, Transportes Aereos Mexicanos, Inc., Transient Advertising Corporation, Trent Amalgam Company, Trappers Brokerage Company, Inc., Tractor Crane Corporation, Triangle Chain Store Corporation, Transoceanic Express Lines, Incorporated, Trail-Ford Corporation, Trixies, Inc., Triangle Independent Oil Company, Inc., Triplok, Incorporated, Tri Lock Corporation, The, Trinidad Oil Syndicate, Inc., Tri-Plex Safety Razor Co., Inc., Triart Productions, Inc., Trinity Realty Company, Tri-State Coca-Cola Bottling Company, Tri-State Printing Co., Tri-State Poultry Farm, Inc., Tri-State Public Service Corporation, Tri-State Theatre Corporation, Transatlantic Trading Corporation, Trowville Beach Club, Trust Finance Corporation, Tropical Land and Commerce Corporation, Ttarco Mfg. Co., Inc., Tru

PROCLAMATIONS

Orange Co. of America, Tru-Pax Corporation of America, Tropical Trading Company, Tunnell Hill Manganese Company, Tulsa Ice Machine Company, Turnbridge Realty Company, Turmo Engine Company, Type By Wire Corporation, Tyson Co., Inc., The, 28th Division Publishing Co., Two in One Confection Company, Twin Knob Oil Company, Twin Piston Motor Company, The, Twin River Timber & Lumber Corporation, Twin Rivers Oil Company.

Ulrich Furniture Company, Incorporated, U-Needa Beverage Company of Johnstown, Penn., Uinto Oil Company, U. S. Air Ship Power Generating Co., U. S. Asphalt Block Company, U. S. A. Jiffy Fountain Pen Company, U. S. Body Sales Company, Inc., U. S. Ice Cream Measure Co., U. S. Light and Pump Company, U. S. Rock Asphalt Corporation, U. S. Safety Appliance Corporation, The, Universal Automotive & Radio Corp., Unicum Chemical Company, Universal Calculator Corporation, The, Unitrol Condenser Corporation, Universal Chiropractic College, Inc., Universal Dairy Products Company, Uniform Flag Display, Inc., Universal Glass Machine Company, Universal Generator Company, Universal Industrial Corporation, Universal Laboratories, Inc., Unity Mines Corporation, Universal Motor Power Corporation, Unit Refrigerating Company, Universal Safety Signal Company, Universal Valve Company, Universal Vending Machine Corporation, United Automobile Racing Association, United Color Pictures, Inc., United Credit and Finance Corporation, United Furnace Company, The, United Food Stores Company, United Food Products Company, United Factories Corporation, United Finance Corporation of America, Union Gold & Silver Mines Corporation, United Garage & Transfer Corporation, Union Home Building Association, Union Ice Co., United Industrial Company, Union Mortgage Company, United Merchants Protective Association, The, United Natatorium Corporation, Union Operating Company, United Orange Drink, Inc., United Pacific Lumber Corporation, United Printing & Publishing Co., Union Realty Corporation, Union Realty and Investment Corporation, Union Shale Oil

PROCLAMATIONS

Company, Unit Steel Corporation, United Sigh Company, Inc., United Seating Table Corporation, Inc., United States Commercial Exchange Corporation, United States Export & Import Corporation, United States Gold Corporation, United States Platinum Company, United States Reformed Loan Association, United States Steel Wheel Corporation, United States Steel Wheel Corporation of Philadelphia, United States Service Corporation, United States Twin Furnace Company, United Thrift Stores, Inc., Utility Bond and Mortgage Corporation, Utah-Mex Mines and Mineral Corporation, Usa Oil Company, The, Utah Silver Reef Mining Company, Utica Stockholders, Inc., Utah Vanadium Corporation, Utah Western Petroleum Company.

Vactite Container Company, V. F. Deckert Manufacturing Company, Vacuum Gear Shift Corporation of Western Pennsylvania, Vagisan Products Company, V. T. H. Bien, Inc., Valentine Conservatory of Music and Arts, Inc., The, Val Verde Country Club, Incorporated, Valley View Ranch, Inc., Van Aernam Manufacturing Company, Inc., Vanguard Motion Pictures, Inc., Var-Nu Corporation, Vandome Petroleum Corporation, Vanguilder System Concrete Building, Inc., Venice Amusement Park, Inc., The, Vernon Battery Corporation, The, Veona Manufacturing Company, Verna Mae Manufacturing Co., Inc., Venezuelan National Petroleum Corporation, Venture Oil Syndicate, Incorporated, Venezuela Producers, Incorporated, Verona Production Company, Venice Realty Co., Victor Concrete Products Company, Vim Gasoline Co., Villa Roma Club, Vindicator Development Corporation, Vital Exchanges of Philadelphia, Incorporated, Vinci Motion Picture Corporation, Virtue Steamship Co., Inc., Vormac Radio Service, Inc., Vulcan Tire Company, Voshelle Sign Company, Inc., Vose Vacuum Cleaner Corporation.

W. B. Manufacturing Co., Wake Development Company, W. D. Pine Lodge, Inc., W. H. Adams & Co., W. J. Pauling Manufacturing Company of Wilkes-Barre, W. K. Mfg. Co., W. L. Scott Coal Company, W. M. Freeny Company, Incor-

PROCLAMATIONS

porated, W. P. Chambers & Company, Inc., W. R. Lins Manufacturing Company, W. Stanley Castor, Incorporated, W. W. Baker & Company, Waitt Wrench Company, Wallace Kellett Co., Inc., Wall Street Mortgage Corporation, Walker & Walker, Inc., Wallace & Warner, Inc., Florida, Walter A. Wood Implement Company, Inc., Walsh Bros., Inc., Walter J. Devine & Co., Incorporated, Walnut & 21st Street Corporation, Wanda Petroleum Company, Washington Automobile Association, Washington Gallery, Incorporated, Washington Heetrite Company, Washington-Lipman Company, Washington List Company, Inc., Washington Maytag Co., Inc., Washington Orchard Co., The, Washington Provision & Packing Company, Inc., Washington Swimming Club, Waste Utilities Co., Watkins Motor Company, Inc., Watson Collieries Company of Valencia, Penna., Wayne County Oil Company, Wayne Cotton Mills, Inc., Watson-Leonard Wheel Company, Watson-Melgin Company, Inc., Wayne Process Tire Corporation, Wayne Realty Corporation, Wear Rug Company, Weburg Concrete Form Corporation, Weber Electric Company, Webb-Tester, Incorporated, Weil & Weil, Inc., Weldon Realty Co., Wernimont Manufacturing Co., Inc., West African Pharmaceutical and Chemical Trading Corporation, Western Bond and Mortgage Company, West Coast Navigation Company, West Coast Chemical Products Corporation, West Detroit Building and Mortgage Corporation, West End Investing Corporation, Western Finance & Construction Company, Westdale Farms, Inc., Weston Gas Coal Company, Western Holding & Development Company, Wessyngton, Inc., West-Mar Company, The, Western Mineral Right and Royalty Company, Westlake Mercantile Finance Corporation, Western Motion Picture Co., West Point Foundry Co., Western States Land, Water & Petroleum Corporation, West Shore Coal Company, Inc., Western States Wool Associates, Inc., Western Textile Corporation, Western Transit Corporation, Western United Service Corporation, West Virginia Directory Corporation, West Virginia Hardwood Co., West Virginia Smokeless Fuel & Power Company, Wet Branch Mining Co., Inc., Whistling Bouy, Inc., The,

PROCLAMATIONS

Whistle Bottlers Finance Corporation, Whittle A. Miles & Company, Inc., Whiteo Coal Land Company, Whitlow Manganese Company, Whiteley-Broadly Studios, Inc., Whiteman Company, The, White Crystal Beach, Inc., Whitehall International Corporation, White Leghorn Restaurants, Inc., The, Whittier Mines Company, White Rose Textile Corporation, White Satin Products, Incorporated, White & Son, Inc., Who's Who Publishing Company, Inc., Wichita Hotel Corporation, The, Wicwas Lake, Inc., Wm. Birmingham & Company, William Beadenkopf Co., Willow Creek Oil Company, Wm. E. Yost, Inc., William E. Gore Construction Company, Wildsal Export Company, Inc., Wilquin & Fitz-Gibbon, Inc., William H. Hoskins Co., Wilbering, Inc., Wilfried J. Watkins Food Stores, Inc., Wm. J. Payne, Jr., Inc., William Kerton & Company, Inc., Williams Laboratories, Inc., The, Wile Properties Holding Company, Williams Products Company, Wildard Products Corporation, The, Wildwood Publishing Co., Wills Sainte Claire Company of Pennsylvania, William T. Burgess Printing Company, Wilford Texas Exploration Company, Wilmington Bedding Company, Wilmington Co-operative Stores, Incorporated, Wilmington Homes Corporation, Wilmington Mercantile Company, Wilmington Natatorium Corporation, Wilmington Rialto Picture Corporation, Wilson-Stutzman, Inc., Wilson & Ward, Inc., Windermere Construction Company, Winola Shellac and Chemical Company, Wirewood Company, Incorporated, Winton Coal Company, Witty Automatic Train Control Co., Inc., Witall Restaurant and Catering Co., Inc., Wolverine Secret Service, Incorporated, Wolverine Stables, Inc., The, Wonderkode Corporation, Wonderkode Sales Corporation of America, **Woodland Beach Land Co.**, Woodbury Coal Products Corporation, Woodridge Construction Company, Woodmont Corp., Wood-Krewson Rubber Company, Woodbine Oil Company, Wood-Williams Gas Interest, Inc., Wormser & Co., Inc., Worth Company, The, World's First Company of General Progress and Welfare, Worth Fire Grate Company, World in Pictures, Inc., The, World Packing Corporation, Wootten & Platstone, Ltd., Inc., Worlds Progress Publishing Company, The, World

PROCLAMATIONS

Publishing and Publicity Corporation, World Radio Corporation, World Wonder Oil and Gas Company, The, Wright Refrigerating Corporation, Wright & Wright Germantown Company, Wyowanna Coal Company, Wyoming Interstate Petroleum Corporation, Wyoming & Montana Oil Co., Wyoming Syndicate, Inc.

X. Y. Perfume Corp., The.

Yarrington, Helicopter, Inc., Yankee Steam Motors, Inc., Your Drug Stores, Inc., Yorktown Electric Refrigeration Corporation, The, Yuba Exploration Company, York Furniture Manufacturing Corporation, Yough Rubber Company, The, Young & Simon, Inc., Young Sand & Gravel Co.

Zimmerman & Co., Inc., Zephyr-Hills Development Co., Zero Products, Inc., Zrubavlijah, Inc., Zobar Oil Co., Zukor Safety Corporation.

IN TESTIMONY WHEREOF, I, C. D. Buck, Governor
 of the State of Delaware, have hereunto
 set my hand and caused the Great Seal to
 (SEAL) be hereunto affixed this seventeenth day
 of January , in the year of our Lord one
 thousand nine hundred and thirty and of
 the Independence of the United States of
 America, the one hundred and fifty-fourth.

By the Governor:
 C. D. BUCK.

CHARLES H. GRANTLAND,
 Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

Continuing the custom hallowed by our forefathers in setting apart one day to show gratitude to the Almighty for the blessings of the year just passed and to implore the fostering care which has made and sustained us as a Nation, I, C. D. Buck, Governor of Delaware, do hereby proclaim the day appointed by the President of the United States,

THURSDAY

NOVEMBER THE TWENTY-SEVENTH

NINETEEN HUNDRED AND THIRTY

AS

THANKSGIVING DAY

and bespeak its observance by all our citizens in a spirit consistent with the meaning of the day, assembling in their respective places of worship or in their homes, for the purpose of gratefully acknowledging and returning thanks to Divine Providence for life, health and guidance.

IN TESTIMONY WHEREOF, I, C. D. Buck, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be hereunto affixed this tenth day of November, in the year of our Lord one thousand nine hundred and thirty and of the Independence of the United States of America, the one hundred and fifty-fifth.

PROCLAMATIONS

By the Governor:
C. D. BUCK.

CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

C. D. BUCK,
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 fourth day of November, in the year of our Lord one thousand nine hundred and thirty, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware in that behalf, for the election of a Senator for the people of the said State, in the

SENATE OF THE UNITED STATES

for the Constitutional term to commence March fourth, one thousand nine hundred and thirty-one.

And Whereas, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Senator were cast as follows, to wit:

NEW CASTLE COUNTY

Thomas F. Bayard	24,559
Daniel O. Hastings	31,573
Nicholas Minutella	135

KENT COUNTY

Thomas F. Bayard	8,745
Daniel O. Hastings	6,402

PROCLAMATIONS

SUSSEX COUNTY

Thomas F. Bayard	8,745
Daniel O. Hastings	9,934

And Whereas, The said returns of the election for the choice of a Senator of and for the said State in the Senate of the United States, as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said Counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, the result appears as follows, to wit:

Whole number of votes for Thomas F. Bayard	39,881
Whole number of votes for Daniel O. Hastings	47,909
Whole number of votes for Nicholas Minutella	135

NOW THEREFORE, I, C. D. Buck, Governor of the State of Delaware, do hereby declare that Daniel O. Hastings has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected Senator of and for the State of Delaware in the Senate of the United States for the Constitutional term to commence March fourth, one thousand nine hundred and thirty-one.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover the fourteenth day of November, in the year of our Lord one thousand nine hundred and thirty and of the Independence of the said State the one hundred and fifty-fifth.

By the Governor:
C. D. BUCK.

(Great Seal)
CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

C. D. BUCK,
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 fourth day of November, in the year of our Lord one thousand nine hundred and thirty, that being the Tuesday next after the first Monday in said month, in pursuance, of the Constitution of the United States and the Constitution and Laws of the State of Delaware in that behalf, for the election of a Senator for the people of the said State, in the

SENATE OF THE UNITED STATES

for the residue of the Constitutional term commencing March fourth, one thousand nine hundred and twenty-five.

And Whereas, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Senator were cast as follows, to wit:

NEW CASTLE COUNTY

Thomas F. Bayard	24,217
Daniel O. Hastings	31,425
Nicholas Minutella	118

KENT COUNTY

Thomas F. Bayard	6,488
Daniel O. Hastings	6,379

PROCLAMATIONS

SUSSEX COUNTY

Thomas F. Bayard	8,574
Daniel O. Hastings	9,861

And Whereas, The said returns of the election for the choice of a Senator of and for the said State in the Senate of the United States, as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said Counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, the result appears as follows, to wit:

Whole number of votes for Thomas F. Bayard	39,279
Whole number of votes for Daniel O. Hastings	47,665
Whole number of votes for Nicholas Minutella	118

NOW THEREFORE, I, C. D. Buck, Governor of the State of Delaware, do hereby declare that Daniel O. Hastings has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected Senator of and for the State of Delaware in the Senate of the United States for the residue of the Constitutional term commencing March fourth, one thousand nine hundred and twenty-five.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover the fourteenth day of November, in the year of our Lord one thousand nine hundred and thirty and of the Independence of the said State the one hundred and fifty-fifth.

By the Governor:
C. D. BUCK.

(Great Seal)
CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

C. D. BUCK,
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 fourth day of November, in the year of our Lord one thousand nine hundred and thirty 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-second

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 P. Le Fevre	23,673
Robt. G. Houston	32,132
Arnold Williams	127

KENT COUNTY

John P. Le Fevre	6,644
Robt. H. Houston	6,351

PROCLAMATIONS

SUSSEX COUNTY

John P. Le Fevre	8,574
Robt. G. Houston	10,010

And Whereas, The said returns of the election for the choice of a Representative of and for the said State in the Seventy-second 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 P. Le Fevre	38,891
Whole number of votes for Robt. G. Houston	48,493
Whole number of votes for Arnold Williams	127

Now, Therefore, I, C. D. Buck, 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-second Congress of the United States.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover the fourteenth day of November, in the year of our Lord one thousand nine hundred and thirty and of the Independence of the said State the one hundred and fifty-fifth.

By the Governor:
C. D. BUCK.

(Great Seal)
CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

C. D. BUCK,

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 fourth day of November, in the year of our Lord one thousand nine hundred and thirty 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 the said counties respectively for such Treasurer were cast as follows, to wit:

NEW CASTLE COUNTY

Howard W. Hilyard	20,782
George S. Williams	34,123

KENT COUNTY

Howard W. Hilyard	6,779
George S. Williams	6,223

SUSSEX COUNTY

Howard W. Hilyard	8,606
George S. Williams	9,979

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 Howard W. Hilyard	36,167
Whole number of votes for George S. Williams	50,325

Now, Therefore, I, C. D. Buck, Governor of the State of Delaware, do hereby declare that George S. Williams 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 fourteenth day of November, in the year of our Lord one thousand nine hundred and thirty and of the Independence of the said State the one hundred and fifty-fifth.

By the Governor:
C. D. BUCK.

(Great Seal)
CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

C. D. BUCK,
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 fourth day of November, in the year of our Lord one thousand nine hundred and thirty 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 the said counties respectively for such Auditor of Accounts were cast as follows, to wit:

NEW CASTLE COUNTY

Berry G. Wheatley	20,788
Edward Baker	33,918

KENT COUNTY

Berry G. Wheatley	7,001
Edward Baker	6,002

PROCLAMATIONS

SUSSEX COUNTY

Berry G. Wheatley	8,896
Edward Baker	9,722

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 Berry G. Wheatley	36,685
Whole number of votes for Edward Baker	49,642

Now, Therefore, I, C. D. Buck, 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 fourteenth day of November, in the year of our Lord one thousand nine hundred and thirty and of the Independence of the said State the one hundred and fifty-fifth.

By the Governor:
C. D. BUCK.

(Great Seal)
CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

C. D. BUCK,

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 fourth day of November, in the year of our Lord one thousand nine hundred and thirty 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

INSURANCE COMMISSIONER 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 the said counties respectively for such Insurance Commissioner were cast as follows, to wit:

NEW CASTLE COUNTY

Samuel Furniss	20,507
Jas. G. Shaw	34,388

KENT COUNTY

Samuel Furniss	6,837
Jas. G. Shaw	6,170

PROCLAMATIONS

SUSSEX COUNTY

Samuel Furniss	8,686
Jas. G. Shaw	9,872

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 Insurance Commissioner the result appears as follows, to wit:

Whole number of votes for Samuel Furniss	36,030
Whole number of votes for Jas. G. Shaw	50,430

Now, Therefore, I, C. D. Buck, Governor of the State of Delaware, do hereby declare that Jas. G. Shaw has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Insurance Commissioner of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover the fourteenth day of November, in the year of our Lord one thousand nine hundred and thirty and of the Independence of the said State the one hundred and fifty-fifth.

By the Governor:
C. D. BUCK.

(Great Seal)
CHARLES H. GRANTLAND,
Secretary of State.

PROCLAMATIONS

PROCLAMATION

STATE OF DELAWARE

EXECUTIVE DEPARTMENT.

