

LAWS

OF THE

STATE OF DELAWARE

ONE HUNDRED AND NINTH
SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

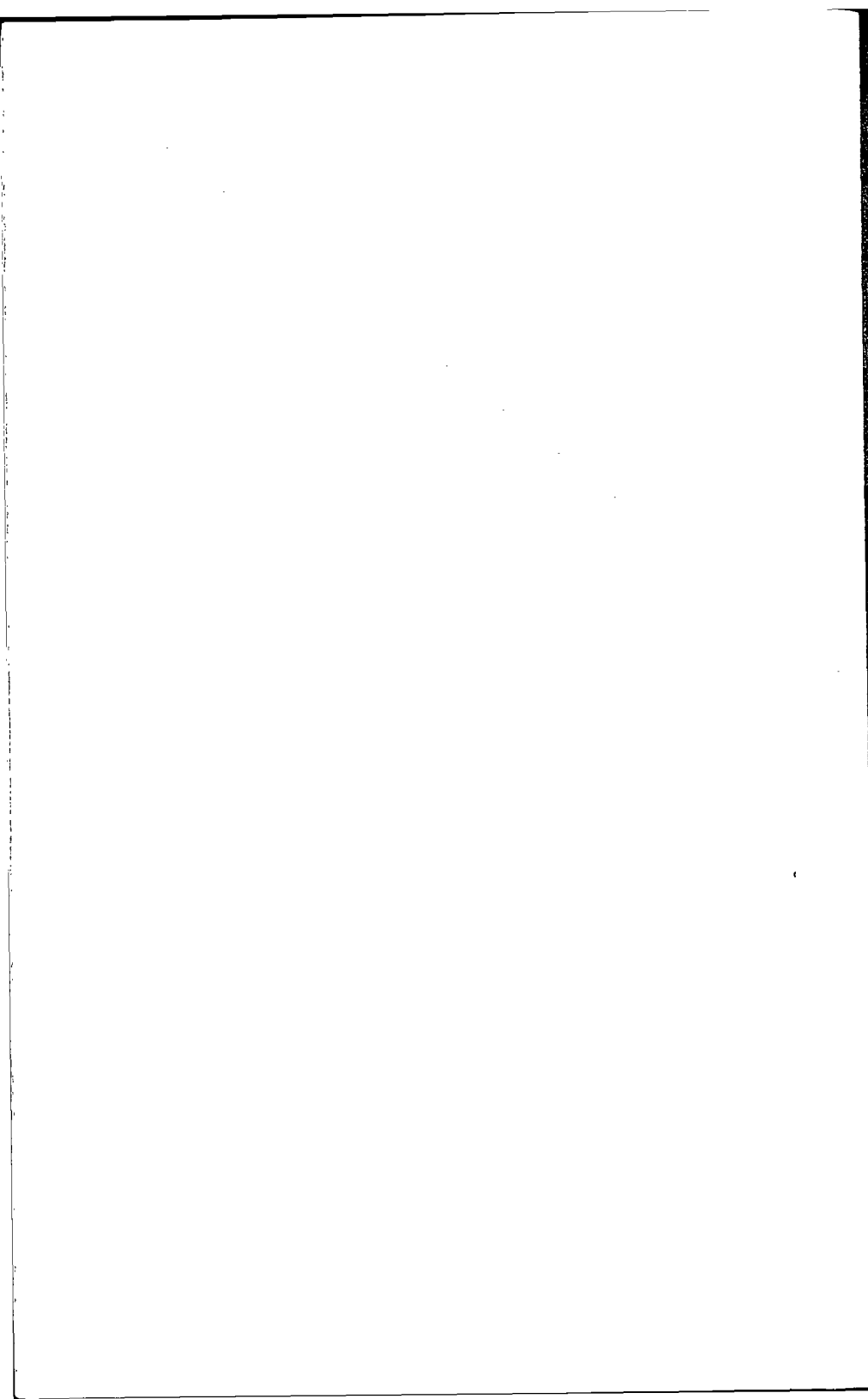
On Tuesday, January 5, A. D.
1943

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
OF AMERICA, THE ONE HUNDRED AND SIXTY-SEVENTH

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LAWS OF DELAWARE

Constitution of the State of Delaware

CHAPTER 1

AMENDMENT TO THE CONSTITUTION

AN ACT AGREEING TO THE PROPOSED AMENDMENTS OF ARTICLE 5 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO ELECTIONS.

WHEREAS, an Amendment to the Constitution of the State of Delaware was proposed to the Senate in the One Hundred and Eighth Session of the General Assembly, as follows:

“An Act proposing a certain Amendment to Article V of the Constitution of the State of Delaware relating to Elections.

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

Section 1. That Article V of the Constitution of the State of Delaware be amended by adding immediately after Section 4 thereof, a new Section to be styled Section 4A as follows:

Section 4A. The General Assembly shall enact general laws providing that any qualified elector of this State, duly registered, who shall be unable to appear to cast his or her ballot at any general election at the regular polling place of the election district in which he or she is registered, either because of being in the public service of the United States or of this State, or because of the nature of his or her business or occupation, or because of his or her sickness or physical disability, may cast a ballot at such general election to be counted in such election district.”

AMENDMENT TO THE CONSTITUTION

AND WHEREAS, the said proposed amendment was agreed to by two-thirds of all the members elected to each House in the said One Hundred and Eighth Session of the General Assembly; and

WHEREAS, the said proposed amendment was published by the Secretary of State three months before the then next general election, to wit: the general election of 1942, in three newspapers in each County in the State of Delaware, Now Therefore,

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

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

Approval not required.

Jurisdiction and Property of the State

CHAPTER 2

STATE HOUSE AND STATE OFFICES

AN ACT TO INCREASE THE SALARY OF THE CUSTODIAN OF THE STATE HOUSE.

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

Section 1. That 19. Sec. 4 of Chapter 4, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of the first sentence of said 19. Sec. 4 of said Chapter 4, and inserting in lieu thereof the following:

On and after July 1, 1943 the Custodian of the State House shall receive an annual salary of Twenty-four Hundred Dollars (\$2400.00), payable monthly, and is authorized and empowered to draw upon the State Treasurer at the end of each month for the same.

The salary of the said Custodian of the State House shall not be further increased by the provisions of an Act entitled "AN ACT MAKING APPROPRIATIONS FOR INCREASES IN THE SALARIES OF EMPLOYEES OF THE STATE FOR THE PERIOD BEGINNING APRIL 1, 1943 AND ENDING JUNE 30, 1943 AND FOR THE FISCAL YEARS BEGINNING JULY 1, 1943 AND JULY 1, 1944, AND ENDING JUNE 30, 1944 AND JUNE 30, 1945 RESPECTIVELY" approved February 23, 1943.

Approved March 29, 1943.

State Revenue and Supplies

CHAPTER 3

FRANCHISE TAX

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF THE STATE OF DELAWARE OF 1935, RELATING TO FRANCHISE TAXES.

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

Section 1. That Section 64 of Chapter 6 of the Revised Code of Delaware, 1935, as amended by Chapters 5 and 6 of Volume 41, Laws of Delaware, be and the same is hereby amended by striking out the last paragraph in said Section 64 and inserting in lieu thereof the following new paragraph:

Provided, however, that all corporations as herein defined which are regulated investment companies as defined by Section 170 of the Act of Congress commonly called "The Revenue Act of 1942" as now existing or as hereafter amended, shall pay to the State Tax Department as an annual franchise tax, a tax computed either under paragraph (1) hereof, or a tax computed under paragraph (2) hereof, or a tax at the rate of One Hundred Fifty Dollars per annum for each One Million Dollars, or fraction thereof in excess of One Million Dollars, of the average gross assets thereof during the taxable year, whichever be the least. Said average assets for the purposes of this section shall be taken to be the mean of the gross assets on January 1 and December 31 of the taxable year. Any corporation electing to pay a tax under this proviso shall submit to the Secretary of State at the time of filing its annual report as required by the next preceding section of this Chapter, a statement under oath made by its President, a Vice-President, its Treasurer or Secretary, certifying that such corporation is a regulated investment com-

FRANCHISE TAX

pany as above defined, and stating the amount of its assets on January 1 and December 31 of the taxable year, and the mean thereof. The Secretary of State may investigate the facts set forth in said statement under oath and if it should be found that said corporation so electing to pay under said proviso shall not be a regulated investment company, as above defined, shall assess upon such corporation a tax under paragraphs (1) or (2) hereof, whichever be the lesser.

Section 2. That Section 71 of Chapter 6 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by adding a new paragraph at the end of said Section 71 as follows:

That all corporations incorporated and existing under the laws of the State of Delaware, whose assets are located in any enemy occupied country or are located at any place where it is made unlawful by any law of the United States of America now or hereafter enacted or by any rule, regulation or proclamation or executive order issued under any such law to send any communications, are relieved and freed from any and all assessment of franchise taxes provided for by the Franchise Tax Law of the State of Delaware which were assessed and unpaid or may have been assessable and payable for any period subsequent to December 7, 1941, and that such corporations are further relieved of the necessity of filing any State reports due or required on or after December 7, 1941.

The provisions of this Section shall be effective until six months after communication with corporations or their officers and agents located in enemy-occupied countries may be lawfully reestablished or until the provisions are repealed by legislative action.

The State Tax Board shall administer the provisions of this Section and may require such evidence, submitted by any officer or agent, as in its judgment may be necessary or desirable to determine whether or not a corporation is entitled to relief from taxes and the filing of reports during the aforesaid period,

FRANCHISE TAX

may make such regulations in relation thereto as it may deem desirable or necessary and shall certify to the Tax Department and the Secretary of State the names of all corporations which the said Board has classified as being entitled to relief hereunder.

Section 3. If this Act or any part thereof should be held unconstitutional such holding shall not affect the provisions of said Section 64, as amended by the said Act approved April 9, 1937.

Approved April 15, 1943.

CHAPTER 4

INHERITANCE TAX

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, 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 Article 10 of Chapter 6 of the Revised Code of Delaware (1935), as amended, be and the same is hereby further amended by adding a new section to be known and styled 142. A. Section 108. A. immediately after 142. Section 108 of said Article 10, as follows:

142. A. Section 108. A. No limitation of time upon the making of any assessment of inheritance tax shall be considered to limit the State Tax Department in making any assessment if the information necessary to complete and determine the true and proper tax has not been furnished the said Tax Department within the time prescribed by law or if any report, inventory, list and statement, or schedule of deductions has not been filed within the time prescribed under this Chapter. If the State Tax Department discovers from information submitted to it or obtained in any other manner subsequent to the assessment of inheritance tax in accordance with 138 Section 104, Revised Code of Delaware, 1935, as amended, that any property of any estate or any portion thereof or any taxable interest therein has not been included or has been included in an amount substantially less than the market value of said property in any inheritance tax report filed with said Tax Department it may at any time within two years after the date of any previous assessment of tax make an assessment of tax and/or an assessment of additional tax and give notice of such assessment in the same manner as is provided by law for original assessments.

The Tax Board upon written request may by agreement in meeting or by written assent extend the time for filing of any report which may include inventory, list and statement or sched-

INHERITANCE TAX

ule of deductions and for the payment of any tax, but such extension shall have the effect of extending the time within which any assessment and any payment of tax may be made for a period of time equal to the time so extended and all such extensions shall be recorded in the minutes of the State Tax Board; provided, however, that extension for payment of tax shall be conditioned upon the payment of interest upon the tax at the rate of four per centum per annum as otherwise provided by law. The request and allowance of any extension of time under the provisions of this Section shall in no way relieve any executor, administrator, beneficiary or other person in interest from the payment of the tax.

It shall be the duty of every executor or administrator within twelve months after the death of the donor, grantor, devisor or intestate to file with the State Tax Department a schedule of the deductions provided by law.

Section 2. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Approved April 15, 1943.

CHAPTER 5

INCOME TAX

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, RELATING TO INCOME TAX.

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

Section 1. That Section 122, of said Chapter 6 of the Revised Code of the State of Delaware, 1935, as amended, being Code Section 156 of said Code, be and the same is hereby further amended by striking out paragraph (a) of said Section 122, and substituting in lieu thereof the following:

Section 122. (a) Returns shall be in such form as the Tax Department shall prescribe, from time to time, and shall be filed by every taxable, described in Sections 110, 114, 115, 117 hereof, with the Tax Department at its main office or at any branch office which it may establish, on or before the thirtieth day of April in each year, for the preceding year. In case of continued sickness, absence or other disability, or whenever in its judgment good cause exists, the Tax Department may allow further time for filing returns. Failure to receive, as provided in Section 121 (g) hereof, or to secure the blank forms for said return shall not relieve any taxable from the obligation of making the return.

Section 2. That Section 124, of said Chapter 6 of the Revised Code of the State of Delaware, 1935, as amended, being Code Section 158 of said Code be and the same is hereby further amended by striking out paragraph (a) of said Section 124 and substituting in lieu thereof the following:

Section 124. (a) (1) The full amount of the tax payable, as the same shall appear from the face of the return, shall be paid to the Tax Department at the office where the return is filed at the time fixed by law for filing the return, or the amount of said tax may be paid in four equal installments, as follows:

INCOME TAX

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

All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Approved February 19, 1943.

CHAPTER 6

DEALERS IN FEED BAGS EXEMPTED FROM CERTAIN TAX PROVISIONS

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF DELAWARE, AS AMENDED, PROVIDING FOR THE ADDITION OF DEALERS IN FEED BAGS TO THE CLASSES OF DEALERS WHO ARE EXEMPTED FROM THE TAX PROVISIONS OF THE AFORESAID CHAPTER 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 6 of the Revised Code of Delaware, 1935, be, and the same is hereby, further amended by the addition of the words "or dealers in feed bags" at the end of the fourth line and before the beginning of the fifth line of Section 140 of the aforesaid chapter as amended.

Approved March 23, 1943.

CHAPTER 7

WAR EMERGENCY TAX ON GROSS INCOMES

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF DELAWARE (1935) BY PROVIDING FOR A WAR EMERGENCY TAX ON GROSS INCOME, FOR THE CALENDAR YEARS 1943 AND 1944 AND TO PROVIDE FOR THE ASCERTAINMENT, ASSESSMENT AND COLLECTION THEREOF AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THE TERMS OF THIS ACT.

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

Section 1. That Chapter 6, Revised Code of Delaware (1935) be and the same is hereby amended by adding and inserting after 246. Section 212, the following new articles and sections:

ARTICLE 26

246 (a) Section 212 (a). There shall be levied, assessed, collected and paid for each of the two taxable years beginning after December 31, 1942, being the calendar years 1943 and 1944, to the State Tax Department for the use of the State a war emergency tax of one per centum of the gross income received, accrued or credited subject to withdrawal by every taxable during each of the calendar years 1943 and 1944 as hereinafter prescribed. Every taxable shall be entitled to a credit against gross income of One Hundred Fifty-six Dollars (\$156.00) for each quarterly period, but not in excess of Six Hundred Twenty-four Dollars (\$624.00) for any one calendar year.

246 (b) Section 212 (b). The word taxable shall include:

(1) Every natural person who is a resident of the State of Delaware or who has been a resident of the State of Delaware at any time during a taxable year.

WAR EMERGENCY TAX ON GROSS INCOMES

(2) Every natural person who is a non-resident of the State of Delaware and who receives gross income for personal services performed and/or as profits derived from professions, vocations, business, trade or commerce conducted in and/or as rentals derived from the ownership of real property in the State of Delaware. Every taxable as defined in this paragraph shall be allowed the benefit of deductions provided in 246 (e) Section 212 (e), to the extent that such deductions are incurred in connection with the receipt of profits derived from professions, vocations, business, trade or commerce conducted in and/or the receipt of rentals derived from the ownership of real property in the State of Delaware.

(3) Every fiduciary acting for or in the interests of a natural person who is a resident of the State of Delaware.

(4) Every fiduciary holding income for future distribution under the terms of a will or trust created by a resident of Delaware acting for or in the interests of unborn or unascertained persons or persons with contingent interests.

The term "fiduciary" shall include a receiver, guardian, trustee, executor and administrator.

246 (c) Section 212 (c). The term "gross income" shall include the aggregate of all amounts received, accrued, paid to or credited subject to withdrawal as compensation for personal services, dividends, interest, profits derived from profession, vocations, business, trade, commerce and rentals, and including profits in an unincorporated association of persons, syndicate, joint venture or co-partnership whether such profits have been divided or otherwise, less the aggregate of the deductions provided in 246 (e) Section 212 (e).

The word "dividends" means any distribution made by a corporation, joint stock company or association out of its earnings or profits paid to or subject to withdrawal by its shareholders during the taxable year, whether in cash or property. Every distribution shall be deemed to be made out of earnings or profits to the extent thereof, and from the most recently accumulated earnings or profits.

WAR EMERGENCY TAX ON GROSS INCOMES

Gross income shall be accounted "actually received into possession" when cash, check, scrip certificate or other evidence of ownership has been received by the owner or by his agent, or representative, or by a fiduciary.

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

The term "compensation for personal services" means all remuneration for services performed by an employe including the cash value of all remuneration paid in any medium other than cash, and shall include salaries, wages, bonuses, pensions, fees and commissions.

EXEMPTED INCOME

246 (d) Section 212 (d). The following shall not be included as gross income within the meaning of this article:

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

(2) The amount received by the insured as a return of premium or premiums paid by him under life insurance, endowment, or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon the surrender of the contract.

(3) The value of property acquired by gift, bequest, devise or inheritance but the income received from such property after its acquisition shall be included in taxable income.

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

(5) Gain from the sale or exchange of capital assets.

(6) The amount received as alimony or support from a person who has paid tax thereon under this article.

WAR EMERGENCY TAX ON GROSS INCOMES

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

(8) Amounts received through accident or health insurance as compensation for personal injuries or sickness, and the amount of any damages received, whether by suit or agreement, on account of personal injuries or sickness.

DEDUCTIONS

246 (e) Section 212 (e). In computing gross income the following deductions if incurred and actually paid or accrued during the calendar year by the taxable in carrying on any business operated for profit or in connection with real estate held for income producing purposes shall be allowed to reduce the gross income:

1. The ordinary and necessary expenses.
2. Interest.
3. Taxes.
4. Reasonable allowance for depreciation of property.

RETURNS TO TAX DEPARTMENT AND PAYMENT OF TAX

246 (f) Section 212 (f). I. For the quarterly period from January 1 to March 31, inclusive, of each taxable year and for each quarterly period thereafter, respectively, April 1 to June 30, July 1 to September 30 and October 1 to December 31, inclusive, of each taxable year, every withholding agent shall deduct, withhold and pay over to the State Tax Department, on or before the last day of the month following the close of each quarterly period, one per cent of the compensation for personal services of any taxable, provided such compensation exceeds \$12.00 in any one week and/or \$156.00 in any quarterly period. The total amount of gross income of any taxable during any one calendar year exempt from the withholding provision of this act under the last preceding sentence shall reduce pro tanto the credit

WAR EMERGENCY TAX ON GROSS INCOMES

against gross income of such taxable provided for in 246 (a) Section 212 (a). Payments of tax shall be accompanied by returns on forms prescribed by the State Tax Department.

II. Every taxable having gross income of any kind or form on which return is not required to be made or tax to be withheld by any withholding agent shall make a return or returns upon the printed form or forms provided by the Tax Department and may elect (1) to file returns in the manner and at the time prescribed in the next preceding paragraph for withholding agent, except that the return shall include the entire gross income for the respective quarterly period, in which case the taxable elects to act as his own withholding agent, or (2) to estimate the amount of gross income for each taxable year. In no case shall the estimated amount of gross income reported under this election be less than the total amount of gross income received or accrued during the previous calendar year. If election is made to employ the estimated basis as defined in this paragraph, a return shall be filed on or before April 30 for each taxable year and the tax shown thereon shall be paid in full on or before April 30 of the respective year or as follows:

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

III. Any estimate made under this Section shall be subject to revision when it is found by return filed for the same taxable year under the provisions of Article XII, Chapter 6 of the Revised Code of Delaware, 1935, as amended, that the gross income reported for the purposes of this Act was erroneously, illegally or improperly reported.

IV. No taxable shall be required to file any return if his entire gross income was derived in any quarterly period from sources for which the tax has been withheld under Paragraph I.

WAR EMERGENCY TAX ON GROSS INCOMES

of this Section and has been deducted and paid to the State Tax Department as prescribed by this Act.

V. Except in cases coming within the next preceding paragraph, being Paragraph IV, gross income upon which any tax is required to be withheld under the provisions of this Section shall be included in the return of the person entitled to receive such gross income, but any amount of tax so withheld shall be credited against the amount of tax as computed in such return. Any amount withheld by such withholding agent and paid by him to the Tax Department which is in excess of the total amount of tax, interest and penalties due from the taxable against whom such withholding has been made, shall be refunded to the taxable, in the same manner as provided in 159. Section 125, Revised Code of Delaware, 1935, as amended.

246 (g) Section 212 (g). The term "withholding agent" means and includes any individual, receiver, fiduciary, trustee, executor, administrator, institution, bank, firm, partnership, society, club, fraternity, sorority, lodge, corporation, municipal corporation or any other political subdivision of the State engaged in private or proprietary activities or business, estate, trust, or any other group or combination acting as a unit, making payment of salaries, wages, pensions, fees, commissions, emoluments and other fixed or determinable income of whatever kind and in whatever form paid or credited, to any taxable for personal services, and includes any taxable who shall elect to pay the tax provided in this Act on gross income on the quarterly period rather than on the estimated basis.

246 (h) Section *112 (h). Every taxable and every withholding agent, executor, administrator or assignee or other person who pays any amount due to or by any taxable, or by any withholding agent, or by any person for whom he acts before he satisfies and pays the taxes due from such person or estate, shall be answerable to the State of Delaware in his own person and estate for the tax so due to the State of Delaware or for so much thereof as remain due and unpaid and every such withholding agent is hereby indemnified against the claims and demands of

*So enrolled (212)

WAR EMERGENCY TAX ON GROSS INCOMES

against gross income of such taxable provided for in 246 (a) Section 212 (a). Payments of tax shall be accompanied by returns on forms prescribed by the State Tax Department.

II. Every taxable having gross income of any kind or form on which return is not required to be made or tax to be withheld by any withholding agent shall make a return or returns upon the printed form or forms provided by the Tax Department and may elect (1) to file returns in the manner and at the time prescribed in the next preceding paragraph for withholding agent, except that the return shall include the entire gross income for the respective quarterly period, in which case the taxable elects to act as his own withholding agent, or (2) to estimate the amount of gross income for each taxable year. In no case shall the estimated amount of gross income reported under this election be less than the total amount of gross income received or accrued during the previous calendar year. If election is made to employ the estimated basis as defined in this paragraph, a return shall be filed on or before April 30 for each taxable year and the tax shown thereon shall be paid in full on or before April 30 of the respective year or as follows:

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

III. Any estimate made under this Section shall be subject to revision when it is found by return filed for the same taxable year under the provisions of Article XII, Chapter 6 of the Revised Code of Delaware, 1935, as amended, that the gross income reported for the purposes of this Act was erroneously, illegally or improperly reported.

IV. No taxable shall be required to file any return if his entire gross income was derived in any quarterly period from sources for which the tax has been withheld under Paragraph I.

WAR EMERGENCY TAX ON GROSS INCOMES

of this Section and has been deducted and paid to the State Tax Department as prescribed by this Act.

V. Except in cases coming within the next preceding paragraph, being Paragraph IV, gross income upon which any tax is required to be withheld under the provisions of this Section shall be included in the return of the person entitled to receive such gross income, but any amount of tax so withheld shall be credited against the amount of tax as computed in such return. Any amount withheld by such withholding agent and paid by him to the Tax Department which is in excess of the total amount of tax, interest and penalties due from the taxable against whom such withholding has been made, shall be refunded to the taxable, in the same manner as provided in 159. Section 125, Revised Code of Delaware, 1935, as amended.

246 (g) Section 212 (g). The term "withholding agent" means and includes any individual, receiver, fiduciary, trustee, executor, administrator, institution, bank, firm, partnership, society, club, fraternity, sorority, lodge, corporation, municipal corporation or any other political subdivision of the State engaged in private or proprietary activities or business, estate, trust, or any other group or combination acting as a unit, making payment of salaries, wages, pensions, fees, commissions, emoluments and other fixed or determinable income of whatever kind and in whatever form paid or credited, to any taxable for personal services, and includes any taxable who shall elect to pay the tax provided in this Act on gross income on the quarterly period rather than on the estimated basis.

246 (h) Section *112 (h). Every taxable and every withholding agent, executor, administrator or assignee or other person who pays any amount due to or by any taxable, or by any withholding agent, or by any person for whom he acts before he satisfies and pays the taxes due from such person or estate, shall be answerable to the State of Delaware in his own person and estate for the tax so due to the State of Delaware or for so much thereof as remain due and unpaid and every such withholding agent is hereby indemnified against the claims and demands of

*So enrolled (212)

WAR EMERGENCY TAX ON GROSS INCOMES

any individual for the amount of any payments made in accordance with the provisions of this Section.

246 (i) Section *112 (i). Every withholding agent required to deduct, withhold and pay over to the State Tax Department tax under the provisions of this Act who fails to file any return required and/or to pay and/or to withhold and pay any tax to the State Tax Department shall be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed \$100.00 or be imprisoned not to exceed six months, or both, at the discretion of the Court.

246 (j) Section *112 (j). The said Tax Department shall be and is hereby authorized to retain out of the sums collected under this Act such amounts as it shall deem necessary to defray the expenses of administering and enforcing the duties prescribed by this Act, until such time as appropriation therefor is provided by the General Assembly.

246 (k) Section *112 (k). The provisions of 151. Section 117 and all sections thereafter up to and including 170. Section 136 of the Revised Code of Delaware, 1935, as amended, in so far as they are not in conflict with this Act, for the purposes of procedure relating to the administration, enforcement, assessment and collection of the tax, penalties, and interest under this Act by the State Tax Department, shall be deemed to be made applicable and in full force and effect for the purpose of this Act.

246 (l) Section *112 (l). **Constitutional Provision.**—The provisions of this Act are severable, and if any of its provisions shall be held to be unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this Act. It is hereby declared to be the legislative intent that this Act would have been adopted had such unconstitutional provisions not been included herein.

246 (m) Section *112 (m). All acts or parts of act inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Approved January 27, 1943.

*So enrolled (212)

CHAPTER 8

WAR EMERGENCY TAX ON GROSS INCOMES

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO INCOME 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, Revised Code of Delaware (1935) as amended, be and the same is hereby further amended by adding thereto a new section to be known as 246 (n) Section 212 (n).

246 (n) Section 212 (n). No tax shall be levied, assessed or collected by the State of Delaware or any political subdivision thereof upon the income payable to or held for the benefit of a non-resident of the State of Delaware, regardless of the source from which such income may be derived, except to the extent that such income may be compensation for personal services currently rendered in the State of Delaware by a non-resident individual as a regular employee in the conduct of the business of an employer in the State of Delaware and except to the extent that such income may be derived from a trade or business of a non-resident individual regularly conducted in the State of Delaware.

All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

Approved March 30, 1943.

CHAPTER 9

CIGARETTE TAX

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF DELAWARE (1935) BY PROVIDING FOR A TAX ON THE SALE OF CIGARETTES AND THE ADMINISTRATION AND ENFORCEMENT THEREOF AND MAKING APPROPRIATION FOR THE EXPENSES INCURRED THEREIN.

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

Section 1. This Act shall be known as the Cigarette Tax Act.

Section 2. As used in this Act the following words and phrases are defined as follows:

The words "Tax Department" and "department" and "Tax Commissioner" mean the State Tax Department and the State Tax Commissioner as created by and defined in Article 12 of Chapter 6 of the Revised Code of Delaware, 1935.

The word "cigarette" means any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored, adulterated or mixed with any other ingredient, the wrapping or cover of which is made of paper or any other substance or material except tobacco.

The word "Person" includes an individual, co-partnership, society, association, corporation, joint stock company, and any combination of individuals and also an executor, administrator, receiver, trustee or other fiduciary.

The word "Sale" in addition to its usual meaning, includes any barter, exchange or transfer of title to cigarettes by any means or in any manner whatsoever.

CIGARETTE TAX

The words "Retail Sale" or "Sale at Retail" mean a sale to a consumer or to any person for any purpose other than resale.

The word "Dealer" means any wholesale dealer and retail dealer as hereinafter defined.

The words "Wholesale Dealer" mean any person who sells cigarettes to retail dealers or other persons for purposes of resale only.

The words "Retail Dealer" mean any person other than a wholesale dealer engaged in the business of selling cigarettes.

The word "Package" means the individual package, box or other container in or from which retail sales of cigarettes are normally made or intended to be made.

For the purposes of this Act the singular shall include the plural; and the masculine shall include the feminine and the neuter.

Section 3. There is hereby imposed and shall be paid a tax on all cigarettes possessed in this State by any person for sale on and after the first day of June 1943 and up to and including the thirty-first day of May 1945 at the rate of one cent per ten cigarettes or fraction thereof except such sales of cigarettes as are not within the taxing power of this State under the commerce clause of the Constitution of the United States, and except such sales as are made to or by a voluntary organization of army and navy personnel operating a place for the sale of goods pursuant to regulations promulgated by the Secretary of War or the Secretary of the Navy. This tax shall be imposed upon only one sale of the same package of cigarettes.

Section 4. The administration, enforcement and collection of all taxes, permits, licenses and fees under this Act are hereby vested in the State Tax Department and the State Tax Commissioner and the powers conferred upon the Tax Department and the Tax Commissioner under the provisions of Article 12 of

CIGARETTE TAX

Chapter 6 of the Revised Code of Delaware, 1935, as amended, shall so far as applicable be exercisable with respect to the provisions of this Act and the said Tax Department is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to

- A. The method and means to be used in the cancellation of stamps
- B. The denominations and sale of stamps.
- C. Any other matter or thing pertaining to the administration and enforcement of the provisions of this Act.

Section 5. Unlawful to Sell Cigarettes Without a Permit.

(A) During the period beginning June 1, 1943 and continuing to and including May 31, 1945 it shall be unlawful for any person to continue to engage in or to begin to engage in, the sale of cigarettes at wholesale within this State or for any person excepting commissaries, ships' stores and voluntary unincorporated organizations of the Army or Navy personnel operating under regulations promulgated by the Secretary of War or Secretary of the Navy, to continue to engage in or begin to engage in the sale of cigarettes at retail within this State unless a cigarette permit or permits shall have been issued to him as hereinafter prescribed.

(B) Every person, desiring to continue to engage in, or to begin to engage in the sale of cigarettes at wholesale or retail within this State during the period beginning June 1, 1943 to and including May 31, 1945, except those persons exempt under Section 5 (A) hereof, shall file an application for a cigarette permit or permits with the Tax Department. Every application for a cigarette permit shall be made upon a form prescribed, prepared, and furnished by the Tax Department, and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place of business within the State, whether or not the applicant is holder of a mercantile or business license in effect when the application is made, and if

CIGARETTE TAX

so the number of such license and the county for which such license was issued, and such other information as the Tax Department may require. If the applicant has or intends to have more than one place of business within the State, the application shall state the location of each place of business. If the applicant is an association, the application shall set forth the names and addresses of the persons constituting the association, and if a corporation, the names and addresses of the principal officers thereof, and any other information prescribed by the Tax Department for purposes of identification. The application shall be signed and verified by oath or affirmation by the owner, if a natural person, and in the case of an association, by a member or partner thereof, and in the case of a corporation, by an executive officer thereof, or some person specifically authorized to sign the application, to which shall be attached the written evidence of his authority.

At the time of making such application the applicant shall pay to the Tax Department a permit fee of One Dollar (\$1.00) for each permit.

Upon approval of the application and the payment of the permit fee herein required, the Tax Department shall grant and issue to each applicant a cigarette permit for each place of business within this State as set forth in his application. Cigarette permits shall not be assignable and shall be valid only for the persons in whose names issued, and for the transaction of business at the places designated therein, and shall at all times be conspicuously displayed at the places for which issued. All permits shall expire on the thirty-first day of May annually unless sooner suspended, surrendered or revoked for cause by the Tax Department.

(C) Permits issued under the provisions of this Act, may be renewed annually before the first day of June, upon application made to the Tax Department and the payment of a renewal fee of One Dollar (\$1.00).

Whenever any permit issued under the provisions of this Act is defaced, destroyed or lost, the Tax Department may issue

CIGARETTE TAX

a duplicate to the holder of the defaced, destroyed or lost permit upon the payment of a fee of fifty cents (50¢).

(D) The Tax Department may suspend, or, after hearing, revoke a cigarette permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this Act, or any rules or regulations of the department prescribed, adopted, and promulgated under this Act. Upon suspending or revoking any cigarette permit, the department shall request the holder thereof to surrender to it immediately all permits, or duplicates thereof, issued to him, and the holder shall surrender promptly all such permits to the department as requested. Whenever the department suspends a cigarette permit, it shall notify the holder immediately and afford him a hearing, if desired, and if a hearing has not already been afforded. After such hearing, the department shall either rescind its order of suspension, or good cause appearing therefor, shall continue the suspension or revoke the permit.

Section 6. Except as hereinafter provided, dealers shall be liable to the State as taxpayers for the payment of the tax imposed by this Act, and shall pay the tax into the State Treasury, through the department, by purchasing from the department adhesive stamps of such design and denominations as may be prescribed by the department.

Manufacturers of cigarettes, located either within or outside of this State, and wholesale dealers in cigarettes located outside of this State, may purchase stamps from the department and affix such stamps, in the manner hereinafter prescribed, to packages of cigarettes to be sold within this State, in which case the dealer within this State, receiving such stamped packages of cigarettes, will not be required to purchase and affix stamps on such packages of cigarettes.

Section 7. Each dealer shall affix, within the time hereinafter prescribed, to each package of cigarettes, stamps furnished by and purchased from the department, evidencing the payment of the tax imposed by this Act, and shall cancel such stamps before such cigarettes are offered for sale, or before they are

CIGARETTE TAX

otherwise disposed of, unless stamps have been affixed to such packages of cigarettes before such dealer received them. Each wholesale dealer in this State shall affix such stamps to each package of cigarettes, unless such stamps shall have been previously affixed thereto, and shall cancel the same, in the manner prescribed by the department, prior to the delivery of such packages to any retail dealer in this State.

Each retail dealer in this State, except those persons exempt under Section 5 (A) hereof, shall immediately upon the receipt of any cigarettes at his place of business, so affix such stamps to each package of cigarettes, unless such stamps shall have been previously affixed thereto, and shall cancel the same in the manner prescribed by the department, or shall immediately mark in ink on each unopened box, carton or other container of such cigarettes, the word "received", and the month, day, and year of such receipt, and shall affix his signature thereto. The retail dealer shall, in any event, open such box, carton or other container, and immediately affix such stamps to each package therein, and cancel the same, in the manner prescribed by the department, within twenty-four hours after such receipt, and prior to the sale of such cigarettes.

Whenever any cigarettes are found in the place of business of such retail dealer without the stamps affixed and cancelled, or not marked as having been received within the preceding twenty-four hours, as required by this section, the prima facie presumption shall arise that such cigarettes are kept therein in violation of the provisions of this Act.

Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of the tax upon the contents therein, and shall be affixed in such manner that they will be visible to the purchaser. Upon affixing stamps to a package of cigarettes, the person affixing them shall cancel them by such method or in such manner as may be prescribed by the department.

Section 8. Department to Prepare and Furnish Stamps. The department shall prescribe, prepare, and furnish adhesive

CIGARETTE TAX

stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this Act. The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary.

The department shall appoint wholesale dealers in cigarettes within this State, and may appoint any other persons, within or without this State, as agents to affix the stamps to be used in paying the tax herein imposed upon sales of cigarettes, but a wholesale dealer shall at all times have the right to appoint the person who is to affix the stamps to any cigarettes under his control.

Section 9. Every person engaged in the sale of cigarettes at wholesale within this State and every person engaged in the sale of cigarettes at retail within this State, except commissaries, ships' stores, and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy, shall maintain and keep, for a period of two years, such record or records of cigarettes received, sold, and delivered within this State by him, together with invoices, bills of lading, and other pertinent papers as may be required by the department.

The department, or any agent appointed in writing, by it, is hereby authorized to examine the books, papers, invoices, and other records, the stock of cigarettes in and upon any premises where the same are placed, stored, and sold, and equipment of any such wholesale or retail dealer pertaining to the sale and delivery of cigarettes taxable under this Act, to verify the accuracy of the payment of the tax imposed and assessed by this Act. Every such person is hereby directed and required to give to the Tax Commissioner, or his duly authorized representative, the means, facilities, and opportunity for such examinations as are hereby provided and required.

Section 10. Whenever any cigarettes, upon which stamps have been placed by a dealer, have been sold and shipped by him into another state for sale or use therein, or have been sold to

CIGARETTE TAX

commissaries, ships' stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of Navy for resale to authorized purchasers, or have become unfit for use and consumption or unsaleable or have been destroyed, such dealer shall be entitled to a refund on the actual amount of tax paid by him with respect to such cigarettes. If the department is satisfied that any dealer is entitled to a refund, it shall certify the proposed amount of such refund to the State Tax Board for approval, and thereafter shall issue to such dealer stamps of sufficient value to cover the refund as approved by the board. The department is hereby authorized to adopt, prescribe, and promulgate such rules and regulations with regard to the presentation and proof of claim for refunds, as it may deem advisable.

The department may promulgate rules and regulations to relieve manufacturers and dealers from affixing the stamps on such cigarettes as are sold and shipped to points outside the State for use outside the State, or on such cigarettes as are sold to commissaries, ships' stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of Navy for resale to authorized purchasers.

Section 11. Persons Delivering Cigarettes Must Have Invoices. Every person, other than a common carrier, or the employes thereof, who shall possess or transport any cigarettes upon the public highways, roads or streets of this State, for the purpose of delivery, sale or disposition, shall be required to have in his actual possession invoices, or delivery tickets for such cigarettes. The absence of such invoices or delivery tickets shall be *prima facie* evidence that such person is a dealer in cigarettes in this State and subject to the provisions of this Act.

Section 12. Penalty Section. (A) Any person who shall sell cigarettes without being the holder of a cigarette permit or permits, as required by this Act, shall, upon conviction in a summary proceeding, be sentenced to pay a fine of twenty-five dollars

CIGARETTE TAX

(\$25.00) and costs of prosecution, and in default of payment thereof, to undergo imprisonment for not more than ten (10) days.

(B) Any person who shall sell cigarettes without purchasing and affixing stamps to each package thereof, as required by this Act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced for the first offense to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00) or to suffer imprisonment for a term not exceeding six (6) months or both, in the discretion of the court, and in the case of a conviction of a second or subsequent offense hereunder, shall be sentenced to pay a fine of not less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00) and to suffer imprisonment for a term of not less than six months or more than three (3) years.

(C) Any person who shall fail, neglect or refuse to comply with or shall violate the rules and regulations prescribed, adopted and promulgated by the department under the provisions of this Act, or who shall refuse to permit the department, or any agent appointed by it, in writing, to examine his books, papers, invoices, and other records, his stock of cigarettes in and upon any premises where the same are prepared, stored, and sold, and his equipment pertaining to the sale of cigarettes taxable under this Act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), or to suffer imprisonment of not more than six (6) months, or both, in the discretion of the court.

(D) Any person who falsely or fraudulently makes, forges, alters or counterfeits any stamp prescribed by the department, under the provisions of this Act, or causes or procures to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, or knowingly and wilfully utters, publishes, passes or tenders, as true, any such false, altered, forged or counterfeited stamp, or uses more than once any stamp provided for and required by this Act, for the purpose of evading the tax hereby

CIGARETTE TAX

imposed or assessed, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years.

Section 13. The sum of Ten Thousand Dollars (\$10,000.00) in addition to all other monies appropriated under the General Budget Appropriation Bill, is hereby appropriated and the State Treasurer is hereby authorized to pay out of any funds not otherwise appropriated, on warrants of the State Tax Commissioner, the salaries and expenses incurred in the administration, enforcement and collection of the provisions of this Act.

Section 14. All acts or parts of acts inconsistent with this Act are hereby repealed to the extent of such inconsistency only.

Approved January 27, 1943.

CHAPTER 10

TRANSFER OF CERTAIN BALANCES TO THE GENERAL FUND

AN ACT AUTHORIZING THE STATE TREASURER TO TRANSFER CERTAIN BALANCES IN THE ACCOUNTS OF FORMER STATE TREASURER FAGAN H. SIMONTON TO THE GENERAL FUND OF THE STATE OF DELAWARE.

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

Section 1. That the State Treasurer be and is hereby authorized to transfer to the credit of the General Fund of the State of Delaware the amount of Four Thousand Three Hundred and Eighty-two Dollars and Five Cents (\$4,382.05) made up of certain balances for which the date for honoring any check or order drawn thereupon has expired by statute, such amount being the total of balances on deposit to the credit of the State of Delaware in the Farmers' Bank in the name and in the accounts as follows:

Treasurer of the State of Delaware

Fagan H. Simonton	\$3,886.37
Payroll Account	495.68
	<hr/>
Total	\$4,382.05

Approved March 4, 1943.

CHAPTER 11

TRANSFER OF CERTAIN BALANCES TO THE CURRENT FUND OF
LORD BALTIMORE SCHOOL DISTRICT NO. 28

AN ACT TO AUTHORIZE AND DIRECT THE STATE TREASURER TO TRANSFER TO THE CURRENT FUND OF THE LORD BALTIMORE SCHOOL DISTRICT, NO. 28, A CERTAIN SUM OF MONEY APPEARING IN THE STATE TREASURY AS THE DEBT SERVICE ACCOUNT TO THE CREDIT OF SAID SCHOOL DISTRICT NO. 28.

WHEREAS, there is in the State Treasury in the Debt Service Account to the credit of Lord Baltimore School District, No. 28, the sum of Five Thousand Eight Hundred Thirty-six Dollars and Thirty-seven Cents (\$5,836.37), which said sum was raised by local taxation in said school district for the purpose of paying expiring bonds, theretofore issued by the said School District, together with accrued interest thereon; and

WHEREAS, the said fund is no longer needed for the purpose for which it was raised; and

WHEREAS, the said fund is greatly needed by the said School District for the purpose of improvements to buildings and equipment; therefore

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

Section 1. That the State Treasurer be and he is hereby authorized and directed to transfer to the current fund of the Lord Baltimore School District, No. 28, the sum of Five Thousand Eight Hundred Thirty-six Dollars and Thirty-seven Cents (\$5,836.37) appearing in the State Treasury as the Debt Service Account to the credit of the said School District, No. 28.

Section 2. That the said sum so transferred, as provided for in Section 1 of this Act, shall be used by the said School District for improvements to school property and/or equipment upon

CHAPTER 10

TRANSFER OF CERTAIN BALANCES TO THE GENERAL FUND

**AN ACT AUTHORIZING THE STATE TREASURER TO
TRANSFER CERTAIN BALANCES IN THE ACCOUNTS
OF FORMER STATE TREASURER FAGAN H. SIMON-
TON TO THE GENERAL FUND OF THE STATE OF
DELAWARE.**

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

Section 1. That the State Treasurer be and is hereby authorized to transfer to the credit of the General Fund of the State of Delaware the amount of Four Thousand Three Hundred and Eighty-two Dollars and Five Cents (\$4,382.05) made up of certain balances for which the date for honoring any check or order drawn thereupon has expired by statute, such amount being the total of balances on deposit to the credit of the State of Delaware in the Farmers' Bank in the name and in the accounts as follows:

Treasurer of the State of Delaware

Fagan H. Simonton	\$3,886.37
Payroll Account	495.68
	<hr/>
Total	\$4,382.05

Approved March 4, 1943.

CHAPTER 11

TRANSFER OF CERTAIN BALANCES TO THE CURRENT FUND OF
LORD BALTIMORE SCHOOL DISTRICT NO. 28

AN ACT TO AUTHORIZE AND DIRECT THE STATE TREASURER TO TRANSFER TO THE CURRENT FUND OF THE LORD BALTIMORE SCHOOL DISTRICT, NO. 28, A CERTAIN SUM OF MONEY APPEARING IN THE STATE TREASURY AS THE DEBT SERVICE ACCOUNT TO THE CREDIT OF SAID SCHOOL DISTRICT NO. 28.

WHEREAS, there is in the State Treasury in the Debt Service Account to the credit of Lord Baltimore School District, No. 28, the sum of Five Thousand Eight Hundred Thirty-six Dollars and Thirty-seven Cents (\$5,836.37), which said sum was raised by local taxation in said school district for the purpose of paying expiring bonds, theretofore issued by the said School District, together with accrued interest thereon; and

WHEREAS, the said fund is no longer needed for the purpose for which it was raised; and

WHEREAS, the said fund is greatly needed by the said School District for the purpose of improvements to buildings and equipment; therefore

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

Section 1. That the State Treasurer be and he is hereby authorized and directed to transfer to the current fund of the Lord Baltimore School District, No. 28, the sum of Five Thousand Eight Hundred Thirty-six Dollars and Thirty-seven Cents (\$5,836.37) appearing in the State Treasury as the Debt Service Account to the credit of the said School District, No. 28.

Section 2. That the said sum so transferred, as provided for in Section 1 of this Act, shall be used by the said School District for improvements to school property and/or equipment upon

TRANSFER OF CERTAIN BALANCES TO THE CURRENT FUND OF
LORD BALTIMORE SCHOOL DISTRICT NO. 28

warrants drawn on said fund by the proper officer or officers of the Board of School Trustees of the Lord Baltimore School District, No. 28, and the State Treasurer is hereby authorized and directed to pay, from time to time, out of the said fund, such warrants.

Approved March 9, 1943.

CHAPTER 12

TRANSFER OF CERTAIN BALANCES TO THE CURRENT FUND OF
MILTON SCHOOL DISTRICT NO. 8

AN ACT TO AUTHORIZE AND DIRECT THE STATE TREASURER TO TRANSFER TO THE CURRENT FUND OF THE MILTON SCHOOL DISTRICT, NO. 8, A CERTAIN SUM OF MONEY APPEARING IN THE STATE TREASURY AS DEBT SERVICE ACCOUNT TO THE CREDIT OF SAID SCHOOL DISTRICT NO. 8.

WHEREAS, there is in the State Treasury in the Debt Service Account to the credit of Milton School District No. 8, the sum of Three Thousand Seven Hundred Sixty-six Dollars and Sixty-five Cents (\$3,766.65), which said sum was raised by local taxation in said school district for the purpose of paying expiring bonds, theretofore issued by the said School District, together with accrued interest thereon; and

WHEREAS, the said fund is no longer needed for the purpose for which it was raised; and

WHEREAS, the said fund is greatly needed by the said School District for the purpose of improvements to building and equipment; therefore

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

Section 1. That the State Treasurer be and he is hereby authorized and directed to transfer to the current fund of the Milton School District, No. 8, the sum of Three Thousand Seven Hundred Sixty-six Dollars and Sixty-five Cents (\$3,766.65), appearing in the State Treasury as the Debt Service Account to the credit of the said School District, No. 8.

Section 2. That the said sum so transferred, as provided for in Section 1 of this Act, shall be used by the said School

TRANSFER OF CERTAIN BALANCES TO THE CURRENT FUND OF
MILTON SCHOOL DISTRICT NO. 8

District for improvements to school property and/or equipment upon warrants drawn on said fund by the proper officer or officers of the Board of School Trustees of the Milton School District, No. 8, and the State Treasurer is hereby authorized and directed to pay, from time to time, out of the said fund, such warrants.

Approved March 19, 1943.