Whereas, Pierre S. duPont, Tax Commissioner on behalf of the Tax Department 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, C. D. Buck, Governor of the State of Delaware, 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:

Absolute Adjustable Hinge Company, A. B. Clark Company, A. B. K. Cleanser Company, Inc., A.-B. Produce Co., A. B. C. Patents Corporation, A. B. C. Trailer Truck Company, Inc., Abramson-Bode Corporation, A. C. Horn Company of Pennsylvania, Inc., A. E. Meily & Co., A. F. McGowan, Inc., Abitibi Gold Mines Co., Inc., A. K. Owen Co., Inc., The, A. W. Brand, Inc., Acme Active Association, Acme Auto Top and Body Company, Inc., Achor Choco-Lactine Company, Acropolis Corporation, The, Acme Oil Well Tool Company, Ace Oil and Refining Company, The, Acoma Petroleum Company, Acme Towel Supply Company, Acme Washing Machine Company, Inc., Adrola Corporation, Adriatica Foods Products Company, Inc., Advance Manufacturing Company, Advertising Profit-Sharing Coupon Corp., Adwear Shoe Company, Aero Agency, Inc., Aero Automotive Company, Inc., Airmetre Corporation, The, Agricultural Lime and Trap Rock Corporation, Aetna Sales and Service Co., Inc., Aetna Tax Title Corporation, Alaska Aeronautical Service Corporation, Alaska-American Oil Corporation, Albert Brown, Inc.,

PROCLAMATIONS

Albany Construction Corporation, Alden Club Beverage Corporation, Albert David Chemical Co., Algonquin Electric Company, Inc., Albany Finance Corporation, Alaska Gold Mining Company, Alabama Lime & Stone Corporation, Alabama Motion Picture Co., Inc., Alison Oil Company, Alabama Oil Company, Alaska Pipe Line & Storage Corporation, Alaska Pacific Development Company, Alberta Ridge Company, Alabama Tripoli Corporation, All American Amusement Co., All-American Non-Metallics Corporation, Allen's A. B. C. Company, Almolate Company, Inc., Alpha Crushed Slate Corporation, Allison Development Corporation, Allen Fireproof Homes Corporation, Allatoona Gold Mine Co. of Cartersville, Ga., Allen Oil & Gas Company, The, Allen-Wales Corporation of New York, Allen-White Process Corporation, Altex Drilling Company, Altamont, Inc., The, Alspach Knitting Co., Altex Petroleum Company, Altoona Speedway Association, Amiesite Asphalt Company of Indiana, Amiesite Asphalt Company of Michigan, Amiesite Asphalt Company of Louisiana, Amiesite Asphalt Company of Tennessee, Amiesite Asphalt Company of Mississippi, Amiesite Asphalt Company of Arkansas, Amiesite Asphalt Co. of Texas and Oklahoma, Amalamated Electric Corporation, Ama Feather & Down Co., Inc., Amer-Mex Oil Co., Ambridge Nash Company, Amaranth Oil Corporation, American Apple Products Corporation, American Abbeys Corporation, American Agriculture Army, Inc., American Allied Industries, Inc., American Asphalt Company of Kansas and Missouri, American Air Cushion Corporation, American Automatic Musical Corporation, American Aero Express Corporation, American Adjustable Chase Corporation, American Automatic Transmission Corporation, American-Asiatic Corporation, American Battery Products Corp., America's Better Camps, Incorporated, American Brake Testing Machine Corp., American Chemical Gas Company, American Certigraph Corporation, American City Realty Company, American Credit Corporation, American Cinema Association, American Composers, Inc., American Coil Corporation, Inc., American Die-Casting Equipment Corporation, American

PROCLAMATIONS

Debenture Corporation, American Diners System, Inc., American Eagle Aircraft Company, American-European Trading and Finance Co., Inc., American Electric Products Corporation, The, American Fuel Oil Company, American Farmers Foundation, Inc., American Farms Machine Company, Inc., American First Aid, Inc., American Financing Corporation, The, American Fund for Investigators, Inc., American Finance & Engineering Corp., The, American Greyhound Association, The, American Gear Company, American Home Pictures, Inc., American Holding Company, Americans, Inc., The, American Identification Company, American Institute for Life Planning, Inc., American Independent Film Export Co., Inc., American Italian Holding Corporation, American Industrial Petroleum Corporation, The, American International Oil Corporation, American Ice Machine Company, The, American Lady, Incorporated, American Lead and Zinc Company, American Leasehold Corporation, American Maid Textile Shops, Inc., The, American Metals Smelting and Refining Co., American Milling & Industrial Corporation, American Novelties Manufacturing Company, American Orient Company, Inc., American Oriental Bankers Corporation, American Oil Producing Company, American Overseas Warehouse Co., Inc., American Peat Selling Corporation, American Petroleum Corporation, American Portland Cement Company, American Pipe Lines & Terminals, Inc., American Property Syndicate Corporation, American Properties Corporation, American Racing Association, American Rotor Corporation, American Royalties Company, The, American Refining Company, Inc., American Raylo Corporation, American Reamer Co., American Safety Match Corporation, American School Development Corporation, American Sell-A-Graph Corp., American States Coal Corporation, American Small Loan Company, Inc., American States Financial Corporation, American Steel Door Company, American Turkish Development Corporation, American Trans-Atlantic Steamship Line, Inc., American Tea Farms Company, American Textile Mills, Inc., American Trade Service, Incorporated, American Travel System Corporation,

PROCLAMATIONS

American Window and Door Equipment Co., American West African Co-operative Producers, Inc., Ancker & Company, Anchor Home Construction Company, Anderson Investment Corporation, Anderson, Johnson Company, Inc., Anderson Motor Corporation, Andermar Construction Company, Inc., Andrews & Co., Anti-Cancer Center of the District of Columbia, Incorporated, Ansonia Corporation, Antels, Incorporated, Antlers, Inc., The, Antimony Lead Smelting and Refining Corp., Anthracite Mortgage Corporation, Anderson Overseas Corporation, Andremis Tobacco Products Corporation, Apache Chief Copper Company, The, Apex Coal Company, Aquazone Corporation, Appollo Confectionery Co., Apple Gum Factors, Inc., Apex Gold Mines Corporation, Apex Mines, Incorporated, The, Applewhite Petroleum Company, Apollo Theatres Company, Arkansas Amiesite Company, Artisans Building and Loan Association, Art Chandelier Co., Inc., Arno Co., Arnold Coal Company, Archer Chemical Corporation, Archbold Coal Company of Delaware, Armalle Coal Company, Arnaman Development Corporation, The, Ardmore Department Store, Inc., Aron Electric Distributing Company, Armor Envelope Company, Arrowhead Express Freight Company, Artistic Furniture Corporation, Arcadia Farms Company, Artcrete Homes, Inc., Aronsky Iron & Steel Company, Inc., Arlington Mining Company, Aramingo Mutual Association, Army and Navy Magazine Company, Armada Petroleum Company, Armstrong Products Corporation, Armstrong Rustless Steel Corporation, Ardmore Shoe Co., Inc., Art Stone Block Company, Arrowhead Springs Water Co., Armstead Snow Motors, Incorporated, Arkansas Valley Land and Irrigation Co., Assured Bond and Mortgage Company, Associate Business Council, Inc., Astringent Corporation of America, The, Associated California Properties, Inc., Associated Cabarets, Inc., Associated Doctors Hospital Corp., Associated Drug Industries, Inc., Associated Engineers, Inc., The, Associated Financial Services, Inc., Associated Hotels, Inc. of Florida, Associated Hotels, Incorporated, Associated Investors Mortgage Corp., Assurety Investment Association, Assets Liquidation Company, Associated Mines

PROCLAMATIONS

and Development Company, Asta Oil Burner Corporation, Associated Producers Gasoline Company, Ashe Petroleum Company, Associated Petroleum Company, Ascot Refining Company, Associated Silver Fox Farms, Inc., Asiatic Selling Company, Limited, Atlas Auction Company, Atlantic City Villas, Inc., Atlanta Central Mortgage Corp., Atlas Co. of Narberth, The, Attala County Oil Co., Atlantic Distributing Company, Inc., Atlas Industries, Inc., Atlas Laboratories, Inc., Atlas Linotyping Company, Atlantic & Pacific Petroleum Corporation, Atlantic Paper Tube Co., Inc., Atlantic Pulp Wood Corporation, Atlantic Rock Corporation, Atlantic Seaboard and Gulf Service Corp., Atlantic Seaboard Sanitarium, Incorporated, Atlantic Tobacco Company, Atlas Truck and Tractor Corporation, Atlantic Utilities Corp., Atlanta Union Stock Yards, Inc., Automatic Dumper Corp., Autodrive Company, The, Automatic Carbonators, Inc., Auto Distributors, Inc., Automatic Equipment Company, Automat Equipment Corporation, Auto Electrical Service & Equipment Co., Auto Fender & Radiator Company, Auburn Furniture Manufacturing Company, Automotive Finance Co., Automatic Garages Corporation, Automatic Icer Corp., Auto Life Saver Lamp Company, Inc., Augusta Manor Hotel Corporation, Automatic Movie Display Corporation, Austrian Oil and Mineral Corporation, Aztec Oil Company, Avondale Press, Incorporated, The, Auto Safety Appliance Corporation, Automatic Stores, Inc., Automobile Specialties Corporation, Auto Stop-Skid Corporation, Automobile Sales Company, Automatic Safety Appliance Corporation, Auto-Table Company, Automatic Transmission Company.

B. B. Anderson, Incorporated, B. D. Tillinghast Company, B. & E. Gas & Development Corporation, B. & M. Discount Corporation, Bad-Nauheim Corporation, Bacharach Quality Shops, Incorporated, B. Rockin & Company, Badger Securities Company, B. & W. Electric Battery Corporation, Baker, Forsyth & Worden, Inc., Baker Oil Company, The, Baltimore Controlling Company, Balmer Corporation, The, Baltimore Discount Company, The, Ballard Oil Heating Co.

PROCLAMATIONS

of Washington, D. C., Balfour Quarry Company, The, Baltimore Shoe House, Incorporated, Banning Corporation, The, Bankers Dealing Corporation, Bankers Gilt-Edged Securities Corporation, Banoma, Inc., Bankstock Investors Corporation, Bankers and Investors Service, Inc., Bankers Mortgage Company of Alabama, Bank Stock Share Owners Association, Bankers' Trust Company of Tennessee, Bardy Motion Picture Machine Company, Barnegat Bay Corporation, The, Barnes Manufacturing Co., Inc., Barnum Oil Company, Barnett Oil Company, Barnitz Printing & Publishing Company, Barrett Harden, Inc., Barry Milling & Elevator Company, The, Barry Manufacturing Company, Barty Axle Corp., Basin Oil and Gas Company, The, Bartlesville Silica & Marble Company, Battle-Frye Company, Bay View Realty Co., Inc., Bear Balsam Products Co., Beacon Manufacturing Company, Beaumont-Port Arthur Navigation Co., Beddeo, Inc., Belgian American Coke Ovens Corporation, Belfield Concrete Products Company, Inc., Bell-Harr Oil & Gas Co., Belle Hovey Corporation, Belleone Improvement Co., Bell Lock & Hardware Corporation, Bell Needle Company, Bell Plumbing Company, Bell System, Inc., Bengal Beverage and Ice Co., Bender Service Company, Bens Creek Collieries, Inc., Bercer Productions, Inc., Bernard Automotive Corporation, Bertle Company, The, Bernard Radio Corporation, Berry and Tichenor Co., Bex Chemical Company, Beverly Corporation, The, Beverly Farms, Inc., Bestwall Manufacturing Company, "Better Ole" Club, Inc., Better Plays Extension, Inc., Better Radio and Floral Home, Inc., Besser Sales Co., Bimini Club, Biltmore Country Club of Los Angeles, The, Big Farmer Corporation, Big Four Oil Corporation, Biltmat Holding Corporation, Bi-Respin, Incorporated, Bi-State Oil Company, Inc., Bi-Tone Products, Incorporated, Bituminous Coal Corporation, The, Biochemic Research Laboratories, Inc., Black Diamond Coal Company, Blake Export Corporation, Blaisdell Filtration Company, The, Blakely Oil & Gas Co., Blackford Oil Company, Blackstone Stock and Land Company, Blue Bird Air Service, Inc., Blue Bonnet Stores, Inc., Bluff City Caverns Company, Blue Diamond Company of Washington,

PROCLAMATIONS

Bluestone Electrical Co., Blue and Gray Restaurant Company, Blue Hen Produce Co., Blenheim, Inc., Blue Line Contracting Company, Blue Moon Equipment & Operating Co., Inc., Bluebird Mining Company, The, Blue Mountain Lumber Company, Blue Mountain Development Co., Inc., The, Bloomsburg Park Company, Blow Proof Tire Company, Inc., Blue Ridge Finance Company, Blue Ribbon Beverage Corporation, Blue Ridge Clay Mining Corporation, Blue Star Hosiery Co., Inc., Block Tire and Service Co., Bogdan Cushion Hub Wheel Corporation, Bock Laundry Machine Company, Bob Morton Circus Co., Inc., Bond Automobile Company, Bonita Building & Lumber Corporation, Boles & Co., Bolin Corporation, Booth Fuel Company, Bolens Hydraulic Corporation, Botts, Inc., Bon Marche, Inc., The, Bonanza Mines Company, Bond and Mortgage Banking Corporation, Bond and Mortgage Finance Company, Bonded Securities Company, Boonville Silver Fox Co., Inc., Booker T. Washington Hotel Corporation of Washington, D. C., Boss & Co., Inc., Bottomley and Company, Boston Flint Company, Incorporated, Bottlers' Mutual Protective Association, Borrow-Marshall Co., Inc., Born Process, Inc., Boston Rim Company, Boulevard Hotel Co., Boxing Blade, Inc., Bowie-Callahan Royalties Corporation, Boyer-Weler Corporation, Braganza Lines, Inc., Bradford, Inc., Brazilian Babassu Corporation, Brandimist Co., Brierhurst Realty Company, Bridge Theatre Company, British United Mines Corporation, Broadway Auto Company, Broadhurst Academy, Inc., The, Brolin Fibre & Fabric Corporation, Broderick Firesafe Homes Association, Inc., Broad Top Coal Corporation, Brous Construction Company, Inc., Broom Corporation of America, The, Brookstone Dairy Corporation, Brotherhood of Locomotive Engineers Securities Corporation of Illinois, Brown & Chi, Inc., Brown Derby Corporation, The Brownlee Incorporated, Brown Mercury Aircraft Corporation, Brownie Oil Corporation, Brown Products Corporation, Bruhn Alarms, Inc., Brynwood Manor Pool, Inc., Brynwood Manor Inn, Inc., Bryan Oil Corporation, Buckeye Consolidated Oil Company, Bucks County Blue Fox Ranch, Inc., Buckeridg-Downey, Inc.,

PROCLAMATIONS

Buckley Machine Corporation, Bulle-Clock Corporation, The, Bull Dog Oil and Gas Company, Builders Finance Association, Inc., Buffalo Lithia Springs Corporation, Builders Mortgage & Loan Company, Bull Mountain Oil & Gas Company, Builders Mortgage Company, Incorporated, Budd Publishing Company, Inc., Builders & Realty Discount Corporation, Buffalo-Roswell Oil and Gas Co., Builders Specialty Company, Bureau of Broadcasting, Inc., Burlington Improvement Company, The, Burlington Wet Wash Laundry, Inc., Burress Grade Crossing Protection Company, Burrows Magnetic Equipment Corporation, Burnside Oil Company, Buzz company, Inc., Byrd Publishing Company.

C. A. D. Bayley & Co., Inc., California Alaska Coal & Coke Company, Cain Asbestos Company, Incorporated, Calumet Bond and Mortgage Company, "C" Bungalo Corporation, C. C. Hamilton & Company, California Coast Oil Company, Incorporated, California Consolidated Building & Investment Corporation, California Consumers Finance Corporation, California-Eastern Oil Company, Cable Excavator Company, The, California Elk Hills Oil Company, C. F. Wyant, Incorporated, California Fiscal Corporation, C. F. Anderson Company, California General Mortgage Company, Callensburg Gas Company, California Gulf Navigation, Inc., Caesar's Head Mountain, Inc., C. J. Smith, Inc., C. Bullock Co., C. K. Bergen Corp., The, Calumet Kennel Racing and Amusement Co., Incorporated, Calvert Land and Orchard Company, Cairo Oil Mill Company, Callahan Oil Company, Cadet Oil and Gas Corporation, C. Q. Crader, Incorporated, C. Thomas Cleaning and Dyeing Industries Co., "Cahl" Track Company, C. W. Hill, Inc., C. W. Lamon Co., Cameo Frame Company, Campbell Gold Mines Company, Limited, Campbell Heating System, Inc., Camp Shawnee, Inc., Capital Attractions, Inc., Capital Airlines, Inc., Capitol Bag & Burlap Company, Inc., Capitol Building and Finance Company, Capitol Claremont Laboratories, Inc., Canyon Creek Development Corp., Canaan Coal and Contracting Company, Capital Coffee Co., Inc., Capitol Fireproofing Construction Co., Inc.,

PROCLAMATIONS

Capitol Fuel Corporation, Capital Garage Company, Canadian Home Cannery, Inc., Canzano, Inc., Capital Investment Company of America, Canadian Land and Fur Company, Capital Loan Society, Canadian Milling & Elevator Company, Inc., Canfield-Norris, Inc., Canadian Oil & Gas Corporation, Capron Oil Corporation, Capital Realty Co., Inc., The, Capitol Theatre Supply Company, Cari-Cuban Corporation, Carlin Creamery Company, Cardiff Green Granito Corporation, Carbon, Inc., Cardinal Motors Corporation, Carolina Mica Corporation, Carolina Oil and Mines Company, Carmen Oil Corporation, Cardinal Petroleum Corporation, Carlisle Sales Corporation, Carolina Timber and Mercantile Company, Carl Wild Delicatessen Co., Carston Corporation, The, Carrington-Smith Oil, Gas & Mining Co., Inc., Casoid Company, The, Castell Company, Inc., The, Caspar Oil Corporation, Catholic Art Association, Inc., Central American Lumber Co., Central American Naval Stores Co., Inc., Central Canada Light, Heat and Power Corp, Catch Basin Products Corporation of Indiana, Central Coal Company, Century Credit Corporation, Catherine Creek Pine Lumber Company, Central Floral Company, Central Finance Company, Cement Floor Finishing Company, Certified Garages of America Association, Central Mexican Oil Company, Central National Oil Company, Central Outdoor Advertising Company, Central Oil & Gas Company, Central Purchasing Company, Inc., Central Properties Company, Central Products Company, Central Pennsylvania Manufacturing Co., Central States Finance Service Corporation, Central States Gas and Electric Company, Central Securities Corporation, Celeste Sugar Company, Inc., The, Catlin Shale Products Company, Central Tire and Reliner Company, Central Used Car Department, Inc., Central Window Cleaning Company, Central West Corporation, The, Central-West Utilities Company, Chadon, Inc., Champlin-Powell, Inc., Challenge Publishing Co., Inc., Charles C. Goodwin Mfg. Co., Charles Davenport Transportation Co., Inc., Charlotte Electrical Refrigeration Corporation, Chapala Foundation Corporation, The, Charles Hayward Company, Charles M. Scott Packing Com-