CHAPTER 13

TRANSFER OF APPROPRIATIONS TO THE BOARDS OF SCHOOL TRUSTEES

**AN ACT TO PROVIDE FOR CERTAIN TRANSFERS OF
APPROPRIATIONS TO 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. Any appropriation made to any Board of School Trustees and the State Board of Education, excepting appropriations made to the Board of Education of Special School Districts or to the Board of Education of Wilmington, may be transferred to any allotment or any other Board of School Trustees by and with the consent of the Board of School Trustees whose appropriation it is proposed to reduce when requested by the State Board of Education and approved by the Permanent Budget Commission, provided that the total of all such transfers shall in no case exceed Forty Thousand Dollars (\$40,000.00) in any one year, and provided further that the total of all such transfers for fuel, water, light and power shall not exceed a total of Twenty Thousand Dollars (\$20,000.00) in any one year, and provided further that the purpose of the transfer shall be similar to that for which any money so requested to be transferred was authorized by the General Appropriation Act adopted by this One Hundred and Ninth General Assembly.

Section 2. Nothing in this Act shall be construed to authorize any transfer for the purposes of increasing any salary turnover account otherwise provided by law or for purposes of any salary increments as otherwise provided by law.

Approved March 30, 1943.

CHAPTER 14

TRANSFER OF CERTAIN BALANCES TO THE CURRENT FUND OF
HARRINGTON SPECIAL SCHOOL DISTRICT

AN ACT TO AUTHORIZE AND DIRECT THE STATE TREASURER TO TRANSFER TO THE CURRENT FUND OF THE HARRINGTON SPECIAL SCHOOL DISTRICT THE SUM OF TWO THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS APPEARING IN THE STATE TREASURY IN THE DEBT SERVICE ACCOUNT TO THE CREDIT OF THE SAID SPECIAL SCHOOL DISTRICT.

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

Section 1. That the State Treasurer of the State of Delaware be and he hereby is authorized and directed to transfer the sum of Two Thousand Seven Hundred Twenty-five Dollars (\$2,725.00) from the Debt Service Account of the Harrington Special School District to the Current Fund of said School District to be used by the Board of Education of said Harrington Special School District for the purpose of operations, maintenance and repairs.

Approved April 13, 1943.

CHAPTER 15

SALE OF .94 UNITS COMMON STOCK AND 5 SHARES OF COMMON
STOCK OF THE GRANITE CITY PIG IRON COMPANY OWNED
BY THE STATE OF DELAWARE

AN ACT TO PROVIDE FOR THE SALE OF .94 UNITS COMMON STOCK AND FIVE (5) SHARES OF THE COMMON STOCK OF THE GRANITE CITY PIG IRON COMPANY, OWNED BY THE STATE OF DELAWARE.

WHEREAS, the State of Delaware owns .94 units common stock being Serial #S-126, and Five (5) Shares of the Common Stock, being Serial #3122 of the Granite City Pig Iron Company an Illinois Corporation, which stock was received by the State Tax Department in accordance with orders of the United States District Court for the District of Illinois, case #8058, in settlement of its claim for franchise taxes due from the predecessor corporation of said Granite City Pig Iron Company, namely, St. Louis Gas & Coke Corporation a Delaware corporation.

WHEREAS, it seems advisable to liquidate and reduce to cash for deposit in the General Fund of the State of Delaware, said units of common stock and said shares of common stock:-

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 Governor and State Treasurer be and they are hereby authorized and directed to sell the said .94 units of common stock, and Five (5) shares of the common stock of the Granite City Pig Iron Company at the best price obtainable; and the Governor and State Treasurer are hereby authorized to assign and transfer the said shares to any purchaser or purchasers thereof and to execute in the name of the State all appropriate instruments in writing to effectuate such transfer.

Section 2. That the Governor and State Treasurer be and they are hereby authorized and directed to pay the net proceeds of the sale of such stock into the General Fund of the State.

Approved February 19, 1943.

CHAPTER 16

INVESTMENT OF CERTAIN MONIES BELONGING TO THE SCHOOL FUND, IN INTEREST BEARING SECURITIES

AN ACT TO AUTHORIZE AND DIRECT THE TREASURER OF THE STATE OF DELAWARE TO INVEST IN INTEREST BEARING SECURITIES THE SUM OF NINETY-FOUR THOUSAND DOLLARS (\$94,000.00) BELONGING TO THE STATE SCHOOL FUND AND NOW IN THE GENERAL FUND OF THE STATE.

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

Section 1. The Treasurer of the State of Delaware, being the legal Custodian of the State School Fund, is authorized and directed to invest the sum of Ninety-Four Thousand Dollars (\$94,000.00) now in the General Fund and belonging to the State School Fund, in interest bearing securities, such investment to be held by him for the sole use and purpose of the said State School Fund.

Approved April 9, 1943.

CHAPTER 17

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

**AN ACT MAKING APPROPRIATION FOR THE EXPENSES
OF THE STATE GOVERNMENT FOR EACH OF THE
TWO FISCAL YEARS ENDING JUNE 30, 1944 AND JUNE
30, 1945.**

*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 204, Volume 42, Laws of Delaware 1939, 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 State Treasury, shall revert to the General Fund of the State Treasury.

The several amounts hereby appropriated are as follows:

	YEAR ENDING JUNE 30,	
	1944	1945
LEGISLATIVE AND ELECTIONS		
COMMITTEE ON UNIFORM LAWS		
AGENCIES		
Office Expense	\$ 50.00	\$ 50.00
Travel	175.00	175.00
	<hr/>	<hr/>
TOTAL Committee on Uniform		
Laws	\$ 225.00	\$ 225.00
	<hr/>	<hr/>

APPROPRIATION EXPENSES OF STATE GOVERNMENT

DELAWARE COMMISSION ON INTERSTATE COOPERATION

Fees	\$ 2,250.00	\$ 2,250.00
Printing and Stationery	10.00	10.00
Travel	240.00	240.00
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TOTAL Delaware Commission on Interstate Cooperation	\$ 2,500.00	\$ 2,500.00
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REGISTRATIONS AND ELECTIONS

Salaries of Registrars and Assistant Registrars	\$	\$ 35,000.00
Presidential Electors		40.00
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TOTAL Registrations and Elections	\$	\$ 35,040.00
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TOTAL LEGISLATIVE AND ELECTIONS	\$ 2,725.00	\$ 37,765.00
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EXECUTIVE AND FINANCIAL

GOVERNOR

Salary of Governor	\$ 7,500.00	\$ 7,500.00
Salary of Secretary of Governor	2,400.00	2,400.00
Office Expense	550.00	550.00
Repairs	50.00	500.00
Contingent Expenses	2,500.00	2,500.00
Governor's Conference	100.00	100.00
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TOTAL Governor	\$ 13,100.00	\$ 13,550.00
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SECRETARY OF STATE

Salary of Secretary of State	\$ 6,000.00	\$ 6,000.00
Salaries of Employees	36,500.00	36,500.00
Office Expense	3,200.00	3,650.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Travel	500.00	500.00
Repairs ..	1,000.00	1,000.00
Equipment	200.00	200.00
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TOTAL Secretary of State	\$ 47,400.00	\$ 47,850.00
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Secretary of State, Magistrate Bonds	\$ 440.00	\$ 440.00
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Secretary of State, Dissolution Account	\$ 6,000.00	\$ 6,000.00
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Secretary of State, Certificate of Origin Account	\$ 300.00	\$ 300.00
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Secretary of State, Departmental Supplies	\$ 18,000.00	\$ 18,000.00
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STATE TREASURER

Salary of Treasurer	\$ 4,000.00	\$ 4,000.00
Salary of Deputy Treasurer	2,400.00	2,400.00
Salaries of Employees	5,600.00	5,600.00
Office Expense	2,575.00	4,000.00
Travel	200.00	200.00
Repairs	200.00	200.00
Equipment	200.00	200.00
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TOTAL State Treasurer	\$ 15,175.00	\$ 16,600.00
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PERMANENT BUDGET COMMISSION

Salary of Budget Accountant	\$ 5,000.00	\$ 5,000.00
Salaries of Employees	16,520.00	17,020.00
Office Expense	1,100.00	3,225.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Travel—Expense of Commission	500.00	500.00
Travel	2,000.00	2,000.00

TOTAL Permanent Budget

Commission	\$ 25,120.00	\$ 27,745.00
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STATE AUDITOR

Salary of State Auditor	\$ 4,000.00	\$ 4,000.00
Salary of Deputy State Auditor	3,600.00	3,600.00
Salaries of Employees	9,940.00	9,940.00
Office Expense	575.00	575.00
Travel	200.00	200.00
Repairs	250.00	250.00

TOTAL State Auditor	\$ 18,565.00	\$ 18,565.00
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State Auditor, Special Audit of University of Delaware and State College for Colored Students

\$ 800.00	\$ 800.00
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STATE REVENUE COLLECTOR

Salary of Collector	\$ 1,800.00	\$ 1,800.00
Office Expense	40.00	40.00
Travel	500.00	500.00

TOTAL State Revenue Collector...	\$ 2,340.00	\$ 2,340.00
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STATE INSURANCE COMMISSIONER

Salary of Commissioner	\$ 4,000.00	\$ 4,000.00
Salaries of Employees	3,500.00	3,500.00
Office Expense	650.00	650.00
Travel	650.00	650.00

APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

Repairs	100.00	100.00
Equipment	100.00
<hr/>		
TOTAL State Insurance		
Commissioner	\$ 9,000.00	\$ 8,900.00
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OYSTER REVENUE COLLECTOR

Salary of Collector	\$ 960.00	\$ 960.00
Salaries of Employees	6,200.00	6,200.00
Office Expense	50.00	50.00
Travel	100.00	100.00
Operation	300.00	300.00
Repairs	250.00	250.00
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TOTAL Oyster Revenue Collector..	\$ 7,860.00	\$ 7,860.00
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BOAT INSPECTOR

Salary	\$ 1,000.00	\$ 1,000.00
Contingent Expenses	500.00	500.00
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TOTAL Boat Inspector	\$ 1,500.00	\$ 1,500.00
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STATE TAX DEPARTMENT

Salary of Commissioner	\$ 6,000.00	\$ 6,000.00
Salaries of Employees	91,000.00	91,000.00
Office Expense	22,000.00	22,000.00
Travel	1,000.00	1,000.00
Operation	500.00	500.00
Repairs	1,500.00	1,500.00
Equipment	300.00	300.00
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TOTAL State Tax Department....	\$122,300.00	\$122,300.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

State Tax Department,

Annual Audit	\$ 2,000.00	\$ 2,000.00
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STATE BANK COMMISSIONER

Salary of Commissioner	\$ 5,000.00	\$ 5,000.00
Salaries of Employees	20,800.00	20,800.00
Office Expense	1,500.00	1,500.00
Travel	4,000.00	4,000.00
Repairs	250.00	250.00
Equipment	250.00	250.00

TOTAL State Bank Commissioner	\$ 31,800.00	\$ 31,800.00
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DELAWARE LIQUOR COMMISSION

Salaries of Employees	\$ 60,000.00	\$ 60,000.00
Office Expense	11,000.00	11,000.00
Travel	8,000.00	8,000.00
Operation	500.00	500.00
Repairs	200.00	200.00
Equipment	2,500.00	2,500.00

TOTAL Delaware Liquor

Commission	\$ 82,200.00	\$ 82,200.00
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TOTAL EXECUTIVE

AND FINANCIAL	\$403,900.00	\$408,750.00
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JUDICIAL AND LEGAL

COURT OF CHANCERY

Salary of Chancellor	\$ 10,500.00	\$ 10,500.00
Salary of Vice-Chancellor	7,500.00	7,500.00
Chancellor for Reporting	200.00	200.00
Salary of Stenographer	3,000.00	3,000.00
Salaries of Employees	8,100.00	8,100.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

Office Expense	800.00	800.00
Repairs	150.00	150.00
Chancellor's Reports	1,600.00	1,600.00
<hr/>		<hr/>
TOTAL Court of Chancery	\$ 31,850.00	\$ 31,850.00
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DEPARTMENT OF JUSTICE

Salary of Chief Justice	\$ 10,500.00	\$ 10,500.00
Salaries of Associate Judges	40,000.00	40,000.00
Kent County Judge for Reporting...	200.00	200.00
Salary of Court Stenographer	3,600.00	3,600.00
Salary of Clerk of Supreme Court...	300.00	300.00
Salaries of Employees	7,015.00	7,015.00
Office Expense	1,260.00	1,260.00
Repairs	125.00	125.00
Reports	2,000.00	2,000.00
<hr/>		<hr/>
TOTAL Department of Justice....	\$ 65,000.00	\$ 65,000.00
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COMMON PLEAS COURT—KENT COUNTY

Salary of Judge	\$ 4,000.00	\$ 4,000.00
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TOTAL Common Pleas Court— Kent County	\$ 4,000.00	\$ 4,000.00
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STATE LIBRARIAN

Salary of Librarian	\$ 1,800.00	\$ 1,800.00
Salary of Clerk	1,000.00	1,000.00
Office Expense	150.00	150.00
Repairs	200.00	200.00
Equipment	1,500.00	1,500.00
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TOTAL State Librarian	\$ 4,650.00	\$ 4,650.00
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APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

ATTORNEY GENERAL

GENERAL ADMINISTRATION

Salary of Attorney General	\$ 6,000.00	\$ 6,000.00
Salary of Chief Deputy	3,000.00	3,000.00
Salary of Deputy—New Castle County	3,000.00	3,000.00
Salary of Deputy—Kent County...	2,500.00	2,500.00
Salary of Deputy—Sussex County.	2,500.00	2,500.00
Salaries of State Detectives	7,200.00	7,200.00
Salaries of Employees	2,810.00	2,810.00
Office Expense	1,500.00	1,500.00
Travel	1,000.00	1,000.00
Operation	2,100.00	2,100.00
Repairs	1,000.00	1,000.00
Equipment	200.00	200.00

TOTAL Attorney General, General Administration	\$ 32,810.00	\$ 32,810.00
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ATTORNEY GENERAL

REQUISITION EXPENSES

Salaries and Wages	\$ 180.00	\$ 180.00
Travel	720.00	720.00

TOTAL Attorney General, Requisition Expenses	\$ 900.00	\$ 900.00
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TOTAL JUDICIAL AND LEGAL	\$139,210.00	\$139,210.00
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DEBT SERVICE

INTEREST

FIXED OBLIGATIONS

Women's College Bonds (Loan of 1925)	\$ 6,162.50	\$ 5,950.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

State Highway Refunding Bonds		
(2¼%)	9,000.00	6,750.00
State Highway Refunding Bonds		
(2½%)	25,000.00	25,000.00
State Highway Refunding Bonds		
(2¾%)	17,875.00	17,875.00
Improvement Bonds	4,133.12	3,814.38
Improvement Bonds of 1937	1,012.50	787.50
State Building Bonds of 1937	4,450.00	4,150.00
State Highway Loan of 1939	18,045.63	17,541.88
Public Improvement Bonds of 1941	11,990.00	11,440.00
W. W. Laird Estate	4,487.10	4,487.10
	<hr/>	<hr/>
TOTAL Fixed Obligations—		
Interest	\$102,155.85	\$ 97,795.86
	<hr/>	<hr/>

REDEMPTIONS

FIXED OBLIGATIONS

Women's College Bonds		
(Loan of 1925)	\$ 5,000.00	\$ 5,000.00
State Highway Refunding Bonds		
(2¼%)	100,000.00	100,000.00
Improvement Bonds	15,000.00	15,000.00
Improvement Bonds of 1937	15,000.00	15,000.00
State Building Bonds of 1937	15,000.00	15,000.00
State Highway Loan of 1939	31,000.00	31,000.00
Public Improvement Bonds of 1941	50,000.00	50,000.00
	<hr/>	<hr/>
TOTAL Fixed Obligations—		
Redemptions	\$231,000.00	\$231,000.00
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TOTAL DEBT SERVICE....	\$333,155.85	\$328,795.86
	<hr/>	<hr/>

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

REGULATORY BOARDS

MEDICAL COUNCIL OF DELAWARE

Salaries and Wages	\$ 480.00	\$ 480.00
Office Expense	120.00	120.00
Travel	150.00	150.00
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TOTAL Medical Council of Delaware	\$ 750.00	\$ 750.00
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STATE BOARD OF PHARMACY

Salaries and Wages	\$ 920.00	\$ 920.00
Office Expense	225.00	225.00
Travel	200.00	200.00
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TOTAL State Board of Pharmacy.	\$ 1,345.00	\$ 1,345.00
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STATE BOARD OF DENTAL EXAMINERS

Salaries and Wages	\$ 420.00	\$ 420.00
Office Expense	75.00	75.00
Travel	205.00	205.00
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TOTAL State Board of Dental Examiners	\$ 700.00	\$ 700.00
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BOARD OF EXAMINERS OF BARBERS

Salaries and Wages	\$ 500.00	\$ 500.00
Office Expense	40.00	40.00
Travel	40.00	40.00
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TOTAL Board of Examiners of Barbers	\$ 580.00	\$ 580.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

BOARD OF VETERINARY EXAMINERS

Salaries and Wages	\$ 75.00	\$ 75.00
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TOTAL Board of Veterinary Examiners	\$ 75.00	\$ 75.00
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STATE BOARD OF ACCOUNTANCY

Salaries and Wages	\$ 100.00	\$ 100.00
Office Expense	150.00	150.00
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TOTAL State Board of Accountancy	\$ 250.00	\$ 250.00
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BOARD OF EXAMINERS IN OPTOMETRY

Salaries and Wages	\$ 60.00	\$ 90.00
Office Expense	41.00	41.00
Travel	48.00	72.00
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TOTAL Board of Examiners in Optometry	\$ 149.00	\$ 203.00
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BOARD OF EXAMINERS FOR REGISTERED NURSES

Salaries and Wages	\$ 1,000.00	\$ 1,000.00
Office Expense	350.00	350.00
Travel	150.00	150.00
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TOTAL Board of Examiners for Registered Nurses	\$ 1,500.00	\$ 1,500.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF UNDERTAKERS

Salaries and Wages	\$ 450.00	\$ 450.00
Office Expense	97.00	97.00
Travel	100.00	100.00
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TOTAL State Board of Undertakers	\$ 647.00	\$ 647.00
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DELAWARE REAL ESTATE COMMISSION

Salaries and Wages	\$ 795.00	\$ 795.00
Office Expense	151.00	151.00
Travel	54.00	54.00
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TOTAL Delaware Real Estate Commission	\$ 1,000.00	\$ 1,000.00
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STATE BOARD OF ARCHITECTS

Salaries and Wages	\$ 200.00	\$ 200.00
Office Expense	233.00	233.00
Travel	275.00	275.00
Equipment	50.00	50.00
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TOTAL State Board of Architects	\$ 758.00	\$ 758.00
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STATE ATHLETIC COMMISSION

Salaries and Wages	\$ 900.00	\$ 900.00
Office Expense	606.00	606.00
Travel	125.00	125.00
Repairs	8.00	8.00
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TOTAL State Athletic Commission..	\$ 1,639.00	\$ 1,639.00
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Atlantic States Marine Fisheries Commission	\$ 200.00	\$ 200.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Salaries and Wages	\$ 240.00	\$ 240.00
Office Expense	652.00	617.00
Travel	225.00	225.00
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TOTAL Board of Registration for Professional Engineers and Land Surveyors	\$ 1,117.00	\$ 1,082.00
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TOTAL REGULATORY BOARDS	\$ 10,710.00	\$ 10,729.00
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ENFORCEMENT BOARDS

LABOR COMMISSION OF DELAWARE

Salary of Child Labor Inspector	\$ 2,100.00	\$ 2,100.00
Salary of Ten-Hour Law Inspector...	1,500.00	1,500.00
Salary of Secretary	400.00	400.00
Salaries of Employees	1,565.00	1,565.00
Office Expense	1,085.00	1,085.00
Travel	500.00	500.00
Operation	400.00	400.00
Repairs	450.00	450.00
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TOTAL Labor Commission of Delaware	\$ 8,000.00	\$ 8,000.00
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PAROLE BOARD

Salaries of Board Members	\$ 480.00	\$ 480.00
Salary of Parole Officer	2,400.00	2,400.00
Salary of Clerk	85.00	85.00
Office Expense	455.00	455.00
Travel	580.00	580.00
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TOTAL Parole Board	\$ 4,000.00	\$ 4,000.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OUT-OF-STATE PAROLE SUPERVISION

Expenses of Administration	\$ 200.00	\$ 200.00
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TOTAL Out-of-State

Parole Supervision	\$ 200.00	\$ 200.00
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BOARD OF PARDONS

Salary of Lieutenant-Governor	\$ 144.00	\$ 144.00
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Travel	50.00	50.00
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TOTAL Board of Pardons	\$ 194.00	\$ 194.00
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BOARD OF BOILER RULES

Salaries and Wages	\$ 4,500.00	\$ 4,500.00
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Office Expense	332.00	332.00
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Travel	500.00	500.00
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TOTAL Board of Boiler Rules....	\$ 5,332.00	\$ 5,332.00
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REGULATORS OF WEIGHTS AND MEASURES

Salaries and Wages	\$ 4,200.00	\$ 4,200.00
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Travel	1,800.00	1,800.00
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Operation	100.00	100.00
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TOTAL Regulators of

Weights and Measures	\$ 6,100.00	\$ 6,100.00
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INDUSTRIAL ACCIDENT BOARD

Salaries of Board Members	\$ 9,000.00	\$ 9,000.00
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Salaries of Employees	6,000.00	6,000.00
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Office Expense	3,100.00	3,100.00
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Travel	1,100.00	1,100.00
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Repairs	50.00	50.00
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TOTAL Industrial Accident Board.	\$ 19,250.00	\$ 19,250.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

NATIONAL GUARD—ADJUTANT GENERAL

GENERAL ADMINISTRATION

Salary of Adjutant General	\$ 2,500.00	\$ 2,500.00
Salary of Two Clerks	3,600.00	3,600.00
Salaries of Employees	9,465.00	9,465.00
Office Expense	1,600.00	1,600.00
Travel	1,100.00	1,100.00
Operation	4,900.00	4,900.00
Repairs	3,500.00	3,000.00
Equipment	50.00	50.00

TOTAL General Administration.	\$ 26,715.00	\$ 26,215.00
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NATIONAL GUARD—ADJUTANT GENERAL

STATE RIFLE RANGE

Salaries and Wages	\$ 2,015.00	\$ 2,015.00
Operation	700.00	700.00
Repairs	500.00	500.00
Equipment	65.00	65.00

TOTAL State Rifle Range.....	\$ 3,280.00	\$ 3,280.00
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NATIONAL GUARD—ADJUTANT GENERAL

ADJUSTMENT OF VETERANS

GOVERNMENT CLAIMS

Salaries of Service Office and As- sistant Service Officer	\$ 500.00	\$ 500.00
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TOTAL Adjustment of Veterans		
Government Claims	\$ 500.00	\$ 500.00

TOTAL ENFORCEMENT

BOARDS	\$ 73,571.00	\$ 73,071.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT

MISCELLANEOUS

CUSTODIAN

Salary of Custodian	\$ 1,500.00	\$ 1,500.00
Salaries of Employees	17,000.00	17,000.00
Office Expense	250.00	250.00
Operation	14,000.00	14,000.00
Repairs	7,000.00	7,000.00
Equipment	1,000.00	1,000.00
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TOTAL Custodian	\$ 40,750.00	\$ 40,750.00
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State Insurance Commissioner (Premiums)	\$ 30,000.00	\$ 30,000.00
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Fire Companies (From Tax Receipts)	\$ 47,000.00	\$ 47,000.00
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STATE LIBRARY COMMISSION

Salaries and Wages	\$ 5,700.00	\$ 5,700.00
Office Expense	400.00	400.00
Travel	350.00	350.00
Operation	600.00	600.00
Repairs	650.00	650.00
Equipment	3,000.00	3,000.00
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TOTAL State Library Commission.	\$ 10,700.00	\$ 10,700.00
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PUBLIC ARCHIVES COMMISSION

Salaries and Wages	\$ 7,000.00	\$ 7,000.00
Office Expense	800.00	800.00
Travel	100.00	100.00
Operation	200.00	200.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Repairs	75.00	75.00
Equipment	575.00	575.00

TOTAL Public Archives

Commission	\$ 8,750.00	\$ 8,750.00
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PORTRAIT COMMISSION OF DELAWARE

Office Expense	\$ 25.00	\$ 25.00
Travel	50.00	50.00
Repairs	225.00	225.00
Equipment	400.00	400.00

TOTAL Portrait Commission

of Delaware	\$ 700.00	\$ 700.00
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TOTAL MISCELLANEOUS ...	\$137,900.00	\$137,900.00
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EDUCATION

UNIVERSITY OF DELAWARE

GENERAL ADMINISTRATION

Salaries and Wages	\$187,430.00	\$187,430.00
Office Expense	3,500.00	3,500.00
Operation	41,792.00	41,792.00
Repairs	7,500.00	7,500.00
Equipment	600.00	600.00

TOTAL General Administration.	\$240,822.00	\$240,822.00
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UNIVERSITY OF DELAWARE

CHAIR OF HISTORY

Salaries and Wages	\$ 2,500.00	\$ 2,500.00
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TOTAL Chair of History	\$ 2,500.00	\$ 2,500.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT

UNIVERSITY OF DELAWARE

CHAIR OF PHYSICAL EDUCATION

Salaries and Wages	\$ 4,250.00	\$ 4,250.00
Operation	250.00	250.00
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TOTAL Chair of Physical Education	\$ 4,500.00	\$ 4,500.00
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UNIVERSITY OF DELAWARE

SUMMER SCHOOL FOR TEACHERS

Salaries and Wages	\$ 7,500.00	\$ 7,500.00
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TOTAL Summer School for Teachers	\$ 7,500.00	\$ 7,500.00
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UNIVERSITY OF DELAWARE

SMITH-LEVER AGRICULTURE EXTENSION

Salaries and Wages	\$ 7,000.00	\$ 7,000.00
Travel	5,500.00	5,500.00
Office Expense	300.00	300.00
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TOTAL Smith-Lever Agriculture Extension	\$ 12,800.00	\$ 12,800.00
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UNIVERSITY OF DELAWARE

Scholarships	\$ 5,000.00	\$ 5,000.00
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UNIVERSITY OF DELAWARE

School of Agriculture, Extension

Service	\$ 1,050.00	\$ 1,050.00
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APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

UNIVERSITY OF DELAWARE

AGRICULTURE AND FARM

EXPERIMENTAL STATION

Salaries and Wages	\$ 12,600.00	\$ 12,600.00
Office Expense	400.00	400.00
Travel	200.00	200.00
Operation	7,000.00	7,000.00
Repairs	1,800.00	1,800.00

TOTAL Agriculture and Farm

Experimental Station	\$ 22,000.00	\$ 22,000.00
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UNIVERSITY OF DELAWARE

POULTRY AND ENTOMOLOGY

Salaries and Wages	\$ 4,000.00	\$ 4,000.00
Office Expense	75.00	75.00
Travel	800.00	800.00
Operation	1,125.00	1,125.00

TOTAL Poultry and

Entomology	\$ 6,000.00	\$ 6,000.00
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STATE COLLEGE FOR COLORED STUDENTS

GENERAL ADMINISTRATION

Salaries and Wages	\$ 35,000.00	\$ 35,000.00
Office Expense	1,500.00	1,500.00
Travel	300.00	300.00
Operation	18,700.00	18,700.00
Repairs	3,600.00	3,600.00
Equipment	4,000.00	4,000.00

TOTAL State College for

Colored Students	\$ 63,100.00	\$ 63,100.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF VOCATIONAL EDUCATION

WORLD WAR ORPHANS EDUCATION

Operation	\$ 3,250.00	\$ 3,250.00
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TOTAL State Board of Vocational Education	\$ 3,250.00	\$ 3,250.00
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STATE BOARD OF EDUCATION

GENERAL CONTROL

Salaries	\$ 51,000.00	\$ 51,000.00
Office Expense and Supplies	8,350.00	8,350.00
Travel	2,519.00	2,706.00
Other Costs	500.00	500.00
<hr/>		
TOTAL General Control	\$ 62,369.00	\$ 62,556.00
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INSTRUCTIONAL SERVICE

Salaries	\$ 55,000.00	\$ 55,000.00
Office Expense and Supplies	3,500.00	3,500.00
Travel	8,500.00	8,500.00
Text Books	1,500.00	1,500.00
Other Costs	5,315.00	5,315.00
<hr/>		
TOTAL Instructional Service ...	\$ 73,815.00	\$ 73,815.00
<hr/>		

OPERATION OF PLANT

Telephone and Telegrams	\$ 1,200.00	\$ 1,200.00
Other Costs	1,000.00	1,000.00
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TOTAL Operation of Plant.....	\$ 2,200.00	\$ 2,200.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

MAINTENANCE

Repairs and Replacements:

Maintenance by Employees of School

(a) Salaries	\$ 1,800.00	\$ 1,800.00
(b) Expense and Supplies	2,000.00	2,000.00
Other Costs—Travel	500.00	500.00

TOTAL Maintenance	<u>\$ 4,300.00</u>	<u>\$ 4,300.00</u>
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FIXED CHARGES

Insurance:

Fire	\$ 9,300.00	\$ 8,750.00
Compensation	1,300.00	1,300.00
Indemnity	175.00	175.00
Other Insurance	250.00	250.00

TOTAL Fixed Charges	<u>\$ 11,025.00</u>	<u>\$ 10,475.00</u>
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AUXILIARY AND COORDINATE

ACTIVITIES

Vocational Education:

Salaries	\$ 6,690.00	\$ 6,690.00
Travel	800.00	800.00

Teacher Training Costs:

University of Delaware	6,550.00	6,550.00
College for Colored Students....	1,000.00	1,000.00
Other Vocational Costs	1,800.00	1,800.00

TOTAL Auxiliary and Coordinate Activities	<u>\$ 16,840.00</u>	<u>\$ 16,840.00</u>
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

ADULT EDUCATION

Salaries	\$ 4,341.00	\$ 4,341.00
Travel	500.00	500.00
Expense and Supplies	600.00	600.00

TOTAL Adult Education	\$ 5,441.00	\$ 5,441.00
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TRANSPORTATION

Salaries	\$ 3,670.00	\$ 3,670.00
Travel	500.00	350.00
Insurance	4,800.00	4,800.00
Contract Service	260,000.00	260,000.00
Private Allowances	39,000.00	39,000.00
Other Transportation Costs	300.00	300.00

TOTAL Transportation	\$308,270.00	\$308,120.00
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VISITING TEACHERS

Salaries	\$ 6,000.00	\$ 6,000.00
Travel	3,276.00	3,276.00

TOTAL Visiting Teachers	\$ 9,276.00	\$ 9,276.00
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BRANDYWINE AND SUNNYBROOK
SANATORIUM

Salaries	\$ 1,400.00	\$ 1,400.00
Other Costs	600.00	600.00

TOTAL Brandywine and Sunnybrook Sanatorium	\$ 2,000.00	\$ 2,000.00
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SERVICE BUREAU	\$ 4,500.00	\$ 4,500.00
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VOCATIONAL REHABILITATION	\$ 5,000.00	\$ 5,000.00
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DEPARTMENT DEALING WITH MEN-

TALLY HANDICAPPED CHILDREN	\$ 1,500.00	\$ 1,500.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Equipment	\$ 250.00	\$
Library Books	250.00	250.00
Other Costs	500.00	500.00

TOTAL Capital Outlay	\$ 1,000.00	\$ 750.00
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TOTAL STATE BOARD

OF EDUCATION	\$507,536.00	\$506,773.00
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LOCAL SCHOOL DISTRICTS

MT. PLEASANT, NO. 2

ADMINISTRATIVE CONTROL

Salaries	\$ 900.00	\$ 900.00
Office Expense	60.00	60.00

INSTRUCTIONAL SERVICE

Salaries	47,850.00	47,850.00
Text Books	1,600.00	1,600.00
Material and Supplies	1,305.00	1,305.00
Other Costs	400.00	400.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	2,000.00	2,000.00
Janitor Supplies	600.00	600.00
Fuel, Water, Light and Heat	3,800.00	3,800.00
Other Costs	500.00	700.00
Repairs	1,000.00	1,000.00

CAPITAL OUTLAY

Equipment	700.00	550.00
Library Books	500.00	500.00

TOTAL Mt. Pleasant, No. 2	\$ 61,215.00	\$ 61,265.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

ADULT EDUCATION

Salaries	\$ 4,341.00	\$ 4,341.00
Travel	500.00	500.00
Expense and Supplies	600.00	600.00

TOTAL Adult Education	\$ 5,441.00	\$ 5,441.00
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TRANSPORTATION

Salaries	\$ 3,670.00	\$ 3,670.00
Travel	500.00	350.00
Insurance	4,800.00	4,800.00
Contract Service	260,000.00	260,000.00
Private Allowances	39,000.00	39,000.00
Other Transportation Costs	300.00	300.00

TOTAL Transportation	\$308,270.00	\$308,120.00
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VISITING TEACHERS

Salaries	\$ 6,000.00	\$ 6,000.00
Travel	3,276.00	3,276.00

TOTAL Visiting Teachers	\$ 9,276.00	\$ 9,276.00
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BRANDYWINE AND SUNNYBROOK SANATORIUM

Salaries	\$ 1,400.00	\$ 1,400.00
Other Costs	600.00	600.00

TOTAL Brandywine and Sunnybrook Sanatorium	\$ 2,000.00	\$ 2,000.00
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SERVICE BUREAU	\$ 4,500.00	\$ 4,500.00
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VOCATIONAL REHABILITATION	\$ 5,000.00	\$ 5,000.00
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DEPARTMENT DEALING WITH MEN-

TALLY HANDICAPPED CHILDREN	\$ 1,500.00	\$ 1,500.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Equipment	\$ 250.00	\$.....
Library Books	250.00	250.00
Other Costs	500.00	500.00
	<hr/>	<hr/>
TOTAL Capital Outlay	\$ 1,000.00	\$ 750.00
	<hr/>	<hr/>
TOTAL STATE BOARD OF EDUCATION	\$507,536.00	\$506,773.00
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LOCAL SCHOOL DISTRICTS

MT. PLEASANT, NO. 2

ADMINISTRATIVE CONTROL

Salaries	\$ 900.00	\$ 900.00
Office Expense	60.00	60.00

INSTRUCTIONAL SERVICE

Salaries	47,850.00	47,850.00
Text Books	1,600.00	1,600.00
Material and Supplies	1,305.00	1,305.00
Other Costs	400.00	400.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	2,000.00	2,000.00
Janitor Supplies	600.00	600.00
Fuel, Water, Light and Heat	3,800.00	3,800.00
Other Costs	500.00	700.00
Repairs	1,000.00	1,000.00

CAPITAL OUTLAY

Equipment	700.00	550.00
Library Books	500.00	500.00
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TOTAL Mt. Pleasant, No. 2.....	\$ 61,215.00	\$ 61,265.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

ARDEN, NO. 3

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	2,775.00	2,775.00
Text Books	76.00	76.00
Material and Supplies	66.00	66.00
Other Costs	26.00	26.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	20.00	20.00
Fuel, Water, Light and Heat.....	208.00	208.00
Other Costs	8.00	8.00
Repairs	40.00	40.00

TOTAL Arden, No. 3	\$ 3,260.00	\$ 3,260.00
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ALFRED I. DU PONT, NO. 7

ADMINISTRATIVE CONTROL

Salaries	\$ 1,000.00	\$ 1,000.00
Office Expense	140.00	140.00

INSTRUCTIONAL SERVICE

Salaries	25,375.00	25,375.00
Text Books	912.00	1,050.00
Material and Supplies	925.00	1,025.00
Other Costs	262.00	365.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	2,000.00	2,000.00
Janitor Supplies	250.00	275.00
Fuel, Water, Light and Heat.....	2,200.00	2,300.00
Other Costs	100.00	100.00
Repairs	700.00	800.00

CAPITAL OUTLAY

Equipment	800.00	800.00
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TOTAL Alfred I. duPont, No. 7..	\$ 34,664.00	\$ 35,230.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

RICHARDSON PARK, NO. 20

ADMINISTRATIVE CONTROL

Salaries	\$ 720.00	\$ 720.00
Office Expense	175.00	175.00

INSTRUCTIONAL SERVICE

Salaries	34,375.00	34,475.00
Text Books	1,400.00	1,600.00
Material and Supplies	1,000.00	1,000.00
Other Costs	500.00	500.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,800.00	1,800.00
Janitor Supplies	400.00	450.00
Fuel, Water, Light and Heat.....	3,252.00	3,252.00
Other Costs	500.00	500.00
Repairs	1,200.00	1,200.00

TOTAL Richardson Park,

No. 20	\$ 45,322.00	\$ 45,672.00
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NEWPORT, NO. 21

ADMINISTRATIVE CONTROL

Salaries	\$ 400.00	\$ 400.00
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INSTRUCTIONAL SERVICE

Salaries	20,760.00	20,760.00
Text Books	600.00	600.00
Material and Supplies	450.00	450.00
Other Costs	250.00	250.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,050.00	1,050.00
Janitor Supplies	275.00	275.00
Fuel, Water, Light and Heat.....	1,400.00	1,500.00
Other Costs	60.00	75.00
Repairs	600.00	600.00

TOTAL Newport, No. 21.....	\$ 25,845.00	\$ 25,960.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

WALNUT GREEN, NO. 25

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	29.00	29.00
Material and Supplies	28.00	28.00
Other Costs	13.00	13.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	200.00	200.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat.....	213.00	213.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

TOTAL Walnut Green, No. 25...	\$ 1,815.00	\$ 1,815.00
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HOCKESSIN, NO. 29

INSTRUCTIONAL SERVICE

Salaries	\$ 6,750.00	\$ 6,750.00
Text Books	218.00	218.00
Material and Supplies	204.00	204.00
Other Costs	99.00	99.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	445.00	445.00
Janitor Supplies	56.00	56.00
Fuel, Water, Light and Heat.....	501.00	501.00
Other Costs	23.00	23.00
Repairs	80.00	80.00

TOTAL Hockessin, No. 29.....	\$ 8,376.00	\$ 8,376.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

HARMONY, NO. 32

INSTRUCTIONAL SERVICE

Salaries	\$ 1,400.00	\$ 1,400.00
Text Books	33.00	33.00
Material and Supplies	31.00	31.00
Other Costs	15.00	15.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat.....	80.00	80.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

TOTAL Harmony, No. 32.....	\$ 1,630.00	\$ 1,630.00
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MT. PLEASANT, NO. 34

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	38.00	38.00
Material and Supplies	36.00	36.00
Other Costs	17.00	17.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	10.00	10.00
Fuel, Water, Light and Heat.....	72.00	72.00
Other Costs	4.00	4.00
Repairs	20.00	20.00

TOTAL Mt. Pleasant, No. 34....	\$ 1,537.00	\$ 1,537.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT

MILFORD X ROADS, NO. 37

INSTRUCTIONAL SERVICE

Salaries	\$ 1,600.00	\$ 1,600.00
Text Books	26.00	26.00
Material and Supplies	24.00	24.00
Other Costs	12.00	12.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat.....	62.00	62.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

TOTAL Milford X Roads,		
No. 37	\$ 1,794.00	\$ 1,794.00

STANTON, NO. 38

INSTRUCTIONAL SERVICE

Salaries	\$ 9,475.00	\$ 9,475.00
Text Books	310.00	310.00
Material and Supplies	290.00	290.00
Other Costs	150.00	150.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	637.00	637.00
Janitor Supplies	125.00	125.00
Fuel, Water, Light and Heat.....	950.00	975.00
Other Costs	50.00	50.00
Repairs	150.00	170.00

TOTAL Stanton, No. 38.....	\$ 12,137.00	\$ 12,182.00
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APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

McCLELLANDSVILLE, NO. 40

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	23.00	23.00
Material and Supplies	21.00	21.00
Other Costs	10.00	10.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	6.00	6.00
Fuel, Water, Light and Heat.....	65.00	65.00
Other Costs	2.00	2.00
Repairs	20.00	20.00

TOTAL McClellandsville, No. 40.	\$ 1,487.00	\$ 1,487.00
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CHRISTIANA, NO. 44

ADMINISTRATIVE CONTROL

Office Expense	\$ 5.00	\$ 5.00
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INSTRUCTIONAL SERVICE

Salaries	7,550.00	7,550.00
Text Books	220.00	230.00
Material and Supplies	250.00	250.00
Other Costs	100.00	125.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	609.00	609.00
Janitor Supplies	65.00	65.00
Fuel, Water, Light and Heat.....	680.00	680.00
Other Costs	25.00	25.00
Repairs	150.00	150.00

TOTAL Christiana, No. 44.	\$ 9,654.00	\$ 9,689.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

ROSE HILL-MINQUADALE, NO. 47

ADMINISTRATIVE CONTROL

Salaries	\$ 750.00	\$ 750.00
Office Expense	92.00	92.00
Travel	100.00	100.00

INSTRUCTIONAL SERVICE

Salaries	20,900.00	20,900.00
Text Books	600.00	600.00
Material and Supplies	630.00	630.00
Other Costs	366.00	366.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,500.00	1,500.00
Janitor Supplies	366.00	366.00
Fuel and Heat	1,385.00	1,385.00
Water, Light and Power	326.00	326.00
Telephone	200.00	200.00
Other Costs	20.00	20.00
Repairs	336.00	336.00

TOTAL Rose Hill-Minquadale,

No. 47	\$ 27,571.00	\$ 27,571.00
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DELAWARE CITY, NO. 52

ADMINISTRATIVE CONTROL

Salaries	\$ 600.00	\$ 600.00
Office Expense	100.00	100.00

INSTRUCTIONAL SERVICE

Salaries	19,700.00	19,700.00
Text Books	550.00	550.00
Material and Supplies	550.00	550.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,100.00	1,100.00
Janitor Supplies	355.00	325.00
Fuel, Water, Light and Heat.....	2,400.00	2,400.00
Repairs	360.00	374.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Library Books	300.00	300.00
TOTAL Delaware City, No. 52..	\$ 26,015.00	\$ 25,999.00

COMMODORE MacDONOUGH, NO. 53

ADMINISTRATIVE CONTROL

Office Expense	\$ 10.00	\$ 10.00
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INSTRUCTIONAL SERVICE

Salaries	10,750.00	10,750.00
Text Books	295.00	295.00
Material and Supplies	275.00	275.00
Other Costs	134.00	134.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	845.00	845.00
Janitor Supplies	76.00	76.00
Fuel, Water, Light and Heat.....	700.00	700.00
Other Costs	31.00	31.00
Repairs	140.00	140.00

TOTAL Commodore MacDonough,		
No. 53	\$ 13,256.00	\$ 13,256.00

GLASGOW, NO. 56

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	45.00	45.00
Material and Supplies	42.00	45.00
Other Costs	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	50.00	50.00
Janitor Supplies	12.00	12.00
Fuel, Water, Light and Heat.....	75.00	75.00
Other Costs	5.00	5.00
Repairs	70.00	70.00

TOTAL Glasgow, No. 56.....	\$ 1,619.00	\$ 1,622.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT

MIDDLETOWN, NO. 60

ADMINISTRATIVE CONTROL

Salaries	\$ 2,000.00	\$ 2,000.00
Office Expense	116.00	116.00

INSTRUCTIONAL SERVICE

Salaries	41,575.00	41,575.00
Text Books	960.00	960.00
Material and Supplies	935.00	935.00
Other Costs	450.00	450.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	2,000.00	2,000.00
Janitor Supplies	250.00	250.00
Fuel, Water, Light and Heat.....	2,000.00	2,000.00
Other Costs	125.00	125.00
Repairs	700.00	700.00

TOTAL Middletown, No. 60....	\$ 51,111.00	\$ 51,111.00
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CORBIT, NO. 61

INSTRUCTIONAL SERVICE

Salaries	\$ 3,050.00	\$ 3,050.00
Text Books	110.00	110.00
Material and Supplies	100.00	100.00
Other Costs	55.00	55.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	300.00	300.00
Janitor Supplies	35.00	35.00
Fuel, Water, Light and Heat.....	350.00	375.00
Other Costs	12.00	15.00
Repairs	60.00	75.00
Upkeep of Grounds	50.00	50.00

TOTAL Corbit, No. 61.....	\$ 4,122.00	\$ 4,165.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

PORT PENN, NO. 63

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	60.00	60.00
Material and Supplies	48.00	50.00
Other Costs	27.00	27.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	16.00	16.00
Fuel, Water, Light and Heat.....	92.00	92.00
Other Costs	6.00	6.00
Repairs	20.00	20.00

TOTAL Port Penn, No. 63.....	\$ 1,609.00	\$ 1,611.00
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TAYLOR'S BRIDGE, NO. 66

INSTRUCTIONAL SERVICE

Salaries	\$ 1,200.00	\$ 1,200.00
Text Books	36.00	36.00
Material and Supplies	35.00	35.00
Other Costs	18.00	18.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	10.00	10.00
Fuel, Water, Light and Heat.....	125.00	125.00
Other Costs	25.00	25.00
Repairs	50.00	50.00

TOTAL Taylor's Bridge, No. 66.\$	1,539.00	\$ 1,539.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

BLACKBIRD, NO. 69

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	56.00	56.00
Material and Supplies	28.00	28.00
Other Costs	7.00	7.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat.....	69.00	69.00
Other Costs	5.00	5.00
Repairs	40.00	40.00

TOTAL Blackbird, No. 69.....	\$ 1,553.00	\$ 1,533.00
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PATTERSON, NO. 71½

INSTRUCTIONAL SERVICE

Salaries	\$ 950.00	\$ 950.00
Text Books	35.00	35.00
Material and Supplies	40.00	40.00
Other Costs	16.00	16.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	1.00	1.00
Fuel, Water, Light and Heat.....	75.00	80.00
Other Costs	4.00	4.00
Repairs	20.00	20.00

TOTAL Patterson, No. 71½....	\$ 1,181.00	\$ 1,186.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

MARSHALLTON, NO. 77

ADMINISTRATIVE CONTROL

Salaries	\$ 700.00	\$ 700.00
Office Expense	75.00	75.00
Other Costs	75.00	75.00

INSTRUCTIONAL SERVICE

Salaries	36,900.00	36,900.00
Text Books	1,000.00	1,000.00
Material and Supplies	600.00	600.00
Other Costs	500.00	500.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,600.00	1,600.00
Janitor Supplies	300.00	300.00
Fuel and Heat	900.00	900.00
Water, Light and Power	1,250.00	1,250.00
Repairs	1,000.00	1,000.00

TOTAL Marshallton, No. 77....	\$ 44,900.00	\$ 44,900.00
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TOWNSEND, NO. 81

ADMINISTRATIVE CONTROL

Office Expense	\$ 6.00	\$ 6.00
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INSTRUCTIONAL SERVICE

Salaries	7,775.00	7,775.00
Text Books	362.00	362.00
Material and Supplies	150.00	150.00
Other Costs	142.00	142.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	650.00	650.00
Janitor Supplies	101.00	101.00
Fuel, Water, Light and Heat.....	817.00	817.00
Other Costs	33.00	33.00
Repairs	200.00	200.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Library Books	102.00	102.00
Other Costs	25.00	25.00

TOTAL Townsend, No. 81.....	\$ 10,363.00	\$ 10,363.00
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YORKLYN, NO. 91

INSTRUCTIONAL SERVICE

Salaries	\$ 6,275.00	\$ 6,275.00
Text Books	255.00	255.00
Material and Supplies	238.00	238.00
Other Costs	116.00	116.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	550.00	550.00
Janitor Supplies	66.00	66.00
Fuel, Water, Light and Heat.....	550.00	550.00
Other Costs	50.00	50.00
Repairs	450.00	150.00

TOTAL Yorklyn, No. 91.....	\$ 8,550.00	\$ 8,250.00
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PLEASANT VALLEY, NO. 92

INSTRUCTIONAL SERVICE

Salaries	\$ 1,575.00	\$ 1,575.00
Text Books	49.00	49.00
Material and Supplies	45.00	45.00
Other Costs	22.00	22.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	13.00	13.00
Fuel, Water, Light and Heat.....	58.00	58.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

TOTAL Pleasant Valley, No. 92. \$	1,827.00	\$ 1,827.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

EDEN, NO. 101

ADMINISTRATIVE CONTROL

Office Expense	\$ 4.00	\$ 4.00
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INSTRUCTIONAL SERVICE