PROCLAMATIONS

pany, Charles Morris & Co., Inc., Chas. S. Miller Insurance and Surety, Inc., Charleston Specialty Company, Chattanooga Building Corporation, Chesapeake Building Company, Chesapeake Club, Chester and New Jersey Ferry Company, Cheyenne Oil Company, Cherokee Rock Asphalt Company, Chinese-American Oil Products Co., Inc., Chicago Branch Hydro United Tire Corp., Chloro Chemical Corp., Choctaw Mining Corporation, Chicago Northwestern Air Transport Co., China Pacific Exports Company, Inc., Chicago Photoplay Company, Chicago Salon of Fine Arts, Incorporated, Chicago Wholesale Corporation, City Builders Corporation of America, The, Circle Concrete System, Inc., Chromilite Company of America, Cincinnati Flint Company, Citizens Glass Corporation, The, Chungking Ice Company, Inc., Church Lane Homes, Inc., Citizens Mortgage & Investment Co., Chun Mei News Company, Citizens Mortgage Company of California, Cimarron Oil Corporation, Circuit Products Corporation, Circle S. Manufacturing Co., Cinema - Vox Corp., Clark & Amis, Inc., Clark Creek Oil Company, Clasphalt Corporation, The, Clarke-Hickey Oil Corporation, Claudeson Laboratory, Inc., The, Charleston Manufacturing Company, Inc., Clax Mfg. Co., Inc., Clay Products Company of America, Clark Utah Corporation, Cleveland Consolidated Corporation, Cleveland Flint Company, The, Clifton B. Drake Company, Cloraloy Corporation, Climax Creamery Company, Clifton Lumber Company, Clucker & Ludy Co., Inc., Club St. Marks, Inc., Climax Sales Company, Clock & Watch Shops, Inc., The, Coast Dredging Company, Inc., Coast Land & Building Co., Inc., The, Coastal Oil Development Company, Coal Products Recovery Company, Inc., Coast Securities Corporation of California, Coast & West Indies Ship Corporation, Cola-Bubble Company, Coleman Homes, Inc., Collins Constructive Co., Inc., College Fraternity Development Company, College Park Lumber & Supply Company, Colombian-American Corporation, Colonial Co., The, Colonaid Company, Inc., Color Cartoon, Incorporated, Colombian Coastwise Railways, Inc., Columbia Decorating & Manufacturing Co., Colonial 5c to

PROCLAMATIONS

Capitol Fuel Corporation, Capital Garage Company, Canadian Home Cannery, Inc., Canzano, Inc., Capital Investment Company of America, Canadian Land and Fur Company, Capital Loan Society, Canadian Milling & Elevator Company, Inc., Canfield-Norris, Inc., Canadian Oil & Gas Corporation, Capron Oil Corporation, Capital Realty Co., Inc., The, Capitol Theatre Supply Company, Cari-Cuban Corporation, Carlin Creamery Company, Cardiff Green Granito Corporation, Carbon, Inc., Cardinal Motors Corporation, Carolina Mica Corporation, Carolina Oil and Mines Company, Carmen Oil Corporation, Cardinal Petroleum Corporation, Carlisle Sales Corporation, Carolina Timber and Mercantile Company, Carl Wild Delicatessen Co., Carston Corporation, The, Carrington-Smith Oil, Gas & Mining Co., Inc., Casoid Company, The, Castell Company, Inc., The, Caspar Oil Corporation, Catholic Art Association, Inc., Central American Lumber Co., Central American Naval Stores Co., Inc., Central Canada Light, Heat and Power Corp, Catch Basin Products Corporation of Indiana, Central Coal Company, Century Credit Corporation, Catherine Creek Pine Lumber Company, Central Floral Company, Central Finance Company, Cement Floor Finishing Company, Certified Garages of America Association, Central Mexican Oil Company, Central National Oil Company, Central Outdoor Advertising Company, Central Oil & Gas Company, Central Purchasing Company, Inc., Central Properties Company, Central Products Company, Central Pennsylvania Manufacturing Co., Central States Finance Service Corporation, Central States Gas and Electric Company, Central Securities Corporation, Celeste Sugar Company, Inc., The, Catlin Shale Products Company, Central Tire and Reliner Company, Central Used Car Department, Inc., Central Window Cleaning Company, Central West Corporation, The, Central-West Utilities Company, Chadon, Inc., Champlin-Powell, Inc., Challenge Publishing Co., Inc., Charles C. Goodwin Mfg. Co., Charles Davenport Transportation Co., Inc., Charlotte Electrical Refrigeration Corporation, Chapala Foundation Corporation, The, Charles Hayward Company, Charles M. Scott Packing Com-

PROCLAMATIONS

pany, Charles Morris & Co., Inc., Chas. S. Miller Insurance and Surety, Inc., Charleston Specialty Company, Chattanooga Building Corporation, Chesapeake Building Company, Chesapeake Club, Chester and New Jersey Ferry Company, Cheyenne Oil Company, Cherokee Rock Asphalt Company, Chinese-American Oil Products Co., Inc., Chicago Branch Hydro United Tire Corp., Chloro Chemical Corp., Choctaw Mining Corporation, Chicago Northwestern Air Transport Co., China Pacific Exports Company, Inc., Chicago Photoplay Company, Chicago Salon of Fine Arts, Incorporated, Chicago Wholesale Corporation, City Builders Corporation of America, The, Circle Concrete System, Inc., Chromilite Company of America, Cincinnati Flint Company, Citizens Glass Corporation, The, Chungking Ice Company, Inc., Church Lane Homes, Inc., Citizens Mortgage & Investment Co., Chun Mei News Company, Citizens Mortgage Company of California, Cimarron Oil Corporation, Circuit Products Corporation, Circle S. Manufacturing Co., Cinema - Vox Corp., Clark & Amis, Inc., Clark Creek Oil Company, Claspalt Corporation, The, Clarke-Hickey Oil Corporation, Claudeson Laboratory, Inc., The, Charleston Manufacturing Company, Inc., Clax Mfg. Co., Inc., Clay Products Company of America, Clark Utah Corporation, Cleveland Consolidated Corporation, Cleveland Flint Company, The, Clifton B. Drake Company, Cloraloy Corporation, Climax Creamery Company, Clifton Lumber Company, Clucker & Ludy Co., Inc., Club St. Marks, Inc., Climax Sales Company, Clock & Watch Shops, Inc., The, Coast Dredging Company, Inc., Coast Land & Building Co., Inc., The, Coastal Oil Development Company, Coal Products Recovery Company, Inc., Coast Securities Corporation of California, Coast & West Indies Ship Corporation, Cola-Bubble Company, Coleman Homes, Inc., Collins Constructive Co., Inc., College Fraternity Development Company, College Park Lumber & Supply Company, Colombian-American Corporation, Colonial Co., The, Colonaid Company, Inc., Color Cartoon, Incorporated, Colombian Coastwise Railways, Inc., Columbia Decorating & Manufacturing Co., Colonial 5c to

PROCLAMATIONS

\$1.00 Stores, Inc., Columbus Flint Company, Colonial Financing and Mortgage Corporation, Colonial Hotel Company, Colonial Liquidating Company, The, Columbia Mortgage Company, Columbia Management, Inc., Colombian Oil Concessions, Inc., Colombian Products Exploitation Corporation, Columbia Oil Burner Sales Company, Colored Players Film Corporation, Columbia Screen Service, Inc., Columbia School and Sanatorium, Inc., Colonial Theatres, Inc., Commercial Alcohol Company, The, Comet Auto Stores, Inc., Commonwealth Broom Company, Commercial Contracting Company, Commercial Chemical Co., Community Drilling Corporation, Commonwealth Finance & Thrift Corporation, Commercial Flying Service, Inc., Commonwealth Fuel Gas Company, Community Market, Inc., Commodore Oil Company, Commonwealth Portland Cement Corp., Community Publishers Corporation, Comfort Razor Corporation, Community System Service Corporation, Community Sales Corporation, Commonwealth Trustees, Inc., Community Theatres of America, Inc., Commercial Truck Realty Company, Concord Boulevard Garage Company, Congress Corporation, Concrete Column Corporation, Congress Holding Corporation, Congressional Investment Corporation, Congress Oil Company, Inc., Concrete Pipe Corporation, Concrete Products Corporation, Concentrated Vanilla Corporation, Conrad Brothers, Inc., Conquest Copper Company, Consolidated Bakers' Service, Inc., The, Consolidated Coal and Iron Company, Consolidated Cotton Oil Company, Conservative Credit Corporation, Consumers Dairies, Inc., Consolidated Electrical Appliance Co., Consolidated Gas & Petroleum Co., Inc., Consolidated Investment Co., The, Consolidated Pictures Corporation, Constant Porcupine Gold Mining Co., Ltd., Construction Properties, Inc., Consolidated Petroleum Corporation, Constant Refining Company, Consolidated Share & Bond Co., Ltd., Consumers Tire and Rubber Corporation, Consolidated Universal Utilities Co., Inc., Consumers Wholesale Supply Co., Consumers Wholesale Supply Corporation, Continental Airways, Inc., Contracting Corporation of America, Conveyors Corporation of America,

PROCLAMATIONS

Continental Insurance Agency, Inc., Converting Machine Corporation, Continental Oil Producing Co., Continental Products Corporation, Continental Refrigerating Machine Co., Cooper Adjustable Steel Spring Co., Cooperative Cotton Oil Company, The, Coosa County Mica Company, Copley Homes, Inc., Copper Investing Corporation of America, Copper King Overall Company, Copalitos Mines & Smelting Corporation, Cooper Publishing Corporation, Copan Power and Light Company, Corbett-Cowley, Incorporated, Cornell Fur Farms, Inc., Core Speed Control Corporation, Cord Tire Corporation, The, Cosgrove & Company, Inc., Cosmopolitan Institute of America, Inc., Cosmopolitan Opera Company, Costikyan Oriental Looms, Inc., Cosmo Oil Company, Court-Astoria Publishers, Inc., Country Club Development Company, Coventry Stables, Inc., Cox Lime, Stone and Lime Products Corp., Cowie & McKee, Inc., Cow Ranch Oil and Gas Corporation, Craig Golfmeter Co., Crasscoal Holding Corporation, Craft Workers Corporation, Crescent Coach Co., Cretissue Paper Company, Cremaize-St. Lawrence Corporation (Corporation Cremaize-St. Lawrence), Croft & Allen Corporation of Delaware, Cronemeyer & Murphy, Inc., Cross Laboratories, Inc., Crossroads Publishing Company, Crown Laboratories, Inc., Crow Oil, Gas and Coal Co., Crude Oil Corporation of America, Crusader Pipe Line Company of Arkansas, Cuban-America Airline, Inc., Cuban American Rock Asphalt and Paving Corporation, Culbertson Coal Corporation, Cumberland Investment Corporation, Cumberland Lime Company, Curtin Bros., Inc., Curtis Wright Aeronautical Corporation, Cyco, Inc., Cynosure Oil Corporation, Cyrus Simmons, Inc., Cyrus Simmons Co., Inc.

D'Artois Refining Corporation, Dad's Company, Incorporated, D. C. Horton, Incorporated, D. C. Swimming Pool, Inc., D. & H. Appliance Co., Inc., Da-Hol-An Manufacturing and Sales Corp., Daisy Ice Cream Company, D. J. Selznick, Incorporated, D'Lo Oil Corporation, D. & S. Restaurant, Inc., D. & W. Oil Company, The, Dance Box Incorporated, The, Daniel Boone Oil Company, Darby Co., The, Danville De-

PROCLAMATIONS

velopment Company, The, Darnell Homes, Inc., Dannish Oil and Gas Company, Darby Steel Equipment Company, Davidson In-A-Car Bed Co., David Lowenstein and Co., Inc., Davis Development Company, Davis Royalty Corporation, Dawes Electric Sign & Mfg. Co., The, Day Oil and Gas Corporation, Dawn Publishing Company, Inc., Deanwood Amusement Company, Inc., De Bar Engineering Corporation, Dealers Credit Corporation, De Forest Latin American Corporation, De Leon Pipe Line & Refining Corporation, Dean Vending Corporation, De Wall Oil Burner Corporation, DeHoward Chemical Co., Delatour Beverage Corporation, Delhi-Battery and Supply Company, Delres Corporation, Delmarvia Construction Co., Inc., Delancey Corporation, Delco Finance Company, Delman Holding Corporation, Delta Oil Company, Delmar Postal Building Corporation, Delphos Printing Press Corporation, Delvatex Petroleum Corporation, Delco Realty Corporation, Delmonico Restaurants, Inc., Delaware Aeronautics Association, Inc., Delaware Brick Company, Delawanna Chemical Co., Inc., Delaware Electric Construction Co., Delaware Foundry and Machine Company, Delaware Holding Corporation, Delaware Order of the Eastern Star Building Corporation, Delaware Pretzels Sales Co., Delaware Paving and Construction Co., Delaware River Towing Line, Inc., Delaware Steel Products Company, Delaware Valley Hotel Corporation, Delaware Viaduct and Bridge Company, The, Dempsey Cycle Company, Dempsey Oil Corporation, Demountable Typewriter Sales Co., Inc., Denney Company, The, Dennington Coal Mining Company, Devices Corporation, The, Dixie Cotton Waste Co., Dicks, David Co., Incorporated, Diamond Finance Company, Diamond Pipe Line & Marketing Corporation, Diamond State Trust Company, Dishwashette Company, Dixiana Clay Company, The, Direct Coal Company, District Engineering Company, District Fuel Company, District Improvement Company, District Investment Company, Distributors, Inc., Diversified Industrials, Incorporated, Dixie Leasing Company, Dockery Drug Company, Inc., Dodge Engineering Corporation, Domestic Appliance Co., The, Domestic Coal Co., Dol-

PROCLAMATIONS

lar Dry Cleaners, Inc., Domestic Fuel & Supply Company, Doll Hospital, Inc., The, Dominion Oil Company, Dominican Service, Inc., Domestic Silk Mills, Inc., Donalds, Inc., Don Lawhead Company, The, Donohoe Motor Company, Dootson Shock Absorbers, Inc., Douglass Company, Incorporated, Double Eagle Oil Corporation, The, Dora Goodman, Incorporated, Doubling Gap White Sulphur Springs Hotel, Inc., Dormont Garage, Inc., Dorsey Manufacturing Company, Dover-Rossville Transit Company, Doty, The Shoe Man, Inc., Downingtown Chemical Company, Down Town Mines Company, Drive Construction Company, Drice, Inc., Dr. Lida Chase Duncan Coagulating Machine Company, Drakol Laboratories, Inc., Drysdale Royalty Corporation, Dry State Bridge and Bond Company, Dry Storage Battery Corporation, Dropsash Weatherstrip Company, Dualuxe Company, Inc., Dudley Drug Co., Inc., Ducks Publishing Company, The, Duroth Steel Truck & Car Wheel Co., Dumbarton Investment Company, The, Dumont Oil, Gas & Pipe Line Co., Inc., Dunbar Company, The, Duncan Hotels Corporation, Duplex Oil Company, DuPont Realty Company, Durham Building Company, The, Durus Fibre Corporation, Duquesne Opera Company, Dure & Seawell, Incorporated, District Apartment Corporation, Dickinson Tires, Inc.

E. A. Gabryel and Company, East Bethlehem Oil and Gas Company, Eastwood-Bickmore Engineering Company, Eagle Chief Oil Corporation, Eastern Candy Company, East Erie Coal and Supply Company, Eagle Ice & Products Company, East Liberty Motor Sales Company, Easton Finance Corporation, E. H. Rapp Stationery Co., E. M. Cohen Co., E. M. Tissot & Co., Eastern Motion Pictures Co., Eagle Novelty Company, Eastman Oil Company, Eastern Pulp and Wood Products Corp., Eagle Restaurent, Inc., The, East Rim Development Company, The, Eastern Rubber Products Company, East and West Oil Company, Eaton Service Control Company, Eberhart Aeroplane & Motor Company, Inc., Economy Cleanser Company, Economy Fuel Corporation, Eclipse Manufacturing Company, Economy Oil Burner

PROCLAMATIONS

Manufacturing Co., Economy Pressed Steel Boiler Corp., The, Ecko Products Company,, Eclipse Steel Products, Inc., Eco-Thermal Stove Co., Inc., Egyptian Beverage Corporation, Edmonson County Rock Asphalt Company, Edward Gosfield, Inc., Edel Manufacturing Company, Edgewater Milling Company, Edgewater Petroleum Company, Educational School Supplies Company, Ekonimo Company, Inc. of Dallas, Tex., The, Ehlers Film Corporation, El Cobra Union Mines Company, Electro-Chemical Process Corporation, El Carro Quicksilver Mines Company, Inc., Electime Company of Pennsylvania, El Camino Investment Co., Elgin Corn Company, The, El Dorado Refining Company, The, Electro Gravity Motor Corporation, Elbert Land Corporation, El Maruso Oil Corporation, Elem Oil and Gas Company, Elbert Petroleum Company, Inc., Electric Range Utensil Co., Electric Systems, Incorporated, Elmer C. Anderson Corporation, The, Elsie Horton Studios, Inc., Ellis-McCandless Co., Elliott Printing Company, Elrito Petroleum Company, Elliott Rotary Valve Motor Company, The, Elliott School for Girls, Inc., The, Elliott Salvage Corporation, Engel's Buffet, Inc., Emmar Corporation, Equitable Commercial Company, Epom Corporation, Emlet & Company, Emjay Corporation, Enterprise Department Store, Inc., Empire Engineering Corporation, Equitable Finance Company of Minnesota, Embassy Holding Corporation, Equitable Investment Trust, Inc., Emerald, Incorporated, Equitable Mortgage Corporation, Emmert Oil Company, The, Empire Oil and Transport Company, Ltd., Enfisco Oil Corporation, Ephrata Publishing Company, Equitable Realty Company, Empire Steel Products Company, Equitable Securities Corporation, Empire State Supply Corporation, Engleman Tire Company, Inc., Equipment Trust Corporation, Erie Candy Company, Erosian Drilling & Coring Corporation, Ernest Swift, Inc., Estate Builders Corporation, The, Estero Bay Estate, Inc., Eureka Clay Products Company, The, Esperanzo Developments, Incorporated, Eureka Film Corporation, The, Eureka Laundries, Inc., Esda Manufacturing Company, Eureka Oil Company, Esmeraldas Oil Syndicate, Escalante Oil and

PROCLAMATIONS

Refining Company, Eternal Pictures, Inc., Esca Pharmaceutical Laboratories, Inc., Essex Petroleum Company, Estate Realty & Investment Corporation, Euromerican Syndicate, Inc., Ever-Brite Products Company, Inc., The, Evernu Corporation, Evans Concrete Company, Inc., Everkeen Corporation, Export Clothes-Pin Association of America, Inc., Ex-el Company, The, Exchange Finance Corporation, Exercise Machinery Company, Everbright Marker Company, Evans Oil Corp., Explorers Oil Company, Evanston Oil Company, The, Evernu Rubber Heel Corporation.

Fishers Treatment Corporation, Famous Artists Corporation of America, Faam Beverage Co., Inc., Fallbrook Corporation, Fair Finance Company, F. J. O'Neill Medicine Company, F. M. G. Motor Company, F. M. Kandle Company, Inc., Fannin Oil Company, Fairybloom Products Company, F. P. Reed Syndicate, Inc., Famed Realty Co., Family Securities Trust, Inc., Fairmount Tailoring Company, F. W. Berens, Inc., F. W. Freeborn Engineering Corporation, Falcon Zinc Company, Farmers Bond & Mortgage Company, Farmer-Consumer Products Company, The, Far East Steamship Corporation, Farmers Loan and Investment Co., Farmers Machinery Company, Federal Automobile Association, Federal Credit Reports, Inc., Fentress Coal Company, The, Federal Gypsum Products Company, Federal Hotel Company, The, Federal Mining Company, Fearless Oil and Gas Company, Federal Securities Corporation of Maryland, Fedco Sales Company, Federal Underwriters Corporation, Ferro-Allows & Smelting Corporation, Fem Company, The, Ferraline Company, The, Ferguson Furniture House, Inc., Fidelity Adjustment Company, The, Film Arts Amusement Corporation, The, Fidelity Bond & Mortgage Corporation, Fidelity Construction Company, Fill and Drew, Inc., Fiducial Finance Company, Fidelity Mortgage Corporation, Filbert Manufacturing Co., Inc., Fidelity Real Estate Improvement Company, Fifty Thousand Miles Can't Skid Tire Co., The, Fine Arts Motion Picture Productions, The, First-Aid & Comfort, Inc., First City Ice

PROCLAMATIONS

Co., Fire Chief Company, Findex Company, The, Fire Dust Corporation, Fireite Extinguisher Company, Fiorentino & Canster, Inc., First Mortgage Company of America, Financial Mirror-It Reflects the Market, Inc., First National Rediscout Company, First National Security Investing Company, Inc., Fire Office of America, Inc., Financial Review Services, Inc., First Savings Group, Incorporated, First United Holding Corporation, Fiscal Realty Company, Five In One Manufacturing Co., Inc., Five L. Oil Corporation, The, Five Pines Mine Corporation, Flexible Conveyor Chain Corporation, Flavia Decoration, Inc., Flavin Products Corporation, Flanders Poppy Foundation, Inc., Flowing Bowl Corporation, Floraloma Company, Flower Mart, Inc., The, Flint Motor Company of Atlanta, Florence Oil Company, Florado Realty Corporation, Florida Railroad and Navigation Corporation, Floorola Sales Company of America, Inc., The, Food and Life, Inc., Food Products Importing Corporation, Fones Quick Wrench Co., Fones Quick Pipe Wrench Company, Inc., Forest Beverage Company, Forrest Beauty Shoppe, Inc., Fox Corporation of America, Four Dees Manufacturing Co., Forrest Hotel and Theatre Company, Fox Holding Company, Foreign Holding Company, Foster Oil and Gas Company, Foreign Petroleum Corporation, Four States Holding Company, Foundation Steel Corporation, The, 4 U Corporation, Frank Amusement Co., Inc., Frankford Bowling Recreation, Inc., Franchon Company, The, Francis Chase, Inc., Frank D. Gore Corporation, Franks Electric Shop\$, Inc., Frank F. Eiseman Co., Frank H. Gauss Company, Inc., Franklin Loan Service, Inc., Franklin League of Housewives, Inc., Fraternity Press Company, Inc., Frank R. Porter Company, Frank Russell White, Incorporated, Franey-Shore Company, The, Frank Silvers Securities Corporation, Franklin Shirt Co., Fredjon Company, Freezidor Corporation, French Fur Shop, Inc., The, Fremont Mining and Milling Company, Fred Mason Products, Inc., Fredericktown Oil and Gas Company, Fredonia Petroleum Corporation, Freys Place, Inc., Fred R. Long Corporation, Fresno Steel Corporation, The, Freed Undersilk Corporation, Fred

PROCLAMATIONS

Walpert, Inc., Fruitvale Company Frost Motor Corporation, Fruit Nut Packing Corporation, Fromm Oil Company, Incorporated, Fruit and Poultry Syndicate, Frut-Tona Products Co., Inc., Fruit Vending Corporation of America, Inc., Front Wheel Control, Inc., Fuelo Corporation, The, Fuel Conservation, Inc., Fuelene Corporation, Furo-Lin Paint Manufacturing Co., Fuller Manufacturing Co., Inc., Fiz Cap Co., Inc., The.

G. Aste & Company, Limited, G. A. R. Memorial Association and National Memorial Day League, G. A. Kelly Company, G. L. Decker Construction Company, Gaines Machine Corporation, Gano, Moore Coal and Iron Company, Gallatin Realty Company, G. & R. Corporation, The, G. & S. Realty Company, Gas Engineering Corporation, Gardenia Flower Shops, Nurseries and Greenhouses, Inc., Gas-Hydrocarbon Recovery Corporation, Garfield, Incorporated, Gas Refrigeration Corporation, Gem of America Motor Car Corporation, The, General Airways Corporation, General Aerial Transportation Company, George A. Vaughn Corporation, General Beverage Co., Generalair Beacons, Inc., General Brokerage Corporation, Georginal Corporation, The, George town Coal & Feed Company, General Coach Company, General Engineering Projects Corporation, Georgian Explorations, Inc., General Fiscal Corporation, Georgia and Florida Consolidated Oil and Gas Company, General Gas Appliance Corporation, General Hotel Company, George H. Maggs Roofing Company, Genpro, Incorporated, General Improvement Company, General Industries Corporation of America, Geo. J. Donaldson Company, George's Lunch Room, Inc., General Loan Corporation, George L. Morrison, Inc., General Motorist Association, Gene Morriss Auto Painting System, Inc., General Metals Engineering Corporation, General Neon Products Corporations, Georges Obry Corporation, Limited, The, General Oil Burner Company, Geronimo Oil Company, Gelicure Products, Inc., Gelman Printing House, Inc., Geo-Physical Prospecting Company of America, General Refrigeration Corporation, General Rustproof Process Corpora-

PROCLAMATIONS

tion, General Real Estate and Mortgage Company, Geophysical Research Corporation, General Syndicate, Inc., The, Gerke Silver Fox Farm, Inc., General Sales, Inc., General Steel Products, Inc., General Securities Investment Company, General Spark Plug Corporation, Gibraltar Corporation, Gibson Distributing Co. of Philadelphia, Gibson Development Company, Giddings and Grant Company, Inc., Giant Truck Manufacturing Corporation, Gibbs Utilities Company, Gill Automatic Transmission Company, Gillette-Herzog Chemical Corporation, Gillette Supply Co., Gillespie System, Inc., Gillette Schmidt Corporation, Gila Valley Manufacturing Company, The, Glenn Desmond Company, Globe Engineering Company, Globe Industrial Bankers, Inc., Glencairn Mining Company, Inc., Gleaner Manufacturing Company, The, Globe Railway Equipment, Inc., Godissarts Parfum Classique Francais, Inc., Golden Age Oil and Refining Company, The, Golden Bear Mining Company, Gold Bond Operating Company, Golden City Park Swimming Club, Gold Cliff Premier Mining Company, The, Gold Dust Placer Co., Golden Fountain Mining and Milling Company, Goldenrod Oil Company, Golden Rule Colonization Company, Inc., Goodfin Amusement Co., Good Oxide Laboratories, Inc., The, Goodwin Preserving Company, Gonza Petroleum Company, Inc., Goodyear Rubber Co. of Delaware, Gordon Bates Company, Gotham Capital Corporation, Gourney Development Company, The, Gore Exploration Company, Goulding-Murphy Co., Inc., Goree Productions, Inc., Graham & Company, Graf Optical Company, Graham Petroleum Company, Grant Fiber Keg and Barrel Company, Grange & Goebel, Incorporated, Grass Gripper Rake Company, Inc., Grant Mine Coal Company, Granite Plastering Company, Grant Press, Inc., The, Grand Palace Valet Shop, Inc., Granite Plastering and Water-Proofing Co., Grand Rapids Ladder Company, Inc., Grand Rapids Enamel Sign Corporation, Grand Rapids Adjustable Piston Corporation, Greek-American Exploration and Trading Co., Grecian Chemical Company, Great Eastern Finance Corporation, Great Garage, Incorporated, Great Northern Sugar Co., Great Republic Pe-

PROCLAMATIONS

roleum Corporation, Great Western Milling Corporation, Griffin Cho-Kr Company, The, Griffith Gas & Oil Co., Grubstake Investment Association, Guarantee Credit Company, Gulf Coast Refining Co., Gulick Corporation, The, Guaranty Company of Maryland, The, Gulf Coast Fisheries Company, Gussy Holl Productions, Inc., Guaranty Loan & Investment Company, Guaranty Security Service Corporation, Guaranteed Securities Company, Gulf States Petroleum Corporation, Guard Screen Corporation, Gulf Transportation Corporation, Gulf Trading Corporation, Guaranty Trust and Realty Company, Gulf & Western Oil Company.

H. E. Greene & Company, H. and H. Oil Corporation, H. S. W. Productions, Inc., H. Tyree Chemical Company, Hagmayer Chemical and Manufacturing Co., Hall Airways Corporation, Hallman Associates, Inc., Halesmar Company, Inc., The., Hales Electric Stores, Inc., Hale Petroleum Company, The, Hamilton Bond & Mortgage Co., Hamilton Distributors, Inc., Hamlin-Young Corporation, The, Handy-Andy Community Stores of California, Inc., Handy-Andy Stores of Houston, Inc., Hanover Coal & Lumber Co., Inc., Handi-Kase Corporation, Handy Products Corporation, Han-Ri Real Estate Company, Inc., The, Harding & Company, Inc., Haring Construction Company, Hare & Chase of Wichita Falls, Inc., Hare & Chase of Corpus Christi, Inc., Hare & Chase of Texas, Inc., Hare & Chase of Wilmington, Inc., Hare & Chase, Inc., Harmony Syndicate, Harris Brook Ice Company, Inc., Harraman-Blakeman Organization, Inc., Harry Cort Producing Corporation, The, Harris Collieries Company, Harrison Finance Company, Harry Jacobs & Company, Inc., Harry M. Hope & Company, Harry Pearl and Company, Incorporated, Harriman Power Plant Corporation, Harrisburg Star Boiler Corporation, Harry W. Nelson Securities Corp., Hartney Aircraft Corporation, Hatchway Broom and Machine Corp., The, Havana Coach Company, Inc., Hastings, Incorporated, Hastings Oil and Gas Company, Hawkeye Oil Company, Havercamp-Thynge, Inc., Hayes Monographs, Inc., Hayworth Printing Company, The, Health

PROCLAMATIONS

Farms, Inc., Health, Inc., Healy Land Company, Hedwig Rim Co., Inc., Help-Self Machine Company, Health Service Bureau, Inc., Hebarus Trading Corporation, Hellenic-American Corporation, Hein & Hinkle, Inc., Hellers One Minute Shoe Shiner, Inc., Hemrich Packing Company, The, Henry Furler, Inc., Henry H. Brown, Inc., Henwood Nowak & Co., Henry Realty Company, Hepburn Sales Company, The, Henderson Structural Units Company, Henry Waterson Stores, Inc., Henry Waterson, Inc., Hertz Investment Company, Herring Motors Co., Inc., Herbert Neal, Inc., Heyler Motors Company, Highland Apartment Company, Highway Advertising Company, Inc., Highland County Club, Highland Coffee Company, Highlands Hotel Company, Hi-Ty Products Corporation, Hico Wholesale Grocery Company, Hill Agency, Inc., The, Hilldale Company, The, Hilltop Extension Mining Company, Hills of Gold Mining Co., Hillsboro Holding Corporation, Hill & Hill Distilling Company, Human Oil Company, Hillside Oil, Gas and Coal Company, Hirschy Auto Co., Inc., Hiscox Products Company, Inc., Hindricks Remedy Co., Hoey Realty Corporation, Hogan Development Corporation, Hohensee Engineering Corporation, Hogan-Lynch Oil Corporation, Hofman-Meyer, Inc., Hof-Spar Products Corp., Hoff Vending Corporation, Holland American Gasoline Corporation, Holly Bluff Power, Light & Ice Company, Holding Corporation of Los Angeles, The, Holley Motor Sales, Inc., Hollywood Roosevelt Properties Corp., Hollis Vopolene Company, Holden Warehouses, Inc., Holmes and Brenzier, Inc., Holstein Harvey National, Inc., Holstein Harvey Alexandria Co., Home Automatic Dishwasher Co., The, Home Decorating Company, Home Electric Appliance Corporation, Home Engineering Service, Inc., Home & Foreign Steamship Corporation, Home Garage Builders, Inc., Homewood Holding Corporation, The, Honey Ice Cream Co., Home Mortgage Fund, Inc., Hometown Realty Corporation, Horace B. Wimley, Inc., Horace C. Bunting Co., Horst Manufacturing Company, Horn Point Land Company, Horath Publishing Company, The, Household Appliance Company, Inc., House of Bricker (Incorporated under the laws of the

PROCLAMATIONS

State of Delaware, U. S. A.), Hotel Majestic Corporation, Hotel Operating Corporation, Hosiery Shop Corporation of Springfield, Mass., The, Harry A. Prock Lumber Company, Household Specialties Co., Inc., Howard-Looby Refining Corporation, Howard Thyng Printing Company, Hub Company, The, Hubert Gordon Coal Company, Huckins Hotels, Incorporated, Hudson Manufacturing Co., Hudson River Air Transport, Inc., Hudson Valley Laboratories, Inc., Humidor Cigar Stores, Inc., Humanaid Harvester Company, Humanitarians International Society of Cooperatives, Inc., Hughes & Lawrence Company, Humphreys-Louisiana Company, Hunter Manufacturing Company, Hungerford Publications, Inc., Hydro Building Block Corporation, Hydraulic Corporation, Hydroil Company, The, Hutchins Company, The, Hydrocarbon Corporation, Hydrocarbon Converter Company, Hyatt Panama Manganese Company, The, Hydrocarbon Converter Co., Hyrex Sales Corporation, Hydro Shocker Corporation, Hydroil Security Company, The, Hydro-Thermolene Laboratories, Inc., Hygienic Telephone Pad Co., Inc., Hydro United Tire Corporation.

I. B. Hudson & Co., Incorporated, Ice-Berg Company of New England, Improved Brick & Stone Company, Imperial Elkhorn Coal Company, The, Ideal Fashions, Incorporated, Iberville Garage, Inc., Improvement and Holding Company, Imaculo, Incorporated, Ichthyol Oil and Refining Company, Imperial Plan Company, Inc., Impression Products Company, Ideal Realty Co., The, Imperial Steel Corporation, Illinois and Virginia Collieries Company, Investors' Answers Corporation, Independent Builders Corporation, Information Cabinet Company, Industries Corporation, Indiana Construction Company of Delaware, Industrial Designing & Engineering Aetiology Incorporated, Increase Engineering Corporation, Industrial Exhibition Cruises, Inc., Inland Glass Company, Inglerose Investment Corporation, Industrial Loan and Investment Company, Industrial Mortgage Co., Inc., Income Oil Company, The, Independent Oil & Refining Company, Inc., Invader Oil Corporation, Industrial Processes

PROCLAMATIONS

Corporation, Industrial Products Corporation, Investors Petroleum Corporation, Industrial Paint & Spray Co., Indianhead Products Company, Indiana Pennsylvania Coal Corporation, Investors Realty Corporation of Florida, Independent Radio Manufacturers, Inc., Independent Sales Company, The, Innes Shocker Company, Industrial Trade Corporation, Industrial Textile Securities Company, Inland Utilities & Water Works Corporation, Inland Waters Auto Navigation Co., Inc., International Acceptance Corporation, The, International Amusement Company, International Art and Gift Exhibit, Inc., International Broadcasting Association, Inc., Inter-City Hotels Corporation, International Credit Corporation, International Communiphone Corporation, International Colonization Company, Inc., International Coconut Oil Corporation, Inter State Engineering Corporation, Intercolonial Explorations, Inc., International Exploration Development Corp., Interblock Equipment Corporation, Integrity Finance Corporation, International Fur Exchange, Incorporated, Interstate Home Foundation, Inc., International Hardened Copper Corporation, International Investment Securities Corp., Ltd., International Investment Corporation of Delaware, International Industries, Incorporated, International Loan Company, The, International Locating and Developing Corp., International Motor Coach Co., Inc., International Mercury Corporation, International Motor Bus Transportation Companies, Inc., Interocean Oil & Gas Company, Intuck Oil Company, The, International Oil Corporation, International Profit Sharing Company, International Productions, Inc., International Pyorrhea Corporation, International Publications Service, Inc., Interstate Petroleum Company, Inter-State Beach & Park Amusement Co., Inc., Interstate Service Corporation, Inter-State Stores Corporation, Interchangeable Steel Tools Corporation, International Sugar Refineries of America, Inc., International Self Fix Cap Co., Inc., Interblock Stores, Incorporated, Interseas Trading Syndicate, International Vapylene Company, Italian-American Theatres, Inc., Iona Corporation of Illinois, The, Itz Corporation, Iron City Coal &

PROCLAMATIONS

Supply Co., Iona Corporation, The, Iroquois Electric Refrigerators, Inc., Iron Firemen Stocker Company, Italian Modern Stores Corporation, Ivanhoe Sales Corporation, Iowa Securities Company, The, Iowa-Wisconsin Land and Development Co.

James B. Latta Co., Inc., J. B. Mettam & Sons, Inc., James B. Gillies, Inc., J. B. Langley & Co., Inc., Jalisco-California Mines, Inc., The, J. & C. Andrew Bros., Inc., Jamaica Clock Shop, Inc., J. D. Graham's Production Mfg. Co., J. E. Houke Oil Company, The, J. Frank Darling Sales Co., Inc., The, J. F. Shaw & Co., Jackson Gravel Company, Jackson Gold Mining Company, J. H. Graves & Co., Inc., J. I. Case Plow Works, Inc., J. L. Engle Company, J. L. Olsen Co., J. Llewellyn Tilley, Inc., Jackson Mica Corporation, J. O. Loch Milling Company, J. P. Laskaris and Company, J. P. Wilkinson & Co., Inc., J. & P. Electric Company, The, Jaquet Dilator Company, Jackson Research Corporations, J. S. Kessler Automotive Corporation, James Smith Printing Co., Inc., Jeffery-Baldwin Company, Inc., Jersey-Carolina Corporation, Jiffy-Jordan Manufacturing Company, The, Jewell Oil Company of Ky., Jewelled Sign Display, Inc., Jefferson Securities Company, Jefferson Utilities Company, Jewish Voice Publishing Company, Jenny Wren Stores, Inc., John A. Savage & Co., John B. Ginechesi, Incorporated, Johnstown Base Ball Club, John Broadbent, Inc., John F. Panyard Company, Inc., The, Johnson-Kellogg Corporation, John Kendricks James Production, Inc., John L. Robinson & Co., Inc., John McGinn Distilling Company, Johnson Oil Company, John P. Bracken Co., John P. Kennedy Construction Co., John S. Boorse and Company, John Tate Company, Inc., Johnson-Turner Corporation, John W. Speller Co., Joseph A. McGuckin Publishing Company, Joseph Bonadio, Inc., Jones, Fox & Company, Joseph H. Smith & Co., Inc., Joseph M. Barney, Incorporated, Jones Oil and Gas Company, The, Jones Petroleum Company, Joseph R. Beyner, Inc., Junius Corporation, Judge Coal Company, Juniata Company, The,

PROCLAMATIONS

Junior Mortgage and Securities Co., Judd, Pyle & Co., Inc., Julian Petroleum Corporation.