Salaries	2,000.00	2,000.00
Text Books	107.00	107.00
Material and Supplies	75.00	75.00
Other Costs	49.00	49.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	192.00	192.00
Janitor Supplies	50.00	50.00
Fuel, Water, Light and Heat.....	350.00	350.00
Other Costs	20.00	20.00
Repairs	100.00	80.00

TOTAL Eden, No. 101.....	\$ 2,947.00	\$ 2,927.00
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OAK GROVE, NO. 130

ADMINISTRATIVE CONTROL

Salaries	\$ 600.00	\$ 600.00
Office Expense	35.00	35.00

INSTRUCTIONAL SERVICE

Salaries	20,025.00	20,025.00
Text Books	650.00	650.00
Material and Supplies	450.00	450.00
Other Costs	100.00	100.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,200.00	1,200.00
Janitor Supplies	160.00	160.00
Fuel, Water, Light and Heat.....	1,225.00	1,225.00
Other Costs—Telephone	65.00	65.00
Repairs	700.00	700.00

TOTAL Oak Grove, No. 130.....	\$ 25,210.00	\$ 25,210.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

HENRY C. CONRAD, NO. 131

ADMINISTRATIVE CONTROL

Salaries	\$ 1,820.00	\$ 1,820.00
Office Expense	125.00	125.00

INSTRUCTIONAL SERVICE

Salaries	47,500.00	48,300.00
Text Books	1,100.00	1,100.00
Material and Supplies	400.00	400.00
Other Costs	1,000.00	1,000.00
Travel	120.00	120.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	3,000.00	3,000.00
Janitor Supplies	300.00	300.00
Fuel, Water, Light and Heat.....	3,082.00	3,082.00
Repairs	760.00	760.00

CAPITAL OUTLAY

Equipment	1,500.00
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TOTAL Henry C. Conrad,

No. 131	\$ 60,707.00	\$ 60,007.00
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NEWPORT, NO. 106-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 11,575.00	\$ 11,575.00
Text Books	450.00	450.00
Material and Supplies	384.00	384.00
Other Costs	175.00	175.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	731.00	731.00
Janitor Supplies	91.00	91.00
Fuel, Water, Light and Heat.....	1,251.00	1,251.00
Other Costs	50.00	50.00
Repairs	150.00	150.00

TOTAL Newport, No. 106-C

(Colored)	\$ 14,857.00	\$ 14,857.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

HOCKESSIN, NO. 107-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,275.00	\$ 1,275.00
Text Books	55.00	55.00
Material and Supplies	50.00	50.00
Other Costs	22.00	22.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	46.00	46.00
Janitor Supplies	16.00	16.00
Fuel, Water, Light and Heat.....	168.00	168.00
Other Costs	10.00	10.00
Repairs	40.00	40.00

TOTAL Hockessin, No. 107-C (Colored)	\$ 1,682.00	\$ 1,682.00
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MARSHALLTON, NO. 108-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	38.00	38.00
Material and Supplies	25.00	25.00
Other Costs	17.00	17.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	10.00	10.00
Fuel, Water, Light and Heat.....	130.00	130.00
Other Costs	4.00	4.00
Repairs	20.00	20.00

TOTAL Marshallton, No. 108-C (Colored)	\$ 1,584.00	\$ 1,584.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CHRISTIANA, NO. 111-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,525.00	\$ 1,525.00
Text Books	31.00	31.00
Material and Supplies	29.00	29.00
Other Costs	14.00	14.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat.....	138.00	138.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

TOTAL Christiana, No. 111-C (Colored)	\$ 1,808.00	\$ 1,808.00
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IRON HILL, NO. 112-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	31.00	31.00
Material and Supplies	29.00	29.00
Other Costs	14.00	14.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat.....	107.00	107.00
Other Costs	3.00	3.00
Repairs	80.00	80.00

TOTAL Iron Hill, No. 112-C (Colored)	\$ 1,612.00	\$ 1,612.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

BETHESDA, NO. 113-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,350.00	\$ 1,350.00
Text Books	30.00	30.00
Material and Supplies	27.00	27.00
Other Costs	13.00	13.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat.....	80.00	80.00
Other Costs	3.00	3.00
Repairs	40.00	40.00

TOTAL Bethesda, No. 113-C (Colored)	\$ 1,596.00	\$ 1,596.00
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KIRKWOOD, NO. 115-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	35.00	35.00
Material and Supplies	28.00	28.00
Other Costs	13.00	13.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat.....	90.00	90.00
Other Costs	3.00	3.00
Repairs	20.00	20.00
Upkeep of Grounds	10.00	10.00

TOTAL Kirkwood, No. 115-C (Colored)	\$ 1,547.00	\$ 1,547.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

DELAWARE CITY, NO. 118-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,600.00	\$ 2,600.00
Text Books	50.00	50.00
Material and Supplies	58.00	58.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	16.00	16.00
Fuel, Water, Light and Heat.....	250.00	250.00
Other Costs	7.00	7.00
Repairs	50.00	50.00
Upkeep of Grounds	12.00	12.00

TOTAL Delaware City, No. 118-C

(Colored)	\$ 3,123.00	\$ 3,123.00
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MT. PLEASANT, NO. 119-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	35.00	35.00
Material and Supplies	32.00	32.00
Other Costs	16.00	16.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	9.00	9.00
Fuel, Water, Light and Heat.....	94.00	94.00
Other Costs	4.00	4.00
Repairs	20.00	20.00

TOTAL Mt. Pleasant, No. 119-C

(Colored)	\$ 1,550.00	\$ 1,550.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MIDDLETOWN, NO. 120-C (COLORED)

ADMINISTRATIVE CONTROL

Salaries	\$ 300.00	\$ 300.00
Office Expense	30.00	30.00

INSTRUCTIONAL SERVICE

Salaries	14,325.00	14,325.00
Text Books	500.00	500.00
Material and Supplies	400.00	400.00
Other Costs	100.00	100.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	770.00	770.00
Janitor Supplies	150.00	150.00
Fuel, Water, Light and Heat.....	1,100.00	1,100.00
Other Costs	50.00	50.00
Upkeep of Grounds	25.00	25.00
Repairs	175.00	200.00

CAPITAL OUTLAY

Equipment	200.00	200.00
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TOTAL Middletown, No. 120-C

(Colored)	\$ 18,125.00	\$ 18,150.00
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PORT PENN, NO. 122-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,200.00	1,200.00
Text Books	30.00	30.00
Material and Supplies	15.00	15.00
Other Costs	4.00	4.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat.....	90.00	90.00
Repairs	40.00	40.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Library Books	3.00	3.00
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TOTAL Port Penn, No. 122-C

(Colored)	\$ 1,435.00	\$ 1,435.00
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LEE'S CHAPEL, NO. 124-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,400.00	\$ 1,400.00
Text Books	65.00	65.00
Material and Supplies	35.00	35.00
Other Costs	30.00	30.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	50.00	50.00
Janitor Supplies	14.00	14.00
Fuel, Water, Light and Heat.....	118.00	118.00
Other Costs	6.00	6.00
Repairs	75.00	75.00

CAPITAL OUTLAY

Equipment	9.00	9.00
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TOTAL Lee's Chapel, No. 124-C

(Colored)	\$ 1,802.00	\$ 1,802.00
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TOWNSEND, NO. 125-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,400.00	\$ 1,400.00
Text Books	50.00	50.00
Material and Supplies	35.00	35.00
Other Costs	25.00	25.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	50.00	50.00
Janitor Supplies	13.00	13.00
Fuel, Water, Light and Heat.....	85.00	85.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Other Costs	5.00	5.00
Repairs	20.00	20.00

TOTAL Townsend, No. 125-C		
(Colored)	\$ 1,683.00	\$ 1,683.00

EBENEZER, NO. 126-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,225.00	\$ 1,225.00
Text Books	26.00	26.00
Material and Supplies	20.00	20.00
Other Costs	12.00	12.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat.....	90.00	90.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

TOTAL Ebenezer, No. 126-C		
(Colored)	\$ 1,443.00	\$ 1,443.00

KENTON, NO. 9

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	2,600.00	2,600.00
Text Books	126.00	126.00
Material and Supplies	63.00	63.00
Other Costs	18.00	18.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	250.00	250.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat.....	300.00	300.00
Repairs	100.00	100.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Library Books	15.00	15.00
TOTAL Kenton, No. 9.....	\$ 3,489.00	\$ 3,489.00

LEIPSIC, NO. 11

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	42.00	42.00
Material and Supplies	21.00	21.00
Other Costs	6.00	6.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	65.00	65.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat.....	100.00	100.00
Other Costs	5.00	5.00
Repairs	100.00	40.00

TOTAL Leipsic, No. 11.....	\$ 1,650.00	\$ 1,590.00
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MT. WILLOW, NO. 16

INSTRUCTIONAL SERVICE

Salaries	\$ 1,050.00	\$ 1,050.00
Text Books	30.00	30.00
Material and Supplies	28.00	28.00
Other Costs	13.00	13.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat.....	50.00	50.00
Other Costs	3.00	3.00
Repairs	40.00	40.00

TOTAL Mt. Willow, No. 16.....	\$ 1,262.00	\$ 1,262.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OAK POINT, NO. 20

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,200.00	1,200.00
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Text Books	36.00	36.00
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Material and Supplies	15.00	15.00
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Other Costs	5.00	5.00
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OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
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Janitor Supplies	5.00	5.00
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Fuel, Water, Light and Heat.....	65.00	65.00
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Other Costs	5.00	5.00
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Upkeep of Grounds	10.00	10.00
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Repairs	30.00	30.00
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CAPITAL OUTLAY

Library Books	5.00	5.00
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TOTAL Oak Point, No. 20.....	\$ 1,417.00	\$ 1,417.00
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SANDTOWN, NO. 23

INSTRUCTIONAL SERVICE

Salaries	\$ 1,200.00	\$ 1,200.00
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Text Books	28.00	28.00
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Material and Supplies	14.00	14.00
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Other Costs	4.00	4.00
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OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
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Janitor Supplies	7.00	7.00
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Fuel, Water, Light and Heat.....	43.00	43.00
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Repairs	40.00	40.00
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CAPITAL OUTLAY

Library Books	5.00	5.00
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TOTAL Sandtown, No. 23.....	\$ 1,386.00	\$ 1,386.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

JUMP'S, NO. 29

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,175.00	1,175.00
Text Books	50.00	50.00
Material and Supplies	15.00	15.00
Other Costs	7.00	7.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat.....	64.00	64.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	6.00	6.00
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TOTAL Jump's, No. 29.....	\$ 1,410.00	\$ 1,410.00
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FREDERICA, NO. 32

ADMINISTRATIVE CONTROL

Office Expense	\$ 65.00	\$ 65.00
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INSTRUCTIONAL SERVICE

Salaries	11,875.00	11,875.00
Text Books	350.00	350.00
Material and Supplies	200.00	200.00
Other Costs	165.00	165.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	860.00	860.00
Janitor Supplies	100.00	100.00
Fuel, Water, Light and Heat.....	1,300.00	1,300.00
Other Costs	40.00	40.00
Repairs	300.00	300.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Equipment	500.00
TOTAL Frederica, No. 32.....	\$ 15,755.00	\$ 15,255.00

THOMAS, NO. 33

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	18.00	18.00
Material and Supplies	9.00	9.00
Other Costs	2.00	2.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat.....	46.00	46.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	2.00	2.00
TOTAL Thomas, No. 33.....	\$ 1,470.00	\$ 1,470.00

FARMINGTON, NO. 39

ADMINISTRATIVE CONTROL

Office Expense	\$ 4.00	\$ 4.00
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INSTRUCTIONAL SERVICE

Salaries	4,300.00	4,300.00
Text Books	150.00	150.00
Material and Supplies	75.00	75.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	200.00	200.00
Janitor Supplies	25.00	25.00
Fuel, Water, Light and Heat.....	350.00	370.00
Other Costs	15.00	15.00
Repairs	75.00	75.00
Upkeep of Grounds	20.00	20.00

CAPITAL OUTLAY

Library Books	30.00	30.00
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	\$ 5,244.00	\$ 5,264.00
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MAGNOLIA, NO. 50

ADMINISTRATIVE CONTROL

Office Expense	\$ 3.00	\$ 3.00
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INSTRUCTIONAL SERVICE

Salaries	3,650.00	3,650.00
Text Books	165.00	165.00
Material and Supplies	100.00	100.00
Other Costs	50.00	50.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	450.00	450.00
Janitor Supplies	42.00	42.00
Fuel, Water, Light and Heat.....	550.00	550.00
Other Costs	7.00	7.00
Repairs	80.00	80.00
Upkeep of Grounds	10.00	10.00

	\$ 5,107.00	\$ 5,107.00
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WILLOW GROVE, NO. 52

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

Salaries	1,675.00	1,675.00
Text Books	20.00	20.00
Material and Supplies	10.00	10.00
Other Costs	3.00	3.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat.....	60.00	60.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	2.00	2.00
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TOTAL Willow Grove, No. 52...	\$ 1,863.00	\$ 1,863.00
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FELTON, NO. 54

ADMINISTRATIVE CONTROL

Salaries	\$ 750.00	\$ 750.00
Office Expense	38.00	38.00

INSTRUCTIONAL SERVICE

Salaries	26,000.00	26,000.00
Text Books	650.00	650.00
Material and Supplies	500.00	500.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,200.00	1,200.00
Janitor Supplies	300.00	300.00
Fuel and Heat	900.00	900.00
Water, Light and Power	595.00	595.00
Telephone	55.00	55.00
Repairs	600.00	500.00

TOTAL Felton, No. 54.....	\$ 31,588.00	\$ 31,488.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT

PRATT'S, NO. 59

INSTRUCTIONAL SERVICE

Salaries	\$ 1,650.00	\$ 1,650.00
Text Books	35.00	35.00
Material and Supplies	30.00	30.00
Other Costs	24.00	24.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	9.00	9.00
Fuel, Water, Light and Heat.....	75.00	75.00
Repairs	20.00	20.00
Upkeep of Grounds	4.00	4.00

CAPITAL OUTLAY

Library Books	10.00	10.00
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TOTAL Pratt's, No. 59.....	\$ 1,902.00	\$ 1,902.00
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WESTVILLE, NO. 69

INSTRUCTIONAL SERVICE

Salaries	\$ 900.00	\$ 900.00
Text Books	29.00	29.00
Material and Supplies	15.00	15.00
Other Costs	13.00	13.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Fuel, Water, Light and Heat.....	38.00	38.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

TOTAL Westville, No. 69.....	\$ 1,063.00	\$ 1,063.00
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APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

WOODSIDE, NO. 71

ADMINISTRATIVE CONTROL

Office Expense	\$	1.00	\$	1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	42.00	42.00
Material and Supplies	20.00	20.00
Other Costs	10.00	10.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat.....	70.00	70.00
Other Costs	5.00	5.00
Repairs	50.00	50.00

TOTAL Woodside, No. 71.....	\$	1,549.00	\$	1,549.00
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ROSE VALLEY, NO. 79

INSTRUCTIONAL SERVICE

Salaries	\$	1,150.00	\$	1,150.00
Text Books	45.00	45.00		
Material and Supplies	25.00	25.00		
Other Costs	15.00	15.00		

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	12.00	12.00
Fuel, Water, Light and Heat.....	65.00	65.00
Other Costs	7.00	7.00
Repairs	150.00	45.00

TOTAL Rose Valley, No. 79....	\$	1,509.00	\$	1,404.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

CHESWOLD, NO. 83

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	2,600.00	2,600.00
Text Books	116.00	116.00
Material and Supplies	58.00	58.00
Other Costs	17.00	17.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	280.00	280.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	225.00	225.00
Repairs	80.00	80.00

CAPITAL OUTLAY

Library Books	19.00	19.00
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TOTAL Cheswold, No. 83.....	\$ 3,412.00	\$ 3,412.00
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LITTLE CREEK, NO. 85

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	30.00	30.00
Material and Supplies	16.00	16.00
Other Costs	15.00	15.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	9.00	9.00
Fuel, Water, Light and Heat	76.00	76.00
Other Costs	4.00	4.00
Repairs	20.00	20.00
Upkeep of Grounds	4.00	4.00

TOTAL Little Creek, No. 85....	\$ 1,514.00	\$ 1,514.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

WILEY'S, NO. 93

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,200.00	1,200.00
Text Books	45.00	45.00
Material and Supplies	25.00	25.00
Other Costs	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	12.00	12.00
Fuel, Water, Light and Heat	75.00	75.00
Other Costs	5.00	5.00
Repairs	25.00	25.00
Upkeep of Grounds	25.00	25.00

TOTAL Wiley's, No. 93.....	\$ 1,473.00	\$ 1,473.00
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HARTLY, NO. 96

ADMINISTRATIVE CONTROL

Office Expense	\$ 5.00	\$ 5.00
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INSTRUCTIONAL SERVICE

Salaries	6,500.00	6,500.00
Text Books	275.00	275.00
Material and Supplies	100.00	100.00
Other Costs	45.00	45.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	500.00	500.00
Janitor Supplies	37.00	37.00
Fuel, Water, Light and Heat	378.00	378.00
Repairs	125.00	125.00

CAPITAL OUTLAY

Library Books	38.00	38.00
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TOTAL Hartly, No. 96.....	\$ 8,003.00	\$ 8,003.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT

VIOLA, NO. 112

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	43.00	43.00
Material and Supplies	20.00	20.00
Other Costs	15.00	15.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat	85.00	85.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

CAPITAL OUTLAY

Library Books	5.00	5.00
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TOTAL Viola, No. 112.....	\$ 1,544.00	\$ 1,544.00
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CLAYTON, NO. 119

INSTRUCTIONAL SERVICE

Salaries	\$ 11,650.00	\$ 11,650.00
Text Books	350.00	350.00
Material and Supplies	300.00	300.00
Other Costs	175.00	175.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	900.00	900.00
Janitor Supplies	120.00	120.00
Fuel, Water, Light and Heat	1,250.00	1,250.00
Other Costs	50.00	50.00
Repairs	140.00	140.00

TOTAL Clayton, No. 119.....	\$ 14,935.00	\$ 14,935.00
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APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

HOUSTON, NO. 125

INSTRUCTIONAL SERVICE

Salaries	\$ 5,000.00	\$ 5,000.00
Text Books	170.00	170.00
Material and Supplies	100.00	100.00
Other Costs	60.00	60.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	430.00	430.00
Janitor Supplies	65.00	65.00
Fuel, Water, Light and Heat	450.00	450.00
Other Costs	25.00	25.00
Repairs	18.00	18.00

TOTAL Houston, No. 125.....	\$ 6,318.00	\$ 6,318.00
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CLAYTON, NO. 136-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,225.00	\$ 1,225.00
Text Books	50.00	50.00
Material and Supplies	37.00	37.00
Other Costs	25.00	25.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	123.00	123.00
Other Costs	15.00	15.00
Repairs	10.00	10.00

TOTAL Clayton, No. 136-C

(Colored)	\$ 1,540.00	\$ 1,540.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

KENTON, NO. 140-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	2,500.00	2,500.00
Text Books	110.00	110.00
Material and Supplies	61.00	61.00
Other Costs	18.00	18.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	85.00	85.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	142.00	142.00
Repairs	75.00	75.00

CAPITAL OUTLAY

Library Books	15.00	15.00
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TOTAL Kenton, No. 140-C

(Colored)	\$ 3,023.00	\$ 3,023.00
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LOCKWOOD, NO. 142-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	62.00	62.00
Material and Supplies	35.00	35.00
Other Costs	28.00	28.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	16.00	16.00
Fuel, Water, Light and Heat	135.00	135.00
Other Costs	7.00	7.00
Repairs	50.00	20.00

TOTAL Lockwood, No. 142-C

(Colored)	\$ 1,673.00	\$ 1,643.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CHESWOLD, NO. 143-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,800.00	\$ 2,800.00
Text Books	110.00	110.00
Material and Supplies	50.00	50.00
Other Costs	35.00	35.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	240.00	240.00
Janitor Supplies	26.00	26.00
Fuel, Water, Light and Heat	505.00	505.00
Other Costs	11.00	11.00
Repairs	50.00	50.00

TOTAL Cheswold, No. 143-C		
(Colored)	\$ 3,827.00	\$ 3,827.00

FORK BRANCH, NO. 145-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	86.00	86.00
Material and Supplies	43.00	43.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	97.00	97.00
Repairs	30.00	30.00

CAPITAL OUTLAY

Library Books	10.00	10.00
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TOTAL Fork Branch, No. 145-C		
(Colored)	\$ 1,618.00	\$ 1,618.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

WHITE OAK, NO. 146-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,200.00	1,200.00
Text Books	48.00	48.00
Material and Supplies	24.00	24.00
Other Costs	7.00	7.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	128.00	128.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	6.00	6.00
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TOTAL White Oak, No. 146-C

(Colored)	\$ 1,506.00	\$ 1,506.00
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ST. JONES, NO. 149-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,200.00	\$ 1,200.00
Text Books	52.00	52.00
Material and Supplies	35.00	35.00
Other Costs	24.00	24.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	20.00	20.00
Fuel, Water, Light and Heat	125.00	125.00
Other Costs	5.00	5.00
Repairs	50.00	50.00

TOTAL St. Jones, No. 149-C

(Colored)	\$ 1,556.00	\$ 1,556.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

WILLOW GROVE, NO. 152-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,250.00	\$ 1,250.00
Text Books	35.00	35.00
Material and Supplies	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	9.00	9.00
Fuel, Water, Light and Heat	111.00	111.00
Other Costs	4.00	4.00
Repairs	20.00	20.00

TOTAL Willow Grove, No. 152-C (Colored)	\$ 1,489.00	\$ 1,489.00
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PARKER'S CHAPEL, NO. 153-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	43.00	43.00
Material and Supplies	35.00	35.00
Other Costs	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat	97.00	97.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

TOTAL Parker's Chapel, No. 153-C (Colored)	\$ 1,571.00	\$ 1,571.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

WOODSIDE, NO. 154-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,475.00	\$ 1,475.00
Text Books	21.00	21.00
Material and Supplies	15.00	15.00
Other Costs	9.00	9.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	5.00	5.00
Fuel, Water, Light and Heat	125.00	125.00
Other Costs	2.00	2.00
Repairs	20.00	20.00

TOTAL Woodside, No. 154-C

(Colored)	\$ 1,712.00	\$ 1,712.00
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MT. OLIVE, NO. 155-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	60.00	60.00
Material and Supplies	25.00	25.00
Other Costs	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	18.00	18.00
Fuel, Water, Light and Heat	125.00	125.00
Other Costs	10.00	10.00
Repairs	30.00	30.00

TOTAL Mt. Olive, No. 155-C

(Colored)	\$ 1,633.00	\$ 1,633.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT

VIOLA, NO. 156-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,600.00	\$ 2,600.00
Text Books	113.00	113.00
Material and Supplies	50.00	50.00
Other Costs	41.00	41.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	85.00	85.00
Janitor Supplies	20.00	20.00
Fuel, Water, Light and Heat	232.00	232.00
Other Costs	12.00	12.00
Repairs	40.00	40.00

TOTAL Viola, No. 156-C		
(Colored)	\$ 3,193.00	\$ 3,193.00

UNION, NO. 158-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,350.00	\$ 2,350.00
Text Books	100.00	100.00
Material and Supplies	50.00	50.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	20.00	20.00
Fuel, Water, Light and Heat	150.00	150.00
Other Costs	10.00	10.00
Repairs	50.00	50.00

CAPITAL OUTLAY

Library Books	12.00	12.00
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TOTAL Union, No. 158-C		
(Colored)	\$ 2,822.00	\$ 2,822.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

REEVES CROSSING, NO. 159-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,225.00	\$ 1,225.00
Text Books	45.00	45.00
Material and Supplies	20.00	20.00
Other Costs	15.00	15.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat	120.00	120.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

CAPITAL OUTLAY

Library Books	15.00	15.00
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TOTAL Reeves Crossing, No. 159-C (Colored)	\$ 1,513.00	\$ 1,513.00
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JOHN WESLEY, NO. 160-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	23.00	23.00
Material and Supplies	25.00	25.00
Other Costs	6.00	6.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	99.00	99.00
Repairs	20.00	20.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Library Books	5.00	5.00
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TOTAL John Wesley, No.

160-C (Colored)	\$ 1,531.00	\$ 1,531.00
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CEDAR NECK, NO. 1

INSTRUCTIONAL SERVICE

Salaries	\$ 900.00	\$ 900.00
Text Books	28.00	28.00
Material and Supplies	16.00	16.00
Other Costs	13.00	13.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	85.00	85.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

TOTAL Cedar Neck, No. 1.....	\$ 1,112.00	\$ 1,112.00
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LINCOLN, NO. 3

INSTRUCTIONAL SERVICE

Salaries	\$ 4,500.00	\$ 4,500.00
Text Books	132.00	132.00
Material and Supplies	80.00	80.00
Other Costs	60.00	60.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	480.00	480.00
Janitor Supplies	34.00	34.00
Fuel, Water, Light and Heat	626.00	626.00
Other Costs	14.00	14.00
Repairs	60.00	60.00

TOTAL Lincoln, No. 3.....	\$ 5,986.00	\$ 5,986.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

BROADKILL, NO. 7

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	30.00	30.00
Material and Supplies	15.00	15.00
Other Costs	15.00	15.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat	85.00	85.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

	\$ 1,518.00	\$ 1,518.00
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MILTON, NO. 8

ADMINISTRATIVE CONTROL

Salaries	\$ 750.00	\$ 750.00
Office Expense	61.00	61.00

INSTRUCTIONAL SERVICE

Salaries	31,000.00	31,000.00
Text Books	600.00	600.00
Material and Supplies	350.00	350.00
Other Costs	350.00	350.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,730.00	1,730.00
Janitor Supplies	200.00	200.00
Fuel and Heat	1,070.00	1,070.00
Water, Light and Power	629.00	629.00
Other Costs	49.00	49.00
Repairs	500.00	500.00
Telephone	70.00	70.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Equipment	300.00
Library Books	200.00	200.00
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TOTAL Milton, No. 8.....	\$ 37,859.00	\$ 37,559.00
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MILLSBORO, NO. 23

ADMINISTRATIVE CONTROL

Salaries	\$ 750.00	\$ 750.00
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INSTRUCTIONAL SERVICE

Salaries	31,375.00	31,375.00
Text Books	750.00	750.00
Material and Supplies	690.00	690.00
Other Costs	225.00	225.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,200.00	1,200.00
Janitor Supplies	200.00	200.00
Fuel, Water, Light and Heat	2,500.00	2,500.00
Other Costs	90.00	90.00
Repairs	500.00	500.00

TOTAL Millsboro, No. 23.....	\$ 38,280.00	\$ 38,280.00
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LORD BALTIMORE, NO. 28

ADMINISTRATIVE CONTROL

Salaries	\$ 775.00	\$ 775.00
Office Expense	80.00	80.00

INSTRUCTIONAL SERVICE

Salaries	27,500.00	27,500.00
Text Books	680.00	680.00
Material and Supplies	650.00	650.00
Other Costs	225.00	225.00
Travel	100.00	100.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,760.00	1,760.00
Janitor Supplies	200.00	200.00
Fuel, Water, Light and Heat	2,943.00	3,240.00
Other Costs	50.00	50.00
Repairs	300.00	360.00

CAPITAL OUTLAY

Equipment	100.00	100.00
Library Books	200.00	200.00
Other Costs	100.00	100.00

TOTAL Lord Baltimore, No. 28..	\$ 35,663.00	\$ 36,020.00
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WILLIAMSVILLE, NO. 30

ADMINISTRATIVE CONTROL

Office Expense	\$ 3.00	\$ 3.00
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INSTRUCTIONAL SERVICE

Salaries	2,950.00	2,950.00
Text Books	95.00	95.00
Material and Supplies	80.00	80.00
Other Costs	40.00	40.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	95.00	95.00
Janitor Supplies	26.00	26.00
Fuel, Water, Light and Heat	105.00	105.00
Repairs	55.00	55.00

TOTAL Williamsville, No. 30...	\$ 3,449.00	\$ 3,449.00
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APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

ROXANA, NO. 31

ADMINISTRATIVE CONTROL

Office Expense	\$ 5.00	\$ 5.00
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INSTRUCTIONAL SERVICE

Salaries	3,900.00	3,900.00
Text Books	165.00	165.00
Material and Supplies	100.00	100.00
Other Costs	75.00	75.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	350.00	350.00
Janitor Supplies	40.00	40.00
Fuel, Water, Light and Heat	660.00	665.00
Other Costs	150.00	25.00
Repairs	75.00	75.00

CAPITAL OUTLAY

Library Books	50.00	50.00
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TOTAL Roxana, No. 31.....	\$ 5,570.00	\$ 5,450.00
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SELBYVILLE, NO. 32

ADMINISTRATIVE CONTROL

Salaries	\$ 450.00	\$ 450.00
Office Expense	70.00	70.00
Travel	25.00	25.00

INSTRUCTIONAL SERVICE

Salaries	22,705.00	22,705.00
Text Books	600.00	600.00
Material and Supplies	675.00	675.00
Other Costs	225.00	225.00
Travel	100.00	100.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,300.00	1,300.00
Janitor Supplies	175.00	175.00
Fuel and Heat	1,485.00	1,485.00
Water, Light and Power	597.00	597.00
Telephone	50.00	50.00
Other Costs	50.00	50.00
Repairs	100.00	100.00
Upkeep of Grounds	50.00	50.00

PROMOTION OF HEALTH

Salaries	720.00	720.00
Other Costs	50.00	50.00

CAPITAL OUTLAY

Library Books	200.00	200.00
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TOTAL Selbyville, No. 32.....	\$ 29,627.00	\$ 29,627.00
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STOCKLEY, NO. 34

INSTRUCTIONAL SERVICE

Salaries	\$ 1,225.00	\$ 1,225.00
Text Books	10.00	50.00
Material and Supplies	34.00	34.00
Other Costs	17.00	23.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	55.00	55.00
Janitor Supplies	9.00	13.00
Fuel, Water, Light and Heat	58.00	105.00
Other Costs		5.00
Repairs	26.00	26.00

TOTAL Stockley, No. 34.....	\$ 1,434.00	\$ 1,536.00
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APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

GUMBORO, NO. 37

ADMINISTRATIVE CONTROL

Office Expense	\$ 4.00	\$ 4.00
Miscellaneous	2.00	2.00

INSTRUCTIONAL SERVICE

Salaries	5,525.00	5,525.00
Text Books	175.00	175.00
Material and Supplies	75.00	75.00
Other Costs	60.00	60.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	495.00	495.00
Janitor Supplies	49.00	49.00
Fuel, Water, Light and Heat	440.00	440.00
Other Costs	12.00	12.00
Repairs	100.00	100.00
Upkeep of Grounds	8.00	8.00

CAPITAL OUTLAY

Library Books	48.00	48.00
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TOTAL Gumboro, No. 37.....	\$ 6,993.00	\$ 6,993.00
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DOROTHY, NO. 43

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	38.00	38.00
Material and Supplies	19.00	19.00
Other Costs	5.00	5.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	40.00	40.00
Repairs	40.00	40.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Library Books	5.00	5.00
TOTAL Dorothy, No. 43.....	\$ 1,500.00	\$ 1,500.00

SYCAMORE, NO. 44

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	2,600.00	2,600.00
Text Books	84.00	84.00
Material and Supplies	42.00	42.00
Other Costs	12.00	12.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	85.00	85.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	135.00	135.00
Repairs	80.00	80.00

CAPITAL OUTLAY

Library Books	10.00	10.00
TOTAL Sycamore, No. 44.....	\$ 3,065.00	\$ 3,065.00

VAUGHN'S, NO. 45

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	50.00	50.00
Material and Supplies	30.00	30.00
Other Costs	25.00	25.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat	75.00	75.00
Other Costs	10.00	10.00
Repairs	20.00	20.00

TOTAL Vaughn's, No. 45.....\$	1,563.00	\$ 1,563.00
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ELLIS GROVE, NO. 50

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	42.00	42.00
Material and Supplies	21.00	21.00
Other Costs	6.00	6.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	40.00	40.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	5.00	5.00
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TOTAL Ellis Grove, No. 50.....\$	1,506.00	\$ 1,506.00
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CONCORD, NO. 58

INSTRUCTIONAL SERVICE

Salaries	\$ 900.00	\$ 900.00
Text Books	45.00	45.00
Material and Supplies	42.00	42.00
Other Costs	20.00	20.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Fuel, Water, Light and Heat	80.00	80.00
Other Costs	5.00	5.00
Repairs	20.00	20.00
Upkeep of Grounds	5.00	5.00
TOTAL Concord, No. 58.....	\$ 1,162.00	\$ 1,162.00

ISAAC'S, NO. 62

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	26.00	26.00
Material and Supplies	6.00	6.00
Other Costs	3.00	3.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Fuel, Water, Light and Heat	34.00	34.00
Other Costs	3.00	3.00
Repairs	20.00	20.00

CAPITAL OUTLAY

Library Books	3.00	3.00
TOTAL Isaac's, No. 62.....	\$ 1,440.00	\$ 1,440.00

LOWE'S X ROADS, NO. 80

INSTRUCTIONAL SERVICE

Salaries	\$ 1,200.00	\$ 1,200.00
Text Books	39.00	39.00
Material and Supplies	25.00	25.00
Other Costs	19.00	19.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	10.00	10.00
Fuel, Water, Light and Heat	100.00	100.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

TOTAL Lowe's X Roads, No. 80..	\$ 1,458.00	\$ 1,458.00
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HOLLYMOUNT, NO. 82

INSTRUCTIONAL SERVICE

Salaries	\$ 900.00	\$ 900.00
Text Books	28.00	28.00
Material and Supplies	14.00	14.00
Other Costs	4.00	4.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	65.00	65.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	80.00	80.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	3.00	3.00
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TOTAL Hollymount, No. 82....	\$ 1,141.00	\$ 1,141.00
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BRIDGEVILLE, NO. 90

ADMINISTRATIVE CONTROL

Salaries	\$ 900.00	\$ 900.00
Office Expense	140.00	140.00

INSTRUCTIONAL SERVICE

Salaries	40,800.00	40,800.00
Text Books	800.00	800.00
Material and Supplies	900.00	900.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	2,350.00	2,350.00
Janitor Supplies	300.00	300.00
Fuel, Water, Light and Heat	1,800.00	1,800.00
Repairs	500.00	500.00

CAPITAL OUTLAY

Library Books	200.00	200.00
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TOTAL Bridgeville, No. 90.....	\$ 48,690.00	\$ 48,690.00
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GREENWOOD, NO. 91

ADMINISTRATIVE CONTROL

Salaries	\$ 750.00	\$ 750.00
Office Expense	103.00	103.00

INSTRUCTIONAL SERVICE

Salaries	26,000.00	26,000.00
Text Books	650.00	650.00
Material and Supplies	800.00	800.00
Other Costs	200.00	200.00
Travel	120.00	120.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,650.00	1,650.00
Janitor Supplies	220.00	220.00
Fuel, Water, Light and Heat	2,550.00	2,550.00
Other Costs	75.00	75.00
Repairs	500.00	500.00
Upkeep of Grounds	25.00	25.00

TOTAL Greenwood, No. 91.....	\$ 33,643.00	\$ 33,643.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

JOHN M. CLAYTON, NO. 97

ADMINISTRATIVE CONTROL

Salaries	\$ 475.00	\$ 475.00
Office Expense	35.00	35.00

INSTRUCTIONAL SERVICE

Salaries	23,100.00	23,100.00
Text Books	758.00	758.00
Material and Supplies	640.00	640.00
Other Costs	140.00	140.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,430.00	1,430.00
Janitor Supplies	270.00	270.00
Fuel and Heat	1,469.00	1,469.00
Water, Light and Power	805.00	805.00
Telephone	45.00	45.00
Upkeep of Grounds	100.00	100.00
Repairs	350.00	350.00

TOTAL John M. Clayton, No. 97.	\$ 29,617.00	\$ 29,617.00
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BETHEL, NO. 99

ADMINISTRATIVE CONTROL

Office Expense	\$ 6.00	\$ 6.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	40.00	40.00
Material and Supplies	40.00	40.00
Other Costs	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	10.00	10.00
Fuel, Water, Light and Heat	92.00	92.00
Other Costs	1.00	1.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Repairs	40.00	40.00
Upkeep of Grounds	8.00	8.00
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TOTAL Bethel, No. 99.....\$	1,597.00	\$ 1,597.00
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ELLENDALE, NO. 125

ADMINISTRATIVE CONTROL

Office Expense	\$ 4.00	\$ 4.00
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INSTRUCTIONAL SERVICE

Salaries	5,825.00	5,825.00
Text Books	216.00	216.00
Material and Supplies	123.00	123.00
Other Costs	37.00	37.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	550.00	550.00
Janitor Supplies	30.00	30.00
Fuel, Water, Light and Heat	358.00	358.00
Repairs	160.00	160.00

CAPITAL OUTLAY

Library Books	30.00	30.00
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TOTAL Ellendale, No. 125.....\$	7,333.00	\$ 7,333.00
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DELMAR, NO. 163

ADMINISTRATIVE CONTROL

Salaries	\$ 700.00	\$ 700.00
Office Expense	78.00	78.00

INSTRUCTIONAL SERVICE

Salaries	31,000.00	31,000.00
Text Books	600.00	600.00
Material and Supplies	600.00	600.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	1,700.00	1,700.00
Janitor Supplies	300.00	300.00
Fuel, Water, Light and Heat	2,150.00	2,150.00
Other Costs	70.00	70.00
Repairs	775.00	775.00
Upkeep of Grounds	20.00	20.00

CAPITAL OUTLAY

Library Books	100.00	100.00
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TOTAL Delmar, No. 163.....	\$ 38,093.00	\$ 38,093.00
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BLADES, NO. 172

INSTRUCTIONAL SERVICE

Salaries	\$ 4,000.00	\$ 4,000.00
Text Books	160.00	160.00
Material and Supplies	145.00	145.00
Other Costs	70.00	70.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	375.00	375.00
Janitor Supplies	39.00	39.00
Fuel, Water, Light and Heat	322.00	322.00
Other Costs	20.00	20.00
Repairs	50.00	50.00

TOTAL Blades, No. 172.....	\$ 5,181.00	\$ 5,181.00
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SLAUGHTER NECK, NO. 193-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 4,025.00	\$ 4,025.00
Text Books	185.00	185.00
Material and Supplies	125.00	125.00
Other Costs	84.00	84.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	180.00	180.00
Janitor Supplies	48.00	48.00
Fuel, Water, Light and Heat	267.00	267.00
Other Costs	19.00	19.00
Repairs	40.00	40.00

TOTAL Slaughter Neck, No. 193-C (Colored)	\$ 4,973.00	\$ 4,973.00
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LINCOLN, NO. 194-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,600.00	\$ 1,600.00
Text Books	55.00	55.00
Material and Supplies	35.00	35.00
Other Costs	25.00	25.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	50.00	50.00
Janitor Supplies	14.00	14.00
Fuel, Water, Light and Heat	150.00	150.00
Repairs	40.00	40.00

TOTAL Lincoln, No. 194-C (Colored)	\$ 1,969.00	\$ 1,969.00
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ELLENDALE, NO. 195-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,400.00	\$ 1,400.00
Text Books	50.00	50.00
Material and Supplies	48.00	48.00
Other Costs	25.00	25.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	50.00	50.00
Janitor Supplies	12.00	12.00
Fuel, Water, Light and Heat	130.00	130.00
Other Costs	10.00	10.00
Repairs	25.00	25.00

TOTAL Ellendale, No. 195-C

(Colored)	\$ 1,750.00	\$ 1,750.00
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MILTON, NO. 196-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	2,500.00	2,500.00
Text Books	92.00	92.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	24.00	24.00
Fuel, Water, Light and Heat	200.00	200.00
Other Costs	10.00	10.00
Repairs	40.00	40.00

TOTAL Milton, No. 196-C

(Colored)	\$ 2,948.00	\$ 2,948.00
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DRAWBRIDGE, NO. 197-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,400.00	1,400.00
Text Books	43.00	43.00
Material and Supplies	40.00	40.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat	55.00	55.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

TOTAL Drawbridge, No.

197-C (Colored)	\$ 1,615.00	\$ 1,615.00
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NASSAU, NO. 198-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,700.00	\$ 1,700.00
Text Books	45.00	45.00
Material and Supplies	35.00	35.00
Other Costs	25.00	25.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	12.00	12.00
Fuel, Water, Light and Heat	165.00	165.00
Other Costs	5.00	5.00
Repairs	25.00	25.00

TOTAL Nassau, No. 198-C

(Colored)	\$ 2,052.00	\$ 2,052.00
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REHOBOTH, NO. 200-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	50.00	50.00
Material and Supplies	25.00	25.00
Other Costs	7.00	7.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat	90.00	90.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	6.00	6.00
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TOTAL Rehoboth, No. 200-C

(Colored)	\$ 1,572.00	\$ 1,572.00
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RABBIT'S FERRY, NO. 201-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,600.00	\$ 1,600.00
Text Books	36.00	36.00
Material and Supplies	35.00	35.00
Other Costs	16.00	16.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	9.00	9.00
Fuel, Water, Light and Heat	105.00	105.00
Other Costs	1.00	1.00
Repairs	20.00	20.00

TOTAL Rabbit's Ferry,

No. 201-C (Colored)	\$ 1,862.00	\$ 1,862.00
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FRIENDSHIP, NO. 202-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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INSTRUCTIONAL SERVICE

Salaries	1,300.00	1,300.00
Text Books	38.00	38.00
Material and Supplies	19.00	19.00
Other Costs	6.00	6.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers.	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	110.00	110.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	5.00	5.00
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TOTAL Friendship, No. 202-C

(Colored)	\$ 1,571.00	\$ 1,571.00
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WARWICK, NO. 203-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,600.00	\$ 1,600.00
Text Books	60.00	60.00
Material and Supplies	40.00	40.00
Other Costs	28.00	28.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	50.00	50.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	125.00	125.00
Other Costs	10.00	10.00
Repairs	25.00	25.00

TOTAL Warwick, No. 203-C

(Colored)	\$ 1,953.00	\$ 1,953.00
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MILLSBORO, NO. 204-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,700.00	\$ 2,700.00
Text Books	125.00	125.00
Material and Supplies	50.00	50.00
Other Costs	22.00	22.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	85.00	85.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	190.00	190.00
Repairs	80.00	80.00

CAPITAL OUTLAY

Library Books	18.00	18.00
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TOTAL Millsboro, No. 204-C

(Colored)	\$ 3,285.00	\$ 3,285.00
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FRANKFORD, NO. 206-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 3.00	\$ 3.00
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INSTRUCTIONAL SERVICE

Salaries	4,800.00	4,800.00
Text Books	150.00	150.00
Material and Supplies	75.00	75.00
Other Costs	27.00	27.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	150.00	150.00
Janitor Supplies	20.00	20.00
Fuel, Water, Light and Heat	250.00	250.00
Repairs	80.00	80.00

CAPITAL OUTLAY

Library Books	23.00	23.00
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TOTAL Frankford, No. 206-C

(Colored)	\$ 5,578.00	\$ 5,578.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

BLACKWATER, NO. 207-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,400.00	\$ 2,400.00
Text Books	95.00	95.00
Material and Supplies	80.00	80.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	25.00	25.00
Fuel, Water, Light and Heat	150.00	150.00
Repairs	20.00	20.00

TOTAL Blackwater, No. 207-C

(Colored)	\$ 2,850.00	\$ 2,850.00
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SELBYVILLE, NO. 210-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,500.00	\$ 2,500.00
Text Books	110.00	110.00
Material and Supplies	60.00	60.00
Other Costs	50.00	50.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	27.00	27.00
Fuel, Water, Light and Heat	165.00	165.00
Other Costs	12.00	12.00
Repairs	40.00	40.00

TOTAL Selbyville, No. 210-C

(Colored)	\$ 3,044.00	\$ 3,044.00
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DELMAR, NO. 212½-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Material and Supplies	42.00	42.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	12.00	12.00
Fuel, Water, Light and Heat	118.00	118.00
Other Costs	14.00	14.00
Repairs	20.00	20.00

TOTAL Delmar, No. 212½-C		
(Colored)	\$ 1,546.00	\$ 1,546.00

OWENS CORNER, NO. 213-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,800.00	\$ 2,800.00
Text Books	99.00	99.00
Material and Supplies	92.00	92.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	90.00	90.00
Janitor Supplies	25.00	25.00
Fuel, Water, Light and Heat	190.00	190.00
Other Costs	10.00	10.00
Repairs	50.00	50.00

TOTAL Owens Corner, No. 213-C		
(Colored)	\$ 3,356.00	\$ 3,356.00

PORTSVILLE, NO. 214-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	66.00	66.00
Material and Supplies	33.00	33.00
Other Costs	9.00	9.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	77.00	77.00
Other Costs	4.00	4.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	9.00	9.00
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TOTAL Portsville, No. 214-C

(Colored)	\$ 1,590.00	\$ 1,590.00
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ROSS POINT, NO. 215-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,300.00	\$ 1,300.00
Text Books	50.00	50.00
Material and Supplies	52.00	52.00
Other Costs	24.00	24.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	13.00	13.00
Fuel, Water, Light and Heat	102.00	102.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

TOTAL Ross Point, No. 215-C

(Colored)	\$ 1,606.00	\$ 1,606.00
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CONCORD, NO. 216-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,700.00	\$ 1,700.00
Text Books	58.00	58.00
Material and Supplies	49.00	49.00
Other Costs	27.00	27.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Fuel, Water, Light and Heat	110.00	110.00
Other Costs	5.00	5.00
Repairs	20.00	20.00

TOTAL Concord, No. 216-C

(Colored)	\$ 2,009.00	\$ 2,009.00
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BLOCKSOM'S, NO. 218-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 3.00	\$ 3.00
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INSTRUCTIONAL SERVICE

Salaries	2,300.00	2,300.00
Text Books	94.00	94.00
Material and Supplies	26.00	26.00
Other Costs	40.00	40.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Fuel, Water, Light and Heat	200.00	200.00
Other Costs	30.00	30.00
Repairs	24.00	24.00

CAPITAL OUTLAY

Library Books	26.00	26.00
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TOTAL Blocksom's, No. 218-C

(Colored)	\$ 2,823.00	\$ 2,823.00
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MIDDLEFORD, NO. 219-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,300.00	\$ 2,300.00
Text Books	30.00	30.00
Material and Supplies	30.00	30.00
Other Costs	35.00	35.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	20.00	20.00
Fuel, Water, Light and Heat	135.00	135.00
Other Costs	9.00	9.00
Repairs	40.00	40.00

TOTAL Middleford, No. 219-C

(Colored)	\$ 2,679.00	\$ 2,679.00
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BRIDGEVILLE, NO. 220-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 7,000.00	\$ 7,000.00
Text Books	200.00	200.00
Material and Supplies	125.00	125.00
Other Costs	75.00	75.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	400.00	400.00
Janitor Supplies	75.00	75.00
Fuel, Water, Light and Heat	600.00	600.00
Other Costs	25.00	25.00
Repairs	200.00	200.00

TOTAL Bridgeville, No. 220-C

(Colored)	\$ 8,700.00	\$ 8,700.00
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TRINITY, NO. 221-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,425.00	\$ 2,425.00
Text Books	82.00	82.00
Material and Supplies	87.00	87.00
Other Costs	25.00	25.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	18.00	18.00
Fuel, Water, Light and Heat	103.00	103.00
Other Costs	20.00	20.00
Repairs	40.00	40.00

TOTAL Trinity, No. 221-C

(Colored)	\$ 2,880.00	\$ 2,880.00
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GREENWOOD, NO. 222-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	2,300.00	2,300.00
Text Books	86.00	86.00
Material and Supplies	43.00	43.00
Other Costs	12.00	12.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	178.00	178.00
Repairs	80.00	80.00

CAPITAL OUTLAY

Library Books	10.00	10.00
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TOTAL Greenwood, No. 222-C