Kamphene Company, Incorporated, K. & E. Hoffmeister, Inc., K. R. C., Inc., Kaolin Company of Delaware, Kay & Company, Inc., Kay Copper Corporation, Kay Cloak Company, Inc., Kandiyoho Development Company, Karlton Furniture Mfg. Co., Inc., Kansas & Gulf Company, Karle-Holdane, Inc., Kardad, Inc., Karmol Laboratory, Incorporated, Kasper Oil and Development Company, Kansas Petroleum Corporation, The, Keen Insurance Agency, Inc., Kebea and Shelse, Inc., Keller Brothers Motor Company, Kemp-Cromwell, Inc., Kennedy Brothers, Incorporated, Kenton Construction Company, Kencole Company, The, Kennedy & Davis Company, Kennett Floral Company, Kennedy Homes, Inc., Kent House, Inc., Kentucky Minerals Holding Company, Kentucky Oil, Gas and Coal Company, Kentucky Oil and Royalty Company, The, Kenwood Oil Corporation, Kentucky Standard Rock Asphalt Co., Inc., Ken-Tex Oil Company, Kentucky-Wyoming Oil Company, Keystone Automobile Finance Co., Keystone Brayco, Inc., Keyes Corporation, The, Keylands Corporation, Keystone Car and Equipment Company of Pennsylvania, Keystone Company, Keystone Flooring Company, Inc., Keystone Hotels Company, Keystone Ice and Cereals, Inc., Kern Manufacturing Co., Kershaw Mining Company, Kercheval Production Company, Keystone Roller Bearing Company, Kevin Sweet Grass Development Co., Kilpatrick Locomotive Reverse Company, Kieselite Products Co., King-Beach Company, The, Kings County Finance Company, King Joy Restaurant Co., King Mines, Inc., Kingsley Oil Corporation, Kinman Oil Company, Inc., King Petroleum Corporation, King Realty Company, Kin-Rite Hotels Co., Kirklyn Realty Company, Inc., Kleen-Air Dust Filter Co., Inc., The, Kline & Brann, Inc., Knapp Metal Barrel Corporation of America, Knudson Motor Corporation, The, Knohagen Oil Corporation, Knox Oil and Gas Company, Knox Oil Mining Corporation, Knox Process Corporation, Knoxville Rapid Transit Company, Knickerbocker

PROCLAMATIONS

Trading Corporation, Knight Universal Manufacturing Company, Koch Corporation, Koch Realty Co., Kuhn Irrigation and Canal Company, The, Kolbe Fish & Trading Corporation, Kraekel Bros., Inc., Kreel Manufacturing Corporation, Kuehn Brothers, Inc., Ky-Ind-O Oil Corporation, Kyle Montana Oils, Inc., Kyle's National Productions, Inc., Ky-Va Development Company, Kopa Corporation.

L. A. W. Acceptance Corporation, La Brea Finance Company, La Crosse Tractor Company, La Fontaine Pictures Corporation, Lakewood Farms Company, L. Faimberg Co., Inc., La Herradura Corporation, L. H. Davis & Co., Lackawanna Knitting Mills Co., Lake Le Boeuf Golf Club, Lafayette Lamb Company, The, L. L. Rustad & Company, Incorporated, Lafayette Mortgage Corporation, LaMode Lamp Shade Company, Inc., La Marcel Cosmetics, Inc., Lake Superior Manufacturing Company, La Tour Oil Company, La Venturua Metals Co., Lampclox Corporation, The, Lam Glines & Co., Inc., Laminated Tire Company, Lancaster Metalcraft Corporation, Landis Realty Co., Inc., Landau Realty Corporation, Langhaar Bearing Corporation, Lang Film Corporation, Lansdowne Concrete Specialties Company, Larrabee Truck Corporation, Latin American Trading Co., Inc., Latrobe Athletic Association, Latin American Sugar Company, Inc., Latin-American Bond and Industries Corp., Latholine Corporation, Last Chance Oil and Gas Company, Latex Oil Company, Lavelle Coal Co., Inc., Laurel Park Stud Company, The, Laurel Park Company, Ltd., The, Laundry Service Corporation, Lawrence Realty Company, Lawrence Steamship Company, Inc., Lebanon Realty Corporation, Lee Bread Company, Leeward Petroleum Corporation, Leighton Corporation, Lehigh Finance Company, Lehigh Merchandisers Co., Lehman Plan, Incorporated, The, Lehigh Rubber Company, Lenox Amusement Company, Lenox Building Owners, Inc., Lengel Company, Leland Oil Company, Lemont Refining Sales Corporation, Lemhi Star Mining Corporation, Lemsco Sales Company, Less Coal Products Company, Les Invalides, Inc., Lessac Retsof Company,

PROCLAMATIONS

Lerch-Shumate Bolt Company, Lewis E. Myers & Company, Eastern Division, Lewis E. Meyers & Company, Latin-American Division, Lewes Fertilizer Company, Lewicki & Hudson Co., Incorporated, Lewis Oil Corporation, Lewis R. Smith & Company, Inc., Liberty Automobile Finance Insurance Co., Lighting Art Co., Liberty Bond and Mortgage Co. of California, Liberty-Bergerac Corporation, Liberty Chemical Company of Philadelphia, Liberty Finance Association, Like-Real Architectural Trimstone Corp., Liberty Radio Chain Stores, Inc., Lindsay Brothers, Inc., Limestone Calcium Products Company, The, Linton Line, Inc., Linn & Marshall, Inc., Lincoln Oil Company, Lindley Reduction Corporation, Lincoln Realty & Mortgage Co., Inc., Litman Construction Co., Lionel West Photoplays, Inc., Little Henry Cooker Co., Inc., Livingston Petroleum Corporation, Lite-Ray Utilities Corporation, Little Wonder Manufacturing Company, Locomotive Crane Company of America, Local & Foreign Novelties, Inc., Local Improvements Corporation, Load-Light Danger Signal Co., Lockwood Radio Company, Inc., Local Telephone Company, Locomotive Tire Truing Corporation, Logan Coal Co., Inc., Lomax Industrial Corporation, Longfellow & Adams, Inc., Lookout Brick Company, Lorson Coal Company, The, Lone Eagle Corporation of Philadelphia, The, Longfellow Manufacturing Company, The, Lorraine Refining Company, Los Angeles Terminal Exchange, Inc., Los Angeles Whaling Company, Los Angeles Discount Corporation, Los Angeles Funding Company, Lotay Company, Inc., Love Cone Company, Louisiana Cement Products Company, Inc., Loven's Hosiery Company, Inc., Louisiana Lee Oil & Gas Co., Louisville Orangefount Company, Lowry-Burns Corporation, The, Lowlands Improvement Co., Inc., Lowden Stair and Mill Work Co., Lusk & Co., Lucas Drug Co., Inc., Lunar Hygienic Specialties Corp., Lundeen Merchant Tailors, Inc., Lucas Machinery Company, Inc., Luggage Materials Purchasing Corporation, Lurae Realty Corporation, Lu Ray, Inc., Lusitania Salvage Corporation, Lumber Tie and Timber Vulcanizing Co., Lyman S. Peck, Inc.

PROCLAMATIONS

M. A. Kelly and Co., Inc., M. B. Hosiery Company, The, M. B. Leahy, Incorporated, Macon Cold Storage & Warehouse Company, M. C. O. Company, M. E. Stanley & Co., M. H. Fahrenholz Manufacturing Co., The, M. and M. Plantation, Inc., M. O. Wilkins Corporation, MacPherson Realty Company, Inc., Macqudon Petroleum Corporation, The, Mack Properties Corporation, M. Pfeffer & Son, Incorporated, Mackay Process Company, Macy Sweets, Inc., M. Welté & Soehne, Inc., M. & W. Cement Company, Magnolai Brick and Tile Company, Magic Coffee Company, Magnesia Cement and Carbonic Gas Company, Magnetic Flasher Corporation, Madame Helene Schloesser, Incorporated, Maddux Marshall, Moss & Mallory, Inc., Madelia Oil and Gas Company, Majestic Amusement Company, Inc., of Tientsin, Mailing Devices, Inc., Magicdust, Inc., Majestic Mining Corporation, Mammoth Cave Rock Asphalt Company, Malbin Hosiery Corporation, Mammoth Oil Company, Mammoth Structures Corporation, Malarial Specific Co., Inc., Manning & Company of Texas, Man Don Motors, Inc., Manufacturer's National Service Club, Manana Oil Company, Manufacturer's Wood Fibre Company, Marshall Armstrong Building Corporation, Marmon Electric & Manufacturing Co., Inc., Mariposa Investment Company, Marble Products Company, Mario Trap Rock Company, The, Marshall & Wilson, Inc., Market Basket Stores, Inc., Marketeria Corporation of America, Marquette Finance Corporation, Market Motor Company, Markman Mfg. Co., Inc., Marley Paper Manufacturing Company, Marstan Undersilks Corporation of America, Martinsburg Amiesite Plant, Inc., Marteau Co., Inc., Maryland Finance Corporation, Marvadis Finance Company, Martin Humus Company, Inc., Martha Lee, Inc., Martin Oil & Gas Company, Martin Street Sweeper Company, Inc., Maryland & Virginia Ferry Company, Master Automotive Manufacturing Corp., Mastercrafters of Italy, Inc., Mayer Aircraft Corporation, Mavis Bottling Company of New England, Mavis Bottling Company of Florida, Mayhew Bros. Holding Co., Mauch Chunk Cereal Beverage Company, Maxwell Hammer Corporation, Mawk Oil & Gas Company, Mayfair Oil Company,

PROCLAMATIONS

Maxum Radio and Electric Corporation, Mechanical & Chemical Equipment Corp., Meadowbrook Live Stock Company, Medical Rubber Specialty Company, Medford Reducing & Refining Company, Medicinal Springs Corporation, Meeley, The Tire Man, Inc., Melvin Company, Inc., Mele Company, Inc., The, Melbourn Gas & Oil Corporation, Mellon Mfg. Co., Melish Oil Corporation in Red River, Menhaden Products Company, Memorial Service, Inc., Mercantile Adjusters, Inc., Meridian Apartment Hotel Company, Mercer Brothers, Incorporated, Merchants' & Contractors' Service Bureau, Inc., Merchants' Commercial Company, Merchants Investment and Loan Corporation, Merchants Security Finance Company, Meroe Transportation Company, Merrill Corporation, The, Merzier Developing Company, Mershon Homes, Inc., Mertz & Mertz Company of Baltimore City, Merritt's Shur-Heet-Shur-Kold Oil Burning Apparatus, Inc., Metropolitan Automobile Club, Metropolitan Amusement Company, Metalace Corporation of America, Metropolitan Coach & Cab Corporation, The, Metropolitan Commercial Company, Metropolitan Discount Corporation, Metro Finance Company, Metaline, Inc., Metal Mould Erection Company, Metropolitan Mortgage & Guarantee Co., Metropolitan Petroleum Syndicate, Metals Reduction Corporation, Metal Specialty Corporation, Mexican Petroleum & Land Company, Midwest Aircraft Corporation, Mid Anthracite Coal Co., Midwest Brotherhood of Locomotive Engineers Securities Corporation, Midwest Central Theatres, Inc., Midsig Corporation, Michigan Development Co., Inc., Midland Engineering & Management Co., Mid-European Development Company, Michigan Feed Corporation, Midwest Heat Regulator Co., Midwest Importers and Exporters, Inc., Mid-Nite Players, Inc., Miami, Nassau and Havana S. S. Company, Midvale Oil & Gas Co., The, Midwest Paper Container Company, Midget Radio Company, The, Middle States Royalty and Development Co., Mid-Southern Oil Company, Inc., Middletown Textile Corporation, Mid-West Development Co., Milford Lumber Company, Miles Oil Corporation, Miley Petroleum Exploration Company, Miller Bros. Creamery Company, Miller

PROCLAMATIONS

Cement Block Machine Company, The, Miller Cafeteria Company, Milliken Company, The, Millards, Inc., Mills Novelty Sales Corporation, The, Miller Products, Inc., Miller Petroleum Company, Miller Publicity Service, Inc., Miller Refining Corporation, Milton Creamery Company, Miltiades Melachrino, Inc., Milo-Ray Silk Undergarments Corp., Milray Sales Corporation, Minnesota Breeders' Association, Inc., Minneapolis Flint Co., Minnesota Income Properties, Inc., Minnesota Lakes, Inc., Minnesota Oil Corporation, Mint Spring Manufacturing Corporation, Mineral-Tone, Inc., Minnesota Western Transportation Co., Miriam Homes Corporation, Mississippi Cotton Oil Company, Mississippi Dairy Farms, Inc., Mississippi & Ohio Rivers Barge Lines Co., Inc., Missouri Colite Lime Products Company, Mississippi Oklahoma Oil Company, Mississippi Oil Co., Mississippi Valley Utilities Corporation, Mississippi Valley Petroleum Corporation, Mississippi Valley Oil Corporation, Mittag Royalty Corporation, Mixing Specialties Company, The, Mobile-Aid, Inc., Modern Appliances, Inc., Modern Filter & Refrigerator Corp., Modern Home Builders, Inc., Model Stores, Inc., Mobile-Shreveport Oil & Gas Company, Modern Steel Products Company, The, Mohave Mining Corporation, Mogul Production Company, Montaigne Apartment Hotel, Inc., Montgomery's Department Store, Inc., Monisteel Electric Company, Monkey Grip Rubber Company, Montgomery Investment Corporation, Mont-Lo-Mar Drilling Corporation, Monarch Motor Club, Montauk Mines Corporation, Montana Northwestern Oil Company, Monroe Oil & Gas Company, Monumental Oil Company, Monterey Petroleum Corporation, Montrose Rubber Works, Inc., Montgomery Realty Associates, Inc., Moon Tracks, Inc., Moore & McDavid Company, Moore Printing, Inc., Moosic Sand & Gravel Company, Moore Speedcrane Co., Morline Hosiery Co., Morasky Oil & Gas Company, Morgan Airplane Corporation, Morrisette & Company, Morgan Finance Corporation, The, Morris Levy Shoe Company, Moriarity Manufacturing Company, Morgan Manufacturing Co., Inc., The, Morris Production Company, Motorless Aeroplane Corporation, Mortgage Company of

PROCLAMATIONS

Pittsburgh ,The, Mot-Acs, Inc., Mother's Candy Company, Inc., Moshanon Creek Coal Mining Company, Motor-Dynamo Light Corporation, Motion Picture Guild, Incorporated, The, Motion Picture Interests, Inc., Motor Safety Devices, Inc., Mo-Tex Oil, Inc., Moss Theatre Company, Mount Carmel-Shamokin Coal Company, Mountain, Field and Stream Club, Mountain States Timber Company, Mountain Top Water Corporation, Muddy Creek Done Corporation, Muir & Malone, Incorporated, Mu-Rad Radio Corporation, Multiple Heaters, Inc., Multiple Motor Company, Municipal Investment Company, Munro Metal Products Corporation, Munsie Oil Company, Murphy Furnace & Foundry Co., Muskegon Truck Corporation, The, Myers Drug Co., Myers Fueling Co., Inc., Mutual, Inc., Myer & Levis, Inc., Mystic Manufacturing Company, Mutual Realty Corporation, Mutual Service Oil Company, The, Mutual Tobacco Corporation.

McAvoy Corporation of Pennsylvania, McAvoy, Inc., McAskill Safety Window Co., Inc., McBride Construction Co., Inc., The, McConnell Automatic Machinery Corp., McCurdy Lumber & Wood Co., McColloch Stores Corporation, McDaniel Investment Co., McElroy Land and Oil Company, Inc., McFarland-Meade Corporation, McFarlan Motor Corporation, The, MacGlashan Corporation, The, McKeesport Contracting Co., McKenzie Ice Cream & Ice Co., McKinley Homes, Inc., McKees Rocks Buick Garage, Inc., McLeod Corporation, The, McLeod Cut Stone Company, McLean Company, Inc., McLean Incubators, Inc.

N. B. Candy Company, N. Raymond Woodward, Incorporated, N. S. Riffin & Co., Inc., N. T. U. Company, Nash Motor Company of Jenkintown, Natural Bridge Lumber Company, Natural Color Picture Corporation, Navajo Company, The, Navidad Development Company, Natural Fresh Orange Juice Co., Natural Fuel Co., Natural Nutrition Balancing Company, Naval Products Company of Central America, Inc., Naubuc Paper Board Company, Inc., Navajo Resources Corporation, Natural Voice Reproduction Corpo-

PROCLAMATIONS

ration, Natchez & Vidalia Bridge Co., Inc., National Art & Gift Shores, Inc., National Automotive Salesmen's Association, National Airways Systems, Inc., National Auto Company, National Brotherhood of Automobile Owners of Washington, D. C., Inc., National Bankers Mortgage Company, Inc., National Chain Store Properties, Inc., National Clench Wheel Corporation, National Coin Machine Company, Inc., National Coal Company of Cincinnati, Ohio, National City Chemical Co., Inc., National Clay Products Corporation, National Company, The, National Cinema Studios Corporation of Florida, National City Securities Corporation, National Cattle Loan Company, The, National Concrete Products Company, National Certificate Corporation, National Equity Corporation, National Electric Floor Machine Co., Inc., National Executive Association, National Electric Radio Corporation, National Electric Radio Sales Corporation, National Electric Radio Holding Corporation, National Electrified Water and Utility Corp., National Fuel Briquette Company, National Finance and Securities Corporation, National Food Shops, Inc., National Funding Company, The, National Garden Sculptures, Inc., National Greyhound Turf Association, National Importing Corporation, National Investment Fund, Inc., National Industries, Inc., National Kennel Club, Inc., National Jewelry Chain Stores, Inc., National Loan and Finance Corporation, National Lead Battery Company of Illinois, National Mortgage Service Corporation, National Manufacturing Corporation, National Motor Freight Lines, Inc., National Manufacturing Company of America, National Organization Service, Inc., National Oven Company, Inc., National Panelite Company, The, National Petritite Corporation, National Players, Inc., National Products Corporation of America, National Petroleum & Refining Company, National Safety Crossing Company, National Standard Mining Corporation, The, National Steam Motors Corporation, National Sales & Distributing Co., National School of Bricklaying, Inc., National & Special Representation Service, Inc., National Sick, Aid & Burial Association of Washington, D. C., National Safety Manufacturing Company, Na-

PROCLAMATIONS

tional Tire Service, Incorporated, National Union Investing Corporation, National Water Service Company, Nelson Grain & Seed Co., Nelson Lime and Cement Company, Nelson Stone Company of Kansas City, Never-Burn Hot Plate Company, Neon Engineering Corporation, Nevada Florence Exploration Company, Neuropathic Institute, Inc., The Neon Light Corporation of America, Neptune Manufacturing Company, Neon Products Laboratories, Inc., New Century Manufacturing Company, Inc., Newburgh Development and Construction Corp., Newfoundland Development Corporation, New Era Services, Inc., New Ebbitt Company, The, New Florida of Philadelphia, Inc., New Florida of Pittsburgh, Inc., New Florida of Massachusetts, Inc., Newark Gas & Oil Corporation, New-Illhan & Company, Inc., New Jersey Autofount Company, New Jersey Neon Light and Power Corp., New Jersey Woodheel Company, New Kensington Machine Tool & Die Co., Newcraft Metal Corporation, New Method Mining Machine Company, New National Industries, Inc., Newark & Norfolk Steamship Company, Inc., New Orleans Flint Company, Inc., Newfield Oil and Gas Company, Newport Oil Company, Newport Sash and Frame Company, New York Apartments, Inc., New York Automatic Urns, Inc., New York & Argentine Steamship Co., New York Bond & Share Corporation, New York Financial Market Service, Inc., New York & Florida Investment Corporation, New York-Guiana Development and Trading Company, New York Harbor Dry Dock Corporation, New York Institute of Financial Research, Inc., New York-Montana Oil and Gas Company, New York Motors Corporation, New York & Ontario Public Service Corp., New York, Philadelphia and Southern Steamship Corporation, New York Premium Co., Inc., New York Variety Stores, Inc., Nicklas Construction Co., Nicaragua Development Corporation, Nichols Food Corporation, Nicaragua Improvement Corporation, Night of Follies, Incorporated, Nigra Manufacturing Co., Inc., Nobur Manufacturing Company, The, No Rad Rust Corporation, No-Toil Products Corporation, Noose Chain Corporation, Non-Stitch Suspender Corporation, Non-Skid

PROCLAMATIONS

Balloon Heel Corporation, Normal Oil Company, North American Agency, Inc., The, North American Mutual Beneficial Association, The, North American Bankstock Corporation, Northern Anthracite Collieries Corporation, North American Sales Company, North American Silver-Lead Corp., North Arkansas Zinc Co., Northwest Amiesite Asphalt Company, North American Steamship Company, North American Realty Corporation, North American Rubber Culture Co., The, North Coal Company, North Carolina Amiesite and Stone Co., Northcliffe Corporation, The, North Continent Oil Company, North China Petroleum Company, North Dakota Oil & Development Company, North-East Development Corporation, North Ellwood Heights Realty Co., Northern Holding Company, North Kansas City Greyhound Kennel Assn., Northern Machinery Company, North Melbourne Beach Estates, Inc., North Mississippi Ice & Utilities Company, North Penn Gas Company, Northland Products Company, North Shore Properties, Inc., Northern Timber & Construction Co., Inc., North Webster Mills, Inc., Nozol Co., Inc., Nuform Corporation, Nuway Electric Company, Nu-Enamel Paint Company, Inc., Number Eleven Oil Corporation, Nu-Way Cleanser Company, Inc.