(Colored)	\$ 2,806.00	\$ 2,806.00
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HOLLYVILLE, NO. 224-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	20.00	20.00
Fuel, Water, Light and Heat	135.00	135.00
Other Costs	9.00	9.00
Repairs	40.00	40.00

TOTAL Middleford, No. 219-C

(Colored)	\$ 2,679.00	\$ 2,679.00
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BRIDGEVILLE, NO. 220-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 7,000.00	\$ 7,000.00
Text Books	200.00	200.00
Material and Supplies	125.00	125.00
Other Costs	75.00	75.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	400.00	400.00
Janitor Supplies	75.00	75.00
Fuel, Water, Light and Heat	600.00	600.00
Other Costs	25.00	25.00
Repairs	200.00	200.00

TOTAL Bridgeville, No. 220-C

(Colored)	\$ 8,700.00	\$ 8,700.00
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TRINITY, NO. 221-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 2,425.00	\$ 2,425.00
Text Books	82.00	82.00
Material and Supplies	87.00	87.00
Other Costs	25.00	25.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	18.00	18.00
Fuel, Water, Light and Heat	103.00	103.00
Other Costs	20.00	20.00
Repairs	40.00	40.00

TOTAL Trinity, No. 221-C

(Colored)	\$ 2,880.00	\$ 2,880.00
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GREENWOOD, NO. 222-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 2.00	\$ 2.00
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INSTRUCTIONAL SERVICE

Salaries	2,300.00	2,300.00
Text Books	86.00	86.00
Material and Supplies	43.00	43.00
Other Costs	12.00	12.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	80.00	80.00
Janitor Supplies	15.00	15.00
Fuel, Water, Light and Heat	178.00	178.00
Repairs	80.00	80.00

CAPITAL OUTLAY

Library Books	10.00	10.00
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TOTAL Greenwood, No. 222-C

(Colored)	\$ 2,806.00	\$ 2,806.00
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HOLLYVILLE, NO. 224-C (COLORED)

ADMINISTRATIVE CONTROL

Office Expense	\$ 1.00	\$ 1.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

Salaries	1,650.00	1,650.00
Text Books	60.00	60.00
Material and Supplies	33.00	33.00
Other Costs	9.00	9.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	80.00	80.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	8.00	8.00
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TOTAL Hollyville, No. 224-C

(Colored)	\$ 1,933.00	\$ 1,933.00
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WARWICK, NO. 225-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,575.00	\$ 1,575.00
Text Books	75.00	75.00
Material and Supplies	48.00	48.00
Other Costs	14.00	14.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat	126.00	126.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	12.00	12.00
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TOTAL Warwick, No. 225-C

(Colored)	\$ 1,943.00	\$ 1,943.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

WILLIAMSVILLE, NO. 226-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 900.00	\$ 900.00
Text Books	43.00	43.00
Material and Supplies	5.00	5.00
Other Costs	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat	119.00	119.00
Other Costs	40.00	40.00
Repairs	20.00	20.00

TOTAL Williamsville, No. 226-C

(Colored)	\$ 1,198.00	\$ 1,198.00
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NANTICOKE INDIAN

INSTRUCTIONAL SERVICE

Salaries	\$ 1,200.00	\$ 1,200.00
Text Books	30.00	30.00
Material and Supplies	18.00	18.00
Other Costs	12.00	12.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat	20.00	20.00
Other Costs	4.00	4.00
Repairs	20.00	20.00

TOTAL Nanticoke Indian.....	\$ 1,352.00	\$ 1,352.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

Salaries	1,650.00	1,650.00
Text Books	60.00	60.00
Material and Supplies	33.00	33.00
Other Costs	9.00	9.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	7.00	7.00
Fuel, Water, Light and Heat	80.00	80.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	8.00	8.00
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TOTAL Hollyville, No. 224-C

(Colored)	\$ 1,933.00	\$ 1,933.00
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WARWICK, NO. 225-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 1,575.00	\$ 1,575.00
Text Books	75.00	75.00
Material and Supplies	48.00	48.00
Other Costs	14.00	14.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	45.00	45.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat	126.00	126.00
Repairs	40.00	40.00

CAPITAL OUTLAY

Library Books	12.00	12.00
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TOTAL Warwick, No. 225-C

(Colored)	\$ 1,943.00	\$ 1,943.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

WILLIAMSVILLE, NO. 226-C (COLORED)

INSTRUCTIONAL SERVICE

Salaries	\$ 900.00	\$ 900.00
Text Books	43.00	43.00
Material and Supplies	5.00	5.00
Other Costs	20.00	20.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	11.00	11.00
Fuel, Water, Light and Heat	119.00	119.00
Other Costs	40.00	40.00
Repairs	20.00	20.00

TOTAL Williamsville, No. 226-C (Colored)	\$ 1,198.00	\$ 1,198.00
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NANTICOKE INDIAN

INSTRUCTIONAL SERVICE

Salaries	\$ 1,200.00	\$ 1,200.00
Text Books	30.00	30.00
Material and Supplies	18.00	18.00
Other Costs	12.00	12.00

OPERATION AND MAINTENANCE

Salaries—Janitors and Engineers..	40.00	40.00
Janitor Supplies	8.00	8.00
Fuel, Water, Light and Heat	20.00	20.00
Other Costs	4.00	4.00
Repairs	20.00	20.00

TOTAL Nanticoke Indian.....	\$ 1,352.00	\$ 1,352.00
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APPROPRIATION
EXPENSES OF STATE GOVERNMENT
SPECIAL SCHOOL DISTRICTS
CLAYMONT

ADMINISTRATIVE CONTROL

Salaries	\$ 6,200.00	\$ 6,400.00
Office Expense and Supplies	500.00	600.00
Travel	100.00	100.00

INSTRUCTIONAL SERVICE

Salaries	52,533.00	52,533.00
Office Expense and Supplies	500.00	600.00
Text Books	500.00	600.00
Other Costs	80.00	80.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	5,254.00	5,254.00
Office Expense and Supplies	300.00	350.00
Fuel and Heat	1,200.00	1,250.00
Water, Light and Power	1,200.00	1,400.00
Other Costs	50.00	50.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	1,500.00	1,500.00
Upkeep of Grounds	200.00	200.00

FIXED CHARGES

Insurance:

Fire	350.00	400.00
Compensation	100.00	100.00
Other Insurance	300.00	300.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	1,600.00	1,700.00
Other Health Costs	100.00	100.00

VOCATIONAL EDUCATION

Salaries	300.00	300.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Library Books	600.00	600.00
TOTAL Claymont	\$ 73,467.00	\$ 74,417.00

ALEXIS I. DU PONT

ADMINISTRATIVE CONTROL

Salaries	\$ 5,550.00	\$ 5,550.00
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INSTRUCTIONAL SERVICE

Salaries	37,637.00	37,637.00
Office Expense and Supplies	1,680.00	2,000.00
Text Books	1,200.00	1,200.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	4,056.00	4,056.00
Office Expense and Supplies	700.00	900.00
Fuel and Heat	2,000.00	2,000.00
Water, Light and Power	1,000.00	1,000.00

MAINTENANCE

Repairs:		
Expense and Supplies	1,000.00	1,000.00
Upkeep of Grounds	300.00	300.00
Other Costs	500.00	500.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:		
Salaries	1,200.00	1,300.00
Other Health Costs	250.00	250.00
Vocational Education—Travel	200.00	200.00

CAPITAL OUTLAY

Equipment	250.00	250.00
Library Books	1,900.00	1,900.00

TOTAL Alexis I. duPont.....	\$ 59,423.00	\$ 60,043.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

NEWARK

ADMINISTRATIVE CONTROL

Salaries	\$ 7,350.00	\$ 7,350.00
Office Expense and Supplies	850.00	950.00
Travel	50.00	50.00

INSTRUCTIONAL SERVICE

Salaries	81,296.00	81,296.00
Office Expense and Supplies	2,800.00	2,900.00
Travel	200.00	200.00
Text Books	2,600.00	2,600.00
Other Costs	1,037.00	1,127.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	6,910.00	6,910.00
Office Expense and Supplies	700.00	800.00
Fuel and Heat	5,000.00	5,200.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	1,500.00	1,500.00
Upkeep of Grounds	250.00	250.00

FIXED CHARGES

Insurance	1,500.00	1,500.00
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AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Other Health Costs	75.00	75.00
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CAPITAL OUTLAY

Equipment	1,500.00	1,500.00
Library Books	800.00	900.00

TOTAL Newark	<u>\$114,418.00</u>	<u>\$115,108.00</u>
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

NEW CASTLE

ADMINISTRATIVE CONTROL

Salaries	\$ 5,216.00	\$ 5,216.00
Office Expense and Supplies	463.00	486.00
Travel	257.00	270.00

INSTRUCTIONAL SERVICE

Salaries	45,952.00	45,952.00
Office Expense and Supplies	3,486.00	3,660.00
Text Books	2,213.00	2,324.00
Other Costs	674.00	708.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	3,837.00	3,837.00
Office Expense and Supplies	681.00	715.00
Fuel and Heat	1,645.00	1,727.00
Water, Light and Power	803.00	843.00
Telephone and Telegrams	132.00	138.00
Other Costs	156.00	164.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	854.00	897.00
Upkeep of Grounds	43.00	45.00

FIXED CHARGES

Insurance	761.00	799.00
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AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	577.00	606.00
Other Health Costs	39.00	41.00

CAPITAL OUTLAY

Library Books	119.00	125.00
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TOTAL New Castle	\$ 67,908.00	\$ 68,553.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

SMYRNA

ADMINISTRATIVE CONTROL

Salaries	\$ 4,890.00	\$ 5,090.00
Office Expense and Supplies	551.00	551.00
Travel	250.00	250.00
Other Costs	25.00	25.00

INSTRUCTIONAL SERVICE

Salaries	50,750.00	50,750.00
Office Expense and Supplies	1,753.00	1,753.00
Text Books	1,877.00	1,877.00
Other Costs	651.00	651.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	3,565.00	3,565.00
Office Expense and Supplies	730.00	730.00
Fuel and Heat	3,250.00	3,250.00
Other Costs	500.00	500.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	425.00	425.00
Maintenance by Contractual Service	800.00	800.00
Upkeep of Grounds	150.00	150.00

FIXED CHARGES

Insurance	1,000.00	1,000.00
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AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	1,000.00	1,000.00
Other Health Costs	25.00	25.00

CAPITAL OUTLAY

Library Books	400.00	400.00
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TOTAL Smyrna	\$ 72,592.00	\$ 72,792.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

DOVER

ADMINISTRATIVE CONTROL

Salaries	\$ 5,500.00	\$ 5,600.00
Office Expense and Supplies	350.00	350.00
Travel	50.00	50.00

INSTRUCTIONAL SERVICE

Salaries	92,711.00	92,711.00
Office Expense and Supplies	3,840.00	3,840.00
Text Books	3,000.00	3,000.00
Other Costs	130.00	130.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	6,115.00	6,115.00
Office Expense and Supplies	920.00	920.00
Fuel and Heat	2,700.00	2,700.00
Water, Light and Power	1,800.00	1,800.00
Other Costs	215.00	215.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	2,000.00	2,000.00
Upkeep of Grounds	25.00	25.00

FIXED CHARGES

Insurance	1,425.00	1,425.00
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AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	1,400.00	1,400.00
Other Health Costs	50.00	50.00

CAPITAL OUTLAY

Equipment	750.00	400.00
Library Books	1,400.00	1,400.00

TOTAL Dover	<u>\$124,381.00</u>	<u>\$124,131.00</u>
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAESAR RODNEY

ADMINISTRATIVE CONTROL

Salaries	\$ 6,600.00	\$ 6,600.00
Office Expense and Supplies	600.00	600.00
Travel	150.00	150.00
Other Costs	100.00	100.00

INSTRUCTIONAL SERVICE

Salaries	46,000.00	46,000.00
Office Expense and Supplies	2,500.00	2,500.00
Text Books	2,000.00	2,000.00
Other Costs	1,500.00	1,500.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	2,785.00	2,785.00
Office Expense and Supplies	700.00	700.00
Fuel and Heat	2,700.00	2,700.00
Water, Light and Power	1,500.00	1,500.00
Telephone and Telegrams	145.00	145.00
Other Costs	50.00	50.00

MAINTENANCE

Repairs:

Maintenance by Employees of		
School Expense and Supplies..	1,000.00	1,000.00
Upkeep of Grounds	200.00	200.00
Other Costs	50.00	50.00

FIXED CHARGES

Insurance:

Compensation	80.00	80.00
Other Insurance	616.00	501.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	1,350.00	1,350.00
Other Health Costs	200.00	200.00

CAPITAL OUTLAY

Equipment	800.00	800.00
Library Books	500.00	500.00

TOTAL Caesar Rodney	\$ 72,126.00	\$ 72,011.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

HARRINGTON

ADMINISTRATIVE CONTROL

Salaries	\$ 6,400.00	\$ 6,400.00
Office Expense and Supplies	876.00	876.00
Travel	232.00	232.00
Other Costs	34.00	34.00

INSTRUCTIONAL SERVICE

Salaries	44,920.00	44,920.00
Office Expense and Supplies	1,400.00	1,400.00
Text Books	1,133.00	1,133.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	3,832.00	3,832.00
Office Expense and Supplies	964.00	964.00
Fuel and Heat	2,200.00	2,200.00
Water, Light and Power	541.00	541.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	550.00	550.00
Upkeep of Grounds	220.00	220.00

FIXED CHARGES

Insurance	605.00	605.00
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AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	1,150.00	1,150.00
Other Health Costs	55.00	55.00

CAPITAL OUTLAY

Library Books	605.00	605.00
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TOTAL Harrington	\$ 65,717.00	\$ 65,717.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

MILFORD

ADMINISTRATIVE CONTROL		
Salaries	\$ 11,700.00	\$ 11,700.00
Office Expense and Supplies	350.00	350.00
Travel	125.00	125.00
Other Costs	100.00	100.00
INSTRUCTIONAL SERVICE		
Salaries	70,900.00	70,900.00
Office Expense and Supplies	350.00	350.00
Travel	200.00	200.00
Text Books	1,800.00	1,800.00
Other Costs	2,000.00	2,000.00
OPERATION OF PLANT		
Salaries—Janitors, Engineers, etc..	5,773.00	5,773.00
Travel	37.00	37.00
Office Expense and Supplies	575.00	575.00
Fuel and Heat	3,600.00	3,600.00
Water, Light and Power	1,000.00	1,000.00
Other Costs	290.00	290.00
MAINTENANCE		
Repairs:		
Maintenance by Employees of		
School Expense and Supplies..	725.00	725.00
Upkeep of Grounds	250.00	250.00
FIXED CHARGES		
Insurance:		
Compensation	1,100.00	900.00
Indemnity	125.00	125.00
Other Insurance	55.00	200.00
AUXILIARY AND COORDINATE ACTIVITIES		
Promotion of Health:		
Salaries	1,740.00	1,800.00
Other Health Costs	50.00	50.00
TOTAL Milford	<u>\$102,845.00</u>	<u>\$102,850.00</u>

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

GEORGETOWN

ADMINISTRATIVE CONTROL

Salaries	\$ 4,869.00	\$ 4,869.00
Office Expense and Supplies	218.00	218.00
Travel	150.00	150.00
Other Costs	314.00	314.00

INSTRUCTIONAL SERVICE

Salaries	54,030.00	54,030.00
Office Expense and Supplies	2,265.00	2,515.00
Travel—Agricultural Teachers ...	760.00	760.00
Text Books	1,500.00	1,500.00
Other Costs	500.00	500.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	3,753.00	3,753.00
Office Expense and Supplies	632.00	637.00
Fuel and Heat	2,400.00	2,400.00
Water, Light and Power	1,000.00	1,000.00
Other Costs	841.00	866.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	235.00	300.00
Upkeep of Grounds	225.00	250.00
Other Costs	500.00	500.00

FIXED CHARGES

Insurance:

Fire	897.00	897.00
Compensation	89.00	89.00
Other Insurance	41.00	41.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	960.00	960.00
Other Health Costs	50.00	50.00

CAPITAL OUTLAY

Library Books	600.00	600.00
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TOTAL Georgetown	\$ 76,829.00	\$ 77,199.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

LEWES

ADMINISTRATIVE CONTROL

Salaries	\$ 4,862.00	\$ 4,862.00
Office Expense and Supplies	264.00	264.00
Travel	175.00	175.00
Other Costs	390.00	350.00

INSTRUCTIONAL SERVICE

Salaries	37,700.00	37,700.00
Office Expense and Supplies	1,800.00	1,850.00
Travel	50.00	50.00
Text Books	1,450.00	1,500.00
Other Costs	475.00	500.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	3,230.00	3,230.00
Office Expense and Supplies	822.00	895.00
Fuel and Heat	2,000.00	2,000.00
Other Costs	115.00	115.00

MAINTENANCE

Repairs:

Maintenance by Employees of School Expense and Supplies..	1,000.00	1,000.00
Upkeep of Grounds	65.00	70.00

FIXED CHARGES

Insurance	940.00	950.00
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AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health	50.00	50.00
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CAPITAL OUTLAY

Equipment	325.00	325.00
Library Books	600.00	600.00

TOTAL Lewes	\$ 56,313.00	\$ 56,486.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

SEAFORD

ADMINISTRATIVE CONTROL

Salaries	\$ 6,000.00	\$ 6,000.00
Office Expense and Supplies	693.00	693.00
Travel	265.00	265.00
Other Costs	224.00	224.00

INSTRUCTIONAL SERVICE

Salaries	72,586.00	72,586.00
Office Expense and Supplies	341.00	341.00
Travel—Agricultural Teacher	84.00	84.00
Text Books	3,000.00	3,000.00
Other Costs	3,000.00	3,000.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	4,973.00	4,973.00
Fuel and Heat	3,276.00	3,276.00
Water, Light and Power	1,691.00	1,691.00
Telephone and Telegrams	200.00	200.00
Other Costs	1,000.00	1,000.00

MAINTENANCE

Repairs:

Maintenance by Employees of		
School Expense and Supplies..	1,000.00	1,000.00
Upkeep of Grounds	600.00	600.00
Other Costs	350.00	350.00

FIXED CHARGES

Insurance:

Fire	1,000.00	558.00
Compensation	120.00	120.00
Other Insurance	419.00	419.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	1,300.00	1,400.00
Other Health Costs	100.00	100.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

Equipment	500.00	500.00
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ADULT EDUCATION

Travel	25.00	25.00
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Expense and Supplies	10.00	10.00
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TOTAL Seaford	<u>\$102,757.00</u>	<u>\$102,415.00</u>
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LAUREL

ADMINISTRATIVE CONTROL

Salaries	\$ 6,180.00	\$ 6,180.00
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Office Expense and Supplies	338.00	338.00
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Travel	100.00	100.00
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Other Costs	50.00	50.00
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INSTRUCTIONAL SERVICE

Salaries	77,324.00	77,324.00
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Office Expense and Supplies	2,500.00	2,500.00
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Travel—Agricultural and Distribu- tive Occupations	242.00	242.00
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Text Books	3,245.00	3,245.00
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Other Costs	1,000.00	1,000.00
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OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	5,600.00	5,600.00
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Office Expense and Supplies	1,500.00	1,500.00
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Fuel and Heat	3,000.00	3,000.00
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Water, Light and Power	349.00	349.00
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Telephone and Telegrams	60.00	60.00
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Other Costs	950.00	950.00
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MAINTENANCE

Repairs:

Maintenance by Employees of School	1,000.00	1,000.00
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Maintenance by Contractual Service	350.00	350.00
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Upkeep of Grounds	150.00	150.00
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APPROPRIATION EXPENSES OF STATE GOVERNMENT

FIXED CHARGES

Insurance:

Fire	537.00	537.00
Compensation	115.00	115.00
Other Insurance	307.00	307.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health	100.00	100.00
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TOTAL Laurel	<u>\$104,997.00</u>	<u>\$104,997.00</u>
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REHOBOTH

ADMINISTRATIVE CONTROL

Salaries	\$ 3,415.00	\$ 3,415.00
Office Expense and Supplies	68.00	72.00
Travel	27.00	27.00
Other Costs	36.00	36.00

INSTRUCTIONAL SERVICE

Salaries	16,510.00	16,510.00
Office Expense and Supplies	174.00	184.00
Text Books	720.00	720.00
Other Costs	500.00	500.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	2,050.00	2,050.00
Fuel and Heat	900.00	900.00
Water, Light and Power	900.00	900.00
Telephone and Telegrams	126.00	126.00
Other Costs	29.00	29.00

MAINTENANCE

Repairs:

Maintenance by Employees of		
School Expense and Supplies..	301.00	301.00
Upkeep of Grounds	270.00	180.00
Other Costs	56.00	52.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

FIXED CHARGES

Insurance:

Fire	180.00	180.00
Compensation	40.00	40.00
Other Insurance	144.00	144.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	90.00	90.00
Other Health Costs	45.00	45.00

CAPITAL OUTLAY

Equipment	630.00
Library Books	185.00	197.00
Other Costs	1,438.00	1,800.00

TOTAL Rehoboth	\$ 28,834.00	\$ 28,498.00
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WILMINGTON BOARD OF EDUCATION

ADMINISTRATIVE CONTROL

Salaries	\$ 19,614.00	\$ 19,614.00
Office Expense and Supplies	1,628.00	1,628.00
Travel	600.00	600.00
Other Costs	1,500.00	1,500.00

INSTRUCTIONAL SERVICE

Salaries	1,107,901.00	1,107,901.00
Office Expense and Supplies	4,765.00	4,765.00
Travel	350.00	350.00
Text Books	20,000.00	20,000.00
Other Costs	33,000.00	33,000.00

OPERATION OF PLANT

Salaries—Janitors, Engineers, etc..	112,019.00	112,019.00
Office Expense and Supplies	6,000.00	6,000.00
Fuel and Heat	25,000.00	25,000.00
Water, Light and Power	102.00	102.00
Telephone and Telegrams	5,200.00	5,200.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

Repairs:

Maintenance by Employees of		
School Expense and Supplies..	15,000.00	15,000.00
Maintenance by Contractual		
Service	18,000.00	18,000.00
Upkeep of Grounds	1,900.00	1,900.00
Other Costs—Travel	1,300.00	1,300.00

FIXED CHARGES

Insurance:

War Insurance	4,411.00	4,411.00
Fire	7,540.00	7,540.00
Compensation	80.00	80.00
Indemnity	1,960.00	1,960.00
Other Insurance	625.00	835.00

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health:

Salaries	748.00	1,198.00
Other Health Costs	1,450.00	1,450.00

ADULT EDUCATION

Salaries	10,000.00	10,000.00
Travel	75.00	75.00
Expense and Supplies	1,150.00	1,150.00

TRANSPORTATION

Contract Service	1,200.00	1,200.00
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VISITING TEACHERS

Travel	450.00	450.00
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RECREATION	225.00	225.00
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CAPITAL OUTLAY

Equipment	700.00	700.00
Library Books	2,500.00	2,500.00
Other Costs	1,350.00	1,350.00

TOTAL Wilmington Board

of Education	\$1,408,343.00	\$1,409,003.00
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TOTAL EDUCATION....	\$4,516,664.00	\$4,518,638.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

ROADS: MAINTENANCE, POLICE, ETC.

STATE HIGHWAY DEPARTMENT

SALARIES

Administrative	\$ 33,300.00	\$ 33,300.00
State Police	211,500.00	211,500.00
Motor Vehicle Department	92,165.00	92,165.00
Motor Fuel Division	7,000.00	7,000.00
Outdoor Advertising	1,800.00	1,800.00

TOTAL Salaries	\$345,765.00	\$345,765.00
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WAGES

Maintenance	\$513,700.00	\$563,700.00
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OFFICE EXPENSE

Administrative	\$ 12,000.00	\$ 12,000.00
State Police	15,000.00	15,000.00
Motor Vehicle Department	16,600.00	16,600.00
Motor Fuel Division	1,000.00	1,000.00
Outdoor Advertising	50.00	50.00

TOTAL Office Expense	\$ 44,650.00	\$ 44,650.00
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TRAVEL

Administrative	\$ 1,200.00	\$ 1,200.00
State Police	2,500.00	2,500.00
Motor Vehicle Department	1,747.00	1,747.00
Motor Fuel Division	1,500.00	1,500.00
Outdoor Advertising	1,000.00	1,000.00

TOTAL Travel	\$ 7,947.00	\$ 7,947.00
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OPERATION

Administrative	\$ 4,000.00	\$ 4,000.00
State Police	36,000.00	36,000.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Motor Vehicle Department	6,988.00	6,988.00
Outdoor Advertising	150.00	150.00
TOTAL Operation	\$ 47,138.00	\$ 47,138.00

REPAIRS AND REPLACEMENTS

Administrative	\$ 2,000.00	\$ 2,000.00
State Police	25,000.00	25,000.00
Motor Vehicle Department	2,500.00	2,500.00
Motor Fuel Division	300.00	300.00
Maintenance	461,300.00	511,300.00
TOTAL Repairs and Replacements	\$491,100.00	\$541,100.00

EQUIPMENT

Administrative	\$ 2,500.00	\$ 2,500.00
State Police	5,000.00	5,000.00
Motor Vehicle Department	3,000.00	3,000.00
Motor Fuel Division	200.00	200.00
TOTAL Equipment	\$ 10,700.00	\$ 10,700.00

TOTAL ROADS: MAINTENANCE, POLICE, ETC..	\$1,461,000.00	\$1,561,000.00
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HEALTH

STATE BOARD OF HEALTH

GENERAL ADMINISTRATION

Salaries and Wages	\$ 68,000.00	\$ 68,000.00
Office Expense	9,550.00	9,550.00
Travel	1,250.00	1,250.00
Operation	9,000.00	9,000.00
Repairs	2,500.00	2,500.00
Equipment	400.00	400.00
TOTAL General Administration.	\$ 90,700.00	\$ 90,700.00

APPROPRIATION EXPENSES OF STATE GOVERNMENT

STATE BOARD OF HEALTH

CORPS OF ORAL HYGIENISTS

Salaries and Wages	\$ 9,960.00	\$ 9,960.00
Office Expense	200.00	200.00
Travel	150.00	150.00
Operation	940.00	940.00
Repairs	500.00	500.00
Equipment	90.00	90.00

TOTAL Corps of Oral

Hygienists	\$ 11,840.00	\$ 11,840.00
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STATE BOARD OF HEALTH

PATHOLOGICAL AND BACTERIOLOGICAL

LABORATORY

Salaries and Wages	\$ 9,420.00	\$ 9,420.00
Office Expense	600.00	600.00
Travel	25.00	25.00
Operation	2,500.00	2,500.00
Repairs	300.00	300.00
Equipment	75.00	75.00

TOTAL Pathological and

Bacteriological Laboratory....	\$ 12,920.00	\$ 12,920.00
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TOTAL HEALTH	\$115,460.00	\$115,460.00
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AGRICULTURE, FORESTRY, ETC.

STATE BOARD OF AGRICULTURE

GENERAL ADMINISTRATION

Salaries and Wages	\$ 6,660.00	\$ 6,660.00
Office Expense	800.00	800.00
Travel	1,100.00	1,100.00
Operation	75.00	75.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Repairs	100.00	100.00
Equipment	50.00	50.00
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TOTAL General Administration..\$	8,785.00	\$ 8,785.00
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STATE BOARD OF AGRICULTURE

PENINSULA HORTICULTURAL SOCIETY

Office Expense	\$ 600.00	\$ 600.00
Travel	25.00	25.00
Operation	25.00	25.00
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TOTAL Peninsula Horticultural Society	\$ 650.00	\$ 650.00
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STATE BOARD OF AGRICULTURE

ANALYZING FERTILIZERS AND FEEDS

Salaries and Wages	\$ 16,300.00	\$ 16,300.00
Office Expense	1,200.00	1,200.00
Travel	250.00	250.00
Operation	1,300.00	1,300.00
Repairs	400.00	1,600.00
Equipment	200.00	200.00
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TOTAL Analyzing Fertilizers and Feeds	\$ 19,650.00	\$ 20,850.00
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STATE BOARD OF AGRICULTURE

BUREAU OF MARKETS

Salaries and Wages	\$ 5,200.00	\$ 5,200.00
Office Expense	1,000.00	1,000.00
Travel	600.00	600.00
Operation	500.00	500.00
Repairs	575.00	675.00
Equipment	50.00	50.00
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TOTAL Bureau of Markets.....\$	7,925.00	\$ 8,025.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF AGRICULTURE

MARKETING OF EGGS

Expenses	\$ 1,000.00	\$ 1,000.00
TOTAL Marketing of Eggs.....	\$ 1,000.00	\$ 1,000.00

STATE BOARD OF AGRICULTURE

POULTRY PATHOLOGY

Salaries and Wages	\$ 21,700.00	\$ 21,700.00
Office Expense	1,000.00	1,000.00
Travel	4,200.00	4,200.00
Operation	3,750.00	3,750.00
Repairs	1,000.00	1,000.00
Equipment	100.00	100.00

TOTAL Poultry Pathology.....	\$ 31,750.00	\$ 31,750.00
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STATE BOARD OF AGRICULTURE

CATTLE TUBERCULOSIS ERADICATION

Salaries and Wages	\$ 21,000.00	\$ 21,000.00
Office Expense	600.00	600.00
Travel	400.00	400.00
Operation	26,000.00	26,000.00

TOTAL Cattle Tuberculosis

Eradication	\$ 48,000.00	\$ 48,000.00
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STATE BOARD OF AGRICULTURE

CORN GROWERS ASSOCIATION

Salaries and Wages	\$ 45.00	\$ 45.00
Office Expense	55.00	55.00
Operation	350.00	350.00

TOTAL Corn Growers

Association	\$ 450.00	\$ 450.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF AGRICULTURE

PLANT PATHOLOGIST

Salaries and Wages	\$ 4,000.00	\$ 4,000.00
Office Expense	450.00	450.00
Travel	1,600.00	1,600.00
Operation	750.00	750.00
Repairs	400.00	400.00
Equipment	150.00	150.00
TOTAL Plant Pathologist.....	\$ 7,350.00	\$ 7,350.00

STATE BOARD OF AGRICULTURE

JAPANESE BEETLE ERADICATION

Salaries and Wages	\$ 6,500.00	\$ 6,500.00
Office Expense	50.00	50.00
Travel	100.00	100.00
Operation	700.00	700.00
Repairs	500.00	500.00
Equipment	25.00	25.00
TOTAL Japanese Beetle Eradication	\$ 7,875.00	\$ 7,875.00

STATE BOARD OF AGRICULTURE

APPLE GRADING AND INSPECTION

Salaries and Wages	\$ 2,300.00	\$ 2,300.00
Office Expense	25.00	25.00
Travel	500.00	500.00
Operation	175.00	175.00
TOTAL Apple Grading and Inspection	\$ 3,000.00	\$ 3,000.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF AGRICULTURE

CANTALOUPE INSPECTION

Salaries and Wages	\$ 380.00	\$ 380.00
Travel	70.00	70.00
Repairs	50.00	50.00
TOTAL Cantaloupe Inspection..	\$ 500.00	\$ 500.00

STATE FORESTRY DEPARTMENT

GENERAL ADMINISTRATION

Salaries and Wages	\$ 9,315.00	\$ 9,315.00
Office Expense	1,000.00	1,000.00
Travel	500.00	500.00
Operation	2,200.00	2,200.00
Repairs	925.00	1,750.00
Equipment	150.00	150.00
Permanent Improvements	1,400.00	1,400.00
Land	1,000.00	1,000.00
TOTAL State Forestry		
Department	\$ 16,490.00	\$ 17,315.00

GAME AND FISH COMMISSION

Salaries and Wages	\$ 25,645.00	\$ 25,645.00
Office Expense	1,859.00	1,859.00
Travel	10,580.00	10,580.00
Operation	18,191.00	18,191.00
Repairs	525.00	525.00
Equipment	500.00	500.00
TOTAL Game and Fish		
Commission	\$ 57,300.00	\$ 57,300.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE FORESTRY DEPARTMENT

SPECIAL FIRE PROTECTION AND EXTINCTION

Salaries and Wages	\$ 5,600.00	\$ 5,600.00
Office Expense	800.00	800.00
Travel	800.00	800.00
Operation	375.00	375.00
Repairs	950.00	1,125.00
Equipment	1,600.00	1,600.00
Permanent Improvements	500.00

TOTAL State Forestry Department—Special Fire Protection and Extinction	\$ 10,625.00	\$ 10,300.00
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UNIVERSITY OF DELAWARE—SUB-STATION

Salaries and Wages	\$ 5,000.00	\$ 5,000.00
Travel	100.00	100.00
Operation	4,000.00	4,000.00
Repairs	900.00	900.00

TOTAL University of Delaware—Sub-Station	\$ 10,000.00	\$ 10,000.00
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TOTAL AGRICULTURE, FORESTRY, ETC.	\$231,350.00	\$233,150.00
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PUBLIC WELFARE

AGENCIES

GOVERNOR

Board and Tuition—Deaf, Dumb, Blind and Crippled Children	\$ 18,000.00	\$ 18,000.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF CHARITIES

Salaries and Wages	\$ 21,400.00	\$ 21,400.00
Office Expense	3,950.00	3,950.00
Travel	535.00	535.00
Operation	2,225.00	2,225.00
Repairs	1,550.00	1,550.00
Equipment	50.00	50.00
Direct Care	60,000.00	60,000.00
TOTAL State Board of Charities.	\$ 89,710.00	\$ 89,710.00

MOTHERS PENSION COMMISSION

Salaries and Wages	\$ 13,260.00	\$ 13,260.00
Office Expense	2,000.00	2,000.00
Travel	1,200.00	1,200.00
Equipment	500.00	500.00
Operation—Pension Grants	57,300.00	56,875.00
TOTAL Mothers Pension		
Commission	\$ 74,260.00	\$ 73,835.00

OLD AGE WELFARE COMMISSION

PENSION ACCOUNT

Salaries and Wages	\$ 24,000.00	\$ 24,000.00
Office Expense	5,000.00	5,000.00
Travel	3,400.00	3,400.00
Operation—Pension	177,300.00	177,300.00
Repairs	300.00	300.00

TOTAL Old Age Welfare Com-		
mission—Pension Account ...	\$210,000.00	\$210,000.00

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

INSTITUTIONS

DELAWARE STATE HOSPITAL

Salaries and Wages	\$195,000.00	\$195,000.00
Office Expense	5,330.00	5,445.00
Travel	805.00	805.00
Operation	193,207.00	193,207.00
Repairs	14,000.00	14,000.00
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TOTAL Delaware State Hospital	\$408,342.00	\$408,457.00
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DELAWARE COMMISSION FOR THE FEEBLE-MINDED

Salaries and Wages	\$ 68,410.00	\$ 68,410.00
Office Expense	1,600.00	1,600.00
Travel	800.00	800.00
Operation	92,600.00	95,600.00
Repairs	12,000.00	12,000.00
Equipment	1,000.00	1,000.00
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TOTAL Delaware Commission for the Feeble-minded	\$176,410.00	\$179,410.00
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FERRIS INDUSTRIAL SCHOOL

Salaries and Wages	\$ 36,500.00	\$ 36,500.00
Office Expense	1,500.00	1,500.00
Travel	500.00	500.00
Operation	58,200.00	58,200.00
Repairs	15,370.00	14,530.00
Equipment	1,000.00	1,000.00
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TOTAL Ferris Industrial School	\$113,070.00	\$112,230.00
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INDUSTRIAL SCHOOL FOR COLORED GIRLS

Salaries and Wages	\$ 19,200.00	\$ 19,200.00
Office Expense	870.00	870.00
Travel	450.00	450.00
Operation	21,230.00	21,230.00
Repairs	3,000.00	3,000.00
Equipment	800.00	500.00
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TOTAL Industrial School for Colored Girls	\$ 45,550.00	\$ 45,250.00
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OLD AGE WELFARE COMMISSION

STATE WELFARE HOME

Operation	\$ 65,000.00	\$ 65,000.00
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TOTAL State Welfare Home....	\$ 65,000.00	\$ 65,000.00
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STATE BOARD OF HEALTH

EDGEWOOD SANATORIUM

Salaries and Wages	\$ 20,412.00	\$ 20,412.00
Office Expense	400.00	400.00
Travel	100.00	100.00
Operation	20,500.00	20,500.00
Repairs	500.00	500.00
Equipment	300.00	300.00
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TOTAL State Board of Health— Edgewood Sanatorium	\$ 42,212.00	\$ 42,212.00
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STATE BOARD OF HEALTH

BRANDYWINE SANATORIUM

Salaries and Wages	\$ 61,500.00	\$ 61,500.00
Office Expense	2,400.00	2,400.00
Travel	250.00	250.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Operation	67,000.00	67,000.00
Repairs	4,500.00	4,500.00
Equipment	300.00	300.00

TOTAL State Board of Health—

Brandywine Sanatorium	\$135,950.00	\$135,950.00
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TOTAL PUBLIC

WELFARE	\$1,378,504.00	\$1,380,054.00
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GRANTS-IN-AIDS

HISTORICAL SOCIETY OF DELAWARE

Operation	\$ 300.00	\$ 300.00
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TOTAL Historical Society

of Delaware	\$ 300.00	\$ 300.00
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LEWES TERCENTENARY COMMISSION

Salaries and Wages	\$ 300.00	\$ 300.00
Operation	100.00	100.00
Repairs	100.00	100.00

TOTAL Lewes Tercentenary

Commission	\$ 500.00	\$ 500.00
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DELAWARE DAY COMMISSION

Operation	\$ 100.00	\$ 100.00
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TOTAL Delaware Day

Commission	\$ 100.00	\$ 100.00
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TOTAL GRANTS-IN-AIDS...	\$ 900.00	\$ 900.00
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GRAND TOTAL	\$8,805,049.85	\$8,945,422.86
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APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Section 2. That if the estimated revenues of the State of Delaware shall prove to be insufficient for the payment of the several appropriations provided for herein, to provide for casual deficiencies of revenue for either of the fiscal years aforesaid, and in order that the appropriations herein above enumerated may be promptly paid, the State Treasurer is hereby authorized to issue notes or certificates of indebtedness of the State of Delaware to such an amount as he shall, by and with the consent of the Governor and the Secretary of State, deem necessary to meet and to pay any of said appropriations, or any part of any of said appropriations, as to which the revenues of the State of Delaware for either of the fiscal years aforesaid may prove to be insufficient. The said notes or certificates of indebtedness shall be in such denominations, and have such form as the Budget Commission may determine, and shall be payable at any period not exceeding one year from the date of the issuance thereof out of any moneys in the treasury of the State not otherwise appropriated. The said notes or certificates of indebtedness shall be numbered consecutively. The principal of said notes or certificates of indebtedness shall be payable at the Farmers' Bank at Dover, on the date of their maturity upon presentation thereat and surrender thereof.

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

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

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

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

for the said fiscal year may prove to be insufficient; provided, however, if for the payment of said appropriations it shall be necessary to sell said notes or certificates of indebtedness, or any of them, and there shall remain a balance in the hands of the State Treasurer derived from said sale of notes or certificates, after the said appropriation shall have been paid, then such balance is hereby appropriated and the State Treasurer is hereby authorized and directed to pay such balance into the general fund of the State of Delaware.

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

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

Section 7. **Definitions:**—The terms “general control,” “administrative control,” “supervisional service and instructional service,” “operation and maintenance,” and “auxiliary agencies” as used in connection with amounts appropriated in this Act to the State Board of Education, the Boards of Education of Special School Districts, and the Boards of School Trustees of the Local School Districts shall include the following:

The term “general control” shall include: Salaries and expenses of the members of the State Board of Education; the expenses of the business office of said Board; the cost of administering laws relating to compulsory attendance and the school census; the salaries of the State Superintendent and assistants; the salaries of supervisors, directors, examiners and substitute teachers.

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

The term "administrative control" shall include: Salaries of superintendents of Special Districts; the salaries of principals; the expenses of the business offices maintained by the Special School Districts and by the Board of School Trustees; and other expenses of "administrative control."

The term "supervisional service and instruction service" shall include: Salaries of vice-principals and teachers; textbooks and professional books for teachers; supplies and other materials of instruction; amounts authorized to be paid as tuition to another board; and other expenses of "supervisional service and instructional service."

The term "operation and maintenance" shall include: Salaries of janitors and engineers; janitors' supplies; fuel, water, light and power; care and upkeep of grounds; supplies; rent and repairs to buildings; repairs and replacement of equipment and apparatus; and other maintenance and operating expenses.

The term "auxiliary agencies" shall include: The cost of vocational education including teacher-training and other costs, Americanization, adult education, promotion of health; salaries of teachers at Sunnyside Preventorium and Brandywine Sanatorium; expenses of teachers and trustees' meetings; and other auxiliary activities.

Section 8. For the purpose of matching any appropriation made for such educational acts as have been or may be passed by Congress, the State Board of Vocational Education is hereby directed and empowered to prescribe to the Board of Public Education in Wilmington, to each of the Boards of Education of Special School Districts, and to each of the several Boards of School Trustees, the amounts necessary to be allocated by said respective Boards to comply with the purposes and intent of said educational acts which required the matching of funds.

The amount of funds received from the United States Government by the State Board of Vocational Education shall be paid to the several boards and districts hereinbefore mentioned

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

as reimbursements to such boards and/or districts for expenditures incurred in accordance with the provisions of the Delaware State Plan for vocational education.

Section 9. In the case of any consolidation as defined in Section 14, Chapter 71 of the Revised Code of Delaware, 1935, being Code Section 2636, it shall be lawful for the Permanent Budget Commission to transfer the unexpended balance of any appropriation under this act for the closed district or districts to the appropriation for transportation of pupils in consolidated districts as provided in this act.

Section 10. Any amount of money derived from the income from the State School Fund shall, for the purposes of this act, be considered as received by the State Treasurer and thereupon act to reduce to that extent the total amount to be paid out of the General Fund of this State for the purposes of meeting the expenses incurred in accordance with allowances for appropriation provided in Section 1 of this act.

Section 11. (a) When authorized by the Permanent Budget Commission any allotment for the purposes herein specified to the State Board of Education, to the Board of Public Education in Wilmington, to any Board of Education of a Special School District or to any Board of School Trustees may be transferred to any other allotment to the same Board or to the same school district; provided that requests for transfers of allotments for purposes herein specified to any Board of School Trustees shall be made by the State Board of Education; and provided further that requests for transfers of allotments for purposes herein specified to the State Board of Education, to the Board of Public Education in Wilmington and to each of the several Boards of Special School Districts shall be made by the Board to which the said allotments are herein authorized to be paid.

(b) Transfers of appropriation not in excess of 20% of the total appropriation made to the respective Boards of School Trustees, exclusive of salaries, are hereby authorized to be made and complete record of such transfers maintained by the State

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Board within the same school district and within the total of their respective appropriations without the approval of the Permanent Budget Commission.

Section 12. For the purposes of this act as it relates to appropriations for text and library books and other supplies and materials of instruction, the several Boards of Trustees of School Districts are hereby authorized to requisition the State Board of Education to purchase text and library books and other supplies and materials of instruction in accordance with the powers of selection and approval of text and library books vested in the State Board of Education as provided by Section 15 of Chapter 71 of the Revised Code of Delaware, 1935, being Code Section 2637, and payment therefor shall be made by the State Treasurer on warrant as otherwise provided in this act.

Section 13. **Definitions:**—The terms “administrative control,” “instructional service,” “operation,” “maintenance,” “fixed charges,” and “auxiliary and coordinate activities” as used in connection with amounts appropriated in this Act to the Board of Public Education in Wilmington shall be defined as follows:

The term “administrative control” shall include: Salaries and other expenses of the superintendent’s office; salaries and other expenses of the business office; salaries and other expenses of the research office; salaries and other administrative expenses of the director of health, supervisor of personnel and attendance, and chief building engineer; and other expenses of “administrative control.”

The term “instructional service” shall include: Supervision part of the salaries of assistant superintendents; salaries and other expense of directors and supervisors and other expenses of supervision; salaries of principals, vice-principals, principals’ clerks, teachers, librarians, and substitutes; textbooks, library books, and professional books for teachers; and other “instructional expense.”

The term “operation” shall include: Expenditures for the salaries of custodians, engineers, and telephone operators; fuel,

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

light and power; care of grounds; rent, supplies, and other operating expenses except salaries and administrative expense of chief building engineer.

The term "maintenance" shall include: Expenditures for upkeep of grounds; repair of buildings; repair and replacement of heat, light, and plumbing equipment; repair and replacement of apparatus used in instruction; repair and replacement of other equipment; and other maintenance expense.

The term "fixed charges" shall include: Expenditures for insurance; teacher retirement; premiums paid for workmen's compensation insurance; and other similar expenditures.

The term "auxiliary and coordinate activities" shall include: Expenditures for Health Service (except salary of Director of Health and other administrative expense), salaries of home visitors, teachers' meetings, Americanization, adult education, and other auxiliary activities.

Approved February 3, 1943.

CHAPTER 18

APPROPRIATION

JUDGES OF SUPREME COURT FOR REDECORATING
SUPREME COURT ROOM

AN ACT AUTHORIZING THE JUDGES OF THE SUPREME COURT OF THE STATE OF DELAWARE TO EXPEND A SUM OR SUMS NOT TO EXCEED IN THE AGGREGATE \$1,000.00 FROM MONIES HERETOFORE APPROPRIATED FOR THE USE OF THE LAW JUDGES UNDER CHAPTER 221 OF VOLUME 43, LAWS OF DELAWARE FOR THE PURPOSE OF PAINTING, PURCHASING SHADES AND DECORATING THE SUPREME COURT-ROOM 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. Upon the approval of this Act the Judges of the Supreme Court of the State of Delaware are hereby authorized to expend from the monies heretofore appropriated under the provisions of Chapter 221, Volume 43, Laws of Delaware a sum or sums not to exceed in the aggregate \$1,000.00 for the purpose of painting, purchasing window shades and further decorating the Supreme Courtroom of the State of Delaware located in the Courthouse at Dover.

Section 2. The State Treasurer of the State of Delaware is hereby authorized and directed to pay out of the funds heretofore appropriated as aforesaid such sum or sums not to exceed in the aggregate \$1,000.00 upon requisitions duly approved by the Law Judges in accordance with the payment of other items under Chapter 221, as aforesaid.

Approved January 27, 1943.

CHAPTER 19

APPROPRIATION

CERTAIN STATE AGENCIES AND SCHOOL DISTRICTS

AN ACT MAKING APPROPRIATION FOR THE EXPENSES OF CERTAIN AGENCIES OF STATE GOVERNMENT AND SCHOOL DISTRICTS OF THE STATE FOR EACH OF THE TWO FISCAL YEARS ENDING JUNE 30, 1944 AND JUNE 30, 1945.

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 204, Volume 42, Laws of Delaware 1939, 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 State Treasury, shall revert to the General Fund of the State Treasury;

And further provided that the amounts named in this Act shall be in addition to amounts appropriated to the said departments and divisions of government under any General Appropriation Act approved by this One Hundred and Ninth session of the General Assembly;

And further provided that the appropriations specified in this Act shall be subject to all other provisions relating to the means and method of payment and to the allocation thereof and to the reversion of amounts unexpended as provided in said General Appropriation Act.

APPROPRIATION

CERTAIN STATE AGENCIES AND SCHOOL DISTRICTS

The several amounts hereby appropriated are as follows:

	Year Ending June 30	
	1944	1945
STATE FORESTRY DEPARTMENT		
General Administration:		
Salaries and Wages	\$1,800.00	\$1,800.00
ALEXIS I. DU PONT		
Instructional Service:		
Office Expense and Supplies	300.00	300.00
Fixed Charges:		
Fire Insurance	430.00	430.00
Compensation Insurance	70.00	70.00
RICHARDSON PARK, NO. 20		
Instructional Service: Salaries	3,075.00	3,075.00
MILTON, NO. 8		
Instructional Service: Travel	67.00	67.00
BRIDGEVILLE, NO. 90		
Instructional Service: Travel	67.00	67.00
MILTON, NO. 196-C (COLORED)		
Instructional Service:		
Material and Supplies	40.00	40.00
Other Costs of Instruction	20.00	20.00
DELMAR, NO. 212-1/2-C (COLORED)		
Instructional Service:		
Text Books	30.00	30.00
Other Costs of Instruction	15.00	15.00
BRIDGEVILLE, NO. 220-C (COLORED)		
Instructional Service: Salaries	250.00	250.00
ARDEN, NO. 3		
Salaries—Janitors and Engineers	40.00	40.00

APPROPRIATION

CERTAIN STATE AGENCIES AND SCHOOL DISTRICTS

	Year Ending June 30	
	1944	1945
GOVERNOR'S OFFICE		
Salary of Employees	600.00	600.00
	<hr/>	<hr/>
	\$6,804.00	\$6,804.00

Section 2. This Act shall be known as a supplementary appropriation act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Section 3. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Approved February 3, 1943.

CHAPTER 20

APPROPRIATION

SALARY INCREMENTS TO TEACHERS

AN ACT MAKING APPROPRIATIONS FOR SALARY INCREMENTS TO THE STATE BOARD OF EDUCATION, TO THE BOARD OF EDUCATION IN WILMINGTON AND TO EACH OF THE BOARDS OF EDUCATION OF THE SPECIAL SCHOOL DISTRICTS AND PROVIDING A METHOD FOR THE ALLOTMENT THEREOF.

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 and authorized to be paid out of the Treasury of this State the sum of Ninety-five Thousand Dollars (\$95,000.00) for the fiscal year ending June 30, 1944 and the sum of Ninety-five Thousand Dollars (\$95,000.00) for the fiscal year ending June 30, 1945 by the State Treasurer, and said sums shall be paid in the same manner and subject to the same provisions prescribed in this Act for other amounts appropriated and to be paid out of the General Fund of the State Treasury to the Board of Public Education in Wilmington, and to each of the Boards of Education of the Special School Districts, and to the State Board of Education; and said payments shall be made on a basis of allotment to be submitted to the State Treasurer by the State Board of Education and said allotments shall be based upon the net enrollments as hereinafter defined, and the several amounts allotted shall be used by said respective Boards for the sole purpose of maintaining the principle of salary increments in accordance with the provisions of the salary schedules of said respective Boards as now or hereafter in effect. In making the allotment of the said Ninety-five Thousand Dollars (\$95,000.00) in each of the said fiscal years the State Board of Education shall (1) multiply three dollars (\$3.00) by the net enrollment in Grades 10, 11 and 12 during the preceding school years; (2) multiply three dollars (\$3.00) by the net enrollment in Grades 7, 8 and 9 during the preceding school years; (3) divide the remainder among the said units or divisions in the proportion which the net enrollments in grades one to six, inclusive, during

APPROPRIATION

SALARY INCREMENTS TO TEACHERS

the preceding school year in each of these units or divisions bears to the total net enrollment in the said grades during the said school year in all of the said units or divisions; provided that on or before August 1 of each fiscal year notice shall be furnished the State Treasurer and Auditor of Accounts by the State Board of Education setting forth the total of allotments under this paragraph to the Board of Public Education in Wilmington, to each of the Boards of Education of the several Special School Districts, and to the State Board of Education provided that said notice of allotments to the said State Treasurer and Auditor of Accounts shall also contain the names and the present salary of each of the employes of said Boards and the amount of increment which each of said employes is to receive; and further provided that the excess, if any, of said appropriations of Ninety-five Thousand Dollars (\$95,000.00) over the total of allotments made in accordance with the provisions of this paragraph shall be placed to the credit of and considered a part of the Salary Turnover Account as provided in Section 2 of this Act.

Net enrollment of pupils shall be calculated on the basis of the following conditions:

(1) To be counted enrolled a pupil must attend twenty or more school days in a public school in Delaware.

(2) In case a pupil transfers from one school to another in Delaware; (a) he shall be counted as enrolled in the school in which he attends the largest number of days; (b) if he attends the same number of days in each of two or more schools he shall be counted as enrolled in the school which he last attended.

(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 2. Any amount appropriated for salaries under the terms of this Act or under the terms of any appropriation act to the respective Boards of Education herein referred to in excess

APPROPRIATION

SALARY INCREMENTS TO TEACHERS

of the total amount expended therefor shall be placed in a separate account to be known as the Salary Turnover Account on or before July 1, 1944; provided that any such excesses occurring in a school belonging to the State Board Unit shall be credited to the State Board of Education; those occurring in the City of Wilmington shall be credited to the Board of Public Education in Wilmington; and those occurring in any of the several Special School Districts shall be credited to the Boards of Education of the Special Districts in which said excesses occur; and provided further that no transfers shall be made for any purposes from said Salary Turnover Account except upon authorization by the Permanent Budget Commission.

Section 3. Any such amounts remaining in the said Salary Turnover Account to the credit of the State Board of Education, the Board of Public Education in Wilmington, or any of the Boards of Education of the several Special School Districts on July 1, 1944 shall be made available for the exclusive use by said respective boards for salary increments in their respective districts, and in the same manner as provided in this Act; provided that such modifications of the methods shall be employed as may be necessary to preserve the uniformity within any given school district or within the several school districts belonging to the State Board Unit of the increment that shall be warranted by the said balance existing in said Salary Turnover Account to the credit of any of said Boards; and provided further that nothing in this section shall be interpreted to mean that any teacher or other school employe shall be entitled to receive a larger increment than that to which he is entitled to receive in accordance with the provisions of the regular salary schedules of said Boards as now or hereafter in effect.

Approved February 11, 1943.

CHAPTER 21

APPROPRIATION

DELAWARE COMMISSION FOR THE BLIND

AN ACT APPROPRIATING MONEY TO THE DELAWARE COMMISSION FOR THE BLIND FOR EXPENSES FOR EACH OF THE TWO FISCAL YEARS ENDING JUNE 30, 1944, AND JUNE 30, 1945.

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

Section 1. That the sum of Seventeen Thousand Two Hundred Sixty and no/100 Dollars for the fiscal year beginning July 1, 1943 and ending June 30, 1944, and a like sum of Seventeen Thousand Two Hundred Sixty and no/100 Dollars for the fiscal year beginning July 1, 1944 and ending June 30, 1945, be and the same are hereby appropriated to the Delaware Commission for the Blind for the purposes set forth in 3054. Section 8 of the Revised Code of Delaware, 1935.

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 not otherwise appropriated.

Approved February 23, 1943.

CHAPTER 22

APPROPRIATION

PURCHASE OF CERTAIN HIGHWAY BOND MATURITIES

AN ACT AUTHORIZING THE STATE TREASURER TO PURCHASE CERTAIN HIGHWAY IMPROVEMENT BONDS AND STATE AID BONDS ISSUED BY THE LEVY COURTS OF NEW CASTLE, KENT AND SUSSEX COUNTIES AND MATURING DURING THE FISCAL BIENNIUM ENDING JUNE 30, 1945.

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

Section 1. That the State Treasurer is hereby authorized, empowered and directed to purchase at par all Highway Improvement Bonds and State Aid Road Bonds heretofore issued by New Castle, Kent and Sussex Counties, respectively, which shall mature during the fiscal biennium of the State beginning on July 1, 1943 and ending on June 30, 1945.

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 88 of Volume 32, Laws of Delaware, Chapter 94 of Volume 33, Laws of Delaware, Chapter 101 of Volume 29, Laws of Delaware, Chapter 103 of Volume 34, Laws of Delaware, Chapter 25 of Volume 26, Laws of Delaware, Chapter 29 of Volume 25, Laws of Delaware and Chapter 45 of Volume 27, Laws of Delaware; Kent County Bonds authorized under the following acts: Chapter 97 of Volume 33, Laws of Delaware, Chapter 104 of Volume 34, Laws of Delaware, Chapter 104 of Volume 29, Laws of Delaware, Chapter 128 of Volume 40, Laws of Delaware and Chapter 174 of Volume 27, Laws of Delaware; Sussex County Bonds authorized under the following acts: Chapter 105 of Volume 34, Laws of Delaware, Chapter 111 of Volume 43, Laws of Delaware and Chapter 112 of Volume 43, Laws of Delaware.

APPROPRIATION

PURCHASE OF CERTAIN HIGHWAY BOND MATURITIES

Section 3. On or before June 1, 1943 the Levy Court Commissioners of the Counties of New Castle, Kent and Sussex, respectively, shall certify to the State Treasurer the number of bonds of each issue, the amount thereof and the date on which the maturities of principal on the said Highway Improvement Bonds and the said State Aid Road Bonds of each of said Counties will become due and payable during the fiscal biennium of the State of Delaware beginning on July 1, 1943 and ending on June 30, 1945.

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 Auditor of Accounts, and the State Treasurer and Auditor of Accounts are hereby directed and required to have on deposit and available for immediate payment at the Farmers Bank in the proper county of this State or other place where the principal of said bonds are payable at maturity, according to the provisions thereof, full and sufficient funds to pay at par the principal of all such maturing bonds, and upon the presentation of any of said bonds for payment on the maturity date or thereafter, to cause to be paid to the lawful owner or holder of any such bonds the principal sums due thereon.

Section 5. Upon the presentation at maturity of any of said bonds, there shall be paid to the registered holder or to the bearer thereof, as specified in the bonds, the principal sum of each maturing bond out of the funds deposited with and made available for this specific purpose under the provisions of this Act, and upon payment thereof the bonds shall thereafter be delivered to the State Treasurer. If any of the bonds are registered according to the provisions thereof the registered holder shall properly endorse, assign and transfer his title thereto to the State Treasurer.

Section 6. There is hereby appropriated, authorized and directed to be paid out of the State Treasury such sums of money as shall be necessary for the payment of maturities of principal

APPROPRIATION

PURCHASE OF CERTAIN HIGHWAY BOND MATURITIES

on all the said bonds set forth in Section 2 of this Act. The moneys hereby appropriated and authorized shall embrace the sums necessary to provide for the said maturities of principals on the said Highway Improvement Bonds and the said State Aid Road Bonds of each of the said counties falling due during the period from July 1, 1943 to June 30, 1945, both inclusive.

Section 7. The moneys hereby appropriated and authorized to be paid out of the State Treasury shall be paid out of moneys in the General Fund not otherwise appropriated.

Section 8. The Levy Courts of the respective Counties in fixing the annual rate of taxation shall not provide for the raising of any sum of money for the payment of maturities on any of the bonds in this Act referred to.

Section 9. All persons are hereby authorized, directed and empowered to do any act or acts necessary for the carrying out of the provisions of this act in order that the principal of each and every of the bonds specified in this act shall be duly and faithfully paid upon the maturity thereof according to the provisions thereof.

Approved March 2, 1943.

CHAPTER 23

APPROPRIATION

TO PURCHASE PAST DUE INTEREST COUPONS ON CERTAIN
HIGHWAY IMPROVEMENT BONDS

AN ACT APPROPRIATING MONEYS FROM THE STATE TREASURY FOR THE PURPOSE OF PURCHASING PAST DUE INTEREST COUPONS ON CERTAIN HIGHWAY IMPROVEMENT BONDS AND STATE AID BONDS ISSUED BY THE LEVY COURTS OF NEW CASTLE, KENT AND SUSSEX COUNTIES, DURING THE FISCAL BIENNIUM OF THE STATE OF DELAWARE, ENDING JUNE 30, 1945.

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

Section 1. That the State Treasurer is hereby authorized, empowered and directed to purchase at par the interest coupons falling due during the fiscal biennium of the State of Delaware beginning July 1, 1943 and ending June 30, 1945 on all Highway Improvement Bonds and State Aid Road Bonds heretofore issued by New Castle, Kent and Sussex Counties.

Section 2. The Highway Improvement Bonds and State Aid Road Bonds referred to in Section 1 hereof are as follows:

New Castle County Bonds authorized under the following act: Chapter 51 of Volume 24, Laws of Delaware, Chapter 88 of Volume 32, Laws of Delaware, Chapter 94 of Volume 33, Laws of Delaware, Chapter 101 of Volume 29, Laws of Delaware, Chapter 103 of Volume 34, Laws of Delaware, Chapter 25 of Volume 26, Laws of Delaware, Chapter 29 of Volume 25, Laws of Delaware and Chapter 45 of Volume 27, Laws of Delaware; Kent County Bonds authorized under the following acts: Chapter 97 of Volume 33, Laws of Delaware, Chapter 104 of Volume 34, Laws of Delaware, Chapter 104 of Volume 29, Laws of Delaware, Chapter 128 of Volume 40, Laws of Delaware and Chapter 174 of Volume 27, Laws of Delaware; Sussex County Bonds authorized under the following acts: Chapter 105 of Volume 34,

APPROPRIATION

TO PURCHASE PAST DUE INTEREST COUPONS ON CERTAIN HIGHWAY IMPROVEMENT BONDS

Laws of Delaware, Chapter 111 of Volume 43, Laws of Delaware and Chapter 112 of Volume 43, Laws of Delaware.

Section 3. On or before June 1, 1943 the Levy Court Commissioners of the Counties of New Castle, Kent and Sussex, respectively, shall certify to the State Treasurer the number of and the amount of interest coupons of said Bonds falling due during said fiscal biennium.

Section 4. Within ten days prior to the maturity date of said interest coupons of the Bonds set forth in Section 2 of this Act, it shall be the duty of the State Treasurer and Auditor of Accounts, and they and each of them hereby are directed and required to have on deposit and available for immediate payment at the Farmers Bank in the proper County of this State, or other place where the interest on said Bonds is payable, according to the provisions thereof full and sufficient funds to purchase at par said interest coupons on all such bonds, and upon the presentation of any of said interest coupons on the date when the same become due and payable, or on any date thereafter, to purchase, or cause to be purchased, from the lawful owner or holder of such coupons said coupons at the face value thereof.

Section 5. Upon presentation at maturity of any of said interest coupons there shall be paid to the holder thereof, as the purchase price of said coupon or coupons, the face value of each maturing coupon out of the funds deposited with and made available for this specific purpose under the provisions of this Act, and upon payment thereof said coupons shall thereafter be delivered to the State Treasurer.

Section 6. There is hereby appropriated, authorized and directed to be paid out by the State Treasurer for the fiscal year beginning July 1, 1943 and ending June 30, 1944 the sum of One Hundred Fifty-Seven Thousand Five Hundred Thirty Dollars (\$157,530.00) and for the fiscal year beginning July 1, 1944 and ending June 30, 1945 the sum of One Hundred Forty-seven

APPROPRIATION

TO PURCHASE PAST DUE INTEREST COUPONS ON CERTAIN HIGHWAY IMPROVEMENT BONDS

Thousand Eight Hundred Five Dollars (\$147,805.00) for the purposes herein set forth. The moneys hereby appropriated shall be paid out of the State Treasury out of moneys in the General Fund not otherwise appropriated.

Section 7. If any of the Bonds provided in Section 2 hereof shall not be coupon bonds, but shall be bonds on which the interest falling due is payable directly to the registered holder thereof, the State Treasurer is hereby authorized and directed to purchase from such registered holder, at its full value any such interest obligations falling due on any of said Bonds within said biennium. Any interest obligations purchased under this Section shall be held by the State Treasurer.

Section 8. 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 such interest coupons and interest obligations on any of the Bonds referred to in this Act.

Section 9. All persons are hereby authorized, directed and empowered to do any act or acts necessary for the carrying out of the provisions of this Act.

Approved April 15, 1943.

CHAPTER 24

APPROPRIATION

BURIAL OF SOLDIERS, SAILORS AND MARINES

AN ACT APPROPRIATING MONEY FOR THE BURIAL OF INDIGENT SOLDIERS, SAILORS AND MARINES.

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

Section 1. That for each of the two fiscal years beginning July 1, 1943, and ending June 30, 1944, and beginning July 1, 1944, and ending June 30, 1945, the sum of Four Thousand Dollars (\$4,000.00) be and the same is hereby appropriated out of the General Funds of the State for the burial of indigent soldiers, sailors and marines of this State pursuant to Section 72, Chapter 8, of the Revised Code of Delaware 1935.

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 not otherwise appropriated.

Approved March 4, 1943.

CHAPTER 25

APPROPRIATION

PUBLIC ARCHIVES COMMISSION

AN ACT APPROPRIATING MONEY TO THE PUBLIC ARCHIVES COMMISSION TO COMPLETE THE KENT COUNTY CALENDAR OF PROBATE RECORDS FROM 1680 A. D. TO 1800 A. D.

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

Section 1. That in addition to any other moneys appropriated to the Public Archives Commission there is hereby appropriated to the said Public Archives Commission the further sum of Seven Hundred Dollars (\$700.00) for the use of the said Commission.

Section 2. The said sum shall be paid by the State Treasurer upon warrant signed by the Public Archives Commission and approved by the Auditor of Accounts, as provided by law.

Section 3. This act shall be known as a Supplementary Appropriation Act, and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved March 8, 1943.

CHAPTER 26
APPROPRIATION
DELAWARE COLONY

**AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR
THE ERECTION AND EQUIPMENT OF A DETENTION
BUILDING OR ROOMS IN CONNECTION WITH THE
STATE INSTITUTION FOR THE FEEBLE-MINDED AT
DELAWARE COLONY.**

*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), or so much thereof as may be necessary, is hereby appropriated for the erection and construction and equipment of a building or rooms at the State Institution for the Feeble-minded at Delaware Colony, to be used in connection with the training, discipline and correction of unruly residents.

The money hereby appropriated shall be paid from time to time upon warrants signed by the Chairman of the Commission for the Feeble-minded, and approved by the Auditor of Accounts.

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 Treasury not otherwise appropriated.

Approved March 9, 1943.

CHAPTER 27

APPROPRIATION

REHOBOTH BEACH EROSION

AN ACT TO PROVIDE FOR PROTECTING THE BEACH OR STRAND OPPOSITE THE CITY OF REHOBOTH BEACH, IN SUSSEX COUNTY, DELAWARE, FROM EROSION.

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 authorized, empowered and directed to erect, build, rebuild, replace and repair such groins and jetties along the beach or strand opposite and adjacent to the City of Rehoboth Beach, in Sussex County, Delaware, as in the judgment of said Department may be necessary to protect the same from erosion by the waters of the Atlantic Ocean.

Section 2. A sum not in excess of Ten Thousand Dollars (\$10,000.00) is hereby appropriated for such purposes and the State Treasurer is hereby directed to pay the same after July 1, 1943, upon proper vouchers drawn from time to time by the State Highway Department for the purposes hereinbefore set forth.

Section 3. In the event that all or any part of said sum of Ten Thousand Dollars (\$10,000.00) shall remain unexpended on June 30, 1944, it shall not revert to the General Fund of the State Treasury but shall remain available for said purposes up to and including June 30, 1945.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Funds of the State Treasury from funds not otherwise appropriated.

Approved March 12, 1943.

CHAPTER 28

APPROPRIATION

BETHANY BEACH EROSION

AN ACT TO PROVIDE FOR PROTECTING THE BEACH OR STRAND OPPOSITE THE TOWN OF BETHANY BEACH, IN SUSSEX COUNTY, DELAWARE, FROM EROSION.

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 authorized, empowered and directed to erect, build, rebuild, replace and repair such groins and jetties along the beach or strand opposite and adjacent to the Town of Bethany Beach, in Sussex County, Delaware, as in the judgment of said Department may be necessary to protect the same from erosion by the waters of the Atlantic Ocean.

Section 2. A sum not in excess of Ten Thousand Dollars (\$10,000.00) is hereby appropriated for such purposes and the State Treasurer is hereby directed to pay the same after July 1, 1943, upon proper vouchers drawn from time to time by the State Highway Department for the purposes hereinbefore set forth.

Section 3. In the event that all or any part of said sum of Ten Thousand Dollars (\$10,000.00) shall remain unexpended on June 30, 1944, it shall not revert to the General Fund of the State Treasury but shall remain available for said purposes up to and including June 30, 1945.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Funds of the State Treasury from funds not otherwise appropriated.

Approved March 16, 1943.

CHAPTER 29

APPROPRIATION

SLAUGHTER BEACH EROSION

**AN ACT TO PROVIDE FOR PROTECTING THE BEACH
OR STRAND OPPOSITE AND NEAR THE TOWN OF
SLAUGHTER BEACH, IN SUSSEX COUNTY, DELA-
WARE, FROM EROSION.**

*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 authorized, empowered and directed to erect, build, rebuild, replace and repair such groins, jetties, banks, dikes and/or bulkheads along the beach or strand opposite and within one and one-half miles south of the Town of Slaughter Beach, in Sussex County, Delaware, as in the judgment of said Department may be necessary to protect the same from erosion by the waters of the Delaware Bay.

Section 2. A sum not in excess of Seven Thousand Five Hundred Dollars (\$7,500.00) is hereby appropriated for such purposes and the State Treasurer is hereby directed to pay the same upon proper vouchers drawn from time to time by the State Highway Department for the purposes hereinbefore set forth.

Section 3. In the event that all or any part of said sum of Seven Thousand Five Hundred Dollars (\$7,500.00) shall remain unexpended on June 30, 1943 or on June 30, 1944, it shall not revert to the General Fund of the State Treasury but shall remain available for said purposes up to and including June 30, 1945.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury from funds not otherwise appropriated.

Approved March 16, 1943.

CHAPTER 30

APPROPRIATION

HIGHWAY CONSTRUCTION AND RECONSTRUCTION

AN ACT MAKING APPROPRIATION TO THE STATE HIGHWAY DEPARTMENT FOR THE CONSTRUCTION AND RECONSTRUCTION OF ROADS, HIGHWAYS AND BRIDGES OF THE STATE AND FOR EXPENDITURES INCIDENTAL THERETO AND PROVIDING CONDITIONS UNDER WHICH APPROPRIATIONS ARE MADE TO THE SAID DEPARTMENT AND PROVIDING THE TIME WHEN SUCH APPROPRIATION SHALL BECOME EFFECTIVE AND THE MONEYS FROM WHICH SAID APPROPRIATIONS SHALL BE PAID.

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 construction and reconstructing roads, highways, bridges, dams, locks, sewers, water mains, and underpasses, and for the acquisition of land, rights of way and the surveying, grading and landscaping thereof, and for the costs of labor, material, equipment, supplies and for any other purpose incidental and necessary to make effective the provisions of this Act, the sum of Two Million Dollars (\$2,000,000.00) be and the same is hereby appropriated to the State Highway Department out of the proceeds of a bond issue authorized by an act entitled "An Act authorizing the State of Delaware to borrow \$3,000,000.00 and issue bonds therefor to provide a post-war improvement program for the purpose of purchasing and erecting new and improved buildings, grounds and equipment for certain state institutions and the University of Delaware and for the purpose of constructing roads, bridges and highways."

Section 2. The State Treasurer is hereby authorized to pay out and make available the appropriations granted for the purposes of this Act only at such time as the Governor shall proclaim, but in no case later than six months after the termination

APPROPRIATION

HIGHWAY CONSTRUCTION AND RECONSTRUCTION

of the existing war as evidenced by the signing of a definitive treaty of peace or by the proclamation of the President of the United States that hostilities have ceased and that the emergency justification of extraordinary war-time powers no longer exists, or upon the availability of moneys appropriated by the Congress of the United States for the construction or reconstruction of roads, highways and bridges of this State.

Section 3. The amounts appropriated in Section 1 of this Act and any sums appropriated in the Budget Appropriation bill to the State Highway Department for each of the fiscal years ending June 30, 1943, June 30, 1944 and June 30, 1945, which shall remain unexpended at the end of the respective fiscal years shall be credited by the State Treasurer for the use of the said State Highway Department for the construction and reconstruction of roads, highways and bridges of this State as otherwise set forth in this Act and shall not revert for the use or purposes of any other fund of the State.

Section 4. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Approved March 19, 1943.

CHAPTER 31

APPROPRIATION

SALARY INCREASES

AN ACT MAKING APPROPRIATIONS FOR INCREASES IN THE SALARIES OF EMPLOYEES OF THE STATE FOR THE PERIOD BEGINNING APRIL 1, 1943 AND ENDING JUNE 30, 1943 AND FOR THE FISCAL YEARS BEGINNING JULY 1, 1943 AND JULY 1, 1944, AND ENDING JUNE 30, 1944 AND JUNE 30, 1945 RESPECTIVELY.

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 One Hundred Twenty-five Thousand Dollars (\$125,000.00) for the period beginning April 1, 1943 and ending June 30, 1943, and the sum of Five Hundred Fifteen Thousand Dollars (\$515,000.00) for the fiscal year beginning July 1, 1943 and ending June 30, 1944 and the sum of Five Hundred Fifteen Thousand Dollars (\$515,000.00) for the fiscal year beginning July 1, 1944 and ending June 30, 1945 and the amounts hereby appropriated for each of said years shall be paid by the State Treasurer for the purposes and in the manner as hereinafter set forth.

Section 2. The State Treasurer is hereby directed to pay out of the sums appropriated in Section 1 of this Act, as an addition to the basic salary of certain State employees, amounts which shall in no case exceed the following in any one fiscal year, nor one-twelfth thereof in any one month, provided that no such additional sum shall cause the sum of any basic salary plus "Cost of Living Increase" to exceed a total annual payment of \$3,000.00; (a) where the basic salary is \$500.00 or more but not more than \$1,200.00, an annual increase of \$120.00; (b) where the basic salary is in excess of \$1,200.00 but not more than \$1,500.00 an annual increase of \$150.00; (c) where the basic salary is in excess of \$1,500.00 but not more than \$3,000.00, an annual increase of \$180.00; and nothing in this Act shall be construed to apply to or result in any addition to any basic salary in an amount less

APPROPRIATION

SALARY INCREASES

than \$500.00; provided, however, that if any State employee receives a cash salary of less than \$500.00 but also receives as a part of the remuneration for his services board and lodging, such board and lodging shall be considered to be of a value of \$1.00 per day, and the value of such board and lodging shall be added to his basic cash salary for the purpose of determining the salary increase under the provisions of this Act.

Section 3. The term "basic salary" shall include all salary payments over which any board, commission, department, state officer or other agency of the State of Delaware exercises control and includes on its payroll for payment by the State Treasurer. Any compensation for personal services in the nature of emoluments, fees, honorariums, and the like which is not ordinarily regarded as wages in the commonly accepted sense of the term is to be considered as salary for the purpose of determining the basic salary hereinabove defined for the purposes of this Act.

Section 4. Payments of salary made from moneys other than the revenue of the State of Delaware except when such moneys are appropriated by the United States government and which are included for accounting or other purposes on payroll forms submitted for payment by and paid by the State Treasurer for the month of October, 1942, shall be considered to be basic salary subject to the monthly addition of the amounts provided in Section 2 of this Act. The provisions of this Act for salary increases shall be construed to include basic salaries as would otherwise conform to the requirements of Section 3 even though the sources from which such salaries are paid are derived from the joint revenues of this State and any of its political subdivisions.

Section 5. In the event of the severance of employment by any State employe who would have otherwise been eligible for the salary increase as provided by this Act, the employment of any other person in his place or stead shall upon satisfactory proof of employment submitted to the State Treasurer render

APPROPRIATION

SALARY INCREASES

such person eligible to the salary increase herein provided, if the duties of such persons are of the same nature and the position in which he is employed is regularly constituted by a department, board or other agency and/or required or authorized by law.

Section 6. The provisions of this Act shall be deemed to apply to all school employes of this State and/or of any political subdivision of this State to whom any salary increase as provided in Sections 2 and 3 would be applicable if said school employees were paid entirely out of the moneys of the State.

Section 7. If salary is payable or paid to any State employe by one or more agency and/or political subdivision of the State for the purposes of this Act, the total salary shall be the sum of such salaries as if all such salaries were paid by a single employer for the purposes of determining the eligibility of any employe for the salary increase as hereinabove provided.

Section 8. Every board, department, officer or other agency shall on or before the first day of the month following the month in which this Act becomes effective, submit to the State Treasurer in such form as he shall prescribe a certified statement of all persons in its employ on October 31, 1942, if such persons are at present employed by said board, department, officer or other agency, and a list of persons so employed on October 31, 1942 who have since left such employment, and a list of positions existing but on said date vacant, and opposite each name and positions certify to the rate of salary paid, both monthly and annually from State moneys and from other sources, in separate columns.

Section 9. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Approved February 23, 1943.

CHAPTER 32

APPROPRIATION

LAYTON HOME FOR AGED COLORED PEOPLE

AN ACT APPROPRIATING MONEY 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 members elected to each branch thereof concurring therein):

Section 1. That the sum of Four Thousand Dollars (\$4,000.00) be and the same is hereby appropriated to the Layton Home for Aged Colored People for the care and maintenance of old age colored persons and for operation expenses for the biennium beginning July 1, 1943 and ending June 30, 1945.

Two Thousand Dollars of said sum shall be paid within three months after July 1, 1943 and a like sum of Two Thousand Dollars shall be paid within three months after July 1, 1944.

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 not otherwise appropriated.

Approved March 29, 1943.

CHAPTER 33

APPROPRIATION

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 (three-fourths of the members of each House concurring therein):

Section 1. There is hereby appropriated for the maintenance, equipment and operation of the hospitals hereinafter mentioned for each of the fiscal years beginning July 1, 1943 and July 1, 1944 the sums of money set after the names of such hospitals, respectively, viz;

To Kent General Hospital at Dover,	\$12,825.00
To Milford Memorial Hospital, Inc., at Milford,....	22,500.00
To Beebe Hospital of Sussex County, Inc., at Lewes,..	22,500.00
To Homeopathic Hospital Association of Delaware, at Wilmington,	47,250.00
To St. Francis Hospital, Incorporated, at Wilming- ton,	23,400.00
To The Delaware Hospital, Inc., at Wilmington,....	77,175.00
To Wilmington General Hospital Association, at Wil- mington,	38,250.00

Each of said appropriations shall be paid to said respective hospitals in equal quarterly installments on the first days of July, October, January and April in each of the fiscal years 1943 and 1944.

Section 2. This Act shall be known as a Supplementary Appropriation Act, and the funds hereby appropriated shall be paid from the general funds of the State Treasury not otherwise appropriated in accordance with the provisions of this Act.

Approved March 29, 1943.

CHAPTER 34

APPROPRIATION

PALMER HOME

AN ACT APPROPRIATING CERTAIN MONEY TO PALMER HOME, INCORPORATED.

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

Section 1. That the sum of Five Thousand and Eight Hundred Dollars (\$5,800.00), be and the same is hereby appropriated to Palmer Home, Incorporated, a corporation of the State of Delaware, for the care and maintenance of old age persons at its Old Folk's Home at Dover, and for operation for the biennium beginning July 1, 1943 and ending June 30, 1945.

Twenty-nine Hundred Dollars (\$2,900.00) of said sum shall be paid within three months after July 1, 1943 and a like sum of Twenty-nine Hundred Dollars (\$2,900.00) shall be paid within three months after July 1, 1944.

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 not otherwise appropriated.

Approved March 29, 1943.

CHAPTER 35

APPROPRIATION

DELAWARE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

AN ACT APPROPRIATING MONEY TO THE DELAWARE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS.

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

Section 1. That the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby appropriated to the Delaware Society for the Prevention of Cruelty to Animals, for the biennium beginning July 1, 1943 and ending June 30, 1945, for salaries, wages and for operation.

Five Hundred Dollars (\$500.00) of said sum shall be paid within three months after July 1, 1943, and a like sum of Five Hundred Dollars (\$500.00) shall be paid within three months after July 1, 1944.

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 not otherwise appropriated.

Approved March 29, 1943.

CHAPTER 36

APPROPRIATION

G. A. R.

AN ACT APPROPRIATING MONEY TO THE G. A. R., DEPARTMENT 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 Two Thousand Dollars (\$2,000.00) be and the same is hereby appropriated to the G. A. R., Department of Delaware, for operation expenses, for the biennium beginning July 1, 1943 and ending June 30, 1945. One Thousand Dollars (\$1,000.00) of said sum shall be paid within three months after July 1, 1943 and a like sum of One Thousand Dollars (\$1,000.00) shall be paid within three months after July 1, 1944 to the duly elected Finance Officer of the G. A. R., Department of Delaware, upon warrants signed by the said Finance Officer and approved by the Auditor of Accounts.

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

Approved March 29, 1943.

CHAPTER 37

APPROPRIATION

VETERANS OF FOREIGN WARS

**AN ACT APPROPRIATING MONEY TO THE VETERANS OF
FOREIGN WARS, DEPARTMENT 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 Three Thousand Dollars (\$3,000.00) be and the same is hereby appropriated to the Veterans of Foreign Wars, Department of Delaware, for operation expenses for the biennium beginning July 1, 1943 and ending June 30, 1945. Fifteen Hundred Dollars (\$1,500.00) of said sum shall be paid within three months after July 1, 1943 and a like sum of Fifteen Hundred Dollars (\$1,500.00) shall be paid within three months after July 1, 1944, to the duly elected Finance Officer of the Veterans of Foreign Wars, Department of Delaware, upon warrants signed by the said Finance Officer and approved by the Auditor of Accounts.

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

Approved March 29, 1943.

CHAPTER 38

APPROPRIATION

UNITED SPANISH WAR VETERANS

AN ACT APPROPRIATING MONEY TO THE UNITED SPANISH WAR VETERANS, DEPARTMENT 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 One Thousand Dollars (\$1,000.00) be and the same is hereby appropriated to the United Spanish War Veterans, Department of Delaware, for the biennium beginning July 1, 1943 and ending June 30, 1945 for operation expenses. Five Hundred Dollars (\$500.00) of said sum shall be paid within three months after July 1, 1943 and a like sum of Five Hundred Dollars (\$500.00) shall be paid within three months after July 1, 1944, to the duly elected Finance Officer of the United Spanish War Veterans, Department of Delaware, upon warrants signed by the said Finance Officer and approved by the Auditor of Accounts.

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

Approved March 29, 1943.

CHAPTER 39

APPROPRIATION

DELAWARE INDUSTRIAL SCHOOL FOR GIRLS

AN ACT APPROPRIATING MONEY TO THE DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

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

Section 1. That the sum of Seventy-nine Thousand Four Hundred Seventy-two and no/100 Dollars (\$79,472.00), be and the same is hereby appropriated to the Delaware Industrial School for Girls for the maintenance and training of girls committed thereto, and for salaries, wages and for operations.

The said sum shall be paid to said School in two annual payments of Thirty-nine Thousand Two Hundred Thirty-six and no/100 Dollars (\$39,236.00), for the year ending June 30, 1944 and Forty Thousand Two Hundred Thirty-six and no/100 Dollars (\$40,236.00), for the year ending June 30, 1945.

	Year Ending June 30	
	1944	1945
Salaries and Wages	\$18,236.00	\$18,236.00
Office Expense	800.00	800.00
Travel	800.00	800.00
Operation	17,345.00	17,800.00
Repairs and Replacements	1,755.00	2,300.00
Equipment	300.00	300.00
Total.....	\$39,236.00	\$40,236.00

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 not otherwise appropriated.

Approved March 29, 1943.

CHAPTER 40

APPROPRIATION

AMERICAN LEGION

**AN ACT APPROPRIATING MONEY TO THE AMERICAN
LEGION, DEPARTMENT 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 Four Thousand Dollars (\$4,000.00) be and the same is hereby appropriated to the American Legion, Department of Delaware, for operation expenses for the biennium beginning July 1, 1943 and ending June 30, 1945. Two Thousand Dollars (\$2,000.00) of said sum shall be paid within three months after July 1, 1943 and a like sum of Two Thousand Dollars (\$2,000.00) shall be paid within three months after July 1, 1944, to the duly elected Finance Officer of the American Legion, Department of Delaware, upon warrants signed by the said Finance Officer and approved by the Auditor of Accounts.

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

Approved March 29, 1943.

CHAPTER 41

APPROPRIATION

DISTRICT LIBRARIES

**AN ACT APPROPRIATING CERTAIN MONIES FOR THE
SUPPORT AND MAINTENANCE OF THE DISTRICT
LIBRARY COMMISSIONS OF THE STATE OF DELA-
WARE.**

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

Section 1. That for each of the two fiscal years beginning July 1, 1943, and ending June 30, 1944, and beginning July 1, 1944, and ending June 30, 1945, the sum of Fifty-three Hundred Dollars (\$5,300.00) be and the same is hereby appropriated out of the General Funds of the State for the support and maintenance of the District Library Commissions of this State, pursuant to the provisions of Chapter 34 of the Revised Code of Delaware, 1935.

	Year Ending June 30,	
	1944	1945
DISTRICT LIBRARY COMMISSION:		
Dover Free Library	\$500.00	\$500.00
Seaford Free Library	500.00	500.00
Milford Free Library	500.00	500.00
Milton Free Library	200.00	200.00
Claymont Free Library	500.00	500.00
Frankford Free Library	150.00	150.00
Lewes Free Library	150.00	150.00
Newark Free Library	500.00	500.00
Laurel Free Library	150.00	150.00
Selbyville Free Library	100.00	100.00
Smyrna Free Library	300.00	300.00
Bridgeville Free Library	150.00	150.00
Odessa Free Library	300.00	300.00
Delmar Free Library	200.00	200.00
Rehoboth Free Library	200.00	200.00

APPROPRIATION

DISTRICT LIBRARIES

New Castle Free Library	250.00	250.00
Georgetown Free Library	150.00	150.00
Middletown Free Library	500.00	500.00
<hr/>		<hr/>
Total District Library Commissions..	\$5,300.00	\$5,300.00

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 not otherwise appropriated.

Approved March 29, 1943.

CHAPTER 41

APPROPRIATION

DISTRICT LIBRARIES

**AN ACT APPROPRIATING CERTAIN MONIES FOR THE
SUPPORT AND MAINTENANCE OF THE DISTRICT
LIBRARY COMMISSIONS OF THE STATE OF DELA-
WARE.**

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

Section 1. That for each of the two fiscal years beginning July 1, 1943, and ending June 30, 1944, and beginning July 1, 1944, and ending June 30, 1945, the sum of Fifty-three Hundred Dollars (\$5,300.00) be and the same is hereby appropriated out of the General Funds of the State for the support and maintenance of the District Library Commissions of this State, pursuant to the provisions of Chapter 34 of the Revised Code of Delaware, 1935.

	Year Ending June 30,	
	1944	1945
DISTRICT LIBRARY COMMISSION:		
Dover Free Library	\$500.00	\$500.00
Seaford Free Library	500.00	500.00
Milford Free Library	500.00	500.00
Milton Free Library	200.00	200.00
Claymont Free Library	500.00	500.00
Frankford Free Library	150.00	150.00
Lewes Free Library	150.00	150.00
Newark Free Library	500.00	500.00
Laurel Free Library	150.00	150.00
Selbyville Free Library	100.00	100.00
Smyrna Free Library	300.00	300.00
Bridgeville Free Library	150.00	150.00
Odessa Free Library	300.00	300.00
Delmar Free Library	200.00	200.00
Rehoboth Free Library	200.00	200.00

APPROPRIATION

DISTRICT LIBRARIES

New Castle Free Library	250.00	250.00
Georgetown Free Library	150.00	150.00
Middletown Free Library	500.00	500.00
<hr/>		
Total District Library Commissions..	\$5,300.00	\$5,300.00

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 not otherwise appropriated.

Approved March 29, 1943.

CHAPTER 42

APPROPRIATION

CHILDREN'S BEACH HOUSE

AN ACT TO PROVIDE FOR THE INSTRUCTION OF THE INMATES OF THE CHILDREN'S BEACH HOUSE, AND APPROPRIATING MONEY THEREFOR.

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

Section 1. There is hereby appropriated for the fiscal year beginning July 1, 1943 and ending June 30, 1944, the sum of Six Hundred Dollars (\$600.00), and for the fiscal year beginning July 1, 1944 and ending June 30, 1945, the sum of Six Hundred Dollars (\$600.00), to the State Board of Education for the use of the Lewes Special School District. Said sums shall be used to provide and maintain instructional service for the inmates of the Children's Beach House.

The said sums shall be paid by the State Treasurer upon proper warrant or warrants signed by the officers of the State Board of Education.

Section 2. 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, not otherwise appropriated.

Approved March 29, 1943.

CHAPTER 43

APPROPRIATION

CLAIM AGAINST DOVER SCHOOL

**AN ACT APPROPRIATING CERTAIN MONEYS OUT OF THE
STATE TREASURY TO PAY CERTAIN CLAIMS
AGAINST THE DOVER SPECIAL SCHOOL DISTRICT,
RELATING TO EXPENSES INCURRED IN CONNEC-
TION WITH EQUIPMENT.**

*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 Four Hundred Forty-nine Dollars and Sixty-one Cents (\$5,449.61) be and the same hereby is appropriated to the State Board of Education for the purpose of paying certain claims against the Dover Special School District. All monies appropriated hereunder shall be paid out by the State Treasurer upon vouchers duly drawn by the State Board of Education. The monies hereby appropriated shall be used by the State Board of Education to pay the following claims in the amounts specified and for no other purpose:

American Technical Association	\$ 15.70
Americana Corporation	26.00
Edward E. Babb & Co.	213.36
Butler's, Inc.	7.64
Broadhead-Garrett Co.	12.71
J. E. Beck Co.	16.59
Bryan & Hopkins	4.65
W. Atlee Burpee Co.	7.30
Beckley-Cardy Co.	19.39
Culbert-Whitby Co.	18.65
Consumers' Research, Inc.	2.12
Clarke & McDaniel	6.51
Delaware State News	35.04
Dover Index	8.25

APPROPRIATION

CLAIM AGAINST DOVER SCHOOL

Dover Laundry	1.68
City of Dover	235.78
City of Dover	221.00
James A. Downes	99.11
J. A. Frear Sons	1,743.62
M. A. Hartnett	721.61
James Hardcastle	3.50
J. L. Hammett Company	136.09
Industrial Arts Cooperative Association51
International Committee of Y. M. C. A.	1.30
International Business Machines Corporation ...	106.77
E. L. Jones & Co.	1,019.61
Lester L. Jones	5.50
Kimmey Nursery	5.00
Howard E. Lynch, Jr.	25.00
Walter T. Massey	132.78
Albert Maag	11.35
New York Band Instrument Co.	3.82
National Asso. of Secondary School Prins.	1.00
Catherine B. Orvis	30.15
Penn Camera Exchange	12.29
Postal Telegraph-Cable Co.	1.02
J. C. Penney Co.	6.47
Quarrie Corporation	96.82
Rand, McNally & Co.	23.00
George C. Richardson	3.75
G. Schirmer	11.89
J. A. Spahn	84.57
C. B. Scull	4.00
Sears, Roebuck & Co.	131.16
Standard Electric Time Co.	27.67
School Products Bureau	49.66
William Uhlhorn	4.65

APPROPRIATION

CLAIM AGAINST DOVER SCHOOL

Underwood Elliott Fisher Co.	5.87
Valliant Fertilizer Co.	7.50
Vane Greenhouses	2.50
F. W. Woolworth Co.60
Wilmington Blue Print Service30
White and Leonard	18.35
World Book Co.	40.23
Yates-American Machine Co.	1.61
Dover News Agency	16.71

Total.....\$5,449.61

Section 2. That this Act shall be taken and deemed to be a Supplementary Appropriation Bill and the money hereby appropriated shall be paid out of the general fund of the State.

Approved March 29, 1943.

CHAPTER 44

APPROPRIATION

ANTI HOG SERUM

AN ACT APPROPRIATING MONEY TO THE STATE BOARD OF AGRICULTURE TO BE USED FOR ANTI-HOG CHOLERA SERUM.

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 Nine Thousand Dollars (\$9,000.00) be and the same is hereby appropriated to the State Board of Agriculture to purchase anti-hog cholera serum and virus to be distributed in accordance with the provisions of Article 6 of Chapter 21 of the Revised Code of Delaware. Of the sum hereby appropriated, the sum of Forty-five Hundred Dollars (\$4500.00) shall be for the fiscal year beginning July 1, 1943, and ending June 30, 1944, and the remaining sum of Forty-five Hundred Dollars (\$4500.00) shall be for the fiscal year beginning July 1, 1944, and ending June 30, 1945.

Section 2. The Board of Agriculture is hereby authorized and directed to supply free hog cholera serum to any licensed veterinarian of the State of Delaware to be used in inoculating pigs and hogs owned by citizens of the State of Delaware and located within the State of Delaware; provided, however, that the serum furnished shall not be used to inoculate in any one year more than twenty-five pigs and hogs legitimately owned by any one person entitled to free hog cholera serum under this Act and, provided, further that the serum furnished as aforesaid shall not be used to inoculate pigs more than three months old or hogs which are not used for breeding purposes. The State Board of Agriculture is authorized to supervise the inoculation of any pigs or hogs for which request is made, first being satisfied that the pigs are less than three months old or the hogs are used for breeding purposes and are owned by citizens of the State of Delaware and located within the State of Delaware.

APPROPRIATION

ANTI HOG SERUM

Section 3. This shall be known as a supplemental appropriation act, and the money hereby appropriated shall be paid by the State Treasurer in the same manner as other funds appropriated to the State Board of Agriculture are now paid.

Approved March 30, 1943.

CHAPTER 45

APPROPRIATION

TENTH GRADE TEACHER MILFORD COLORED JUNIOR HIGH SCHOOL
**AN ACT PROVIDING FOR THE ESTABLISHMENT OF A
TENTH GRADE IN THE MILFORD COLORED JUNIOR
HIGH SCHOOL.**

*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 is hereby appropriated to the Board of Education of the Milford Special School District for each of the fiscal years beginning July 1, 1943 and ending June 30, 1945 with which to pay the salary of a teacher for the tenth grade in the Milford Colored Junior High School.

Section 2. The moneys hereby appropriated shall be paid out of the General Fund from moneys not otherwise appropriated and shall be paid in the same manner as other teachers' salaries in said school are now paid.

Approved March 30, 1943.

CHAPTER 46

APPROPRIATION

M. A. HARTNETT, INC. CLAIM

PROVIDING FOR PAYMENT OF A CLAIM TO M. A. HARTNETT, INC., A CORPORATION OF THE STATE OF DELAWARE, FOR MATERIALS FURNISHED IN THE REPAIR AND ALTERATION OF THE ARMORY AT DOVER, 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 Eight Hundred Sixty-two Dollars and Eighty-eight Cents (\$862.88) be and the same hereby is appropriated out of the General Fund of the State Treasury to the Adjutant General for the purpose of paying a claim to M. A. Hartnett, Inc., a corporation of the State of Delaware, in like sum, in payment for materials furnished by it in repairing the Armory at Dover, Delaware, during the years 1940 and 1941, and for no other purpose. The State Treasurer is authorized and directed to pay out said sum of Eight Hundred Sixty-two Dollars and Eighty-eight Cents (\$862.88) upon the voucher or vouchers duly drawn by the Adjutant General.

Section 2. That this Act shall be taken to be a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 9, 1943.

CHAPTER 47

APPROPRIATION

CUSTODIAN FOR MAINTENANCE AND REPAIRS

AN ACT TO APPROPRIATE TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) TO THE CUSTODIAN OF THE STATE HOUSE TO BE USED FOR SALARIES, AND FOR MAINTENANCE AND REPAIRS TO STATE BUILDINGS.

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

Section 1. That the sum of Two Thousand Five Hundred Dollars (\$2,500.00) is hereby appropriated out of the General Fund to the custodian of the State House to be used for salaries, and for the maintenance, repairs and upkeep of the State Buildings during the balance of the fiscal year ending June 30, 1943.

Section 2. This Act shall be known as a Supplemental Appropriation Act, and the funds hereby appropriated shall be in addition to any other funds heretofore appropriated, and shall be paid by the State Treasurer out of any monies in the General Fund not otherwise appropriated.

Approved April 13, 1943.