O. & B. Company, Oakley Duplicator Company, Inc., Oakland Estates, Inc., Oak Lawn Company, O'Neill, Inc., O. P. Stover Drilling Company, Oak Park Corporation, Oak Ridge Oil & Gas Company, Ochiltree Oil Company, Ocean View Canning Company, Odo-Ine Corporation, The, Oklahoma Agricultural Breeding & Racing Association, Ohio Breeders' Club, Inc., Oil Burners Service Corporation, Oil Burners, Inc., Oklahoma Crude Oil Co., Oklahoma Glass Company, Ohio-James Theatres Company, The, Oklahoma Oil Company, Oil Syndicate, Limited, Ohio Stone Products Company, Ohio Valley Ice Company, The, Ohio Valley Mullite Refractories, Inc., Old Colony Publishing Company, Old Colony Investment Corporation, Old Colony Exploration Company, Old Dutch Mill Company, Omaha Flint Company, Olevine Investment Corporation, Olander Oil Company, Inc.,

PROCLAMATIONS

Oliver Valandingham & Co., Oneonta Amusement Company, Onteora Estates, Inc., Open Hearth Fire Brick Company, Operating Machine Co., Inc., Openwest Oil Company, Only Package Pie, Inc., 121 North Eighth Street Realty Corp., Orange-Crush Bottling Company of Minnesota, Orchard Heat Regulator Corporation, Orleans Hotel & Realty Company, Orchards, Incorporated, The, Oriole Motors Corporation, The, Original Motion Picture Corporation, Orcutt-Nichols Company, The, Oronoco Oil Producing Company, Orchards Operating Company, Orthopedic Shoemakers, Inc., Ornata Trading Corporation, Osage Allegheny Oil Company, Ostroff Construction Co., Inc., Osborne Knitting Company, Inc., Osage Oil Corp., The, Otstot Development Company, Outlet Furniture Company, Inc., Otis Manufacturing and Sales Company, Inc., Otstot Oil Company, Otte, Olmstead & Company, Owens and Gaddis, Incorporated, Overbrook Gardens Construction Co., Ozonized Ox Marrow Company, Ozark Springs Sanitarium, Inc., Ozark Valley Mining Co.

Pacific Copper Company, Pacific Holding and Construction Corp., Paddex, Inc., Pacific Oil Leasing Company of Delaware, P. P. Oglesby & Son, Inc., Pacific States Manufacturing & Holding Corp., Pacific Steel Corporation, Paint Products Stores Corporation, Paperhangers Automatic Equipment Co., Inc., Pan American Company, Pan-American Hotel, Inc., Pan American Tax Company, Panchita Copper Company, Panama-Fronton & Amusement Corp., Palestine Industrials, Incorporated, Panhandle-Oklahoma Oil Corporation, Pantex Oil Company, Palladium Petroleum Corporation, Palm Pen and Pencil Company, Panther Valley Malt and Beverage Co., Parkway Apartments of Washington, Inc., The, Paraguayun Chemical Association, Incorporated under the laws of the State of Delaware, U. S. A., Parco Electric Company, Inc., Parkway Frocks, Inc., Paradis Feed Company, Parkside Mutual Aid Association, Paramount Petroleum Company, The, Paramount Realty Company, Parkway Realty Co., Paragon Trading Corporation, Paramount Theatres, Inc., Participating Security Company,

PROCLAMATIONS

Inc., Pasgrel Cabinet Co., Inc., Paterson Corp., Pay-Day Bottling Company, Paul El Mar Corporation, Pay Less 'N Takit Co., Patex Oil, Gas and Irrigation Company, Patches Publishing Company, Peerless Broom Company, Peconic Bay Products Corporation, Peerless Beverage Company, Pearco Corporation, Peerless Commerce Co., Inc., Peerless Electric & Fixture Company, Peckham Hotel Corporation, Pearson Hud-Ex Corporation, Peer Oil Corporation, Pecan Products Company, Pearl River Development Company, Peerless Service Stations of Phila., Inc., Peerless Shock Loader Company, Pennsylvania Adjustment Bureau, Inc., Pennsylvania By-Products Corporation, Pennsylvania Cork Works, Inc., Penn Construction Company, The, Penn Coal Exchange, Inc., Penna Drugs Manufacturing Company, Pennsylvania Engineering Co., Inc., Penn Finance Service, Inc., Penn Flint Company, Penn Formaldehyde Mfg. Co., Penn Heating Service, Inc., Pennsylvania Hardwood Flooring Corp., Pennsylvania Institute, Inc., Penn-Jersey Finance Corporation, Penn Lithographing & Carton Co., Inc., Penn-Liberty Oil Company, Pennsylvania Land Company, Pennsylvania Mortgage & Finance Company, Penova Oil and Gas Company, Pennsylvania Refrigerating Company, Inc., Pennsylvania Rent-A-Car Corporation, Pennsylvania State Water Securities Corp., Pennsylvania Select Coal Company, Penn Tubeless Tire Corporation, Penn-Utah Oil Corporation, Perth Amboy Speedway, Inc., Perry Alexander, Inc., Pershing and Bloodgood, Inc., Per-Co-Lex Company, Perry Chemical Company, Perfection Company, Inc., Perimeter Co., Inc., The, Peoples Industrial Trading Corporation of the United States, Percy L. Crosby, Inc., Pere Marquette Building Company, Perpetual Oil & Royalty Corporation, Peruvian Petroleum Company, Inc., Permalium Products Co., Perna Trench Machine Company, Peters' Building & Constructnion Co., of Washington, D. C., Inc., Petroleum Conservation Corporation, Petroleum Corporation, The, Petroleum and Coal Corporation, Petroleum Dehydrating Corporation, Petroleum Development Corporation, Petroleum Development Company of America, The, Petroleum Exploration Corporation, Pe-

PROCLAMATIONS

troleum Industrial Corporation of America, Petroleum Laboratories of Ohio, Inc., Petroleum Laboratories Company of Delaware, Petroleum Products Company, Petroleum Producers of Eldorado, Inc., Petroleum Sales & Transport Corporation, Petersburg Silk Hosiery Mills, Inc., Phantom Film Corporation, The, Phelps Oil Company, Philadelphia Broadcasting Co., Philadelphia-Copeland Refrigeration Co., Philadelphia Coldak Corporation, Philadelphia Chapter League of American Housewives, Inc., Philadelphia Club of the American League of Professional Football, Philadelphia College of Neuropathy and Maturopathy, Inc., Philadelphia Coal Company, Photo-Fabric Products Corporation, Philadelphia Gotfredson Truck Company, Philadelphia Instrument Company, Philadelphia Investors Guaranty Co., Photo-Kraft, Inc., Photo Multiplex Corporation, Philadelphia and Maritime Transportation Co., Inc., The, Phoenix Mortgage Company, Philadelphia Natatorium Corporation, Philadelphia Nineteen Hundred Washer Co., Phoenix Park Lode Mine, Inc., Philadelphia Paper Box Company, Philadelphia Pin Key Duplicating Company, Philadelphia Road King Sales Company, Philadelphia Ritz-Carlton Company, Philadelphia & Suburban Mill Stair and Cabinet Co., Physicians' and Surgeons' Supply Company, Phila. Veterinary Medicine Co., Inc., Pickwick Club Company, Pierce Holding and Development Co., Pine Baths, Inc., Pilot Butte Oil & Gas Co., Inc., Pioneer Cotton Oil Corporation, Pilgrim Finance Corporation, Pioneer Gas & Oil Co., Inc., Pioneer Holding Company, Pioneer Iron Works, Inc., Pioneer Mutual Oil Company, Pioneer Refrigerating Co., Pioneer Utilities Company, Pittsburgh Acceptance Company, Pittsburgh Convertible Window Co., Pittsburgh Lumber & Builders' Supply Co., Pittsburgh Patriot Publishing Corp., Pittsburgh Sanatory Supply, Inc., Pleasure Builders, Incorporated, Plantation Estates Company, Inc., Plaza Hotel & Restaurant Company, Plaza Hotel Company, Pneumatic Brake & Equipment Company, Pneumatic Elevator Manufacturing Company, Polish-American Navigation Corporation, Polites Corporation, Pollock Chemical Laboratories, Inc., Polar Egg Corporation, Polaris Elec-

PROCLAMATIONS

tric Refrigerator Company, Pontiac Film Corporation, Pontiac-Mogal Mines Company, Pontiac Oil & Gas Company, Pollyana Oil Company, Pom Pom, Incorporated, Point-of-Sale Advertising Company, Policyholders Union, Inc., The, Polly Wiggin, Inc., Porter Drug Company, The, Portable Homes Manufacturing Company, Portsmouth Hotel Co., Inc., The, Port Isable Townsite and Development Co., Portable Refinery Company, The, Pope and Wilson, Inc., Power City Manufacturing Company, Poultry Equipment Company, Potomac Ferry Company, Potomac Photo Supply Company, Potter Radiator Corporation, Potomac Securities Company, Potomac Tire & Patch Company, Prairie Development Corporation, Prairie Mining Corporation, Preston Construction Company, Inc., Preferred Securities Corporation, Premier Sand & Gravel Company, Premier Transportation Service Corporation, Prently Undertaking Corporation, Prepayment Utilities Service Corporation, Princess Anne Stables, Inc., Progressive Advertising and Publicity Co., Producers Acceptance Corporation, Princess Anne Breeding Farms, Inc., Pruvén Composition Products Corporation, The, Properties Corporation of America, Primax Construction Company, Producers Consolidated Co., Pro-Cide Company, The, Progressive Development Company, Producers' & Exporters' Oil Corporation, Prince George Pulp and Paper Company, Prudential Investment Corporation, Propellers, Inc., Provident Loan & Discount Corporation, Prospectors Mining Development Company, Producers Petroleum Corporation, Professional Productions Corporation, Princess Pat Oil Company, Prudent Products Company, Price Refining Company, Producing and Royalty Co., The, Pyramid Advertising Co., Public Comfort Service Co., Inc., Pyramid Enterprises, Inc., Publishers Gravure Press, Inc., Pull-Match Patented Safety Match Corp., Puritan Mortgage Corporation, Pushmataha Oil & Gas Company, Public Service Finance Company, Public Safety Appliance Corporation, Pullman Taverns Corporation, Public Utilities Development Co.

PROCLAMATIONS

Quaker City Sports Club, Inc., Qualfit Company, Queen City Milk Company, Quaker Cutlery Company, Quaker Cereal Beverage Co., Queensberry Corporation, Quaw Corporation, Quaker Grinding Wheel Company, Inc., Quay Oil and Land Co., Quimby Oil Corporation, Quick Realty Company, Quaker Stores, Incorporated, Queen Silk Manufacturing Co., Inc.

R. A. Rodgers & Co, Railroad Crossing Signal Corporation, Radio Den, Inc., The, Raezer Drug Company, Rabrook Film Company, R. & F. Motor Company, R. & G. Supply Co., Inc., R. G. Hill Enterprises, Inc., Rainbow Gasoline Company, Rainbow Gardens, Inc., R. M. Coleman Co., The, Railway Materials, Incorporated, R. P. A. Laboratories, Inc., R. R. Reed & Son, Inc., Radium Springs Distributing Company, R. V. Hoy & Sons Company, Ralph W. Ince Corporation, Randel Corporation, Randolph Coal Company, Rancho Del Oro Corporation, Rane-Sheddar Manufacturing Company, Ray B. Stephens Drilling Co., Raymond Concrete Pile Company of Cuba, Raves Retort Corporation, Raymond Spector & Co., Inc., Rapson Tyre Co. of America, Red Arrow Battery Service, Inc., The., Realty Associates of Washington, Inc., Red Ash Towing Line, Inc., Red Ash Transportation Co., Inc., Red Bird Operating Corporation, Realty Bond and Share Company, Red Bird Oil & Refining Co., Inc., Redoute Chemical Works, Inc., Reading Cooperage Company, Inc., Recreator Corporation, The, Reflecto Corporation, Red Crown Mines, Incorporated, Realty Corporation of New York, Reese Drug Co., Reeves Engineering Corporation, Real Estate Claims Bureau, Inc., Red Feather Copper Corporation, Reading Finance Corporation, Realty Improvement Finance Corporation, Reciprocal Loan and Finance Company, Red Lion Products Company, Inc., Real Lock Nut & Equipment Company, Realty Operating Company, Record Printing Co., Inc., The, Red River Crushed Stone Co., Refractory Sand Products Company, Inc., Red Star Line, Incorporated, Refrigeration Sales Company, Reader-Schwaab Realty Company, Red Seal Film Exchanges, Inc., Red-Top

PROCLAMATIONS

Coal Company, Reading Warehouse and Coal Company, Reo Acceptance Corporation, Reliance Aero Corporation of America, Republic Asbestos Board Corporation, Reliable Carpet Works, Inc., Republic Commercial Company, Reichmann Company, Remote Control Sign Company, The, Re-creator Effortless Exerciser Co., Inc., Reliable Furniture Company, Regent Finance Corporation, Rennas Hotel Company, Incorporated, The, Rehoboth Ice Company, Reliable Mortgage and Finance Co., Remington Oil Company, Regal Oil & Development Co., Rehoboth Packing Company, The, Reliance Publishing Company, Republic Rand Mining Company, Inc., Renid Sterilizing Corporation, Rhodolite Company, The, Rector Company, Rex Development Corporation, Research Development & Engineering Corporation of America, Return Load Bureau, Inc., Rhodes Motor Co., Restaurant Mirador, Inc., Rheumatic Salve Co., Inc., Rex Sales Corporation, Rhino Tire Stores, Inc., Richter Drug Co., Inc., Richmond San Rafael Bridge, Inc., Richard Thomas Productions, Inc., Ridgfield Building Supply Co., Inc., Ridge Oil Corporation, Ridgeway Petroleum Company, Ringler & Company, Rio Grande Petroleum Corporation, Rio Grande Valley Orchards Co., Rincon Plantations, Incorporated, Rio Tonto Company, Ritz Carlton Hotel Company of Philadelphia, Pa., Riverland Land and Livestock Company, River Power & Transport Association, Ritz Restaurant Company, Robt. B. Cason Co., Inc., Roberts Construction Corporation, Robert Kemp, Inc., Robert Kane Enterprises, Inc., Robbins and Neely Motor Sales Company, Robert Owens, Incorporated, Roberts Oil Company, Ltd., Rob Roy Fish and Chip Shops, Inc., Robert S. Hansel, Inc., Robert Treat Bakeshop, Inc., Rock Asphalt Company of America, Rockingames, Inc., Romkey Airplane Corporation, Rodman Apartments, Inc., Rodomes of America, Inc., The, Rodome of Beulah, Inc., Rodman Company, Rollestone Corporation, The, Roland H. Loog, Inc., Rollestone Investment Company, The, Romeo Manufacturing Company, Roland Oil Company, The, Rodger Publishing Company, Roll Pressed Concrete Products Corp., Roly Poly, Inc., Roma Restaurant, Inc., Rondair Radio

PROCLAMATIONS

Co., Inc., Rohmer Standard Swimming Equipment Corp., Roma, San Juan & Mier Toll Bridge Co., Rogers Tile Corporation, Rosemar Construction Company, Ross Engineering Company, Ross-Estates Holdings & Research Co., Inc., Rosemont Mines, Inc., Rook Petroleum Corporation, Rotary Refrigeration, Inc., Roy A. Price Construction Co., Inc., Royal Arts Productions, Inc., Royal Company, Royal Cigar Company, Roy G. Pratt, Inc., Rover Lumber Co., The, Royal Oil Company, Inc., Royal Osage Oil Company, Rox Products Company, Royal Petroleum Corporation, Rubay Company, The, Rubin Health Institute, Inc., The, Ru Keyser Hotels Corporation, Ruggles Motor Truck Company, Rural Life of New Jersey, Inc., Runner Needle, Inc., Ruths Accumulator Co., Inc., Russ Inserting Machine Co., Inc., The, Ryerson, Incorporated, Russell Lumber Company, Incorporated, of St. Paul, Virginia, Ryan Oil Corporation, Russell-Weber Steel Products Co., The.