CHAPTER 48

APPROPRIATION

HANDICAPPED CHILDREN

**AN ACT TO APPROPRIATE CERTAIN MONIES TO THE
STATE BOARD OF EDUCATION FOR THE EDUCATION
OF HANDICAPPED CHILDREN.**

*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 Sixty-three Hundred Dollars (\$6300.00) to the State Board of Education for the assistance in the education of handicapped children in the public schools. Said sum of Sixty-three Hundred Dollars (\$6300.00) shall be used by the State Board of Education for the purpose of paying the salary of one teacher for the hard of hearing, one teacher for speech defectives and one audiometer technician. Of said sum the sum of Three Hundred Dollars (\$300.00) shall be used for travel expenses of said audiometer technician. The teacher for the hard of hearing and the teacher for speech defectives shall be employed for service in the city of Wilmington and the adjacent area. The audiometer technician shall be employed for service in the entire state. Said sum shall be paid out by the State Treasurer upon vouchers or warrants drawn by the State Board of Education from time to time.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the sum hereby appropriated shall be paid out of the State Treasury from funds not otherwise appropriated.

Approved April 13, 1943.

CHAPTER 49
APPROPRIATION
DETENTION HOME

**AN ACT APPROPRIATING MONEY TO THE "BOARD OF
MANAGERS OF THE DETENTION HOME" FOR SALAR-
IES AND WAGES.**

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

Section 1. The sum of Five Thousand Dollars (\$5,000.00) be and the same is hereby appropriated to the "Board of Managers of the Detention Home" for juvenile delinquents, for salaries and wages.

The said sum of Five Thousand Dollars (\$5,000.00) shall be paid to the said "Board of Managers of the Detention Home", in two equal, annual installments of Twenty-five Hundred Dollars (\$2,500.00), for the years ending June 30, 1944 and June 30, 1945.

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 not otherwise appropriated.

Approved April 13, 1943.

CHAPTER 50

APPROPRIATION

LIDA FLEETWOOD CLAIM

AN ACT APPROPRIATING THE SUM OF ONE HUNDRED AND EIGHTY DOLLARS (\$180.00) TO THE STATE BOARD OF EDUCATION TO PAY THE UNPAID SALARY OF LIDA FLEETWOOD FOR SERVICES PERFORMED BY HER AS A TEACHER IN PUBLIC SCHOOLS.

WHEREAS, Lida Fleetwood was on June 30, 1940 and prior thereto employed as a public school teacher by the State Board of Education; and,

WHEREAS, a paycheck for the sum of Ninety Dollars (\$90.00) for her salary during the month of February 1940 was issued by the Treasurer of the State of Delaware on March 8th, 1940 being check No. 073408, and a paycheck for the same amount was issued for the payment of her salary during the month of June 1940 by the Treasurer of the State of Delaware on July 1, 1940 being check No. 000709; and

WHEREAS, the aforesaid checks were not presented for payment by the said Lida Fleetwood until on or about September 18, 1942; and

WHEREAS, the aforesaid checks were not honored because there were no funds, at the time of presentment of said checks, on deposit with the Farmers Bank at Dover for the payment of payroll checks issued at the dates of the aforesaid checks; NOW THEREFORE

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

That there is hereby appropriated to the State Board of Education from the moneys in the State Treasury, not otherwise appropriated, the sum of One Hundred and Eighty Dollars

APPROPRIATION**LIDA FLEETWOOD CLAIM**

(\$180.00) to be used by the aforesaid State Board of Education to pay Lida Fleetwood a teacher in the Public Schools of this State salary due her for services rendered for teaching during the month of February 1940 and the month of June 1940 and the State Board of Education is hereby authorized and directed to issue proper voucher to the State Treasurer for the payment of same.

Approved April 13, 1943.

CHAPTER 51

APPROPRIATION

CRYSTAL FOUNT NO. 10, I. O. O. F. CLAIM

AN ACT TO AUTHORIZE THE STATE HIGHWAY DEPARTMENT TO REPAIR DAMAGES TO THE PROPERTY OF CRYSTAL FOUNT LODGE NO. 10 I. O. O. F. INC. CAUSED BY GRADING OF STATE ARMORY PROPERTY AT MILFORD.

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 (\$1000.00) is hereby appropriated to the State Highway Department out of any moneys in the General Fund not otherwise appropriated to be used to repair the damages to the property located in or near Milford owned by Crystal Fount Lodge No. 10, I. O. O. F. Inc., caused through grading of the lands on which the State Armory at Milford is located.

Section 2. The State Highway Department is hereby authorized to make such fills and to do such other things as may be necessary and proper to properly repair the damages caused to the property of said Crystal Fount Lodge No. 10 I. O. O. F. Inc.

Section 3. This shall be known as a Supplemental Appropriation Act.

Approved April 13, 1943.

CHAPTER 52

APPROPRIATION

TO PAY EXPENSES OF PUBLICATION OF UNPUBLISHED DECISIONS OF
THE LATE CHANCELLOR JOSIAH O. WOLCOTT

**AN ACT APPROPRIATING CERTAIN MONEYS OUT OF THE
STATE TREASURY TO PAY THE EXPENSES OF THE
PUBLICATION OF AN ADDITIONAL VOLUME OF UN-
PUBLISHED DECISIONS OF JOSIAH O. WOLCOTT,
LATE CHANCELLOR OF THE STATE OF DELAWARE.**

WHEREAS, by Act of this Assembly (42 Delaware Laws, Chapter 147) Daniel F. Wolcott and Josiah O. Wolcott, Jr., were authorized and requested to publish the decisions of the Court of Chancery, the Orphans' Courts in the respective Counties, and appeals in the Supreme Court from the Court of Chancery and Orphans' Courts, which in the case of the Court of Chancery and the Orphans' Courts of the respective Counties were determined during the lifetime of the late Chancellor Josiah O. Wolcott, and in the case of the Supreme Court were determined or pending on appeal from the Court of Chancery or the Orphans' Courts during the lifetime of the late Chancellor Josiah O. Wolcott, said Report to be known as Volume XXII, Delaware Chancery Reports; and

WHEREAS the sum of Sixteen Hundred Dollars (\$1600.00) was appropriated out of the general fund of the State Treasury to cover the expense of the publication of said Report; and

WHEREAS, the said Daniel F. Wolcott and Josiah O. Wolcott, Jr., have published Volume XXII, Delaware Chancery Reports in accordance with said Act; and

WHEREAS it now appears that there are cases decided in the Court of Chancery, Orphans' Courts in the respective Counties, and the Supreme Court, as aforesaid, not reported in Volume XXII, Delaware Chancery Reports, which are sufficient to fill an additional volume of Delaware Chancery Reports; and

WHEREAS no moneys have been appropriated out of the State Treasury for the payment of the expense of the publication of such additional volume; and

APPROPRIATION

TO PAY EXPENSES OF PUBLICATION OF UNPUBLISHED DECISIONS OF
THE LATE CHANCELLOR JOSIAH O. WOLCOTT

WHEREAS it is considered desirable that such additional volume be published,

NOW, THEREFORE, BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

Section 1. That Daniel F. Wolcott and Josiah O. Wolcott, Jr., be and they are hereby authorized and requested to prepare for publication, and publish, such decisions of the Court of Chancery, the Orphans' Courts in the respective Counties, and appeals in the Supreme Court from the Court of Chancery and Orphans' Courts, which in the case of the Court of Chancery and the Orphans' Courts of the respective Counties were determined during the lifetime of the late Chancellor Josiah O. Wolcott, and in the case of the Supreme Court were determined or pending on appeal from the Court of Chancery or the Orphans' Courts during the lifetime of the late Chancellor Josiah O. Wolcott, which have not been previously published by the said Daniel F. Wolcott and Josiah O. Wolcott, Jr., in Volume XXII, Delaware Chancery Reports, as an additional volume of Reports, to be known as Volume XXIII, Delaware Chancery Reports, said Report to be published upon the same terms and subject to the requirements of Section 4256 of the Revised Code of the State of Delaware of 1935, except as to the number of pages to be contained in such volume.

Section 2. That when the said Volume XXIII shall have been published, two hundred copies of the same shall be deposited in the State Library at Dover for the use of the State, and upon the certificate of the State Librarian of such deposit, the State Treasurer shall pay to the said Daniel F. Wolcott and Josiah O. Wolcott, Jr., Sixteen Hundred Dollars (\$1600.00) out of the general fund of the State Treasury, not otherwise appropriated, to cover the expenses of the publication of the said Report.

Approved April 15, 1943.

CHAPTER 53

APPROPRIATION

KENT AND SUSSEX COUNTY FAIR, INC.

AN ACT APPROPRIATING CERTAIN MONEYS TO KENT AND SUSSEX COUNTY FAIR, INCORPORATED, FOR PRIZES.

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

Section 1. That the sum of Seven Thousand Dollars (\$7,000.00) is hereby appropriated out of the Treasury of the State of Delaware to the "Kent and Sussex County Fair, Incorporated," a corporation of the State of Delaware, for the fiscal year beginning July 1, 1943 and ending June 30, 1944, and a like sum of Seven Thousand Dollars (\$7,000.00) for the fiscal year beginning July 1, 1944 and ending June 30, 1945. 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 an Award Committee, which shall be appointed within ten days after this Act becomes effective, 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,

APPROPRIATION

KENT AND SUSSEX COUNTY FAIR, INC.

however, said sum shall not exceed Seven Thousand Dollars (\$7,000.00) for each of said years and should said sum be less than the amount appropriated by this Act, then the unused balance shall each year remain in and revert to the State Treasury and shall in no case be paid to said corporation.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Funds of the State Treasury, not otherwise appropriated.

Approved April 15, 1943.

CHAPTER 54

APPROPRIATION

DELAWARE CITY COLORED SCHOOL

**AN ACT TO APPROPRIATE FIFTEEN HUNDRED DOLLARS
FOR THE DELAWARE CITY COLORED SCHOOL FOR
AN ATHLETIC FIELD AND AN ADDITION TO THE
BUILDINGS.**

*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 (\$1500.00) be and the same is hereby appropriated to the State Board of Education to be used by said Board for the construction of an athletic field and an addition to the buildings at the Delaware City Colored School.

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 not otherwise appropriated.

Approved April 15, 1943.

CHAPTER 55

APPROPRIATION

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 (three-fourths of all members elected to each branch concurring therein):

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 March, A. D. 1940, and is now, duly organized and equipped for the fighting of fires, there is hereby appropriated the sum of One Thousand Dollars (\$1,000.00) annually for each of the fiscal years beginning July 1, 1943 and beginning July 1, 1944, to be used for the prevention and extinguishment of fires throughout the State and for the maintenance of apparatus and equipment.

The said sum of One Thousand Dollars (\$1,000.00) shall be paid by the State Treasurer to each of the said Fire Companies within three months after the beginning of each of said fiscal years.

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 not otherwise appropriated.

Approved April 15, 1943.

CHAPTER 56

APPROPRIATION

LAUREL HIGHWAY

**AN ACT MAKING AN APPROPRIATION TO THE TOWN OF
LAUREL FOR THE PAYMENT OF THE TOWN COUNCIL
OF THE TOWN OF LAUREL FOR THE CONSTRUCTION
OF CONNECTING CONCRETE STREETS BETWEEN
HIGHWAYS.**

WHEREAS the Town of Laurel has laid and constructed a concrete street within the limits of said Town, on a portion of Market Street, between Delaware Avenue and Poplar Street in said Town; and

WHEREAS said streets have become an integral part of the State Highway System of the State of Delaware; now, therefore

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

Section 1. That there is hereby appropriated the sum of Nine Thousand Eight Hundred Ninety-eight Dollars (\$9,898.00) for the purpose of paying the Town Council of the Town of Laurel for a portion of its expenditures in connection with the payment for and the building of the aforesaid concrete streets which now form a part of the State Highway System.

Section 2. That the Town Council of the Town of Laurel is hereby expressly relieved from the duty of levying and collecting any taxes for the purpose of paying any indebtedness of said Town which the amount hereby appropriated will pay.

Section 3. The amount hereby appropriated shall be paid out of the General Fund of the State Treasury from funds not otherwise appropriated.

Approved April 22, 1943.

CHAPTER 57

APPROPRIATION

EMERGENCY APPROPRIATION

AN ACT MAKING APPROPRIATION FOR A STATE EMERGENCY FUND FOR CERTAIN EMERGENCIES AND CONDITIONS NOT OTHERWISE PROVIDED FOR FOR THE RESPECTIVE YEARS OF THE BIENNIUM JULY 1, 1943 TO JUNE 30, 1945 AND PRESCRIBING LIMITATIONS UPON USE THEREOF AND THE POWERS AND DUTIES OF THE PERMANENT BUDGET COMMISSION IN RELATION THERETO.

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

Section 1. Creation of Fund:—A fund is hereby created to be known as "The State Emergency Fund" which shall consist of any moneys in the General Fund of the State of Delaware not otherwise appropriated, and shall in no case exceed the cash balance to the credit of the State Treasury for a total of Seven Hundred Thousand Dollars (\$700,000.00) not including receipts from the sale of any bonds or from other evidences of debt.

Section 2. Availability of Fund:—The State Emergency Fund shall be disbursed by the State Treasurer only upon order of the Permanent Budget Commission and only for the purposes of paying expenses authorized to be incurred by any agency named in this Act after such agency shall have certified to the existence of an "actual emergency" or to a "condition not otherwise provided for" as hereinafter defined, provided that in no case shall an order be issued by the Permanent Budget Commission in excess of the amount hereinafter specified for any one emergency or condition not otherwise provided for or for a total of emergencies and conditions not otherwise provided for of like kind in any one fiscal year authorizing a particular agency to expend such amount as is necessary to meet a specific emergency or condition as hereinafter defined.

APPROPRIATION

EMERGENCY APPROPRIATION

Section 3. Proof of Emergency:—An emergency or a condition not otherwise provided for shall be deemed to exist only when declared by the Governor to have been determined by him by and with the consent of the majority of the members of the Permanent Budget Commission. Such determination may be made after proof of emergency or condition not otherwise provided for, satisfactory to said Commission, has been submitted, and such proof shall include any evidence and testimony as said Commission may require and in every case an affidavit setting forth all facts in support of a claim that an emergency or a condition not otherwise provided for exists, sworn to by a duly authorized representative of the agency making application for use of all or any portion of the State Emergency Fund as herein provided.

Section 4. Emergencies Defined:—It is further provided that an emergency shall exist only when an expenditure, not otherwise authorized by general appropriation act or any supplementary appropriation act and for which funds have not otherwise been provided in the budget of any department or agency of this state, has become necessary directly as a result of an act of God or for other cause beyond the control of said department or agency.

(a) To replace any building or other structure which shall have been destroyed by fire, the replacement value of which is not fully covered by insurance, but in no case to exceed the difference between such replacement value and such insurance received as result of such fire, any department or agency of this State may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Fifty Thousand Dollars (\$50,000.00).

(b) To provide the National Guard with an appropriation for batteries, supplies, headquarters and band when it shall have been discharged from the Federal service and returned to its regular duty in the State, the Adjutant-General may, upon submission of satisfactory proof of emergency, be authorized to

APPROPRIATION

EMERGENCY APPROPRIATION

expend all or any part of an amount not to exceed Twenty-three Thousand, Nine Hundred, Fifty Dollars (\$23,950.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(c) To provide for repairs of an extraordinary nature the State Board of Education, if the building or equipment is located in a school district outside of the City of Wilmington or the Board of Public Education in Wilmington, if the building or equipment is located in the consolidated school district in the City of Wilmington, may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Ten Thousand Dollars (\$10,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(d) To replace any bookkeeping machine in the office of the Auditor of Accounts when it shall have become unfit for further use. The Auditor of Accounts may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Four Thousand Dollars (\$4,000.00).

(e) To provide for the rehabilitation of citizens of this State wounded or otherwise impaired as result of participation in the present war, the State Board of Vocational Education may, upon submission of satisfactory proof of emergency, and/or for the participation in any rehabilitation program, be authorized to expend all or any part of an amount not to exceed Fifty Thousand Dollars (\$50,000.00) for each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(f) To provide relief for the unemployable an appropriation to the State Old Age Welfare Commission which may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for each of the respective years of the biennium July 1, 1943 to June 30, 1945.

APPROPRIATION

EMERGENCY APPROPRIATION

(g) To match any funds made available by the Federal Government for the purpose of furnishing vocational training to volunteer firemen the State Council of Defense may, upon submission of satisfactory proof of the availability of such Federal funds, be authorized to expend all or any part of an amount not to exceed Nine Hundred Dollars (\$900.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(h) To match any funds made available by the Federal Government for teacher training in agriculture the Board of Trustees of the State College for Colored Students may, upon submission of satisfactory proof of the availability of such Federal funds, be authorized to expend all or any part of an amount not to exceed Eight Hundred, Eighty-eight Dollars (\$888.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(i) To provide for repairs of an extraordinary nature to the light and/or water system on the State grounds and buildings in the City of Dover the State Custodian may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Three Thousand Dollars (\$3,000.00).

(j) To provide for transportation of school pupils when the appropriation provided for such transportation shall have been insufficient to meet the cost of such transportation, the State Board of Education may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Ten Thousand Dollars (\$10,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(k) To provide for the care of needy, dependent children outside their own homes when sums appropriated therefor have become exhausted as a result of increase in the number of dependent children requiring such care over the present total of children furnished such care, the State Board of Charities may, upon

APPROPRIATION

EMERGENCY APPROPRIATION

submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Ten Thousand Dollars (\$10,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

Section 5. Condition Not Otherwise Provided for Defined:—

It is further provided that a condition not otherwise provided for shall exist only when an expenditure not otherwise authorized by the Budget Appropriation Act or any supplementary appropriation act and for which funds have not otherwise been provided in the budget of any department or agency of this State, has become necessary to the general welfare.

(a) To match any funds made available by the Federal Government for the construction of roads, highways or bridges as may be required in excess of amounts otherwise appropriated for the construction of roads, highways and bridges for the purpose of participating in any construction program, the State Highway Department may, upon satisfactory proof of availability of such Federal funds, be authorized to expend all or any part of an amount not to exceed Two Hundred, Fifty Thousand Dollars (\$250,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(b) To replace any boiler which shall have been destroyed or condemned but in an amount not to exceed the actual cost of such replacement, any department or agency of this state may, upon submission of satisfactory proof of destruction or condemnation, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00).

(c) To provide for the control and elimination of Bangs' disease in case epidemic conditions become imminent, the State Board of Agriculture may, upon submission of satisfactory proof of conditions not otherwise provided for and for which recommendation was not made in the Budget Recommendations of the Governor, be authorized to expend all or any part of an

APPROPRIATION

EMERGENCY APPROPRIATION

amount not to exceed Fifteen Thousand Dollars (\$15,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(d) To provide for the expenses of the Racing Commission and in lieu of all other appropriations for this purpose, the said Racing Commission may, upon satisfactory proof of conditions not otherwise provided for (which proof shall be evidence of authority to hold race meetings during each or either of the fiscal years 1944 and 1945, respectively), be authorized to expend all or any part of an amount not to exceed Four Thousand Dollars (\$4,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(e) To provide for deficiency in appropriations for any salary accounts specifically provided to be paid by law, and including salary of any teacher or other employe returning to a position previously occupied by him before military service, to which he was guaranteed return after such service, the State Treasurer may, upon submission of satisfactory proof of such deficiency, be authorized to expend all or any part of an amount not to exceed Seventy-five Thousand Dollars (\$75,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(f) To provide troops necessary for defense and protection within this State during the absence of the National Guard and as may be otherwise provided by statute for a state guard, the Adjutant General of this State may, upon submission of satisfactory proof, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(g) To provide for expenses of the State Council of Defense and in lieu of all other appropriations therefor, the Governor of this State may, upon submission of satisfactory proof of conditions not otherwise provided for and resulting from the

APPROPRIATION

EMERGENCY APPROPRIATION

existing emergency, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(h) To provide for the control of contagious diseases which have heretofore been the subject of direct appropriation, the State Board of Agriculture may, upon submission of satisfactory proof of conditions not otherwise provided for as a result of outbreak of contagious diseases of poultry and/or livestock, be authorized to expend all or any part of an amount not to exceed Eleven Thousand, Eight Hundred Dollars (\$11,800.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(i) To provide for the inspection of farm products which have heretofore been the subject of direct appropriation, the State Board of Agriculture may, upon submission of satisfactory proof of conditions not otherwise provided for, the satisfaction of which will benefit the producer of farm products, be authorized to expend all or any part of an amount not to exceed Seven Thousand, Two Hundred, Seventy-five Dollars (\$7,275.00) for each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(j) To provide at the expiration of the existing war for conditions not otherwise provided for in the Motor Vehicle Division of the State Highway Department, proof of which shall be evidenced by increase of at least 25% of the monthly transactions of said division as a result of the repeal of rationing regulations or other cause demanding additional facilities to meet the public need, said Department may, upon submission of satisfactory proof of said conditions, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

APPROPRIATION

EMERGENCY APPROPRIATION

(k) To provide at the expiration of the existing war for conditions not otherwise provided for which may require prompt or emergency expansion of the State Police force and facilities, the State Highway Department may, upon submission of satisfactory proof of said conditions not otherwise provided for, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(l) To provide for the conversion of heating equipment in the public schools of this State upon submission of satisfactory proof of requirement by the Office of Price Administration for the conversion of any heating equipment, the State Board of Education, the respective Boards of Trustees of the several special school districts, and/or the Board of Public Education, Wilmington, may be authorized to expend all or any part of an amount not to exceed Ten Thousand Dollars (\$10,000.00).

(m) To provide as an additional appropriation to the State Board of Health, upon submission of satisfactory proof of conditions requiring employment of additional help and need for additional supplies to cooperate with the Selective Service Act, may be authorized to expend all or any part of an amount not to exceed Three Thousand Dollars (\$3,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

(n) To provide for the maintenance and operation of buildings and equipment necessary and for the instruction of high school students in the event of any separation of functions for the purposes of obtaining accreditation for the State College for Colored Students, the Board of Trustees of the said State College for Colored Students and/or the Board of Trustees of the Dover Special School District may, upon submission of satisfactory proof of conditions not otherwise provided for, be authorized to expend all or any part of an amount not to exceed Ten Thousand Dollars (\$10,000.00) in each of the respective years of the biennium July 1, 1943 to June 30, 1945.

APPROPRIATION

EMERGENCY APPROPRIATION

(c) To provide for mosquito control and the elimination of mosquito infested areas, the State Highway Department may, upon submission of satisfactory proof of condition not otherwise provided for, be authorized to expend all or any part of an amount not to exceed Twenty Thousand Dollars (\$20,000.00) in each of the respective years of the biennium July 1, 1943 to and including June 30, 1945.

Section 6. The Auditor of Accounts shall keep actual detailed accounts of the cost or expenditure of any and all portions of the said State Emergency Fund to reflect outlays approved in the manner hereinbefore provided by the Permanent Budget Commission and expended by an individual agency out of the appropriations set forth in this Act, and the Permanent Budget Commission shall submit to the next General Assembly a full and detailed statement of the nature of the emergency or emergencies for which expenditures are authorized, the cause thereof, and a copy of the account maintained therefor by the said Auditor of Accounts.

Section 7. That the Governor, Secretary of State and the State Treasurer shall constitute a commission to negotiate and arrange for the sale or disposition of any notes or certificates of indebtedness to provide for the payment of any appropriations herein contained in the same manner and form as is provided in any budget appropriation bill authorized by this session of the General Assembly and approved by the Governor.

Section 8. This Act shall be taken and deemed to be a Supplementary Appropriation Act and the sums hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated in accordance with the items and conditions of this Act.

Section 9. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Approved April 22, 1943.

Public Arms and Defense

CHAPTER 58

ACTING ADJUTANT GENERAL

AN ACT TO AMEND CHAPTER 8 OF THE REVISED CODE OF DELAWARE, 1935, BY PROVIDING FOR AN ACTING ADJUTANT GENERAL.

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

Section 1. That Chapter 8 of the Revised Code of Delaware, 1935, be and the same hereby is amended by adding a new Section to follow immediately after 260. Sec. 5 of said Chapter and to be known as 260 (a). Sec. 5 (a), as follows:

260 (a). Sec. 5 (a). **Acting Adjutant General, Appointment of; Duties:**—The Adjutant General may, during his absence from the State or while incapacitated due to illness or other cause, appoint any one of the officers of the State Staff Corps and the Departments to act as Acting Adjutant General during such absence or such incapacity. The Acting Adjutant General so appointed shall serve until the return of the Adjutant General to the State or until he shall again be capable of performing the duties of his office, as the case may be. The Acting Adjutant General shall have all the powers and authority and shall perform all the duties of the Adjutant General during his absence or incapacity.

Approved February 19, 1943.

CHAPTER 59

ADJUTANT GENERAL EMPOWERED TO LEASE STATE ARMORIES AND
ARSENALS UNDER CERTAIN CONDITIONS**AN ACT TO AMEND CHAPTER 8 OF THE REVISED CODE
OF DELAWARE, 1935, BY EMPOWERING THE ADJUTANT
GENERAL TO LEASE STATE ARMORIES, ARSENALS
AND MILITARY RESERVATIONS UNDER
CERTAIN CONDITIONS.**

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

Section 1. That Chapter 8 of the Revised Code of Delaware, 1935, be and the same hereby is amended by adding a new Section to follow immediately after 304. Sec. 49 of said Chapter and to be known as 304 (a). Sec. 49 (a) as follows:

304 (a). Sec. 49 (a). **Leases of State Armories, Arsenals and Military Reservations:**—The Adjutant General is hereby empowered to enter into, on behalf of the State of Delaware, leases and contracts for the use of any State owned Armory, Arsenal or Military Reservation, upon such terms and conditions and for such duration as he may deem advisable and for the best interests of the State; provided, however, that the occupation and use of any such Armory, Arsenal or Military Reservation under any such lease shall not in any way interfere with the operation of such Armory, Arsenal or Military Reservation by the Armed Forces of the State of Delaware.

Approved March 23, 1943.

CHAPTER 60

MEDALS

AN ACT TO AMEND 306 SECTION 51 OF CHAPTER 8 OF THE REVISED CODE OF DELAWARE 1935 BY PROVIDING FOR THE AWARDING OF MEDALS TO PERSONS SERVING IN THE MILITARY OR NAVAL FORCES OF THE UNITED STATES OF AMERICA OR THE STATE OF DELAWARE.

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

That 306 Section 51 of Chapter 8 of the Revised Code of Delaware 1935 be and same hereby is amended by striking out all of 306 Section 51 of Chapter 8 and substituting in lieu thereof the following:

"306 Section 51. Governor to Present Conspicuous Service Cross Under Certain Conditions; Description of Cross; to Whom and by Whom It Is Awarded:—The Governor is hereby authorized to present, in the name of the State of Delaware, a Conspicuous Service Cross, of such design as hereinafter provided, to any person serving in the military or naval forces of the United States of America or of the State of Delaware who shall have distinguished himself or herself in any capacity as hereinafter provided.

The Conspicuous Service Cross shall be a bronze Maltese cross, one inch long, with the coat of arms of the State of Delaware in miniature in the center thereof and the word "For Conspicuous Service" inscribed on the arms of the cross. The reverse shall be plain. The cross shall be suspended by a ribbon one and three-eighths inches in width and one and three-eighths inches in length of red with a gray stripe one half inch in width in the center.

The Conspicuous Service Cross may be awarded to any person serving in the military or naval forces of the United States of America or of the State of Delaware who has performed con-

MEDALS

spicuous acts of valor or who has rendered conspicuous service above the ordinary requirements of duty well done. The medal shall be awarded upon the recommendation of the same Board that awards the Medal of Military Merit.

Only one medal may be awarded to any one person. For each service subsequent to the service for which a medal has been awarded, a gold star three-sixteenths of an inch in diameter may be given to any person to whom the medal has been awarded, which said star shall be affixed to the ribbon of said medal."

Approved February 19, 1943.

CHAPTER 61

DELAWARE STATE GUARD

AN ACT TO AMEND CHAPTER 81, VOLUME 43, LAWS OF DELAWARE, ENTITLED: "AN ACT TO PROVIDE FOR THE CREATION, MAINTENANCE, DISCIPLINE, LEGISLATION AND USE OF THE DELAWARE STATE GUARD", BY CHANGING THE TERM OF ENLISTMENT IN THE DELAWARE STATE GUARD.

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

Section 1. That Chapter 81, Volume 43, Laws of Delaware, be and the same hereby is amended by striking out all of Section 11 of said Chapter and by inserting in lieu thereof the following:

Section 11. **Term of Enlistment and Oath of Enlisted Men.** The term of enlistment shall be until such time as the National Guard of Delaware has been in whole or in part returned to the State of Delaware and is organized to assume its duties. The oath to be taken upon enlistment in such forces shall be substantially in the form prescribed for enlisted men of the National Guard, substituting the words "Delaware State Guard" where necessary.

Approved February 19, 1943.

State Officers and Commissions

CHAPTER 62

GOVERNOR

EMPOWERED TO SUSPEND LAWS

AN ACT CONFERRING POWER UPON THE GOVERNOR, DURING THE RECESS OF THE GENERAL ASSEMBLY, TO SUSPEND OR MODIFY STATUTES IMPEDING OR INTERFERING WITH THE PROPER CONDUCT OF THE WAR AND PRESCRIBING THE CIRCUMSTANCES UNDER WHICH SUCH ACTION MAY BE TAKEN, THE LEGISLATIVE STANDARDS GUIDING AND CONTROLLING THE SAME, THE LIMITATIONS AND RESTRICTIONS APPLICABLE THERETO AND THE PERIOD OF EFFECTIVENESS THEREOF.

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

Section 1. Power to Suspend or Modify Statues Impeding the War Effort. Upon the request of the President, the Secretary of War, the Secretary of the Navy or the Attorney General of the United States, accompanied by a statement of the Attorney General of the United States that the enforcement of a particular statute of this State or any part thereof will conflict with the enforcement of a particular Federal Statute or lawful regulation relating to the prosecution of the war and will interfere with the proper conduct of the war, or upon determination of the State Council of Defense, the Governor at any time when the General Assembly is not in session, may promulgate orders suspending or modifying the enforcement of the statute, in whole or in part, generally or in its application to particular areas, classes of persons, corporations or circumstances upon such terms and conditions as he deems necessary to impose, and may in his discretion amend, revoke or rescind any such order.

GOVERNOR

EMPOWERED TO SUSPEND LAWS

Section 2. Standards, Limitations and Restrictions. The power conferred by this Act shall not be exercised, unless and until the Governor shall find and proclaim, after such study, investigation or hearing as he may make, direct or conduct, that the enforcement of a statute of this State, or any part thereof, described in the request required by Section 1 of this Act, will conflict with the enforcement of a particular Federal statute or lawful regulation relating to the prosecution of the war and will interfere with the proper conduct of the war.

Section 3. Period of Effectiveness. Any order promulgated pursuant to the Act shall be effective for the period of time specified therein or, if no period is specified, for the period during which this Act remains in force, unless the order is sooner rescinded or revoked by order of the Governor or by concurrent resolution of the General Assembly.

Section 4. Effect of Orders. Any order promulgated pursuant to this Act shall have the full force and effect of law when notice thereof has been given in the usual form and manner of proclamation issued by the Governor.

Section 5. Reports to Legislature. The Governor shall report to the General Assembly at its next session all proceedings taken by him pursuant to this Act and shall transmit at the same time to the General Assembly copies of all orders promulgated by him by virtue of the authority of this Act.

Section 6. Short Title. The short title of this Act is the "Executive Statutory Suspension Act."

Section 7. Effective Date; Expiration; Termination. An emergency exists and this Act shall become effective immediately and shall remain in force for the duration of the existing war and until such time as the Governor shall proclaim the expiration of the existing emergency, unless otherwise repealed prior thereto, but in no case shall this Act remain in force and effect for more

GOVERNOR

EMPOWERED TO SUSPEND LAWS

than six months after termination of the existing war by the signing of a definitive treaty of peace, or by the proclamation of the President of the United States that hostilities have ceased or that the emergency in justification of extraordinary war-time powers no longer exists.

Section 8. All acts or parts of acts inconsistent with this Act are hereby repealed to the extent of such inconsistency only.

Approved January 28, 1943.

CHAPTER 63

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES**AN ACT TO AMEND CHAPTER 20 OF THE REVISED CODE
OF DELAWARE, 1935, ENTITLED "INSURANCE DE-
PARTMENT", IN REFERENCE TO VALUATION AND
NON-FORFEITURE BENEFITS OF LIFE INSURANCE
POLICIES.**

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

Section 1. That Chapter 20, of the Revised Code of the State of Delaware, be and the same is hereby amended by striking out all of 493. Sec. 32 thereof and inserting in lieu thereof the following:

493. Sec. 32. (a) The Insurance Commissioner shall annually value, or cause to be valued, the reserve liabilities (hereinafter called reserves) for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance company doing business in this state, and may certify the amount of any such reserves, specifying the mortality table or tables, rate or rates of interest and methods (net level premium method or other) used in the calculation of such reserves. In calculating such reserves, he may use group methods and approximate averages for fractions of a year or otherwise. In lieu of the valuation of the reserves herein required of any foreign or alien company, he may accept any valuation made, or caused to be made, by the insurance supervisory official of any state or other jurisdiction when such valuation complies with the minimum standard herein provided and if the official of such state or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the Insurance Commissioner when such certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

The Insurance 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.

Any such company which at any time shall have adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard herein provided may, with the approval of the Insurance Commissioner, adopt any lower standard of valuation, but not lower than the minimum herein provided.

Provided, that this section shall not apply to organizations operating on the assessment plan.

(b) The provisions of this subsection shall apply to only those policies and contracts issued before the operative date of 496-B. Sec. 35-B, the Standard Non-forfeiture Law.

The legal minimum standard for the valuation of life insurance contracts issued before the first day of January, 1932, 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.

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

INSURANCE DEPARTMENT
VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

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.

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.

The legal minimum standard for the valuation of annuities issued on and after the first day of January, 1932, 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.

Reserves for all such policies and contracts may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by this subsection.

(c) The provisions of this subsection shall apply to only those policies and contracts issued on or after the operative date of 496-B, Sec. 35-B, the Standard Non-forfeiture Law.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

(1). The minimum standard for the valuation of all such policies and contracts shall be the Commissioners' reserve valuation method defined in Paragraph (2), three and one-half per cent ($3\frac{1}{2}\%$) interest, and the following tables:

- (i) For all Ordinary policies of life insurance issued on the standard basis, excluding any disability and accidental death benefits in such policies,—the Commissioners' 1941 Standard Ordinary Mortality Table.
- (ii) For all Industrial life insurance policies issued on the standard basis, excluding any disability and accidental death benefits in such policies,—the 1941 Standard Industrial Mortality Table.
- (iii) For Annuity and Pure Endowment contracts, excluding any disability and accidental death benefits in such policies,—the 1937 Standard Annuity Mortality Table.
- (iv) For Total and Permanent Disability benefits in or supplementary to Ordinary policies or contracts—Class (3) Disability Table (1926) which, for active lives, shall be combined with a mortality table permitted for calculating the reserves for life insurance policies.
- (v) For Accidental Death benefits in or supplementary to policies—the Inter-Company Double Indemnity Mortality Table combined with a mortality table permitted for calculating the reserves for life insurance policies.
- (vi) For Group Life insurance, life insurance issued on the substandard basis and other special benefits—such tables as may be approved by the Insurance Commissioner.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

(2). Reserves according to the Commissioners' reserve valuation method, for the life insurance and endowment benefits of policies providing for a uniform amount of insurance and requiring the payment of uniform premiums shall be the excess, if any, of the present value, at the date of valuation, of such future guaranteed benefits provided for by such policies, over the then present value of any future modified net premiums therefor. The modified net premiums for any such policy shall be such uniform percentage of the respective contract premiums for such benefits that the present value, at the date of issue of the policy, of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the policy and the excess of (A) over (B), as follows:

- (A) A net level annual premium equal to the present value, at the date of issue, of such benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due; provided, however, that such net level annual premium shall not exceed the net level annual premium on the nineteen year premium whole life plan for insurance of the same amount at an age one year higher than the age at issue of such policy.
- (B) A net one year term premium for such benefits provided for in the first policy year.

Reserves according to the Commissioners' reserve valuation method for (a) life insurance policies providing for a varying amount of insurance or requiring the payment of varying premiums, (b) annuity and pure endowment contracts, (c) disability and accidental death benefits in all policies and contracts, and (d) all other benefits, except life insurance and endowment benefits in life insurance policies, shall be calculated by a method consistent with the principles of this paragraph (2).

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

(3). In no event shall a company's aggregate reserves for all life insurance policies, excluding disability and accidental death benefits, be less than the aggregate reserves calculated in accordance with the method set forth in Paragraph (2) and the mortality table or tables and rate or rates of interest used in calculating non-forfeiture benefits for such policies.

(4). Reserves for any category of policies, contracts or benefits as established by the Insurance Commissioner, may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for such category than those calculated according to the minimum standard herein provided, but the rate or rates of interest used shall not be higher than the corresponding rate or rates of interest used in calculating any non-forfeiture benefits provided for therein. Provided, however, that reserves for participating life insurance policies may, with the consent of the Insurance Commissioner, be calculated according to a rate of interest lower than the rate of interest used in calculating the non-forfeiture benefits in such policies, with the further proviso that if such lower rate differs from the rate used in the calculation of the non-forfeiture benefits by more than one-half per cent ($\frac{1}{2}\%$) the company issuing such policies shall file with the Insurance Commissioner a plan providing for such equitable increases, if any, in the cash surrender values and non-forfeiture benefits in such policies as the Insurance Commissioner shall approve.

(5). If the gross premium charged by any life insurance company on any policy or contract is less than the net premium for the policy or contract according to the mortality table, rate of interest and method used in calculating the reserve thereon, there shall be maintained on such policy or contract a deficiency reserve in addition to all other reserves required by law. For each such policy or contract the deficiency reserve shall be the present value, according to such standard, of an annuity of the difference between such net premium and the premium charged for such policy or contract, running for the remainder of the premium-paying period.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

Section 2. That Section 35 (relating to provisions required in life insurance policies) of Chapter 20 of the Revised Code of the State of Delaware, 1935, being Code Section 496 of said Code, be and the same is hereby amended by substituting the following new provisions (6), (7) and (8) for the corresponding provisions now appearing in said section:

(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 amount required by 496-C. Sec. 35-C under the conditions specified thereby; and that the company may 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. 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 for non-forfeiture benefits, specifying the options to which the policyholder is entitled, in accordance with the requirements of 496-A. Sec. 35-A or 496-B. Sec. 35-B. This provision shall not be required in term insurance of twenty years or less.

(8). A provision for cash surrender values in accordance with the requirements of 496-A. Sec. 35-A or 496-B. Sec. 35-B. This provision shall not be required in term insurance of twenty years or less.

Section 3. That Chapter 20, of the Revised Code of the State of Delaware, 1935, be and the same is hereby amended by adding the following new section to be known as 496-A. Sec. 35-A:

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

496-A. Sec. 35-A. **Non-Forfeiture Benefits in Policies Issued Before the Operative Date of 496-B. Sec. 35-B.:** From and after January 1, 1932, and before the operative date of 496-B. Sec. 35-B, no policy of life insurance other than industrial insurance, annuities and pure endowments with or without return of premiums or of premiums and interest and other than term insurance of twenty years or less 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 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 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.

INSURANCE DEPARTMENT
VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

Provided further, that 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.

Section 4. That Chapter 20, of the Revised Code of the State of Delaware, 1935, be and the same is hereby amended by adding the following new section to be known as 496-B. Sec. 35-B:

496-B. Sec. 35-B. Standard Non-Forfeiture Law.

(a) In the case of policies issued on or after the operative date of this section, as defined in Subsection (g), no policy of life insurance, except as stated in Subsection (f), shall be issued or delivered in this State unless it shall contain in substance the following provisions, or corresponding provisions which in the opinion of the Insurance Commissioner are at least as favorable to the defaulting or surrendering policyholder:

- (1) That, in the event of default in any premium payment, the company will grant, upon proper request not later than sixty days after the due date of the premium in default, a paid-up non-forfeiture benefit on a plan stipulated in the policy, effective as of such due date, of such value as may be hereinafter specified.
- (2) That, upon surrender of the policy within sixty days after the due date of any premium payment in default after premiums have been paid for at least three full years in the case of ordinary insurance or five full years in the case of industrial insurance, the company will pay, in lieu of any paid-up non-forfeiture benefit, a cash surrender value of such amount as may be hereinafter specified.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

- (3) That a specified paid-up non-forfeiture benefit shall become effective as specified in the policy unless the person entitled to make such election elects another available option not later than sixty days after the due date of the premium in default.
- (4) That, if the policy shall have become paid-up by completion of all premium payments or if it is continued under any paid-up non-forfeiture benefit which became effective on or after the third policy anniversary in the case of Ordinary insurance or the fifth policy anniversary in the case of Industrial insurance, the company will pay, upon surrender of the policy within thirty days after any policy anniversary, a cash surrender value of such amount as may be hereinafter specified.
- (5) A statement of the mortality table and interest rate used in calculating the cash surrender values and the paid-up non-forfeiture benefits available under the policy, together with a table showing the cash surrender value, if any, and paid-up non-forfeiture benefit, if any, available under the policy on each policy anniversary either during the first twenty policy years or during the term of the policy, whichever is shorter, such values and benefits to be calculated upon the assumption that there are no dividends or paid-up additions credited to the policy and that there is no indebtedness to the company on the policy.
- (6) A statement of the method to be used in calculating the cash surrender value and the paid-up non-forfeiture benefit available under the policy on any policy anniversary with an explanation of the manner in which the cash surrender values and the paid-up non-forfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF LIFE INSURANCE POLICIES

Any of the foregoing provisions or portions thereof not applicable by reason of the plan of insurance may, to the extent inapplicable, be omitted from the policy.

The company shall reserve the right to defer the payment of any cash surrender value for a period of six months after demand therefor with surrender of the policy.

(b) Any cash surrender value available under the policy in the event of default in a premium payment due on any policy anniversary, whether or not required by Subsection (a), shall be an amount not less than the excess, if any, of the present value, on such anniversary, of the future guaranteed benefits which would have been provided for by the policy, including any existing paid-up additions, if there had been no default, over the sum of (A) the then present value of the adjusted premiums as defined in Subsection (d), corresponding to premiums which would have fallen due on and after such anniversary, and (B) the amount of any indebtedness to the company on the policy. Any cash surrender value available within thirty days after any policy anniversary under any policy paid-up by completion of all premium payments or any policy continued under any paid-up non-forfeiture benefit, whether or not required by Subsection (a), shall be an amount not less than the present value, on such anniversary, of the future guaranteed benefits provided for by the policy, including any existing paid-up additions, decreased by any indebtedness to the company on the policy.

(c) Any paid-up non-forfeiture benefit available under the policy in the event of default in a premium payment due on any policy anniversary shall be such that its present value as of such anniversary shall be at least equal to the cash surrender value then provided for by the policy or, if none is provided for, that cash surrender value which would have been required by this section in the absence of the condition that premiums shall have been paid for at least a specified period.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

(d) The adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (i) the then present value of the future guaranteed benefits provided for by the policy; (ii) two per cent of the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount, as hereinafter defined, if the amount of insurance varies with duration of the policy; (iii) forty per cent of the adjusted premium for the first policy year; (iv) twenty-five per cent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less. Provided, however, that in applying the percentages specified in (iii) and (iv) above, no adjusted premium shall be deemed to exceed four per cent (4%) of the amount of insurance or level amount equivalent thereto. The date of issue of a policy for the purpose of this subsection shall be the date as of which the rated age of the insured is determined.

In the case of a policy providing an amount of insurance varying with duration of the policy, the equivalent level amount thereof for the purpose of this subsection shall be deemed to be the level amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with duration and the benefits under which have the same present value at the inception of the insurance as the benefits under the policy.

All adjusted premiums and present values referred to in this section shall be calculated on the basis of the Commissioners' 1941 Standard Ordinary Mortality Table for Ordinary insurance and the 1941 Standard Industrial Mortality Table for Industrial

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

insurance and the rate of interest, not exceeding three and one-half per cent ($3\frac{1}{2}\%$) per annum, specified in the policy for calculating cash surrender values and paid-up non-forfeiture benefits. Provided, however, that in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a non-forfeiture benefit, the rates of mortality assumed may be not more than one hundred and thirty per cent (130%) of the rates of mortality according to such applicable table. Provided, further, that for insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the Insurance Commissioner.

(e) Any cash surrender value and any paid-up non-forfeiture benefit, available under the policy in the event of default in a premium payment due at any time other than on the policy anniversary, shall be calculated with allowance for the lapse of time and the payment of fractional premiums beyond the last preceding policy anniversary. All values referred to in Subsections (b), (c) and (d) may be calculated upon the assumption that any death benefit is payable at the end of the policy year of death. The net value of any paid-up additions, other than paid-up term additions, shall be not less than the dividends used to provide such additions. Notwithstanding the provisions of Subsection (b), additional benefits payable (1) in the event of death or dismemberment by accident or accidental means, (2) in the event of total and permanent disability, (3) as reversionary annuity or deferred reversionary annuity benefits, (4) as decreasing term insurance benefits provided by a rider or supplemental policy provision to which, if issued as a separate policy, this section would not apply, and (5) as other policy benefits additional to life insurance and endowment benefits, and premiums for all such additional benefits, shall be disregarded in ascertaining cash surrender values and non-forfeiture benefits required by this section, and no such additional benefits shall be required to be included in any paid-up non-forfeiture benefits.

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

(f) This section shall not apply to any reinsurance, group insurance, pure endowment, annuity or reversionary annuity contract, nor to any term policy of uniform amount, or renewal thereof, of fifteen years or less expiring before age sixty-six, for which uniform premiums are payable during the entire term of the policy, nor to any term policy of decreasing amount on which each adjusted premium, calculated as specified in Subsection (d), is less than the adjusted premium so calculated, on such fifteen year term policy issued at the same age and for the same initial amount of insurance, nor to any policy which shall be delivered outside this State through an agent or other representative of the company issuing the policy.

(g) After the effective date of this Act, any company may file with the Insurance Commissioner a written notice of its election to comply with the provisions of this section after a specified date before January first, nineteen hundred and forty-eight. After the filing of such notice, then upon such specified date (which shall be the operative date for such company), this after issued by such company. If a company makes no such election, the operative date of this section for such company shall be January first, nineteen hundred and forty-eight.

Section 5. That Chapter 20, of the Revised Code of the State of Delaware, 1935, be and the same is hereby amended by adding the following new section to be known as 496-C, Sec. 35-C:

496-C. Sec. 35-C. Loan Provisions in Policies. (a) In the case of policies issued after January 1, 1932 and prior to the operative date of 496-B. Sec. 35-B, the loan value referred to in Paragraph (6) of 496. Sec. 35 shall be 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 (i) two and one-half per centum of the amount insured by the

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF LIFE INSURANCE POLICIES

policy and of any dividend additions thereto or, at the option of the company, (ii) one-fifth of said reserve. Such policies may provide that such loan may be deferred for not exceeding six months after the application therefor is made.

(b) In the case of policies issued on or after the operative date of 496-B. Sec. 35-B (the Standard Non-forfeiture Law) the loan value referred to in Paragraph (6) of 496. Sec. 35 shall be the cash surrender value as required by 496-B. Sec. 35-B. The company shall reserve the right to defer such loan, except when made to pay premiums, for six months after the application therefor is made.

Section 6. That Section 45 (relating to registered policies and bonds of domestic companies) of Chapter 20, of the Revised Code of the State of Delaware, 1935, being Code Section 506 of said Code, be and the same is hereby amended by substituting for the third, fourth and fifth paragraphs thereof the following three paragraphs:

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 method and basis of valuation prescribed in 493. Sec. 32. 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 method and basis of valuation prescribed in 493. Sec. 32, 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

INSURANCE DEPARTMENT

VALUATION AND NON-FORFEITURE BENEFITS OF
LIFE INSURANCE POLICIES

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.

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 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 method and basis of valuation prescribed in 493. Sec. 32, 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 method and basis of valuation prescribed in 493. Sec. 32 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.

Section 7. All acts and parts of acts inconsistent with the provisions of this Act are hereby repealed. This Act shall take effect from its passage.

Approved March 30, 1943.