S. A. Sims & Co., S. B. Manufacturing Co., Inc., S. E. Loveless, Inc., Safety Finance Corporation, S. Feather Company, Safety Foundation, Inc., Safety Gas Utilities Corporation, Safeway Headlights, Incorporated, S. and M. Company, S. Scalpelli Manufacturing Co., The, Safety Stop Signal Company, Inc., The, S. & S. Sales Company, S. W. Smith & Company, S. W. Eddy Company, St. Louis Pressed Steel Company, St. Paul Broadcasting Company, Salikof and Belle Hovey Laboratories, Inc., Sally Lane Co., Salamanca Smelting & Tin Mining Corp., Salisbury Textile Corporation, Sanative Corporation, Sanitary Comb Co., Inc., Sandridge Company, Sanitation Corporation, The, Sanitary Display Refrigerator Manufacturing Co., Santa Monica Mercantile Finance Corp., Santa Maria Company, Sao Paulo Northern Company, Sani-Shell Products Company, The, Sara Gosa Mining Company, Saunders Commercial Adjustment System, Inc., Sawyer's Fruit and Produce Company, Sawyer Leather Belting Company, Sayre Transportation Company, Scenic Groves Company, Scarborough Safety Signal Company, Schaefer Works, Inc., The, Schiff-Friedman Company, Inc., Schnell

PROCLAMATIONS

Penselpen Corporation, Schreiber Cafeteria Co., Schwartz Bros. Co., Schwarz Cleaning & Dyeing Company, Scott County Petroleum Company, The, Scott Motor Car Company, Scott's Preparations, Inc., Scott Publishing Company, Security Bonding Corporation, Sedar Coal Co., Seaboard Distributing Company, Inc., Seaboard Engineering and Equipment Corp., Seashore Estates, Inc., Secretaries International, Inc., Segmar Knitting Mills, Inc., Seacoast Mortgage Investment Company, Sedwick-McGee Co., Seaport Oil Company, Searight Oil Company, Security Oil Company, Secure Real Estate and Finance Company, Security System Discount Corporation, Senac Automatic Oil Burner Corporation, Salles Construction Company, Servel Corporation, The, Service Drug Stores, Inc., Service Finance Corporation, Service Garment Corporation, Service Invention & Development Company, Service Laundry Company, The, Semple-Lee Processes, Inc., Servette Maryland, Inc., Sequatchie Manufacturing Company, Inc., Select Pastry Shops, Inc., Selin Products Company, Inc., Service Realty Company, Servette System of Baltimore, Inc., The, Servall Service Corporation, Service Shoe Manufacturing Company, Sellers Tire Co., Inc., Seminole Tropical Oil Syndicate, Inc., Sewell Cushion Wheel Company, Sespe Development Corporation, 717 Euclid Street, Northwest, Inc., 719 Euclid Street, Northwest, Inc., 721 Euclid Street, Northwest, Inc., 760 Girard Street, Northwest, Inc., 17th and Summer Streets Corporation, Seven Springs Health and Pleasure Resort, Inc., Sewing Stand and Novelty Company, 7th and Walnut Mortgage & Finance Co., Shakespeare Association of America, Shamokin Coal Company, Shannon Oil and Gas Company, Sharples Company, Inc., The, Sharood Co., Shapiro Katz Realty Company, Shaw Laboratories, Incorporated, Shaw Novelty Manufacturing Company, Shawnee Oil Company, Inc., Sharpsville Slag Company, Shemtov Company, Shellbourne Homes, Inc., Sheerness Petroleum Company, Ltd., Shepherd Lumber Company, Inc., Shepherd-Whitson-Helms Co., Inc., Shrader Anthracite Coal Corporation, Shirek's Department Store, Inc., Short Feature Films, Inc., Shore Fuel Process, Inc., Shottlands

PROCLAMATIONS

Milometer Corporation, Shirley Oil and Refining Company, Ship Propulsion Corporation, Shur-Seal Manufacturing Company, Silas Frank Mining Company, Silver King Products Corporation, Silver Lake Feed Co., Inc., Sidney O'Neil Company, Sillix Petroleum Company, Sioux Kennels Club, Sinclair & Grigg, Inc., Sims Locker Table Co., Simons Radio Corporation, Simons Talking Film Corporation, Sioux Tribe of Indians, Inc., The, Skinner-Chase Company, Inc., The, Sisler Paper Company, 6090 Drexel Road, Inc., Slumber-Craft Products Corp., Sleeper Radio & Manufacturing Corp., Smith Axle Company, Snap-A-Lite Electric Appliance, Inc., Snyder-Banana Company, Snow-Motors, Inc., Snow White Club of America, Inc., Soda Bottling Machine Company, Solax Drug Company, Sobel Multiplying-Bookkeeping Machine Co., Sobel, McNellis & Friedman, Inc., Sooner Oil Corporation, Sorg Manufacturing Corporation, Sorosis Shoe Company of Brooklyn, Sorosis Shoe Company of Chicago, Sorosis Shoe Company of Hartford, Sorosis Shoe Company of New Haven, Sorosis Shoe Company of Paterson, Sorosis Shoe Company of Philadelphia, Sorosis Shoe Company of Pittsburgh, Sorosis Shoe Company of Rochester, Southern Atlantic and Nassau Steamship Co., Southern Annite, Incorporated, Southern Biscuit Corporation, South Burleigh Manor Realty Corp., Southwest Bankers' Securities Corp., Southern Ball Clay Company, Southwestern Canning Association, Southern Credit and Discount Co., Southern Consolidated Granite Corp., Southwestern Development Company, Southern Export Cotton Corporation, Southern Fiscal Corporation, Southwest Finance Corporation, Southland Gasoline Corporation, South Hills Motor Corporation, Southwestern Lead Corporation, Southern Mutoscoue Corporation, Southern Maryland Development Co., Sourwine & Mahoney, Inc., Southwestern Oil Producing Corporation, Southern Pine Remedies, Inc., South Penn Collieries Company, Southwest Petroleum Corporation, Southern Packing and Provision Co., Southern States Securities Corp., Southland Sales and Brokerage Co., Southern States Drilling Corp., Southern Tire Corporation, Specialty

PROCLAMATIONS

Amusement Co., Specialty Drug Mfg. Corp of America, Speaker-Hargett Printing Company, Inc., Spencer Petroleum Corporation, Spanish Trail Development Company, Spindler Liquid Soap Co., Springlastic Company, Springfield Flint Company, Sta-Lit Lamp Corporation, Stag Publishing Company, Standard Animal Products Company, Stansberry Corporation, The, Standard Cement Corporation, Standard Credit Corporation, Stanly Donogh Co., The, Standard Finance Company, Standard Homes Mortgage Corp., Standard Management Corporation of America, Standard Opinion Publishing Company, Standard Safety Sales Corporation, Standard Seal and Number Corporation, Standard Veterinary Products Co., Starkey Coal and Builders' Supply Co., The, Star Commercial Company, States and Canadian Timber Co., Starlight Farms Development Co., Inc., Staten Island Building Material and Coal Corp., State Land and Finance Corporation, Star Milk Distributing Company, Star Milk Products Company, Star Oil & Gas Co., States Public Service Company, Star Raincoat Company, Starr Silver Fox Corporation, The, State Securities Corporation, Steel-Built Construction Company, Sterling Construction Company, Sterling Chemical Corporation, Stein Electric Utility Corporation, Sterling Fliers, Inc., Steel & Harris, Inc., Steelman, Inc., Sterling Lumber Company, Inc., Sterling Oil Production Company, Steer-O-Lator Company, Inc., The, Sterling Pharmaceutical Co., Inc., Stellar Petroleum Company, Stevens Rotary Motor Corporation, Sterling Tire Corporation, Ste Ven Co., Sleepy Water Corporation, Stirless Cooker Corporation, Sto-Coh Realty Corporation, The, Stoker Engineering Company, Stoughton Corporation, The, Stor-Dor Transit, Inc., Stonewall Oil Corporation, Stover Signal Engineering Company, The, Strand Cafeteria, Inc., The, Structural Form Company, Strand Men's Shop, Inc., Style Center Stores Co., Sturges Multiple Battery Corp., Stuyvesant National Company, Inc., Submarine Devices Corporation, Suburban Newspaper, Inc., Success Production Company, Subers Specialized Rubber Products Corp., Suburban Title and Improvement Co., Inc., Superior Basket

PROCLAMATIONS

Company, Inc., Sunset Basin Oil Company of New York, The, Superior Beverage Company, Superior Copper Corporation, Sumrick Company, The, Sullivan Company, The, Superior Chemical Products Company, Sutton Contracting Company, Sun Coal Co., Supplee & Company, Susong Company, The, Superior Cleaner & Dyers, Inc., Sussex Farms & Packing Corporation, Sunshine Food Stores, Inc., Super-Gas Corporation, Sunset Hotel Corporation, Sure-Handle Bag Company, Superior Markets, Inc., Supreme Motion Picture Company, Summers and Majeski, Inc., Super Power Aero Gas Company, Superkeen Sales Co., Superior Spike Company, Swissvale Auto Wreckers, Inc., Swift County Investment Company, Sweeten Company, Syntho Chemical Co., Swenson Oil Corporation, Szechuan Petroleum Corp.

T. C. Manufacturing Co., The, T. E. McCausland, Inc., T. K. Jones & Bro. Company, T. T. Agency, Inc., T. V. Monaghan, Inc., T. W. Carraway Company, Inc., T. W. Munro Co., Inc., Tabloid Corporation of America, Tambeach Corporation, Taral Development Corporation, Tampa Lumber & Manufacturing Co., Tampa Loan & Savings Company, Tacota Mining Company, The, Tarquin Manufacturing Company, Tabor-Newman, Inc., Tax Redemption Corporation, Taxey & Torin Drug Company, Tampa-Tex Oil Company, Inc., Tamale Vender Corporation, Terminal Construction Company, Inc., Texany Company, Tennessee Cotton Oil Company, Textile Finishing Co., Inc., The, Templeoden, Inc., Texas-Jewel Corporation, The, Tenn.-Ky. Oil and Gas Co., Texas Louisiana Patents Co., Terminal Lunch, Inc., Terra Marial, Inc., Texas Natural Gas Company, Tennessee Oil & Development Co., Texland Oil & Gas Company, Texas-Oklahoma Land Oil Leasing Corp., The, Texarkana Orchards Company, Terriokla Oil and Gas Company, Texas Oil Producers and Shippers, Ltd., The, Territorial Petroleum Corporation, Temple of Prayer, Inc., Terminal Quick Lunch Company, Texas Rodeo and Amusement Co., The, Tennessee River Coal & Iron Co., Texas South Coast Company, Texas Steel Company, Ten Thousand Lakes Fur Farms Corp., Tennessee Trust Company, Tenn Tex Oil Company, Texas Tool &

PROCLAMATIONS

Oil Corporation, Texas Western Development Corporation, Thermizer Co., Inc., The, Thermoplate Corporation, Thra-Mill Oil Corporation, Theistic Publishing Co., Inc., Three Rivers Oil Company, The, Thrift Agency Company, The, Thor Appliance Company, Inc., Thornely-Blackman, Inc., Thornapple Country Club, Inc., Thorsch and Company, Three Dollar Tire Company, Thomas E. McCloskey, Inc., 3500 Fourteenth St., N. W., Inc., Thomas H. Brook & Son, Inc., Thurman, Inc., Thomson, Linsey & Church, Inc., Thomason Oil Co., Thomas Paper Converting Co., Thorn & Reed, Inc., Thompson Spring Corporation, The Way Oil Company, Tientsin Fur Corporation, Inc., Tidewater Gypsum Company, Tiger Oil Company, Tiffany Silk Company, Inc., Tide Water Construction Co., Tioga Construction Co., Tipton & Davis, Inc., Title Holding Corporation, Tindale Mining Company, Inc., Tioga Motors, Inc., Tip-Top Coal Company, Tip Top Silver Fox and Fur Company, Tomajko Auto Company, Tomlinson Realty Company, Tourison Company, Toman & Novak, Inc., Trans-American Oil Corporation, Triangle Auto Body Co., Inc., Travel-Advisor, Inc., Treece Chemical Company, Treiber Electric Sign Corporation, The, Triangle Film Corporation, Triangle Gas & Oil Corporation, Trio, Incorporated, Triangle Loan Co., Trebor Mines Holding Company, Inc., Traveler Manufacturing Company, Transtex Oil Corporation, Trails Oil Company, Tritex Oil Company, Trio Oil Company, Transmarine Oil Alliance, Inc., Tri-State Public Utilities Corporation, Tri States Stores Company, Trolley Construction Company, Tropical Fruit Corp., Tropical Gardens, Inc., Tryalex Manufacturing Company, Tropical Planting & Trading Corporation, The, Truck Radiator Mfg. Co., Tullis Cotton Oil Company, Tulsa Co., The, Tug Gas Company, Tungsten Products Company, Turner Box & Lumber Co., Turkey Bosom Comedies, Inc., Two Americas Publishing Company, Inc., The, Two Creeks Oil Company, Tybon Company, Tyler Land Company, The, Two Oceans Oil Company, Inc., 2716 Sherman Avenue, Inc.

PROCLAMATIONS

Uida Consolidated Mines Company, Upper Darby-Nash Company, Unintah Shale Products Corporation, U. S. Automotive Engineering Corp., U. S. Rubber Conversion Corporation, U. S. Safety Razor Company, U. S. Turpentine Company, U. S. Wrench Ffg. Co., Inc., Universal Amusement Device Co., Universal Auto Body Maintenance Corp., Universal Aircraft Motor Corporation, University Association, The, Uniontown Armature Works, Inc., Universal B. B. Company, Inc., Universal Charter Company of Delaware, Unity Development Company, Universal Development Corporation, Underwriters Finance Corporation, Universal Investors Corporation, Universal Inks, Inc., Una Lee Oil Company, Unidad Metals Company, Universal Metallic Packing Co., Universal Oil, Inc., Universal Oil and Gas Company, Unique Oil Company, Universal Products Manufacturing Co., Inc., Universal Publishing Company, Universal Pipe Threading Machine Co., Universal Polish Manufacturing Company of America, Universal Radio-Phonograph and Furniture Company, Universal Rotary Flatbed Printing Press Co., Universal Supply Company, Universal Stores, Inc., Universal Tractor Company, Inc., United American Petroleum Corporation, United Advertising & Sales Corporation, United American Industries, Inc., United Accountants Society, Inc., United American Trading Corporation, United Business Men's Credit and Collection Association, United Bonded Garages, Incorporated, United Bankers Corporation, United Bus Corporation, United Clay Products Corporation, United Coffee Mills and Warehouse Company of Guatemala, United Chemical Works, Inc., United Engineering Machine Corporation, United East and West Oil Corporation, United Export Company, Inc., The, United Electric Utilities, Inc., United Exchange Investment Company, United Farm Products Company, Inc., United Fox & Fur Farms, Inc., United Greek Catholic Orthodox Cemeteries, Incorporated, United Home Improvement Company, United Investment Bankers, Inc., United Ice Company, United Income Properties, Incorporated, United Institution Supply Corporation, United Loan Company, Union Mortgage Company of Detroit, United

PROCLAMATIONS

Millinery Stores, Inc., United Mutual Oil Company, United Mortgage & Finance Corporation, United Mines Company of California, Union Mines Corporation, United Novelty Manufacturing Company, Union Publishing Company, Union Plan, Inc., Union Plumbing Supply Company, The, United Royalties Co., Inc., United Rock Asphalt Company, Union Securities & Finance Corporation, Union Service Association, United Service Corporation, The, United Slipper Corporation, United Stockholders Association, Inc., United Swimming Pools, Inc., Union Shovel Works, Inc., United States & Alaska Petroleum Corp., United States Air Lines, Inc., United States Amiesite Corporation, United States Building Company, Inc., United States Commission House, Inc., United States Diesel & Shipbuilding Corp., United States Equities Corporation, United States Educational Film & Slide Co., Inc., United States Engineering Corporation, United States Garages, Inc., United States Mining Company, United States Mineral Products Corp., United States Mortgage & Guaranty Corp., United States Pure Food Corporation, United States Protein Corporation, United States Realty Corporation of America, Union Transportation Service Company, United Transit Safety Appliance Corp., Union Welfare League, Inc., The, United Western Resources, Inc., Useful Appliances, Incorporated, Uritrol Company, Incorporation, Utah Consolidated Silver Mining Co., Utility Devices, Inc., Utilities Engineers, Inc., Utilities Engineering Corporation, Utility Management and Engineering Corp., Utah Petroleum Company.

Va-Per-Marcel, Inc., V. V. Campbell Company, The, Valencia Cafe, Inc., The, Valley Farms Company, The, Valley Gas Company of Wilmerding, Pa., Valid Laboratories, Inc., Valley Oil and Gas Company, Valley Railroad Company of Delaware, Vanderslice Corp., The, Vayol Oil Burner Company, Vance Oil Company, Inc., Vance Petroleum Co., Vasco Products Export Corporation, Vendometer Corporation, Ve-Kol Mines, Inc., Venula Oil Corporation, Venezuela Ports & Terminals Co., Velvolux Rug Mills, Inc., Victory Art Lamp,

PROCLAMATIONS

Electric and Engineering Corporation, Victory Building Company, Villa Bona, Inc., Vim Gas Industries Corporation, Victor Motors, Inc., Victor Petroleum Corporation, Victor Stove and Heating Company, The, Viteks Bananza, Inc., Virginia Consolidated Gold Mines, Inc., Vissat Frog and Switch Company, Vivader Letter Opener Co., Inc., Vital-Lac Medicine Company, The, Virginia Oil Company, Vitek Oil and Refining Corporation, Virginia Road & Bridge Corporation, Vita-Sulphur Company, The, Vogt Bros. & Squier Company, Vulcan Drug & Specialty Company, Vulcanite Roofing Company, The.

W. A. Cruikshank Company, Wafer Coffee Corporation, W. C. Young, Inc., W. C. Benson and Company, Advertising, Wagner Dairy Company, Waggener Finger Print Corporation, Wake Granite Company, The, W. G. Burton Trust, Inc., W. H. Haney Company, The, W. H. Dickinson & Co., W. H. Wyatt Lumber Co., Wagner Oil Corporation, W. Rogers Edelman, Inc., W. T. Powell Company, Inc., W. W. Health Drinks, Inc., Waldo A. Ross Company, Inc., The, Walnut Homes, Inc., Waldia Realty Corporation, Wallach Heel Corporation of America, Walker Steel Wares, Inc., Walker-Smith Co., Inc., The, Walter C. Schoen & Company, Walter Sodering, Incorporated, Wappapello Land and Iron Manufacturing Co., Ward Food Products Company, Warner-Straits Lumber Company, Warren B. Jones Company, Warwick Oil Company, Warren Products Company, Inc., The, Warthen Train Control Corporation, Washington Airways, Inc., Washington Baking and Catering Company, Washington Construction Company, Washington Grocery Corporation, Washington Lumber Vulcanizing Corporation, Washington Nu-Grape Bottling Company, Washington National Finance Corporation, Washington Natatorium Club, Inc., Washington Paint and Glass Company, Washington Stainless Steel Corporation, Washington Steel Company, Washington Trucking Company, Inc., Wachung Corporation, The, Water-proof Ignition Hood Corporation, Waterbury Oil Company, Watkins, Valade, Faulkner, Incorporated, Waxnpol Corpo-

PROCLAMATIONS

ration, Waverly Candy Company, Wayne Oil Company, Weaver Rotary Valve Corporation, Weber & Whitney, Inc., Weepah Luckipick, Inc., Weeks Realty Corporation, Weishized X-ray Egg Co., Welte Company, Inc., Welton Oil Company, Wellsboro Silk Manufacturing Co., Inc., West America Coal Company, The, Western Alleghany Coal Company, Western Amiesite Asphalt Co., The, Western Arch Oil Corporation, Western Business Associates, Inc., West Coast Kennel Club, Western Citrus Products Corporation, West Coast Lumber Company, The, West End Market, Inc., West End Realty Company of Pennsylvania, Western Exploration Corporation, West Indies Petroleum Company, Ltd., Western Medical Arts Building Corp., West Philadelphia Jordan Co., West Penn Producing Company, Western Refining and Petroleum Company, West Section Homes, Inc., Western States Shoe Co., Inc., Western School of Engineering, Inc., Weston & Shearman Estates, Inc., The, West Supply Co., West Shore Dairy Company, Western Securities Company of America, Western Thoroughbred Association, West Virginia Cement Company, Whalen-Crosby Electric Corporation, Wheeler-Watkins Oil & Gas Company, Whisk Chemical Products Co., Inc., White Behr Consolidated Oil Co., White Cross Sanitary Napkin, Inc., Whole-Grain Naturefood Works, Inc., White Horse Motors, Inc., Whitemarsh Investment Company, White Star Development Company, The, White Stores Company, The, White Silica Sand Company, Whole Wheat Milling Company, Wiemann Co., The, Wirk Lime Co., Wholesale Coal Distributors, Inc., Wigwam Lake Development Co., Inc., Williams Automatic Train Control Company, Wilkinsburg Country Club, Williams Creek Coal and Lumber Company, Wilkern Company, The, Wilkins Corporation, The, Wilbur D. Nesbit, Inc., Wm. F. Plowfield, Inc., William H. Priess Corporation, Wilmer Home Furnishing Co., William H. Lewis, Inc., William H. Jones Contracting Company, William J. Buettner, Inc., Wil-Kar Bowling Enterprises, Inc., Willard L. Kauth Corporation, The, Wilbraham & Liebig, Inc., Wills Motor Co., Willis Realty Company, Incorporated, William R. Wilson Corporation, William Schuchar Company,

PROCLAMATIONS

Inc., William W. Thompson Iron and Steel Co., Wilmington Litchfield Corporation, Wilmington Mausoleum Company, Wilmington Yellow Cab Co., Wilshire Beverly Finance Corporation, Wilson Hardware Company, Wilson Petroleum Corporation, Wilson and Reed, Inc., Wilson Securities Company, Winehaven Chemical Company, Windermere Homes, Inc., Wisconsin Development Company, The, Winters Oil Company, Winslow Refining Company, Winsten and Sullivan, Incorporated, Witty Improved Cement Co., Witmer Roller Bearing Corporation, Woerner Cash Stores, Inc., The, Wolf Creek Oil Company, Wolfsohn Musical Bureau, Inc., Wolf Mineral Process Corporation, Woodward Oil and Development Corp., Woodland Plumbing & Roofing Supply Co., World Amusement Service Association, World Chemical Company, World Production Company, World Trade Service, Incorporated, Wray C. Arnold, Incorporated, Wright Finance Corporation, Wylie-Bliebry, Inc., Wyatt. Stores, Inc., Wyoming Valley Realty Co.