CHAPTER 64

STATE BOARD OF AGRICULTURE

COMMERCIAL FEEDING STUFFS

AN ACT TO AMEND CHAPTER 33, SEC. 9 OF VOLUME 32, LAWS OF DELAWARE, BEING 625, SEC. 58 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO COMMERCIAL FEEDING STUFFS.

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

Section 1. That Chapter 33, Sec. 9 of Volume 32, Laws of Delaware, being 625, Sec. 58 of the Revised Code of Delaware, 1935, be and the same is hereby amended by repealing 625, Sec. 58 and by inserting in lieu thereof the following 625, Sec. 58.

625 Sec. 58. (1) The term "Commercial Feeds" shall be held to include all materials used for feeding animals or birds, except the following:

(a) Unmixed whole seeds or grains; as defined by the U. S. grain standards.

(b) The unmixed meals made directly from and consisting of the entire grains of corn, wheat, rye, barley, oats, buckwheat, flaxseed, kafir, milo, and other seeds or grains.

(c) Whole hays, straws, cottonseed hulls, stover and silage, when unmixed with other materials.

(2) All manufacturers, importers, jobbers, firms, associations, corporations or persons shall before selling, offering or exposing for sale or distributing in this state any brand of commercial feed have printed on, or attached to each bag, package, carton, or can delivered with each bulk lot a plainly printed statement, hereafter referred to as the label, in a conspicuous place on the outside, containing a legible and clearly printed statement in the English language clearly and truly stating:

(a) The net weight of the contents of the package, bag, carton, can or bulk lot;

STATE BOARD OF AGRICULTURE

COMMERCIAL FEEDING STUFFS

- (b) The brand or trade name of the feed;
- (c) The name and principal address of the manufacturer or person responsible for placing the commodity on the market;
- (d) The minimum percentage of crude protein;
- (e) The minimum percentage of crude fat;
- (f) The maximum percentage of crude fiber;
- (g) The name of each ingredient used in its manufacture;

Provided that the official names of all materials which have been so defined by the Association of American Feed Control Officials, shall be used in the declaration of the names of ingredients.

(h) In the case of mixed feeds containing more than a total of five per cent of one or more mineral ingredients, or other unmixed materials used as mineral supplements, and in the case of mineral feeds, mixed or unmixed, which are manufactured, represented and sold for the primary purpose of supplying mineral elements in rations for animals or birds, and containing mineral elements generally regarded as dietary factors essential for normal nutrition, the minimum percentage of calcium (Ca), of phosphorus (P), of Iodine (I), and the maximum percentage of salt (NaCl), if the same be present. Provided that if no nutritional properties other than those of a mineral nature be claimed for a mineral feed product, the percents of crude protein, crude fat and crude fiber may be omitted.

(3) Before any manufacturer, importer, jobber, firm, association, corporation or person shall sell, offer or expose for sale or distribute in this State any brand of commercial feed, he or they shall make application for registration and file with the State Board of Agriculture a certified copy of the statement as specified in Paragraph 2, with the exception of Subdivision (a), for each brand of commercial feed; said application shall

STATE BOARD OF AGRICULTURE

COMMERCIAL FEEDING STUFFS

be accompanied when the State Board of Agriculture shall so request, by a certified copy of the label and/or a sealed package containing at least one pound of the commercial feed to be registered in this state, and the company or person furnishing said sample shall thereupon make an affidavit that the said sample is representative of the commercial feed offered for registration. If such application for registration appears to meet the requirements of this Act the State Board of Agriculture shall issue a certificate of registration for such brand of commercial feed, which registration shall expire December 31st following its date of issuance.

Each and every importer, jobber, firm, association, corporation, or person selling, offering or exposing for sale or distributing in this State any commercial feeds to be used for mixing purposes only in the process of manufacturing or compounding registered commercial feeds shall be exempted from the payment of any registration fee, inspection tax, or both, provided the said feed is labeled or tagged with the information as provided in Section 2, and in addition:

(a) A declaration that such feed is to be used for mixing purposes in registered brands only.

(b) That the registration fee or inspection tax is not to be paid thereon.

(4) For the purpose of defraying the expenses connected with the sampling, inspection and analysis of commercial feeds sold or offered for sale within this state and for other items incident to carrying out the provisions of this Act, each and every manufacturer, importer, jobber, firm, association, corporation or person before selling, offering or exposing for sale, or distributing any commercial feeds as defined in Paragraph 1 of this Act shall pay annually to the Secretary of the State Board of Agriculture, a registration fee of one dollar (\$1.00) for each brand registered, and all corporations, firms or persons engaged in the manufacture of commercial feeds sold in this State shall on or before the first day of February of each year, make state-

STATE BOARD OF AGRICULTURE

COMMERCIAL FEEDING STUFFS

ment under oath, in due form of law, which shall be filed with the State Board of Agriculture and which shall set forth the number of net tons of each and every brand of such commercial feeds sold or distributed in this State during the preceding calendar year; and upon such statement shall pay to the State Board of Agriculture the sum of ten cents per net ton of two thousand pounds for each ton sold or distributed in this State during the preceding calendar year. Provided that in lieu of paying a registration fee of one dollar (\$1.00) for each brand registered, making a statement under oath of the number of net tons sold during a preceding calendar year, and paying the sum of ten cents (10¢) per net ton of two thousand pounds sold or distributed in this state; commercial feeds, in cans or small packages of ten pounds or less, may be registered upon payment of an annual registration fee of ten dollars (\$10.00) for each such commercial feed registered. Each applicant for a certificate of registration shall include in such application a permit granting to the State Board of Agriculture or its duly designated representative, permission to verify from applicants records such applicant's statement of tonnage.

(4-A) The registration fee and inspection tax as provided in Paragraph 4 shall not apply to any feed mixed according to a formula furnished by a consumer; provided, that all such packages of feeds mixed according to a formula furnished by the consumer shall be plainly marked or tagged on the outside of at least one package in the lot so mixed with the words "Mixed-to-Order For", followed by the name and address of the person for whom the order was mixed.

(5) Whenever a manufacturer, importer, jobber, firm, association, corporation or person selling, offering or exposing for sale or distributing a brand of commercial feed as defined in Paragraph 1 of this Act shall have filed the statement required by Paragraph 3 and paid the inspection fee as required by Paragraph 4 no other agent, importer, jobber, firm, association, corporation or person shall be required to file such statement or pay such fee upon such brand.

STATE BOARD OF AGRICULTURE

COMMERCIAL FEEDING STUFFS

(6) The State Board of Agriculture shall have power to refuse to register any commercial feed under a brand or trade name which would be misleading or deceptive, or which would tend to mislead or deceive as to the materials of which it is composed, or when the recognized official names of each and all ingredients used in its manufacture are not stated. The State Board of Agriculture shall also have the power to refuse to register more than one commercial feed under the same name when offered by the same manufacturer. Should any commercial feed be registered in this state, and it is afterward discovered that such registration was in error or is in violation of any of the provisions of this Act, the State Board of Agriculture shall have the power to cancel such registration. The State Board of Agriculture shall have the power to refuse to allow any manufacturer, importer, jobber, firm, association, corporation or person to lower the guaranteed analysis or change the ingredients of any brand of his or their commercial feeds during the term for which registered, unless satisfactory reasons are presented to the State Board of Agriculture for making such change or changes.

(7) The State Board of Agriculture is authorized in person or by deputy to have free access during regular business hours to all places of business, mills, buildings, carriages, cars, vessels and parcels of whatsoever kind used in this State in the manufacture, transportation, importation, sale or storage of any commercial feed, and shall have the power and authority to open any parcel containing or supposed to contain any commercial feeds and to take therefrom in the manner prescribed in Paragraph 8, samples for analysis, and said State Board of Agriculture may cause to be analysed annually at least one sample so taken of every commercial feed found sold, offered or exposed for sale or distributed in this state.

(8) No action shall be maintained for a violation of the provisions of this Act, based upon an analysis of a sample from less than ten separate original packages, unless there be less

STATE BOARD OF AGRICULTURE

COMMERCIAL FEEDING STUFFS

than ten separate original packages in the lot, in which case portions for the official sample shall be taken from each original package; if the commercial feed is in bulk, portions shall be taken from not less than ten different places in the lot; provided that this does not exclude sampling in bulk when not exposed sufficiently to take portions from ten different places, in which case portions are to be taken from as many places as practicable. If the sample thus procured is larger than is required, it shall be thoroughly mixed and quartered until a sample of suitable size remains. Said sample, if requested, shall be divided into two parts, and shall be placed in suitable containers and sealed, one of said containers so sealed, if requested, shall be delivered to the person apparently in charge of such feeds; in sampling canned or small packaged goods, one entire can or small package from each twenty (20) or less in the lot shall be deemed sufficient for examination; the said State Board of Agriculture shall analyze, or cause to be analyzed, the sample so collected, and the result of such analysis, together with such additional information as the said State Board of Agriculture may deem advisable, shall be promptly transmitted to the manufacturer and to the dealer or person in whose possession the product was sampled, and may be published in reports or bulletins from time to time. The manufacturer or person responsible for the placing of any commodity so sampled upon the market or the dealer or person in whose possession the feed was found shall upon request to the State Board of Agriculture within ten days after report is mailed be furnished with a portion of the official sample. The methods of analysis shall be those in effect at the time by the Association of Official Agricultural Chemists of North America.

(9) If it shall appear from the examination of any sample of feed or other evidence that any of the provisions of this Act have been violated, the State Board of Agriculture or its duly authorized deputy may affix or cause to be affixed to each package of commercial feed appearing to be in violation of any of the provisions of this Act a special tag setting forth that the commercial feed to which the tag is affixed is in apparent violation

STATE BOARD OF AGRICULTURE

COMMERCIAL FEEDING STUFFS

of the commercial feed law of the State of Delaware and must not be distributed, transported, sold or otherwise disposed of nor may the special tag be removed, defaced or destroyed without written permission of the State Board of Agriculture, and the State Board of Agriculture shall cause notice of such apparent violation to be given to the manufacturer and the dealer from whom said sample was taken; any party so notified shall be given an opportunity to be heard under such rules and regulations as may be prescribed by the State Board of Agriculture. After such hearing, if it appears that any of the provisions of this Act have been violated, the State Board of Agriculture may certify the facts to the proper prosecuting attorney and furnish that officer with a copy of the results of the analysis or other examination of such sample, duly authenticated by the analyst or other agent or officer making the examination, under the oath of such analyst, agent or officer.

(10) Any manufacturer, importer, jobber, firm, association, corporation or person who shall impede, obstruct, hinder or otherwise prevent or attempt to prevent the said State Board of Agriculture or any authorized agent of the said State Board of Agriculture in the performance of his duty in connection with the provisions of this Act, or who shall sell, offer or expose for sale or distribute in this State any commercial feeds as defined in Paragraph 1, without complying with the requirements of the provisions of this Act, or who shall sell, offer or expose for sale or distribute in this State any commercial feed which contains a smaller per centum of crude protein, crude fat, calcium, phosphorus, or iodine, or a larger percentage of crude fiber or salt than is certified to be contained therein, or who shall fail to properly state the name of each and every ingredient used in its manufacture, or shall sell, offer, or expose for sale or distribute in this State any commercial feed which carries any false or misleading statements upon or attached to the package, or if false or misleading statements regarding its feeding value are made on the package by the corporation, firm or individual registering said commercial feed, or if the number of net pounds set

STATE BOARD OF AGRICULTURE
COMMERCIAL FEEDING STUFFS

forth upon the package is not correct, or who shall distribute, transport, sell or otherwise dispose of any commercial feed to which special tags of the State Board of Agriculture have been affixed or who shall remove, deface or destroy any of the special tags of the State Board of Agriculture without written permission, or who shall violate any other provision of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than fifty dollars (\$50.00) for the first violation and not less than fifty dollars (\$50.00) for each subsequent violation. Any manufacturer, importer, jobber, firm, association, corporation or person who shall sell, offer or expose for sale or distribute any commercial feeds mixed or adulterated with any substance or substances injurious to the health of animals or birds, or any commercial feeds carrying attached thereto any metal tag hooks shall be deemed guilty of a misdemeanor and in addition to the penalty provided in this Section, the lot of feeds shall be subject to seizure by judicial court action, condemnation and disposition as the court may direct, the proceeds from such sale to be covered into the State Treasury. The court may in its discretion release the feeds so seized when the requirements of the provisions of this Act have been complied with, and upon payment of all costs and expenses incurred by the State in any proceedings connected with such seizure.

(11) The State Board of Agriculture is hereby empowered to enforce the provisions of this Act and to prescribe and enforce administrative rules, regulations, definitions and standards which shall be in harmony with the provisions of this Act and the official pronouncements of the Association of American Feed Control Officials, Incorporated, and such administrative rules, regulations, definitions and standards when so prescribed shall have all the effect and authority of the remainder of this Act.

(12) All monies received under the provisions of this Act shall be promptly transferred to the State Treasurer and covered into the general fund of the State.

STATE BOARD OF AGRICULTURE
COMMERCIAL FEEDING STUFFS

(13) **Separability Clause.** If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the Act and the applicability thereof to other persons and circumstances shall not be affected thereby.

(14) All acts or parts of acts inconsistent with the provisions of this Act are hereby repealed.

(15) This Act shall become effective immediately upon its passage and approval.

Approved April 22, 1943.

CHAPTER 65

STATE BOARD OF AGRICULTURE

ICE CREAM AND ICE CREAM MIXTURES AND COMPOUNDS

AN ACT REGULATING THE MILK FAT CONTENT OF ICE CREAM AND ICE CREAM MIXTURES AND COMPOUNDS.

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

Section 1. That no person, firm or corporation shall sell or distribute, or have in possession for selling or distribution any ice cream or ice cream mixture or compound, which is adulterated or misbranded. Ice cream is hereby defined as the frozen product made from cream with the addition of milk or milk products, or eggs, fruit juices or nuts, with or without sugar or artificial flavoring or coloring. It shall contain not less than ten per cent (10%) of milk fats, except when the ingredients include fruits, nuts or eggs, in which case it shall contain not less than eight per cent (8%) of milk fats; Provided, however, that nothing herein contained shall be construed to prohibit the selling and distributing by any person, firm or corporation doing business in this State of ice cream or ice cream mixture or compound containing less than ten per cent and eight per cent of milk fats in States where a lesser percentage of milk fats is allowed, and such person, firm, or corporation shall have the right to manufacture and possess ice cream or ice cream mixture or compound containing less than ten per cent and eight per cent milk fat, only for the purpose of selling and distributing the same in other States.

Section 2. This act shall take effect immediately upon its approval and shall remain in effect until April 1st, 1945, at which time the regulations and requirements in respect to the milk fat content of ice cream and ice cream mixtures and compounds which were in force prior to the effective date of this act shall be restored and shall thereafter have the full force and effect of law.

Approved March 16, 1943.

CHAPTER 66

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

AN ACT TO AMEND CHAPTER 21 OF THE REVISED CODE OF DELAWARE 1935 RELATING TO THE STATE BOARD OF AGRICULTURE IN REFERENCE TO THE SALE OF AGRICULTURAL SEEDS.

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

This Act shall be cited as the "Delaware Seed Law".

Section 1. That Chapter 21 of the Revised Code of Delaware 1935 be and the same is hereby amended by striking out Chapter 21 and repealing all of 655 Section 88 and 665 Section 98 and all intervening Sections of Article 9 of the said Chapter and inserting in lieu thereof the following new sections.

DEFINITIONS:

Section 2. When used in this Act—

(a) The term "person" shall include a partnership, corporation, company, society, or association.

(b) The term "agricultural seeds" shall include the seeds of grass, forage, cereal and fibre crops and any other kinds of seeds commonly recognized within this State as agricultural or field seeds, and mixtures of such seeds.

(c) The term "vegetable seeds" shall include the seeds of those crops which are grown in gardens or on truck farms and are generally known and sold under the name of vegetable seeds in this state.

(d) The term "Weed seeds" shall include the seeds of all plants generally recognized as Weeds within this state, and shall include noxious weed seeds.

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

(e) Noxious weed seeds shall be divided into two classes, "primary noxious weed seeds" and "secondary noxious weed seeds" which are defined in (1) and (2) of this subsection: Provided, that the State Board of Agriculture may add to or subtract from the list of seeds included under either definition whenever it finds, after public hearing, that such additions or subtractions are within the respective definitions.

(1) "Primary noxious weed seeds" are the seeds of perennial weeds such as not only reproduce by seed but also spread by underground roots or stems, and which, when established, are highly destructive and difficult to control in this state by ordinary good cultural practice.

"Primary noxious weed seeds" in this state are the seeds of Canada thistle (*Cirsium arvense*), quackgrass (*Agropyron repens*).

(2) "Secondary noxious weed seeds" are the seeds of such weeds as are very objectionable in fields, lawns, or gardens of this state, but can be controlled by good cultural practice.

"Secondary noxious weed seeds" in this state are the seeds of dodder (*Cuscuta spp*), wild mustard (*Brassica spp*), wild onion (*Allium spp*), buckhorn (*Plantago lanceolata*), corn-cockle (*Agrostemma githago*).

(f) The term "Labeling" includes all labels, and other written, printed, or graphic representations, in any form whatsoever, accompanying and pertaining to any seed whether in bulk or in containers, and includes invoices.

(g) The term "advertisement" means all representations, other than those on the label, disseminated in any manner or by any means, relating to seed within the scope of this act.

LABEL REQUIREMENTS:

Section 3. Each container of agricultural or vegetable seed which is sold, offered for sale, or exposed for sale, within this state for sowing purposes shall bear thereon or have attached

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

thereto in a conspicuous place a plainly written or printed label or tag in the English language, giving the following information:

(a) For agricultural seeds—

(1) The name of (a) kind, or (b) kind and variety, or (c) kind and type, of each agricultural seed component in excess of five per cent (5%) of the whole, and the percentage by weight of each in the order of its predominance. Where more than one component is required to be named, the word "mixture" or the word "mixed" shall be shown conspicuously on the label.

(2) Lot number or other lot identification.

(3) Origin, if known, of alfalfa, red clover, and field corn (except hybrid corn). If origin is unknown, that fact shall be stated.

(4) Percentage by weight of all weed seeds.

(5) The name and approximate number of each kind of secondary noxious weed seed, per ounce in groups (A) and (B) and per pound in groups (c) and (D), when present singly or collectively in excess of—

(A) One seed or bulblet in each five grams of *Agrostis* spp., *Poa* spp., Rhodes grass, Bermuda grass, timothy, orchard grass, fescues, (except Meadow fescue), alsike and white clover, reed canary grass, Dallis grass, and other agricultural seeds of similar size and weight, or mixtures within this group;

(B) One seed or bulblet in each ten grams of ryegrass, Meadow fescue, foxtail, millet, alfalfa, red clover, sweet clovers, lespedezas, smooth brome, crimson clover, *Brassica* spp., flax, *Agropyron* spp. and other agricultural seeds of similar size and weight, or mixtures within this group, or of this group with (A);

(c) One seed or bulblet in each twenty-five grams of proso, Sudan grass and other agricultural seeds of similar size and weight or mixtures not specified in (A), (B), or (D);

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

(D) One seed or bulblet in each one hundred grams of wheat, oats, rye, barley, buckwheat, sorghums (except Sudan grass), vetches and other agricultural seeds of a size and weight similar to or greater than those within this group.

All determinations of noxious weed seeds are subject to tolerances as set forth in the rules and regulations of the Federal Seed Act.

(6) Percentage by weight of inert matter.

(7) Percentage by weight of agricultural seeds other than those required to be named on the label.

(8) For each agricultural seed (a) percentage of germination, exclusive of hard seed, (b) percentage of hard seed, if present, and (c) the calendar month and year the test was completed to determine such percentages. Following (a) and (b) the additional statement "total germination and hard seed" may be stated as such, if desired.

(9) Name and address of the person who labelled said seed, or who sells, offers or exposes said seed for sale within this state.

(b) For vegetable seeds—

(1) Name of kind and variety of seed;

(2) For seeds which germinate less than the standard last established by the State Board of Agriculture under this act.

(A) Percentage of germination exclusive of hard seed.

(B) Percentage of hard seed, if present.

(C) The calendar month and year the test was completed to determine such percentages;

(D) The words "Below standard" in not less than eight point type, and

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

(3) Name and address of the person who labeled said seed, or who sells, offers, or exposes said seed for sale within this state.

PROHIBITIONS:

Section 4. (a) It shall be unlawful for any person to sell, offer for sale, or expose for sale, any agricultural or vegetable seed within this state—

(1) Unless the test to determine the percentage of germination required by Section 3, shall have been completed within a nine month period exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale or offering for sale or transportation.

(2) Not labeled in accordance with the provisions of this act, or having a false or misleading statement.

(3) Pertaining to which there has been a false or misleading statement.

(4) Any agricultural seed containing any primary noxious weed seeds either singly or in the aggregate in greater number than 1 in 100 grams.

(5) Containing over 3.0 per cent of weed seed.

(6) Any agricultural seed containing more than 500 dodder seed per pound, unless labeled with a red tag carrying the statement Low Grade Seed.

(b) It shall be unlawful for any person within this state—

(1) To detach, alter, deface, or destroy any label provided for in this act or the rules and regulations made and promulgated thereunder, or to alter or substitute seed, in a manner that may defeat the purpose of this act.

(2) To disseminate any false or misleading advertisement concerning agricultural or vegetable seed in any manner or by any means.

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

(3) To hinder or obstruct in any way any authorized person in the performance of his duties under this act.

(4) To fail to comply with a "Stop Sale" order.

EXEMPTIONS

Section 5. (a) The provisions of Section 3 and 4 do not apply—

(1) To seed or grain not intended for sowing purposes: Provided, that this fact is so stated on attached labels of the containers, when such seed is sold at public auction.

(2) To seed in storage in, or consigned to, a seed cleaning or processing establishment for cleaning or processing: Provided, that any labeling or other representation which may be made with respect to the unclean seed shall be subject to this act.

(3) To a farmer when seeds are grown, sold and delivered on his own premises to the purchaser himself. If, however, the seed is advertised for sale through the local papers, then the seed shall be subject to the requirements of this act.

(b) No person shall be subject to penalties of this act for having sold, offered or exposed for sale in this state any agricultural or vegetable seeds, which were incorrectly labeled or represented as to kind, variety, type, or origin which seeds cannot be identified by examination thereof, unless he has failed to obtain an invoice or grower's declaration giving kind, or kind and variety, or kind and type, and origin, if required, and take such other precautions as may be necessary to insure the identity to be that stated.

Section 6. Seed consigned, delivered and offered for sale at community sales, auctions and bazaars are subject to all the requirements of this act.

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

DUTIES AND AUTHORITY OF THE STATE BOARD OF AGRICULTURE

Section 7. (a) The duty of enforcing this act and carrying out its provisions and requirements shall be vested in the State Board of Agriculture. It shall be the duty of the State Board of Agriculture who may act through their authorized agents:

(1) To sample, inspect, make analysis of, and test agricultural and vegetable seeds transported, sold, offered or exposed for sale within this state for sowing purposes at such time or place and to such extent as it may deem necessary to determine whether said agricultural or vegetable seeds are in compliance with the provisions of this act, and to notify promptly the person who transported, sold, offered or exposed the seed for sale, of any violation.

(2) To prescribe and adopt rules and regulations governing the methods of sampling, inspecting, analysis, tests and examinations of agricultural and vegetable seed, and the tolerances to be followed in the administration of this act, which shall be in general accord with officially prescribed practice in interstate commerce, and such other rules and regulations as may be necessary to secure the efficient enforcement of this act.

(b) Further, for the purpose of carrying out the provisions of this act, the State Board of Agriculture through its authorized agents, is authorized—

(1) To enter upon any public or private premises during regular business hours in order to have access to seeds subject to the act and the rules and regulations thereunder.

(2) To issue and enforce a written or printed "stop sale" order to the owner or custodian of any lot of agricultural or vegetable seed, which the State Board of Agriculture or its agents finds is in violation of any of the provisions of this act which shall prohibit further sale of such seed until the State Board of Agriculture has evidence that the law has been complied with:

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

Provided, that no "stop sale" order shall be issued or attached to any lot of seed without first giving the owner or custodian of such seed an opportunity to comply with the law or to withdraw the seed from sale; Provided, further, that in respect to seeds which have been denied sale as provided in this paragraph, the owner or custodian of such seeds shall have the right to appeal from such order to a court of competent jurisdiction where the seeds are found, praying for a judgment as to the justification of said order and for the discharge of such seed from the order prohibiting the sale in accordance with the findings of the court: And provided further, that the provisions of this paragraph shall not be construed as limiting the right of the State Board of Agriculture or its agents to proceed as authorized by other sections of this act.

(3) To maintain a seed laboratory with proper equipment and qualified persons; to analyze for purity and test for germination seeds for farmers and dealers on request; the methods of testing, and tolerances for purity and germination shall be in accordance with the rules and regulations prescribed under the Federal Seed Act.

(4) To fix and collect fees for the tests made, if such fees are found to be necessary. All moneys received from receipt of such fees to be paid into the Treasury of the State.

(5) To cooperate with the United States Department of Agriculture in Seed law enforcement.

SEIZURE

Section 8. Any lot of agriculture or vegetable seed not in compliance with the provisions of this act shall be subject to seizure on complaint of the State Board of Agriculture or its agents to a court of competent jurisdiction in the county in which the seed is located. In the event that the court finds the seed to be in such violation of the act and orders the condemnation of said seed, it shall be denatured, processed, destroyed, relabeled, or otherwise disposed of in compliance with the laws

STATE BOARD OF AGRICULTURE

SALE OF AGRICULTURAL SEEDS

of this state; Provided, that in no instance shall such disposition of said seed be ordered by the court without first having given the claimant an opportunity to apply to the court for the release of said seed or permission to process or relabel it to bring it into compliance with the act.

VIOLATIONS AND PROSECUTIONS

Section 9. Every violation of the provisions of this act shall be deemed a misdemeanor punishable by a fine not exceeding one hundred dollars for the first offense and not exceeding two hundred and fifty dollars for each subsequent similar offense.

When the State Board of Agriculture shall find that any person has violated any of the provisions of this act, they may institute proceedings in the court of competent jurisdiction in the county in which the violation occurred, to have such person convicted therefor; or the State Board of Agriculture may file with the Attorney General with the view of prosecution such evidence as may be deemed necessary; Provided, however, that no prosecution under this act shall be instituted without first having given the defendant an opportunity to appear before the State Board of Agriculture to introduce evidence either in person or by agent or attorney at a private hearing. If after such hearing, or without such hearing, in case the defendant or his agent or attorney fails or refuses to appear, the State Board of Agriculture is of the opinion the evidence warrants prosecution, he shall proceed as herein provided.

It shall be the duty of Deputy Attorney General or the Attorney General, as the case may be, to institute proceedings at once against the person charged with such violations, if in his judgment, the information submitted warrants such action.

After judgment by the court in any case arising under this act, the State Board of Agriculture shall publish any information pertinent to the issuance of the judgment by the court in such media as they may designate from time to time.

Approved April 2, 1943.

CHAPTER 67

STATE BOARD OF AGRICULTURE

PURCHASE AND SALE OF LIMA BEANS, PEAS, ETC.

AN ACT REGULATING THE PURCHASE AND SALE IN THIS STATE OF LIMA BEANS, PEAS OR OTHER VEGETABLES FOR CANNING OR PROCESSING, OR ANY OTHER KINDRED PURPOSE WHATEVER.

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

Section 1. Whenever any lima beans, peas or other leguminous vegetables are purchased and sold in this State for canning or processing or any other kindred purpose whatever, either within or without this State, and one of the factors determining the purchase price to be paid therefor is the weight or measure thereof, after being severed and/or hulled from the vines, then in all such instances the weight or measure thereof, as the case may be, shall be determined according to standard weights and measures established by the appropriate Laws of this State with reference thereto. Such weight or measure, as the case may be, shall, in all such instances, be determined openly and, should he so require, in the presence of the seller or the seller's representative. Such weight or measure, as the case may be, shall, in all such instances, be determined at the place or Viner Station which such lima beans, peas or other leguminous vegetables, as aforesaid, are vined and/or hulled.

Section 2. Whenever any lima beans, peas or other leguminous vegetables are purchased and sold in this State for canning or processing or any other kindred purpose whatever, either within or without this State, and one of the factors determining the purchase price to be paid therefor is the grade or classification thereof according to the state of ripeness or over-ripeness, green appearance or white and dark appearance, then in all such instances the grade or classification thereof, by grade, scale, sample, percentage by count, or otherwise, as the case may be, shall be determined openly and, should he so require, in the

STATE BOARD OF AGRICULTURE

PURCHASE AND SALE OF LIMA BEANS, PEAS, ETC.

presence of the seller or seller's representative. Such grade or classification thereof, as aforesaid, shall, in all such instances, be determined at the place or Viner Station where such lima beans, peas or other leguminous vegetables, as aforesaid, are vined and/or hulled without delay after a given load or delivery of such lima beans, peas or other leguminous vegetables, as the case may be, has been vined and/or hulled.

Section 3. Any person, firm or corporation, and any employee, servant or agent of any person, firm or corporation, who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) or by imprisonment of not more than ten (10) days or by both fine and imprisonment in the discretion of the Court and for the second and each subsequent offense to be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00), or by imprisonment for not more than two (2) months, or by both fine and imprisonment in the discretion of the Court.

Approved April 2, 1943.

CHAPTER 68

DEPARTMENT OF HEALTH

AN ACT TO AMEND CHAPTER 25 OF THE REVISED CODE OF DELAWARE, 1935, IN REFERENCE TO THE DEPARTMENT 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 Delaware, 1935, be and the same is hereby amended by striking out 767. Section 24, and inserting in lieu thereof the following:

767. Section 24. From the decision of the Justices of the Peace under any provisions of this Chapter, there shall be an appeal allowed to the Court of General Sessions.

Approved April 22, 1943.

CHAPTER 69

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

**AN ACT TO AMEND ARTICLE 2, CHAPTER 25, OF THE
REVISED CODE OF THE STATE OF DELAWARE, 1935,
RELATING 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 782 Sec. 39, 783 Sec. 40, 784 Sec. 41, 785 Sec. 42, 786 Sec. 43, 787 Sec. 44, 788 Sec. 45, 789 Sec. 46, 790 Sec. 47, 791 Sec. 48, 792 Sec. 49, 793 Sec. 50, 794 Sec. 51, 795 Sec. 52, 796 Sec. 53, 797 Sec. 54, 798 Sec. 55, 799 Sec. 56, 800 Sec. 57, 801 Sec. 58, 802 Sec. 59, 803 Sec. 60, 804 Sec. 61, 805 Sec. 62, 806 Sec. 63, 807 Sec. 64 of Article 2 of Chapter 25 of the Revised Code of Delaware 1935, be and the same are hereby amended to read as follows:

782. Section 39. Registration Districts: The Board shall divide the State from time to time into registration districts which shall conform to political subdivisions, or combinations thereof, or of parts thereof, provided, however, that the City of Wilmington shall be one of the registration districts.

783. Section 40. Local Registrars and Deputies: (1) The Board, on the recommendation of the State Registrar, shall appoint local registrars. A local registrar with the approval of the State Registrar may appoint deputies. The local registrars and the deputy registrars, except in the City of Wilmington, shall serve during the pleasure of the Board.

(2) The registrar of births, deaths and marriages of the City of Wilmington shall be the local registrar of the registration district of Wilmington, provided, however, that the term of office of the local registrar of the registration district of Wilmington shall commence and end with the term of office of the registrar of births, deaths and marriages of the City of Wilmington.

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

(3) Each local registrar shall be required to make one correct copy of each birth, death and marriage certificate received that is properly and completely made out, upon forms supplied by the State Board of Health, which copy shall be kept by the local registrar making the same. All forms supplied to local registrars shall remain the property of the State Board of Health.

(4) Local registrars shall transmit all certificates filed with them to the State Registrar in accordance with regulations of the Board.

784. Section 41. Registration of Physicians and Midwives; Report of to State Registrar: Every physician, midwife, undertaker and clergyman shall without delay register his or her name, address and occupation with the local registrar of the district in which he or she resides. It shall furthermore be the duty of the local registrar to see that all physicians, midwives, clergymen and undertakers within his district are so registered. Each such registrant shall be supplied by the local registrar with a copy of this Article, together with such rules and regulations as may be prepared by the State Board of Health relative to its enforcement. Within thirty days after the close of each calendar year, each local registrar shall make a return to the State Registrar of all physicians, midwives, undertakers and clergymen who have been registered in his district during the whole or any part of the preceding calendar year.

785. Section 42. Compulsory Registration of Births; Local Registrars to Prepare Birth Certificates; Supplementary Reports:

—(1) Within ten days after the occurrence of a birth, a certificate of such birth shall be filed with the local registrar of the district in which the birth occurred, by the physician, midwife, or other legally authorized person in attendance at the birth; or if not so attended, by one of the parents. Any physician, midwife or person present at the birth of any child shall within twenty-four hours report said birth to the State Registrar on a form supplied by the State Registrar. This report shall in no

CHAPTER 69

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

**AN ACT TO AMEND ARTICLE 2, CHAPTER 25, OF THE
REVISED CODE OF THE STATE OF DELAWARE, 1935,
RELATING 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 782 Sec. 39, 783 Sec. 40, 784 Sec. 41, 785 Sec. 42, 786 Sec. 43, 787 Sec. 44, 788 Sec. 45, 789 Sec. 46, 790 Sec. 47, 791 Sec. 48, 792 Sec. 49, 793 Sec. 50, 794 Sec. 51, 795 Sec. 52, 796 Sec. 53, 797 Sec. 54, 798 Sec. 55, 799 Sec. 56, 800 Sec. 57, 801 Sec. 58, 802 Sec. 59, 803 Sec. 60, 804 Sec. 61, 805 Sec. 62, 806 Sec. 63, 807 Sec. 64 of Article 2 of Chapter 25 of the Revised Code of Delaware 1935, be and the same are hereby amended to read as follows:

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DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

(3) Each local registrar shall be required to make one correct copy of each birth, death and marriage certificate received that is properly and completely made out, upon forms supplied by the State Board of Health, which copy shall be kept by the local registrar making the same. All forms supplied to local registrars shall remain the property of the State Board of Health.

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DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

way supplant or relieve any responsibility for filing the certificate of birth as provided for in this Section.

(2) If neither parent of the new born child whose birth is unattended, as above provided, is able to prepare a birth certificate, the local registrar shall secure the necessary information from any person having knowledge of the birth and prepare and file the certificate.

(3) The time within which a supplementary report furnishing information omitted from the original certificate may be returned for the purpose of completing the certificate shall not be more than six months from the date of birth. Certificates of birth completed by such supplementary report shall not be considered "delayed" or "altered".

786. Section 43. Registration of Foundlings; Foundling Report: (1) Whoever assumes the custody of a child of unknown parentage shall immediately report to the local registrar in writing—(a) the date and place of finding or assumption of custody; (b) sex, color or race, and approximate age of child; (c) name and address of the person or institution with whom the child has been placed for care; and (d) name given to the child by the finder or custodian.

(2) The place where the child was found or custody assumed shall be known as the place of birth, and the date of birth shall be determined by approximation.

(3) The report shall constitute the certificate of birth.

(4) If the child is identified and a regular certificate of birth is found or obtained, the report shall be sealed and filed and may be opened only by court order.

787. Section 44. Registration of Deaths and Stillbirths; Death and Stillbirth Certificates; Delayed Determination of Cause of Death: (1) A certificate of every death or stillbirth shall be filed with the local registrar of the district in which the death or stillbirth occurred within three days after the occur-

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

rence is known; or if the place of death or stillbirth is not known, then with the local registrar of the district in which the body is found within twenty-four hours thereafter. Stillborn children are those dead at birth and shall be registered as births and also as deaths, and a certificate of both the birth and death shall be filed with the local registrar in the usual form and manner, the certificate of birth to contain in place of the name of the child, the word "stillbirth". In every instance a certificate shall be filed prior to interment or other disposition of the body.

(2) The person in charge of interment shall file with the local registrar of the district in which the death or stillbirth occurred, or the body found, a certificate of death or stillbirth within three days after the occurrence.

(3) In preparing a certificate of death or stillbirth, the person in charge of interment shall obtain and enter on the certificate the personal data required by the Board from the persons best qualified to supply them. He shall present the certificate of death to the physician last in attendance upon the deceased or to the medical examiner and/or coroner having jurisdiction, who shall thereupon certify the cause of death according to his best knowledge and belief. It shall be unlawful for a midwife to sign a certificate of death or stillbirth.

(4) Thereupon the undertaker or person in charge of interment shall, if the death occurred without medical attendance or the physician last in attendance failed to sign the death certificate or circumstances suggest that the death or stillbirth was caused other than by natural causes, notify the medical examiner and/or coroner for investigation and certification.

(5) If the cause of death cannot be determined within three days, the certification of its cause may be filed after the prescribed period, but the attending physician, medical examiner and/or coroner shall give the local registrar of the district in which death occurred written notice of the reason for the delay in order that a permit for the disposition of the body may be issued.

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

788. **Section 45. Form of Certificates:** The forms of certificates upon which births, deaths and marriages shall be registered may include as a minimum the items required by the respective standard certificates as recommended by the U. S. Bureau of the Census, subject, however, to approval of and modification by the Board, provided, however, nothing in this Article shall be taken as indicating that in any form report of the birth of an illegitimate child, or on any certificate of birth of such illegitimate child, the name of the reputed father of said child shall be stated, unless and in which case there be attached to such form or certificate of birth a written statement of the reputed father acknowledging the paternity of such child. The form and use of such certificate shall be subject to the provisions of Section 50 of this Chapter.

789. **Section 46. Certificates as Evidence:** Certificates filed within six months after the time prescribed therefor shall be prima facie evidence of the facts therein stated. Data therein pertaining to the father of the child are prima facie evidence only if the alleged father is the husband of the mother; the data pertaining to the father of the child are not evidence in any proceeding adverse to the interests of the alleged father, or of his heirs, next of kin, devisees, legatees, or other successors in interest, if the father is not the husband of the mother and the paternity is not acknowledged as aforesaid.

790. **Section 47. Issuance of Certificates:** (1) The State Registrar shall upon request furnish any applicant a certificate of birth registration containing therein the name of the child, date of birth, place of birth, and certifying thereto that the information contained in said certificate is identical with equivalent information appearing on the original birth certificate.

(2) The State Registrar shall upon request furnish any applicant a certified copy of any certificate or any part thereof provided the applicant has a direct interest in the matter recorded and that the information contained therein is necessary for the determination of personal or property rights. In the

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

event of a request being made to the State Registrar for a certified copy of a registration of an illegitimate birth, to which registration a statement of paternity is not attached, the State Registrar is authorized to issue a certified or photostatic copy on which the name of the reputed father shall not appear.

(3) The State Registrar shall upon request furnish any applicant a photostatic copy of any certificate provided the applicant has a direct interest in the matter recorded and that the information contained therein is necessary for the determination of personal or property rights.

791. Section 48. **Fees for Copies and Searches:** (1) The State Board of Health shall receive for searches of records and the issuance of certificates the following fees:

a. for a search of the files and records and the issuance of a certificate of birth registration, fifty cents.

b. for a search of the files and records only, fifty cents.

c. for a search of the files and records and the issuance of a certified copy of any record, \$1.00.

d. for a search of the files and records and the issuance of a photostatic copy of any record, \$1.50.

(2) Subject to Sections 50, the U. S. Bureau of the Census may obtain transcripts, or, without payment of fees, certified copies provided the State is put to no expense in connection therewith.

(3) The State Registrar shall keep an account of all fees received and turn the same over to the State Treasurer.

792. Section 49. **Delayed or Altered Certificates; Procedures; Evidence:** (1) A person born in the State of Delaware may file or amend a certificate of birth after the time herein prescribed, upon submitting such evidence relative to the circumstances surrounding the birth as may be required by the State Registrar.

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

(2) Any certificate in the custody of the State Registrar upon which the information thereon is charged to be in error may be corrected or altered upon submitting such proof of error as may be required by the State Registrar.

(3) Certificates accepted subsequent to six months after the time prescribed for filing and certificates which have been altered after being filed with the State Registrar shall contain the date of the delayed filing or the date of alteration and shall be marked "delayed" or "altered" respectively.

(4) A summary statement of the evidence submitted in support of the acceptance for delayed filing or alteration shall be endorsed on the certificate.

(5) Such evidence submitted in support of a delayed or altered registration as may be retained by the State Registrar shall be kept in a special permanent file.

(6) All certified copies issued shall be copies of the corrected certificate and shall not bear any of the incorrect information as contained in the original certificate.

(7) The probative value of a "delayed" or "altered" certificate shall be determined by the judicial or administrative body or official before whom the certificate is offered for evidence.

793. Section 50. Disclosure of Records: (1) The records and files of the Bureau of Vital Statistics shall be considered confidential matter and shall be open to inspection subject to the provisions of this Act and regulations of the Board. It shall be unlawful for any officer or employee of the State to expose data contained in vital statistics records except as authorized by this Act and by the Board.

(2) Disclosure of illegitimacy of birth or of information from which it can be ascertained may be made only upon order of a court in a case where such information is necessary for the determination of personal or property rights, and then only for such purpose.

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

(3) The State Registrar shall not permit inspection of the records or issue a certified copy of a certificate or part thereof unless he is satisfied that the applicant therefor has a direct interest in the matter recorded and that the information therein contained is necessary for the determination of personal or property rights. His decision shall be subject, however, to review by the Board or a Court under the limitations of this Section.

(4) The Board may permit the use of data contained in vital statistical records for research purposes only, but no identifying use thereof shall be made.

(5) Subject to the provisions of this Section, the Board may direct local registrars to make a return, upon the filing of birth and death certificates with them, of certain data shown thereon to Federal, State, or Municipal agencies. Payment by such agencies for such services may be made through the State Registrar to local registrars as the Board shall direct.

794. Section 51. **Adoptions:** (1) Upon the issuance of a final decree of adoption, the Clerk of the Court in which such application for adoption was made shall immediately file in the office of the State Registrar, on forms provided by the State Registrar for this purpose, a report indicating and setting forth the name given to the child at its birth, the sex of the child, the date and place of the child's birth, the name of the child's natural mother and father, together with a certified copy of the final decree of adoption.

(2) Upon receipt of such information, the State Registrar shall remove from his files the original certificate of birth and, after proper identification, shall place it in a confidential file which shall be accessible only upon court order. The State Registrar shall file a new certificate setting forth the adopted name and sex of the child, together with the names of the adopting parents and the actual birth date and birthplace of said child; and certificates may be issued in accordance with Section 47 of this Act.

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

(3) Provision is also made for the State Registrar to file such new certificate of birth for any child born in Delaware who is legally adopted in another state upon receipt of an exemplified copy of the Court Order of Adoption from the Clerk of the Court of such other state, and to issue a certificate as provided under Section 47 of this Act.

(4) In the event of a child born outside of Delaware and who is adopted in Delaware and for whom no certificate of birth can be secured from the state of his birth, the State Registrar may file and issue a special certificate of birth in accordance with the provisions of this Act, provided the adopting parents can furnish evidence considered satisfactory by the State Registrar of the facts and circumstances surrounding the birth of the child.

795. Section 52. Legitimation: In cases of legitimation, the State Registrar, upon receipt of proof thereof, shall prepare a new certificate of birth in the new name of the legitimated child. The evidence upon which the new certificate is made and the original certificate shall be sealed and filed and may be opened only upon order of Court.

796. Section 53. Persons Required to Make Records: Persons in charge of institutions for care of correction or for treatment of disease, injury or childbirth shall record and report all statistical data required by this Act relating to their inmates or patients.

797. Section 54. Permit for Removal, Burial, or Other Disposition; Foreign Permits; Prerequisites for Permit: (1) When a death or stillbirth occurs or a dead body is found, the body shall not be disposed of or removed from the registration district until a permit has been issued by the local registrar.

(2) When a death or stillbirth occurs outside this State and the body is accompanied by a permit for burial, removal or other disposition, issued in accordance with the law and regulations in force where the death or stillbirth occurred, the permit

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

shall authorize the transportation of the body into or through this State, but before the burial, cremation or other disposal of the body within this State, the permit shall be endorsed by the local registrar, who shall keep a record thereof.

(3) No permit under this Section shall issue until a certificate of death or stillbirth, as far as it can be completed under the circumstances of the case, has been filed and until all the regulations of the Board in respect to the issuance of such permit have been complied with.

798. Section 55. Compensation of Local Registrars; Payment of Fees: (1) Each local registrar shall be paid the sum of thirty-five cents for each properly completed birth, death or marriage certificate returned by him to the State Registrar in accordance with the regulations of the Board. In case no birth, death or marriage was registered during any calendar month, the local registrar shall so report and be paid the sum of \$1.00 for the report.

(2) Upon certification by the State Registrar, the fees of local registrars shall be paid by the Treasurer of the proper county. The State Registrar, quarterly, shall certify to the Treasurer of the respective counties the number of properly completed birth, death and marriage certificates received from his county, with the names of the local registrars and the amount due each.

799. Section 56. Registration of Marriages: Each person who performs a marriage ceremony shall, within five days following the day on which said marriage or marriages were solemnized, make full and complete return of same on blanks furnished by the State Registrar to the local registrar of the district in which said marriage or marriages were solemnized or contracted.

800. Section 57. Registration of Divorces, Annulments, and Adoptions: For each divorce, annulment of marriage, or adoption, the Prothonotary or Clerk of the Court shall prepare, within 30 days after the decree becomes final, a certificate of such

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

decree on a form furnished by the State Registrar; and before the 15th day of each calendar month the prothonotary shall forward to the State Registrar the certificates prepared by him during the preceding calendar month.

801. Section 58. **Cremation:** (1) No person shall destroy or dispose of by burning in the State of Delaware, the body of an individual dead from any cause, except in a crematorium or crematory licensed for this express purpose and under the conditions provided in this Section.

(2) A person, firm, organization or association desiring to acquire, erect or construct a crematory shall first obtain a permit from the State Board of Health, after depositing with said Board such blue prints giving construction details, plans of location, or other information as shall be required. The crematory shall be so constructed as to be able to reduce to ashes a body, so that there shall remain not more than five per cent of the weight of the body immediately after death. The crematory shall be subject at all times to inspection by the State Board of Health and by such officers of the State, Legal or Police Departments as may desire to inspect it. It shall not be located, managed or conducted at any time in such a way as to be a public nuisance.

(3) A body to be cremated cannot be so disposed of under a burial or disposal permit obtained from a State or local registrar under the provisions of the Vital Statistics law, but only after the preparation of a special permit obtained for this purpose. This special permit shall be obtained from a State or local registrar, after there having been first deposited with him the death certificate prepared under the provisions of the Vital Statistics law and a certificate signed by one physician and by a coroner of a county and/or by a member of the office of the Attorney General to the effect that there is no medical or legal reason that the destruction of the body by the process of cremation should not be permitted. The permit shall be retained

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

by the person, firm, corporation or association conducting the crematory, and shall be produced for inspection or other purposes when asked for by the inspecting authority.

(4) After the cremation has been completed, a report indicating the name of the individual, his address while alive, the date and cause of death, and the names of the individuals signing the permit, the date of the cremation, and the disposal of the ashes, shall be forwarded within twenty-four hours by the persons in charge of the crematory to the State Board of Health.

(5) The ashes resulting from the cremation of a body may be delivered by the attendants of the crematory to any member of the family of the deceased designated to receive them, or to the person or persons arranging for the cremation. After this delivery, they may be transported in any way in the State and disposed of in such a way as is desired by the person or persons receiving them.

(6) A representative of the family or some individual accredited to act as representative of the family of the individual being cremated may be present at the time the cremation is being carried out.

(7) The provisions laid down in paragraph 3, respecting the signatures of a physician and coroner or the signature of a member of the office of the Attorney General shall be required in respect of the cremation of the body of an individual dying in the State but removed to any other state for the purpose of cremation.

(8) The cremation in the State of Delaware of the bodies of persons dying in other states is permissible if all the legal requirements of the state in which the death occurred have first been complied with.