X-Cel-All Master-Lite Company of Maryland, The, Xlent Company.

Yasen's Auto Supply Co., Yeates Building Company, Yellow Motor Company of St. Louis, Yad Realty & Development Corporation, Yen & Rumpf, Inc., Ye Stationery Shoppe, Inc., Yellow Taverns, Incorporated, Yoquivo Development Company, Yosemite Estates, Inc., York Ironer and Appliance Company, Yonghiogheny Oil and Gas Company, York Road Finance Company, Yonah Securities Company, Yvonne Utilities, Inc.

Zenith Auto Body Company, Z. D. Blastistone, Incorporated, Zeeland Furniture Shops, Inc., Zanuch Manufacturing Company, Ziegler Oil Corporation, Ziang Sun Wan, Inc.

PROCLAMATIONS

IN TESTIMONY WHEREOF, I, C. Douglass Buck,
Governor of the State of Delaware have
hereunto set my hand and caused the
Great Seal to be hereunto affixed this
nineteenth day of January, in the year of
our Lord one thousand nine hundred and
thirty-one and of the Independence of the
United States of America, the one hun-
dred and fifty-fifth.

(Great Seal)

By the Governor:

C. D. BUCK.

CHARLES H. GRANTLAND,
Secretary of State.

CHAPTER 317

IN THE COURT OF CHANCERY OF THE STATE OF
DELAWARE IN AND FOR NEW CASTLE COUNTY

THE STATE OF DELAWARE,	}	DECREE
on the relation of Clarence A.		
Southerland,		
Attorney General,		
vs.		
EMPIRE TRUST COMPANY	}	
OF DELAWARE, a corporation		
of the State of Delaware, and		
FAY L. GLASGOW.		

AND NOW, TO-WIT, this 15th day of September,
A. D. 1926, the above stated cause coming on to be heard
before the Chancellor ex parte,

AND IT APPEARING TO THE CHANCELLOR that
a decree pro confesso has been entered in the said cause,
and that the purported certificate of incorporation of
Empire Trust Company of Delaware, one of the defend-
ants above named was fraudulently obtained from the
Secretary of State of the State of Delaware, in the manner
and by the means described in the bill of complaint filed
in the said cause, and that the same constitutes a fraud
upon the State of Delaware, it is, upon motion of Clarence
A. Southerland, Attorney General of the State of Delaware,

ORDERED, ADJUDGED AND DECREED that the
said purported certificate of incorporation of Empire Trust
Company of Delaware, as the same appears of record in
the office of the Secretary of State of the State of Dela-
ware, be and the same is hereby cancelled and annulled and
declared to be void and of no effect;

AND FURTHER, that the Register in Chancery is
hereby directed to send to the Secretary of State of Dela-
ware a certified copy of this decree, and that the said record,

as appearing in said office, be marked "Cancelled and Annulled by decree of the Chancellor of the State of Delaware, dated September 15th, A. D. 1926";

AND FURTHER, that the costs of this cause, hereby taxed at the sum of Twenty-six and 73/100 Dollars (\$26.73), be paid by the defendants within thirty days or attachment.

AND FURTHER, that the Chancellor reserves the right to make any further order which may be necessary to carry into effect this decree.

J. O. WOLCOTT,
Chancellor.

STATE OF DELAWARE, }
NEW CASTLE COUNTY, } SS.

I, David P. Hutchinson, Register in Chancery, do HEREBY CERTIFY that the above and foregoing is a true and correct copy of the DECREE of the Chancellor of the State of Delaware cancelling and annulling the purported certificate of incorporation of Empire Trust Company of Delaware, made and entered in the cause wherein The State of Delaware, on the relation of Clarence A. Southerland, Attorney General, is complainant, and Empire Trust Company of Delaware, a corporation of the State of Delaware, and Fay L. Glasgow are defendants, as the same remains on file and of record in the Court of Chancery of the State of Delaware, in and for New Castle County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Court, at Wilmington, this twenty-seventh day of September, A. D. 1926.

DAVID P. HUTCHINSON,
Register in Chancery.

Court of Chancery
New Castle County

CHAPTER 318

IN THE COURT OF CHANCERY OF THE STATE OF
DELAWARE IN AND FOR NEW CASTLE COUNTY

THE STATE OF DELAWARE, on the relation of Clarence A. Southerland, Attorney General vs. CENTRAL UNION TRUST COMPANY OF DELAWARE, a corporation of the State of Dela- ware, and FAY L. GLASGOW	}	DECREE
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AND NOW, to-wit, this 15th day of September, A. D. 1926, the above stated cause coming on to be heard before the Chancellor ex parte,

AND IT APPEARING TO THE CHANCELLOR that a decree pro confesso has been entered in the said cause, and that the purported certificate of incorporation of Central Union Trust Company of Delaware, one of the defendants above named was fraudulently obtained from the Secretary of State of the State of Delaware, in the manner and by the means described in the Bill of Complaint filed in the said cause, and that the same constitutes a fraud upon the State of Delaware, it is, upon motion of Clarence A. Southerland, Attorney General of the State of Delaware,

ORDERED, ADJUDGED AND DECREED that the said purported certificate of incorporation of Central Union Trust Company of Delaware, as the same appears of record in the office of the Secretary of State of the State of Delaware, be and the same is hereby cancelled and annulled and declared to be void and of no effect;

AND FURTHER, that the Register in Chancery is hereby directed to send to the Secretary of State of the State of Delaware, a certified copy of this decree, and that

the said record, as appearing in said office, be marked "Cancelled and annulled by decree of the Chancellor of the State of Delaware dated September 15th, A. D. 1926";

AND FURTHER, that the costs of this cause, hereby taxed at the sum of Twenty-six and 73/100 Dollars (\$26.73) be paid by the defendants within thirty days, or attachment.

AND FURTHER, that the Chancellor reserves the right to make any further order which may be necessary to carry into effect this decree.

J. O. WOLCOTT

Chancellor

STATE OF DELAWARE, }
NEW CASTLE COUNTY, } SS.

I, David P. Hutchinson, Register in Chancery, do HEREBY CERTIFY that the above and foregoing is a true and correct copy of the DECREE of the Chancellor of the State of Delaware cancelling and annulling the purported certificate of Incorporation of Central Union Trust Company of Delaware, made and entered in the cause wherein The State of Delaware on the relation of Clarence A. Southerland, Attorney General, is complainant and Central Union Trust Company of Delaware, a corporation of the State of Delaware, and Fay L. Glasgow are defendants, as the same remains on file and of record in the Court of Chancery of the State of Delaware, in and for New Castle County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Court, at Wilmington, this twenty-seventh day of September, A. D. 1926.

DAVID P. HUTCHINSON
Register in Chancery.

Court of Chancery
New Castle County

CHAPTER 319

IN THE COURT OF CHANCERY OF THE STATE OF
DELAWARE IN AND FOR KENT COUNTY

CLARENCE A. SOUTHER- LAND, ATTORNEY GENER- AL of the State of Delaware, upon the relation of William H. Snider and Sydney ¹ D. Went- worth, vs. DECIMO CLUB, INC., a corpo- ration of the State of Delaware	}	BILL TO REVOKE AND FORFEIT CHAR- TER FOR ABUSE AND MISUSE OF CORPO- RATE POWERS, PRIV- ILEGES AND FRAN- CHISES AND FOR THE APPOINTMENT OF A RECEIVER.
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On this Eleventh day of July, A. D. 1928, a decree having heretofore been entered in the above entitled cause, on the Eighth day of May, 1928, revoking and forfeiting the Charter of Decimo Club, Inc., a corporation of the State of Delaware, for abuse and misuse of its corporate powers, privileges and franchises and appointing Walker L. Mifflin, Esquire, of Dover, Delaware, to be Receiver of and for said Decimo Club, Inc., after the Bill of Complaint filed in the above entitled cause had been taken pro confesso and a hearing in said cause had been had before the Chancellor, on the said Eighth day of May, 1928, pursuant to due notice given to the above named defendant, as required by an order of the Chancellor made on the Twenty-fifth day of April, 1928, and subsequently the Chancellor, on a petition presented by the defendant to vacate and set aside the said decree made on the Eighth day of May, 1928, having made an order on the Sixteenth day of May, 1928, permitting the defendant to file an answer in said cause and to have a hearing on the merits, and vacating the appointment of and discharging said Receiver, and setting the cause down for final hearing on the merits on testimony to be produced before the Chancellor, and said cause having subsequently come on for hearing before the Chancellor on bill, answer and testimony offered by the respective parties, and said cause having been debated by the Solicitors for the respec-

tive parties, and the matter having been maturely considered by the Chancellor:

IT IS ORDERED, ADJUDGED AND DECREED BY THE CHANCELLOR as follows:

(1) That Decimo Club, Inc., a corporation of the State of Delaware, the defendant above named, has abused and misused the corporate powers, privileges and franchises vested in it by virtue of its incorporation under the laws of the State of Delaware, and the decree in this cause made by the Chancellor on May the Eighth, 1928 is affirmed in that respect.

(2) That the Certificate of Incorporation, or Charter, of said Decimo Club, Inc., be, and the same hereby is, revoked and forfeited for abuse and misuse of its corporate powers, privileges and franchises; and the said decree of the Chancellor entered on the Eighth day of May, 1928, is likewise, in that respect, affirmed.

(3) That Walker L. Miffin, Esquire, of Dover, Delaware, be, and he hereby is, appointed Receiver of and for the said Decimo Club, Inc., a corporation of the State of Delaware, to take charge of the estate, effects, business and affairs thereof, and to collect the outstanding debts, claims and property due and belonging to the said corporation, with power to prosecute and defend, in the name of the corporation or otherwise, all claims or suits, to appoint an agent or agents under him, and do all such other acts which might be done by the said corporation and which shall be necessary and proper, and to administer and wind up the affairs of said Decimo Club, Inc.,

(4) That the said Receiver is hereby authorized forthwith to take possession of all and singular the property, business, assets and effects of said Decimo Club, Inc., wheresoever, situate, including all shares of stock owned

by said Decimo Club, Inc., in Apasco Purchase and Sales Corporation and Webster Service Corporation and also including all interests in shares of stock of said corporations owned by said Decimo Club, Inc., and hold and manage the same in accordance with the orders of the Chancellor.

(5) That the said Decimo Club, Inc., and each of its officers, agents, directors and employees are hereby required to transfer, convey and deliver to said Receiver or his duly constituted agent, all books, papers, documents and all property, real personal or mixed, belonging to said corporation of whatsoever nature the same may be and wheresoever situate, including all shares of stock and/or interests therein owned by said Decimo Club, Inc., in said Apasco Purchase and Sales Corporation and said Webster Service Corporation.

(6) That the said Decimo Club, Inc., its officers, agents, directors, employees and all other persons be and they hereby are enjoined and restrained from interfering with said Receiver in taking possession of and holding the assets of said corporation, and also from bringing any suits against said corporation and from levying upon, attaching, selling, disposing of or in any manner interfering with any of the property or assets of said corporation, or from in any manner disturbing or interfering with said Receiver in managing the assets and property of said corporation.

(7) That, pursuant to Paragraph 3884, Section 41, of the revised code of the State of Delaware of 1915, said Receiver shall be and hereby is vested by operation of law, without any act or deed, with the title of said defendant corporation to all its books, papers and documents, interests in patents, patent rights, copyrights and trademarks, rights of action arising upon contracts or from the unlawful taking or detention of or injury to property of said defendant corporation, and other property, real, personal or mixed, of whatsoever nature, kind, class or description, and whereso-

ever situate, except real estate situate outside the State of Delaware.

(8) That said Receiver is hereby authorized and empowered to take such proceedings as may be necessary in the Courts of any other State or of the United States to secure the aid of said Courts, by the appointment of ancillary receivers or otherwise, in taking possession and charge of the property and assets of said defendant corporation and in the exercise of jurisdiction ancillary to and in aid of the powers, duties and estate of said Receiver.

(9) That said Receiver, before entering upon the discharge of his duties, shall give bond with surety to the State of Delaware in the sum of Five Thousand Dollars (\$5000.00), conditioned for the faithful performance of his duties as such Receiver, and Maryland Casualty Company, a corporation of the State of Maryland, is hereby approved as surety.

(10) The Chancellor reserves the right to make such further orders and decrees herein as to him shall seem proper; and said Receiver is authorized and directed to apply for such orders and decrees respecting the business, affairs, property and assets of said defendant corporation as shall appear to be necessary to enable said Receiver to reduce said assets and property to possession and to cash with a view to winding up the affairs of said defendant corporation, and said Receiver is further authorized and directed to apply to the Chancellor from time to time for such orders and decrees respecting the rights of members and creditors of said defendant corporation as shall be just and equitable.

J. O. WOLCOTT

Chancellor.

STATE OF DELAWARE, }
KENT COUNTY }SS.

I, Harry B. Clark, Register of the Court of Chancery of the State of Delaware, in and for Kent County, do hereby certify that the foregoing is a true and correct copy of the decree made by the Chancellor on the Eleventh day of July, A. D. 1928, appointing Walker L. Mifflin, Esquire, of Dover, Delaware, Receiver of Decimo Club, Inc., as the same remains on file and of record in said Court.

Court of Chancery
Kent County

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Dover, this Ninth day of May in the year of our Lord, nineteen hundred and twenty-nine.

HARRY B. CLARK
Register in Chancery.

STATE OF DELAWARE, to-wit:

I, Josiah O. Wolcott, Chancellor of the State of Delaware, do hereby certify that the foregoing Record and Attestation, made by Harry B. Clark, Esquire, Register in Chancery within the County of Kent, whose name is thereto subscribed, and to which the seal of said Court is affixed are in due form of law, and made by the proper officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand this Ninth day of May in the year of our Lord, nineteen hundred and twenty-nine.

J. O. WOLCOTT
Chancellor.

STATE OF DELAWARE, }
KENT COUNTY } SS.

I, Harry B. Clark, Register of the Court of Chancery of the State of Delaware, in and for Kent County, do hereby certify that the Hon. Josiah O. Wolcott, by whom the foregoing attestation was made and whose name is thereto subscribed, was at the time of the making thereof, and still is Chancellor of the State of Delaware, duly commissioned and sworn, to all whose acts, as such full faith and credit are and ought to be given, as well in Courts of Justice as elsewhere.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court, at Dover, this Ninth day of May, in the year of our Lord, nineteen hundred and twenty-nine.

HARRY B. CLARK
Register in Chancery.

Court of Chancery
Kent County

CHAPTER 320

IN THE COURT OF CHANCERY OF THE STATE OF
DELAWARE IN AND FOR NEW CASTLE COUNTY

REUBEN SATTERTHWAITE,
JR., Attorney General of the
State of Delaware, upon the re-
lation of SOUTHERN PACIFIC
COMPANY,

Complainant,

vs.

PACIFIC OIL COMPANY, a
corporation organized and exist-
ing under the laws of the State
of Delaware,

Defendant.)

AND NOW, TO-WIT, this twenty-second day of January, A. D. 1930, the information in the nature of a bill in equity, upon the relation of Southern Pacific Company, filed by Reuben Satterthwaite, Jr., Attorney General of the State of Delaware, in the above entitled cause, with the Answer of the defendant admitting the allegations thereof and consenting to the granting of the relief therein prayed for being duly presented by the solicitors for the respective parties, and it appearing therefrom that the defendant was incorporated under the laws of the State of Delaware in the year A. D. 1920, *that the relator is a stockholder thereof*, that the defendant has abandoned its said business and there has been a definite and final non-use of its corporate powers, privileges and franchises, and that it would be for the best interests of the stockholders and of the creditors, if any, of said defendant that its corporate charter be revoked and forfeited and a Receiver appointed to administer and wind up its affairs; on motion of Charles C. Keedy, Esq., solicitor for said relator,

IT IS ORDERED, ADJUDGED AND DECREED BY
THE CHANCELLOR that the corporate charter of the Pa-

cific Oil Company, the defendant herein, be and the same is hereby revoked and forfeited under the provisions of Section 67 of the General Corporation Laws of the State of Delaware for non-use of its corporate powers, privileges and franchises;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Industrial Trust Company, a trust company incorporated under the laws of the State of Delaware, and having its principal office or place of business in the City of Wilmington therein, be and it is hereby appointed Receiver of the Pacific Oil Company, the said defendant, with authority under the provisions of said Section 67 of the General Corporation Laws of the State of Delaware to administer and wind up the affairs of said defendant, in conformity with the rules and practice of this Court in receivership causes, the Chancellor being satisfied that the capital stock of said Trust Company has been fully paid in cash and that said Trust Company is authorized by its charter to perform the duties of the said office of Receiver;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said Industrial Trust Company, appointed Receiver herein, give bond in the usual form, in the penal sum of Five Million Dollars (\$5,000,000), but without surety, for the faithful performance of its duties under this decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Chancellor reserves unto himself the right to make such further order or decree in the above proceeding as may be deemed just or proper.

(Signed) J. O. WOLCOTT
Chancellor.

IN THE COURT OF CHANCERY OF THE STATE OF
DELAWARE IN AND FOR NEW CASTLE COUNTY

STATE OF DELAWARE }
NEW CASTLE COUNTY }SS.

I, Granville P. Alexander, Register of the Court of Chancery of the State of Delaware, in and for New Castle County, do hereby certify that the foregoing is a true and correct copy of the Order revoking the corporate charter, of Pacific Oil Company, signed by the Chancellor on the 22nd day of January, A. D. 1930.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Wilmington, this 28th day of October, A. D. 1930.

GRANVILLE P. ALEXANDER
Register in Chancery.

Court of Chancery
New Castle County

SECRETARY OF STATE'S OFFICE

Dover, Delaware, June 1, 1931

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, 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 sixth day of January, A. D. 1931, and ended on Tuesday the fourteenth day of April, A. D. 1931 and approved by the Governor.

Words marked with asterisks are printed as they appear on the original bills.

CHARLES H. GRANTLAND,
Secretary of State.

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