(9) The State Board of Health is hereby empowered to prepare regulations governing the conditions under which the

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

bodies of persons dying from an infectious or communicable disease can be transported from any portion of the State to a crematorium for the process of cremation.

(10) Any person who shall give false information and/or violate any of the provisions of this Section shall be guilty of a misdemeanor and shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned not more than one year, at the discretion of the Court.

802. Section 59. **Penalties:** (1) Any person who wilfully makes or alters any certificate or certified copy thereof provided for in this Act, except in accordance with the provisions of this Act, shall be fined not more than \$1,000.00, or be imprisoned not exceeding six months, or both fined and imprisoned.

(2) Any person who knowingly transports or accepts for transportation, interment or other disposition, a dead body without an accompanying permit issued in accordance with the provisions of this Act, shall be fined not more than \$500.00, or be imprisoned not more than three months, or both fined and imprisoned.

(3) Except where a different penalty is provided in this Section, any person who violates any of the provisions of this Act or neglects or refuses to perform any of the duties imposed upon him by this Act, shall be fined not more than \$100.00, or be imprisoned not more than thirty days, or both fined and imprisoned.

803. Section 60. **Regulations:** The State Board of Health shall have power to adopt, promulgate, amend and repeal such regulations as may be consistent with law and relative to this Act, said regulations to be enforced by the State Registrar.

804. Section 61. **Severability:** If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid

DEPARTMENT OF HEALTH

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

provision or application, and to this end the provisions of this Act are declared to be severable.

805. Section 62. **Inconsistent Systems of Birth, Death and Marriage Registration Forbidden:** No system for the registration of births, deaths or marriages shall be continued or maintained in any of the several municipalities of this State not in harmony with the provisions of this Article.

Notwithstanding any other of the provisions of this Article, the State Registrar is authorized on the production of evidence satisfactory to him relative to a birth, marriage or death, if for any reason registration has been neglected or omitted, to register any birth, marriage or death which may have occurred when registration was not effective or which may from any cause have escaped registration and the said State Registrar is hereby directed to issued certified copies of such registrations if so requested.

806. Section 63. **Live Birth, Stillbirth, Definition of:** A live birth for the purpose of this Act shall be defined as the birth of a child who shows evidence of life after the child is entirely outside the body.

Stillbirth means a birth after twenty weeks of gestation which is not a live birth.

807. Section 64. **Time of Taking Effect:** This Act shall take effect sixty days after becoming law.

Approved April 29, 1943.

CHAPTER 70

DEPARTMENT OF HEALTH

DISINTERMENT AND REINTERMENT OF BODIES

AN ACT AUTHORIZING THE DISINTERRING AND REINTERRING UNDER THE SUPERVISION OF THE LEVY COURT OF SUSSEX COUNTY, OF BODIES BURIED IN PUBLIC OR PRIVATE BURYING GROUNDS WHICH HAVE BEEN PURCHASED BY THE LEVY COURT OF SUSSEX COUNTY FOR THE PURPOSES OF CONSTRUCTING AN AIRPORT; PROVIDING FOR MODIFYING AND RELAXING BY THE STATE BOARD OF HEALTH OF ITS REGULATIONS AND RESTRICTIONS RELATIVE TO THE DISINTERRING AND REINTERING OF DEAD BODIES.

WHEREAS, on the property recently purchased by the Levy Court of Sussex County, Delaware, for the purpose of constructing an airport, there is a very small and very old cemetery; and

WHEREAS, the said cemetery has long been neglected and no bodies have been buried therein for more than a generation; and

WHEREAS, the Civil Aeronautics Administration by and through its proper agents, have expressed the desire to start immediately to construct said airport, because it is necessary for national defense and training purposes; and

WHEREAS, in the construction of said airport, it is necessary that said bodies be removed; and

WHEREAS, there are not more than twenty-five or thirty graves in the said cemetery, all very old and in which the bodies have been buried for many years;

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 Sussex County be and it is hereby authorized and fully empowered to carefully and

DEPARTMENT OF HEALTH

DISINTERMENT AND REINTERMENT OF BODIES

properly disinter and remove all of the bodies from the public or private burial grounds which have been purchased by the said Levy Court for the purpose of locating, building and constructing an airport, and carefully and properly reinter the said bodies in a public or private cemetery in Sussex County.

Section 2. That, before removing any of the said bodies from said public or private grounds, the said Levy Court shall first make a reasonable effort to notify the relatives of the said deceased persons whose bodies are therein buried and which bodies they propose to remove; and if said Levy Court are unable to find such relatives, or any of them, they shall advertise in at least one weekly newspaper in Sussex County, for two successive weeks that they propose removing said bodies in accordance with this Act; and if, after such advertising, or as a result of such advertising, the said Levy Court is not able to find said relatives or any of them, the said Levy Court shall be presumed to have notified any and all such relatives as provided for in this Act.

Section 3. That the State Board of Health is hereby authorized and directed to modify and relax its regulations and restrictions relative to the disinterring and reintering of dead bodies, including the securing of separate disinterment and transfer permits of the bodies in those cases where bodies are in public or private burying grounds which have been purchased by said Levy Court of Sussex County for the purposes of locating, building and constructing an airport in Sussex County.

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

Approved February 19, 1943.

CHAPTER 71

DEPARTMENT OF HEALTH

PROTECTION OF HEALTH AND SAFETY OF CIVILIAN POPULATION
DURING WAR EMERGENCY PERIOD**AN ACT TO PROTECT THE HEALTH AND SAFETY OF THE
CIVILIAN POPULATION DURING THE WAR EMER-
GENCY PERIOD.**

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

Section 1. Purpose:—A serious public emergency exists or may exist in this State because of the demands of the armed services for physicians and dentists. Cooperation on the part of the State, with certain Federal agencies, such as the Procurement and Assignment Service for Physicians, Dentists, and Veterinarians of the War Manpower Commission is imperative, so that temporary relocation of physicians and dentists may be accomplished, to overcome acute shortages in specific localities from time to time. For the protection of the health and welfare of the people of the State, power to provide for the temporary admission to practice in the State, of physicians and dentists, licensed in a State of the United States other than Delaware, is hereby conferred upon the Medical Council of Delaware, the Delaware State Board of Dental Examiners and the State Board of Veterinary Examiners upon conditions and under regulations prescribed by them.

Section 2. Power to Provide for the Temporary Admission to Practice Medicine and Dentistry in the State:—To accomplish the purpose set forth in Section 1, and notwithstanding any inconsistent provision of law, the Medical Council of Delaware, the Delaware State Board of Dental Examiners and the State Board of Veterinary Examiners shall have power by general regulations or specific orders, to issue temporary emergency certificates, said temporary certificates to be limited to twelve months duration, renewable at the discretion of the issuing authority, to such physicians and dentists licensed in a State of the United States other than Delaware, as they shall find qualified to practice as

DEPARTMENT OF HEALTH

PROTECTION OF HEALTH AND SAFETY OF CIVILIAN POPULATION
DURING WAR EMERGENCY PERIOD

such in the State during such emergency. The holder of any such temporary certificate shall be privileged during the term specified therein, unless sooner revoked, to practice his profession within this State subject, however, to all laws of this State generally applicable to the practice of such profession and to such regulations, restrictions, and area limitations as the Medical Council of Delaware, the Delaware State Board of Dental Examiners and the State Board of Veterinary Examiners may make or impose as to them or any of them and their practice within this State.

Section 3. During the period when this Act shall be in force the period of internship required by 925. Sec. 13 of Chapter 27 of the Revised Code of Delaware, 1935, shall be suspended, and in lieu thereof an internship of nine (9) months shall be required of applicants for a license to practice medicine and surgery in addition to the other qualifications and requirements of said section.

Section 4. This Act shall take effect immediately and shall remain in effect until April 1, 1945.

Approved March 4, 1943.

CHAPTER 72

RELATING TO THE TREATMENT OF HUMAN ILLS

AN ACT IN RESPECT TO THE TREATMENT OF HUMAN ILLS IN ACCORDANCE WITH THE TENETS OF CHRISTIAN SCIENCE.

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

Section 1. That it shall be lawful for any person treating human ills in accordance with the tenets of Christian Science to make an adequate charge for any services so performed.

Approved April 13, 1943.

CHAPTER 73

STATE BOARD OF EXAMINERS OF GRADUATE NURSES

AN ACT TO AMEND CHAPTER 29 OF THE REVISED CODE OF DELAWARE, 1935, IN RELATION TO THE STATE BOARD OF EXAMINERS OF 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 Delaware, 1935, be and the same is hereby amended by repealing 957. Sec. 1, of said Chapter, and inserting in lieu thereof a new Section to be known as 957. Sec. 1, as follows:

957. Sec. 1. Board Established; Appointment; Members; Qualifications; Terms of Office; Vacancies:—A State Board of Examiners of Graduate Nurses consisting of five members is hereby established. The members of the State Board of Examiners of Graduate Nurses existing under the provisions of the Act hereby repealed shall be the members of the board hereby created until the expiration of the respective terms for which each of them was originally appointed. Any vacancy which may occur in the present members of said board before the expiration of the term to which the member was appointed shall be filled in the manner hereinafter provided for filling of vacancies. The term of office of every member appointed hereunder, except those appointed to fill vacancies occurring during any term of office, shall be for three years. All members hereafter appointed to said board under the provisions of this Act shall be graduate nurses who shall have had at least three years active practice as such nurses. Upon the expiration of the term of office of any of the present members of said board or of any member appointed by the Governor under the terms hereof a successor shall be appointed for a full term of three years by the Governor from a list of five nominations furnished him annually by the Delaware Association of Graduate Nurses. All vacancies occurring on said board shall be filled by appointment by the Governor for the

STATE BOARD OF EXAMINERS OF GRADUATE NURSES

unexpired term or terms from said annual list of nominations or from an additional list of six names to be furnished to the Governor upon request by said Association.

Section 2. That Chapter 29 of the Revised Code of Delaware, 1935, be and the same is hereby amended by adding thereto a new Section to be known as 964 A. Sec. 9 A, as follows:

964 A. Sec. 9 A. Every applicant who has registered under this Act shall re-register every two years commencing in 1944. Every such applicant shall re-register during the month of January in any year that such applicant must re-register. When an applicant re-registers such applicant must deposit a fee of One Dollar.

Section 3. All Acts or parts of Acts not consistent with this Act be and the same are hereby repealed.

Approved March 30, 1943.

CHAPTER 74

PUBLIC ARCHIVES COMMISSION

DISPOSITION OF CERTAIN PHOTOGRAPHED RECORDS

AN ACT TO PROVIDE FOR THE DISPOSITION OF CERTAIN PHOTOGRAPHED RECORDS IN THE STATE OF DELAWARE AND FOR THE USE OF SUCH PHOTOGRAPHS OR COPIES OR ENLARGEMENTS THEREOF IN EVIDENCE.

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

Section 1. That whenever any agency, department, board, or commission of the State of Delaware or of any county or incorporated municipality thereof shall have photographed, photocopied, or microphotographed all or any part of the records kept by it or under its control in a manner and on film that complies with the standard of quality approved for permanent photographic records by the Public Archives Commission, and whenever such photographs, photocopies, or microphotographs shall be placed in adequately accessible containers and provision made for preserving, examining, and using the same, the head of such agency, department, board, or commission may, with the approval of the State Archivist in accordance with Chapter 91, Volume 41, Laws of Delaware, cause the original records from which the photographs, photocopies, or microphotographs have been made, or any part thereof, to be disposed of as the law provides.

Section 2. Photographs, photocopies, or microphotographs of any record photographed, photocopied, or microphotographed as herein provided shall have the same force and effect as the originals thereof would have had, and shall be treated as originals for the purpose of their admissibility in evidence. Certified or authenticated copies of such photographs, photocopies, or microphotographs or enlargements thereof shall be admitted in evidence equally with the original photographs, photocopies, or microphotographs.

Section 3. 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 inconsistencies only.

Approved March 1, 1943.

CHAPTER 75

PUBLIC ARCHIVES COMMISSION

**AN ACT TO AMEND CHAPTER 104 OF VOLUME 40 OF THE
LAWS OF DELAWARE RELATING TO THE PUBLIC
ARCHIVES COMMISSION.**

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

Section 1. That Chapter 104 of volume 40 of the Laws of Delaware, be and the same is hereby amended by striking out Section 2 thereof and inserting in lieu thereof a new section to be known as Section 2.

Section 2. The standard of the quality of said book, paper, and ink shall be determined by the Public Archives Commission of the State, whose duty it shall be to furnish to each of the custodians aforesaid a list of not less than four makes or brands of such standard books or papers and inks, manufactured by different and separate concerns, provided that no make or brand of paper and ink shall be designated by the said Public Archives Commission unless it shall have the written approval, as to quality, of a reliable testing agency, which shall have examined such makes and brands as may be submitted to it by the Public Archives Commission.

Approved February 19, 1943.

CHAPTER 76

MOTHERS PENSION COMMISSION

NAME CHANGED

AN ACT CHANGING THE NAME OF THE MOTHERS' PENSION COMMISSION.

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 Mothers' Pension Commission shall be known as The Commission for Aid to Dependent Children.

Section 2. The Commission for Aid to Dependent Children shall have all the rights and powers and all of the duties and obligations heretofore or hereafter created which are or shall be vested in or imposed upon the Mothers' Pension Commission. All appropriations heretofore or hereafter made to the Mothers' Pension Commission shall inure to the benefit of the Commission for Aid to Dependent Children.

Approved February 19, 1943.

CHAPTER 77

STATE BOARD OF CHARITIES

NAME CHANGED

AN ACT TO AMEND CHAPTER 41 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED STATE BOARD OF CHARITIES, BY CHANGING THE NAME OF THE STATE BOARD OF CHARITIES TO THE STATE BOARD OF WELFARE.

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 State Board of Charities shall be known as The State Board of Welfare.

Section 2. The State Board of Welfare shall have all the rights and powers and all of the duties and obligations heretofore or hereafter created, which are, or shall be vested in, or imposed upon the State Board of Charities. All appropriations heretofore or hereafter made to the State Board of Charities shall inure to the benefit of The State Board of Welfare.

Approved March 23, 1943.

CHAPTER 78

STATE BOARD OF CHARITIES

PROVISIONS FOR LICENSING OF HOMES AND AGENCIES FOR
CARING FOR CHILDREN

AN ACT TO AMEND CHAPTER 41 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED STATE BOARD OF CHARITIES, BY PROVIDING FOR THE LICENSING OF HOMES AND AGENCIES CARING FOR CHILDREN.

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

Section 1. That 1119, Section 5, of Chapter 41 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of the first paragraph of said Section, and substituting in lieu thereof the following paragraph:-

Any person or association conducting a boarding home for children, and all institutions, agencies, associations, or organizations, receiving and placing or caring for dependent, neglected, or delinquent minors, including organizations providing care of children whether dependent or otherwise, in lieu of the care and supervision ordinarily provided by parents in their own homes, for periods of less than twenty-four hours a day, must accord the State Board of Charities or its authorized agents, right of entrance, privilege of inspection, and access to its accounts and reports.

Approved April 13, 1943.

CHAPTER 79

STATE BOARD OF CHARITIES

VISITATION AND INSPECTION

AN ACT TO AMEND CHAPTER 41 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED STATE BOARD OF CHARITIES, PROVIDING FOR VISITATION AND INSPECTION BY THE STATE BOARD OF CHARITIES.

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

Section 1. That 1118, Section 4, of Chapter 41, of the Revised Code of Delaware, 1935, be and the same is hereby repealed.

Section 2. That 1121, Section 7, of Chapter 41, of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of said Section, and inserting in lieu thereof the following:-

The State Board of Charities is hereby made responsible for the coordination of welfare and correctional programs in the State, and to this end may, in its discretion, call conferences of representatives of public and private agencies responsible for such programs, and individuals and organized groups interested in and concerned with matters of welfare. Such activities shall be carried on in the interest of more effectively understanding and making provision for the welfare needs in the State. Participation in such activities on the part of agencies and individuals shall be voluntary. The Board may, in its discretion, sponsor and carry out studies of existing provisions for caring for welfare needs, and studies of the need for changes in existing facilities.

The Board shall issue periodic public reports on the extent, nature and cost of public and private welfare programs in the State, and to this end may require the necessary periodic statistical data from public and private welfare, correction, probation and parole agencies, and institutions giving resident care to tuberculous patients.

Approved April 9, 1943.

CHAPTER 80

STATE BOARD OF CHARITIES

AMENDMENT TO UNIFORM TRANSFER OF DEPENDENTS ACT

**AN ACT TO AMEND CHAPTER 96 OF VOLUME 41, LAWS
OF DELAWARE (1937) BY CHANGING THE RESPON-
SIBILITY FOR THE TRANSFER OF ADULT INDIGENT
PERSONS FROM THE STATE BOARD OF CHARITIES
TO THE STATE OLD AGE WELFARE COMMISSION.**

*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 96, of Volume 41, Laws of Delaware (1937), be amended by striking out the words "State Board of Charities", as it appears in said Section, and substituting in lieu thereof, "State Old Age Welfare Commission".

Approved April 13, 1943.

County Government

CHAPTER 81

LEVY COURT—NEW CASTLE COUNTY SALARIES PAYABLE TO MEMBERS OF LEVY COURT

AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE OF DELAWARE IN RELATION TO SALARIES PAY- ABLE TO THE MEMBERS OF THE LEVY COURT OF NEW CASTLE COUNTY.

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

Section 1. That Chapter 43 of the Revised Code of Delaware (1935) be and the same is hereby amended by repealing the second paragraph of 1152. Section 6 thereof, and by substituting in lieu thereof the following:

The Levy Court Commissioners of New Castle County, appointed or elected under the provisions of this chapter, shall each be paid an annual salary of Two Thousand Seven Hundred Dollars (\$2,700.00) in equal monthly installments by warrants according to the form to be prescribed by the Levy Court; and the said Levy Court Commissioners shall not be entitled to have or receive from said County any other or further compensation for any services done or performed by them or any of them in the said office by Levy Court Commissioners.

Section 2. This Act shall become effective on the first day of the month following its approval.

Approved March 26, 1943.

CHAPTER 82

LEVY COURT—NEW CASTLE COUNTY

FUNDS REMAINING TO CREDIT OF THE VARIOUS HUNDREDS IN
NEW CASTLE COUNTY FROM ROAD TAXES

**AN ACT TO AMEND CHAPTER 111, VOLUME 41, LAWS OF
DELAWARE RELATIVE TO FUNDS REMAINING TO
THE CREDIT OF THE VARIOUS HUNDREDS IN NEW
CASTLE COUNTY FROM ROAD TAXES, AS AMENDED
BY CHAPTER 102, VOLUME 42, 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 111, Volume 41 of the Laws of Delaware, as amended by Chapter 102, Volume 42, Laws of Delaware, be and the same is hereby amended by striking out the same and inserting in lieu thereof the following:

Section 1. That the Levy Court of New Castle County be and it is hereby authorized to adopt a resolution or resolutions to effect the transfer of the funds now remaining to the credit of the various Hundreds in New Castle County for road taxes heretofore collected to the General Fund of New Castle County; and that delinquent road taxes which may be hereafter collected be deposited in said General Fund. Such funds so transferred and deposited into the General Fund of New Castle County as aforesaid shall be used for the general purposes of the County government, and the use thereof shall not be limited to the Hundreds from which they were originally collected.

Approved April 9, 1943.

CHAPTER 83

LEVY COURT—NEW CASTLE COUNTY

PLUMBING CODE

AN ACT TO AMEND CHAPTER 105, VOLUME 42, LAWS OF DELAWARE, 1939, ENTITLED, "AN ACT TO REGULATE AND CONTROL THE CONSTRUCTION OF WATER AND SEWER SYSTEMS, BUILDING AND HOUSE DRAINING SYSTEMS, AND GAS LINES; THE REGISTRATION OF PERSONS ENGAGED THEREIN AND IN THE CONSTRUCTION AND INSTALLATION OF OIL BURNING EQUIPMENT AND AIR CONDITIONING AND PROVIDING FOR THE SUPERVISION THEREOF IN NEW CASTLE COUNTY OUTSIDE OF THE CITY OF WILMINGTON.

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

Section 1. That Chapter 105, Volume 42, Laws of Delaware, 1939, be and the same is hereby amended by striking out all of Chapter 105, Volume 42, Laws of Delaware, 1939, and substituting in lieu thereof the following new Chapter 105, Volume 42, Laws of Delaware, 1939:

Section 2. The Levy Court of New Castle County, in order to provide for the health and safety of the citizens of New Castle County, shall and it is hereby authorized, empowered, and directed, before July 1, 1943, to adopt and promulgate a plumbing code containing suitable rules and regulations controlling, regulating and supervising the installation, use, size, kind and materials of all plumbing or plumbing work, performed, constructed or installed in or on any property in New Castle County, except property used for industrial purposes, outside of the City of Wilmington, that is located within the Wilmington Metropolitan Area as defined by the U. S. Department of Commerce. The words "plumbing or plumbing work" shall include all work and operations ordinarily performed by plumbers upon, in or about, or in connection with the construction, operation, maintenance, or repair of all water and sewer systems, drainage systems, and gas lines.

LEVY COURT—NEW CASTLE COUNTY
PLUMBING CODE

Section 3. The Levy Court of New Castle County is hereby authorized, empowered and directed to require a permit to be first secured from the Plumbing Inspector of Rural New Castle County hereinafter provided for before the performance of any work or operation specified in Section 2 hereof; to require the registration of all plumbers authorized to do business in that part of New Castle County, State of Delaware, that is outside the city limits of the City of Wilmington and that is located within the Wilmington Metropolitan Area as defined by the U. S. Department of Commerce, before the performance of any work or operation specified in Section 2; and to fix a reasonable fee for the issuance of a permit and for registration.

Section 4. All persons, firms or corporations engaged in constructing, installing, maintaining or repairing of any equipment for heating purposes, and/or air conditioning equipment in that part of New Castle County, State of Delaware that is outside the city limits of the City of Wilmington and that is located within the Wilmington Metropolitan Area as defined by the U. S. Department of Commerce, shall register with the Inspector hereinafter provided for, or with such other person as the Levy Court of New Castle County may designate, and, after July 1, 1943, it shall be unlawful for any person to construct, install, maintain or repair any equipment for heating purposes, and/or air conditioning equipment in that part of New Castle County, State of Delaware, that is outside the city limits of the City of Wilmington and that is located within the Wilmington Metropolitan Area as defined by the U. S. Department of Commerce, until said person, firm or corporation is so duly registered. No person, firm or corporation shall construct or install any equipment for heating purposes or air conditioning equipment in that part of New Castle County, State of Delaware, that is outside the city limits of the City of Wilmington and that is located within the Wilmington Metropolitan Area as defined by the U. S. Department of Commerce, after July 1, 1943, until a permit has been issued therefor by the Inspector provided for by this Act, or some other person so designated by the Levy Court of New Castle County.

LEVY COURT—NEW CASTLE COUNTY

PLUMBING CODE

Provided, however, that nothing in this Act shall be construed to prohibit a public utility corporation from carrying out such work as it customarily performs in the normal course of its business of rendering service or installing appliances for its customers or the general public.

The Levy Court is hereby authorized, empowered and directed to fix and establish a reasonable fee for registration and for each permit issued under this section.

Section 5. The said Levy Court of New Castle County is hereby authorized, empowered and directed to adopt and promulgate suitable rules and regulations to provide for the proper inspection and supervision of all work performed or materials used or installed by any person, firm or corporation included within the provisions of this Act.

The Levy Court shall, within thirty days after the effective date of this Act, appoint a Plumbing Inspector, or such Plumbing Inspectors and Office assistants as it deems fit and proper, fix the term of office, the power and duties of such Inspector or Inspectors as it may deem fit, and advisable to secure the proper performance and obedience to any and all rules and regulations adopted pursuant to the provisions of this Act. The compensation of the Plumbing Inspector shall be set by the Levy Court plus an annual allowance for contingent expenses to be set by the Levy Court. The compensation of any assistants of the Plumbing Inspector shall be set by the said Levy Court.

Section 6. **Exemptions.** The provisions of this Act shall not apply to plumbing or plumbing work in or on structures necessary to the operation of farm lands, nor to properties located within any incorporated City or Town in New Castle County, nor to properties used for industrial purposes, nor to properties built by industrial concerns for the use of their employees and not for sale.

LEVY COURT—NEW CASTLE COUNTY

PLUMBING CODE

Section 7. Penalties. The owner of the building, structure, or premises where anything in violation of the rules or requirements as promulgated by the Levy Court of New Castle County, and any person, plumber, corporation, contractor, agent, or employee employed in connection therewith and who shall have participated or assisted in the commission of such violation shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Two Hundred Dollars (\$200.00) for each offense and the further sum of Ten Dollars (\$10.00) for each and every day such violation continues.

Section 8. Abatement. The imposition of the penalties hereinabove prescribed shall not preclude the Attorney General from instituting appropriate actions or proceedings to prevent an illegal act, conduct, or business or use in or about any premises.

Section 9. This Act shall become effective immediately upon its approval.

Approved April 22, 1943.

CHAPTER 84

LEVY COURT—NEW CASTLE COUNTY

BUILDING CODE

AN ACT TO REGULATE THE CONSTRUCTION, ALTERATION, REPAIR, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE COUNTY OF NEW CASTLE OUTSIDE OF THE CITY OF WILMINGTON FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY AND FOR THE PREVENTION OF FIRE HAZARDS; TO PROVIDE A CODE OF BUILDING REGULATIONS; TO CREATE THE OFFICE OF BUILDING INSPECTOR AND OTHER HELPERS AND ASSISTANTS AS MAY BE REQUIRED; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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 shall, and is hereby authorized, empowered and directed to appoint within thirty days after the effective date of this Act a Building Inspector who shall serve for a term as fixed by said Levy Court at a salary to be fixed by the Levy Court with an additional contingent expense fund to be fixed by the Levy Court. Said Building Inspector shall be under the jurisdiction of the Office of the County Engineer. Until such time as the duties of the Building Inspector shall require all his time the Levy Court shall direct the Building Inspector to carry on the duties of both Building and Plumbing Inspectors.

Section 2. The said Levy Court is hereby authorized and directed to promulgate before July 1, 1943 rules and regulations, to be known as the Building Code for Rural New Castle County, providing for matters concerning, affecting or relating to construction, alteration, repairs, removal, demolition, equipment, use or occupancy, location and maintenance of buildings or structures erected or to be erected in that part of New Castle County, State of Delaware, which is located within the Wilmington Metro-

LEVY COURT—NEW CASTLE COUNTY

BUILDING CODE

politan Area as defined by the U. S. Department of Commerce, outside the city limits of the City of Wilmington and outside of incorporated towns or cities and excluding farm properties, properties used for industrial purposes, and properties located in incorporated towns or cities, and built by industrial concerns for the use of their employees and not for sale.

Section 3. (a) No building or wall structure shall, after July 1, 1943, be constructed, altered, repaired, or removed, except by a contractor or an individual holding a permit as hereinafter provided for in Section 12, nor shall the equipment of a building, structure or premises be constructed, installed, altered, repaired, or removed except in compliance with the provisions as laid down by the Levy Court of New Castle County in the Building Code for Rural New Castle County.

(b) No building or structure shall be altered after July 1, 1943 in any manner that would be in violation of the provisions of the Building Code for Rural New Castle County promulgated by the Levy Court of New Castle County or of any authorized order or rule of the New Castle County Building Inspector, made and issued thereunder.

Section 4. **All New Work to Conform.** (a) No building or wall structure shall, after July 1, 1943, be constructed, altered, repaired, or removed, nor shall the plumbing, heating, air-conditioning, or electrical equipment of a building, structure or premises be constructed, installed, altered, repaired or removed, except in conformity with the provisions, rules and regulations, promulgated by the Levy Court of New Castle County.

(b) No building or structures shall, after July 1, 1943 be altered in any manner that will be in violation of the provisions, rules and regulations as promulgated or adopted by the Levy Court of New Castle County, or any authorized order, rule or approval of the Building Inspector made and issued thereunder.

(c) But nothing in the rules and regulations adopted by the Levy Court of New Castle County shall prohibit the raising

LEVY COURT—NEW CASTLE COUNTY
BUILDING CODE

or lowering of a building to meet a change of grade in the road on which it is located, provided that the building is not otherwise altered.

(d) No provision as adopted by the Levy Court of New Castle County shall be construed to require any change in, alteration of or addition to a legally existing building or structure, or the premises connected therewith, unless specially stated to so apply.

Section 5. Use and Maintenance. (a) It shall be unlawful to maintain, occupy or use a building or structure, or part thereof, that has been erected or altered in violation of this Act or of any of the rules, regulations, or orders adopted by the Levy Court of New Castle County pursuant to the purpose of this Act.

(b) A person who has erected or is maintaining such a building or structure shall remove said building or structure or cause the same to be removed. If such person fails to do so, the Building Inspector with the approval of the Levy Court of New Castle County, shall have full power to remove such unlawful building or structure, or cause the same to be altered to comply with the law and whatever expense shall be incurred in relation thereto shall be paid by the County Treasurer out of the moneys in the Treasury, and the owner or owners shall be jointly and severally liable to the Levy Court of New Castle County for the full amount so expended. The Levy Court of New Castle County may maintain an action at law in debt or assumpsit against such owner or owners to recover the sums of moneys so expended, plus lawful interests and costs.

Section 6. Qualifications of Building Inspector. (a) To be eligible for appointment, the Building Inspector shall be at least thirty years of age, a citizen of the State of Delaware, a resident of New Castle County two years prior to appointment and shall be generally informed on the quality and strength of building materials and on the prevailing methods of building construction.

LEVY COURT—NEW CASTLE COUNTY

BUILDING CODE

(b) The Building Inspector shall, before entering upon the duties of said office, enter into bond with the Levy Court of New Castle County in the sum of Four Thousand Dollars (\$4,000.00) with one or more sureties approved by the Levy Court, which said bond shall be conditioned for the faithful performance of his office and shall contain a warrant of attorney for confession of judgment thereon.

(c) Before entering upon the duties of his said office he shall be required to make and subscribe before some person authorized by laws to administer the same, the following oath or affirmations:

"I do solemnly and sincerely swear (or affirm) that I am duly qualified by law to act as Building Inspector and that I will faithfully, impartially and truly execute and perform the duties of Building Inspector according to the best of my judgment and ability."

Section 7. Duties of Building Inspector. (a) The Building Inspector shall enforce all laws, rules and regulations adopted by the Levy Court of New Castle County relating to the location, construction, alteration, repair, removal, demolition, equipment, use and occupancy, and maintenance of buildings and structures except as otherwise provided for.

(b) He shall receive all applications required by the Building Code as adopted by the Levy Court of New Castle County and issue permits and shall furnish the prescribed certificates.

(c) He shall make or cause to be made the necessary inspections to see that the provisions of law are complied with and the construction is prosecuted safely.

(d) He may order and compel the suspension of any work, and prohibit the use of any material or equipment in violation of the provisions of this Code and may make or cause to be made such tests as he deems necessary to determine the safety of a building or structure, material or equipment which it is his duty to inspect.

LEVY COURT—NEW CASTLE COUNTY

BUILDING CODE

(e) For the purpose of enforcing compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in existing buildings, he shall issue such notices or orders as may be necessary.

Section 8. The Levy Court of New Castle County shall have the power to appoint as many assistants or helpers at a salary to be fixed by the Levy Court, as may be required to carry into effect the work of the Building Inspector.

Section 9. **Inspections.** Inspections required under the provisions, rules and regulations adopted by the Levy Court of New Castle County shall be made by the Building Inspector or by one of the Assistant Building Inspectors or helpers provided that in the case of the inspection of elevators, fuel oil equipment, or electric wiring, they may accept reports of inspectors or casualty companies or of other recognized inspection services after investigation of their qualifications and reliability. No certificate called for by a provision of this Code shall be based on such reports unless the same are in writing and certified over the signature of the person making the inspection and report that the provisions of this Code are complied with and that there are no unsafe conditions.

Section 10. **Records.** (a) The Building Inspector shall keep a careful and comprehensive record of applications, of permits issued, of certificates issued, of inspections made, of reports rendered, and of notices or orders issued. He shall retain on file copies of all papers in connection with building work so long as any part of the building or structure to which they relate may be in existence, except that construction plans for buildings or structures of less than one hundred thousand dollars value need not be retained after work shown on such plans has been completed and has been approved and accepted. He shall keep a record of all violations of any rules or regulations promulgated by the Levy Court of New Castle County, with the name of the owner, or builder, and the location where such violations are found.

LEVY COURT—NEW CASTLE COUNTY

BUILDING CODE

(b) All such records shall be open to public inspection at the discretion of the Inspector, but shall not be removed from the office of the Building Inspector.

Section 11. Reports. (a) The Building Inspector shall at the end of each month make a return to the Levy Court of New Castle County of all fees collected by him.

(b) He shall make a monthly report of all fees collected by him and expenses incurred to the Levy Court of New Castle County, said monthly report to be itemized and sworn to.

(c) He shall make a monthly as well as yearly report of all business transacted by his office to the Levy Court of New Castle County.

Section 12. (a) It shall not be lawful, after July 1, 1943, to construct, alter, add to, remove or demolish or to commence the construction, alteration, removal or demolition of a building or structure, or to install as an integral part in or in connection with a building or structure, an elevator, electric wiring, or a heating or heat producing appliance, or to erect a scaffold past the building line for repairs, or to erect a platform or staging to be used for standing or seating purposes, without first filing with the Building Inspector an application in writing for such construction, alteration, removing or demolition or such installation of elevator, electric wiring, or heating or heat-producing appliance, or such scaffolding, or platform, or staging, and obtaining a permit therefor. Such applications shall be made on forms prescribed by the Building Inspector and shall contain such information as the Levy Court of New Castle County shall prescribe. Permits shall be issued only to contractors, except that permits may be issued to owners for construction and alterations where such construction and alterations are made on properties to be used and occupied by such owner. Copies of all permits shall be filed with the New Castle County Board of Assessment.

LEVY COURT—NEW CASTLE COUNTY
BUILDING CODE

The provisions of this Act shall not apply to any construction, alteration or additions to any building or structure where the work of such construction, alteration or addition is performed by any public utility corporation or its employees in the regular course of its business of rendering service to its customers or to the general public.

No domestic range, water heater not exceeding a capacity of one hundred and twenty gallons, or portable space-heating equipment, shall be deemed to be a "heat-producing appliance" within the meaning of this section.

Section 13. The fees for issuing such permits shall be prescribed by the Levy Court of New Castle County.

Section 14. **Violations.** (a) Whenever the Building Inspector is satisfied that a building or structure, or any work in connection therewith, the erection, construction, or alteration, execution or repair of which is regulated, permitted or forbidden by any of the rules or regulations as adopted by the Levy Court of New Castle County, is being erected, constructed, altered or repaired, in violation of rules, regulations, requirements as promulgated by the Levy Court of New Castle County or in violation of a detailed statement or plan submitted and approved thereunder, or of a permit or certificate issued thereunder, he may serve a written notice or order upon the person responsible therefor directing discontinuance of each illegal action and the remedying of the condition which is in violation of the provisions, regulations or requirements as adopted by the Levy Court of New Castle County.

(b) No person having been served with such a notice or order shall fail within five days to comply with the requirements thereof.

(c) Whenever in the opinion of the Building Inspector by reason of defective or illegal work in violation of a provision or requirement adopted by the Levy Court of New Castle County,

LEVY COURT—NEW CASTLE COUNTY

BUILDING CODE

the continuance of a building operation is contrary to public welfare, he may order, in writing, that all further work be stopped and may require suspension of work until the condition in violation has been remedied.

Section 15. Penalties. The owner of a building, structure or premises, where anything in violation of this Act or the rules or requirements as promulgated by the Levy Court of New Castle County shall be placed, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who shall have participated or assisted in the commission of such violation shall each be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Two Hundred Dollars (\$200.00) for each offense and the further sum of Ten Dollars (\$10.00) for each and every day such violation continues.

Section 16. Abatement. The imposition of the penalties hereinabove prescribed shall not preclude the Attorney General from instituting appropriate actions or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to restrain, correct or abate a violation, or to prevent the occupancy of a building, structure, or premises, or to prevent an illegal act, conduct, business or use in or about any premises.

Section 17. Exemptions. The provisions of this Act shall not apply to structures necessary to the operation of farm lands, nor to properties located within any incorporated City or Town in New Castle County, nor to properties used for industrial purposes.

Section 18. This Act shall become effective immediately upon its approval.

Approved April 22, 1943.

CHAPTER 85

LEVY COURT—KENT COUNTY

BOUNDARIES OF LEVY COURT DISTRICTS CHANGED

AN ACT TO AMEND CHAPTER 43, REVISED CODE OF DELAWARE, 1935, BY CHANGING THE BOUNDARIES OF SAID LEVY COURT DISTRICTS FOR KENT COUNTY.

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

Section 1. That 1184. Sec. 38. Article 2 of Chapter 43, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of the second paragraph of said Section and inserting in lieu thereof, the following:

Kent County shall be divided into three Levy Court Districts. The first Levy Court District shall comprise the following Representative Districts: First, Second and Fifth. The second Levy Court District shall comprise the following Representative Districts: Third, Fourth, Sixth and Ninth. The third Levy Court District shall comprise the following Representative Districts: Seventh, Eighth and Tenth.

Approved April 15, 1943.

CHAPTER 86

LEVY COURT—KENT COUNTY

APPROPRIATION TO DAVID C. HARRISON POST NO. 14
FOR AMBULANCE

**AN ACT AUTHORIZING THE LEVY COURT OF KENT
COUNTY TO APPROPRIATE COUNTY MONIES 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:*

Section 1. That the Levy Court of Kent County is hereby authorized and directed to appropriate public monies 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 amount of Five Hundred Dollars annually.

Approved April 15, 1943.

CHAPTER 87

LEVY COURT—SUSSEX COUNTY

APPROPRIATION TO REGULARLY ORGANIZED AND MOTORIZED
FIRE COMPANIES IN SUSSEX COUNTY INCREASED

**AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE
OF DELAWARE, 1935, RELATING TO LEVY COURTS
BY INCREASING THE APPROPRIATIONS TO EACH
REGULARLY ORGANIZED AND MOTORIZED FIRE
COMPANY 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 43 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of 1206. Sec. 60., and inserting in lieu thereof a new section to be known as 1206. Sec. 60., as follows:

1206. Sec. 60. Appropriations to Fire Companies:—The Levy Court of Sussex County is authorized and directed to appropriate the sum of One Thousand Dollars (\$1,000.00) annually to each regularly organized and motorized Fire Company in Sussex County, to be used in the maintenance of apparatus and equipment.

The said sum of One Thousand Dollars (\$1,000.00) shall be paid by the said Levy Court of Sussex County to each of the said Fire Companies of Sussex County as certified by the Secretary of the Sussex County Volunteer Firemen's Association on the first day of May of each year.

Approved February 23, 1943.

CHAPTER 88

LEVY COURT—SUSSEX COUNTY

APPROPRIATION FOR THE CONTROL OF DISEASES OF HOGS IN
SUSSEX COUNTY**AN ACT AUTHORIZING THE LEVY COURT OF SUSSEX
COUNTY TO APPROPRIATE COUNTY MONIES FOR
THE CONTROL OF DISEASES OF HOGS IN SUSSEX
COUNTY.**

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

Section 1. That the Levy Court of Sussex County be and it is hereby authorized and directed to appropriate a sum not exceeding Three Thousand Dollars (\$3,000.00) for each of the years 1943 and 1944, to be used and expended for the control of diseases of hogs in Sussex County by the introduction, maintenance and advancement of the latest and most approved method for control and cure of diseases of hogs.

If, for the furtherance of this purpose, the hogs of any owner who is a resident of Sussex County shall require vaccination, inoculation or other similar treatment, the vaccine or other medicament or material may be furnished free of charge to such owner. Provided, however, that no free vaccine or other medicament or material shall be furnished under the provisions of this act, if such owner has received under the provisions hereof or under the provisions of any other State law or appropriation free vaccine, medicament or material for the treatment of 25 hogs in any one year.

Section 2. In all cases where such treatment of hog diseases is necessary the owner or owners shall pay the expenses of a Veterinarian or other person employed to administer such treatment.

Section 3. The Levy Court of Sussex County is hereby authorized to consult and obtain the assistance and advice of the State Board of Agriculture and any licensed Veterinarian in Sussex County in carrying out the provisions of this Act.

Approved March 30, 1943.

CHAPTER 89

VALUATION AND ASSESSMENT OF PROPERTY

PROPERTY OF POLISH ARMY VETERANS EXEMPTED FROM
ASSESSMENT AND TAXATION

AN ACT TO AMEND CHAPTER 44, REVISED CODE OF DELAWARE, 1935, ENTITLED "VALUATION AND ASSESSMENT OF PROPERTY", AS AMENDED BY CHAPTER 118, VOLUME 41, LAWS OF DELAWARE, CHAPTER 119, VOLUME 41, LAWS OF DELAWARE, CHAPTER 113, VOLUME 43, LAWS OF DELAWARE, AND CHAPTER 114, VOLUME 43, LAWS OF DELAWARE; RELATING TO ASSESSABLE PROPERTY; EXCEPTIONS AND EXEMPTIONS; BY EXEMPTING FROM ASSESSMENT AND TAXATION PROPERTY OF POLISH ARMY VETERANS.

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

Section 1. That Chapter 44, Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property", as amended by Chapter 118, Volume 41, Laws of Delaware, Chapter 119, Volume 41, Laws of Delaware, Chapter 113, Volume 43, Laws of Delaware, and Chapter 114, Volume 43, Laws of Delaware, be and the same is hereby amended by adding a new paragraph at the end of Article 1, 1258. Sec. 1, as follows:

The lands, tenements and all other property of the Polish Army Veterans of Delaware, Post No. 48, Inc., No. 307 South Franklin Street, Wilmington, Delaware, shall be exempt from any and all State, County and Municipal assessments, taxes, burdens and impositions during such time and to the extent that such lands, tenements and other property shall be actually used by said organization in the charitable, patriotic and educational work usually done by such organizations; provided, that said exemption shall not apply to any lands, tenements or other property owned by said organization by way of investment and not actually used in its work.

Approved April 16, 1943.

CHAPTER 90

VALUATION AND ASSESSMENT OF PROPERTY

DUTIES OF NEW CASTLE COUNTY BOARD OF ASSESSMENT

AN ACT TO AMEND 1267. SECTION 10, CHAPTER 44, REVISED CODE OF DELAWARE, 1935, RELATING TO NEW CASTLE COUNTY ASSESSMENTS AND APPEALS.

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 44 of the Revised Code of Delaware, 1935, being Code #1267, be and the same is hereby amended by striking out all of said section and substituting in lieu thereof the following new section, to be known as 1267. Section 10:

The said Board of Assessment or its representatives as otherwise herein provided, shall sit in its office in the Public Building, Wilmington, Delaware, during each secular day of the months of March and April of each year to hear appeals and make additions, alterations or corrections to said assessment. Notice thereof shall be by advertisement published at least once each week for two (2) weeks in at least two (2) newspapers published in said County one of which newspaper shall be published in the City of Wilmington, and by such other means as will, in the discretion of the said Board of Assessment best bring notice of the same to the parties or taxables interested.

If any taxable shall fail or neglect to prefer his appeal to the Board of Assessment, he shall be liable for the tax for such year as shown by the assessment lists.

After the closing of the hearings and the settlement of all appeals and the adjustment of the assessment list, the said Board of Assessment shall ascertain the total of the assessed valuation of the County and certify the same to the Levy Court on or before the first day of June, as basis on which to estimate and fix the tax rate.

VALUATION AND ASSESSMENT OF PROPERTY
DUTIES OF NEW CASTLE COUNTY BOARD OF ASSESSMENT

It shall be the duty of the said Board of Assessment to ascertain and report to the Levy Court of the County the names of all persons liable to capitation tax, the said report to the said Levy Court being made at the same time that the report of the total valuation and assessment is made.

Approved January 29, 1943.

CHAPTER 91

VALUATION AND ASSESSMENT OF PROPERTY

POWERS AND DUTIES OF BOARD OF ASSESSMENT OF KENT COUNTY

AN ACT TO AMEND CHAPTER 44, REVISED CODE OF DELAWARE, 1935, AS AMENDED IN CHAPTER 109, VOLUME 42 LAWS OF DELAWARE, BY FURTHER DEFINING THE POWERS AND DUTIES OF THE BOARD OF ASSESSMENT OF KENT COUNTY IN PROVIDING FOR A GENERAL ASSESSMENT EVERY FOUR YEARS AND GIVING THE BOARD OF ASSESSMENT ADDITIONAL POWERS TO LOWER OR RAISE THE ANNUAL ASSESSMENT UNDER CERTAIN CONDITIONS AND WITHIN CERTAIN LIMITS.

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

Section 1. That 1302 Sec. 45 of the Revised Code of Delaware, 1935, as amended by Chapter 109, Volume 42 Laws of Delaware, be and the same is hereby further amended by repealing and striking out all of 1302 Sec. 45, and by substituting in lieu thereof a new section to be styled 1302 Sec. 45.

1302—Sec. 45 General Assessment Every Four Years; Additional Assessment Annually:—A general assessment of persons and real estate and houses and other buildings owned by tenants or occupiers on lands owned by others in Kent County shall be made by the Board of Assessment for the year 1934 and a like general assessment shall be made every four years thereafter. This General Assessment, when so made, shall stand and be acted on for four years, unless one of the annual assessments herein provided for shall add to said assessment or change or alter certain items of same, in which case the revision or alteration shall stand and be acted on in place of the item appearing on said General Assessment.

The Board of Assessment shall, annually, assess the capita-tion tax of all persons liable, who have arrived at twenty-one years of age since the preceding assessment, or who have come to reside in the Assessment District or Hundred or who have

VALUATION AND ASSESSMENT OF PROPERTY

POWERS AND DUTIES OF BOARD OF ASSESSMENT OF KENT COUNTY

been before omitted, and they shall also assess new ground rents, and houses and other buildings owned by tenants and occupiers on lands owned by others and any real property before omitted. And said Board of Assessment shall annually, also,—upon change of ownership of real estate, or after improvements or additions have been made thereon or depletions suffered thereon since the last General Assessment—alter, change, correct or adjust, by raising or lowering said assessment or assessments, as said Board of Assessment shall determine to be proper, giving such notice to the owner or owners of the property affected as provided by Chapter 44—1303 Sec. 46 of the Revised Code of Delaware, 1935.

They shall also certify and return all descents, alienations and changes of ownership of real-estate, ground-rents and houses and other buildings owned by tenants or occupiers on lands owned by others; and the person who, by the assessment list as the same shall appear to have become the owner, shall be assessed as said Board of Assessment shall determine to be proper.

Section 2. That 1304 Sec. 47 of the Revised Code of Delaware, 1935, be amended by striking out the numerals "15" and letters "th" (15th) appearing in second line of said section and substituting in lieu thereof the numeral "1" and the letters "st" (1st). Also by striking out the word "fifteenth" appearing in the seventh line of said section and substituting in lieu thereof the word "first". Also by striking out the word "Thirtieth" appearing in the eighth line of said section and substituting in lieu thereof the word "fifteenth".

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

Approved March 29, 1943.

CHAPTER 92

COUNTY TREASURERS AND COLLECTION OF TAXES

SALARIES OF DEPUTIES, CLERKS, DELINQUENT TAX INVESTIGATORS,
BOOKKEEPERS AND STENOGRAPHER OF THE RECEIVER OF
TAXES AND COUNTY TREASURER OF NEW CASTLE COUNTY

**AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE
OF DELAWARE, 1935, ENTITLED "COUNTY TREASURERS
AND COLLECTION OF TAXES" IN RELATION
TO THE SALARIES OF THE DEPUTIES, CLERKS, DE-
LINQUENT TAX INVESTIGATORS, BOOKKEEPERS
AND STENOGRAPHER OF THE RECEIVER OF TAXES
AND COUNTY TREASURER 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 45 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of the second paragraph of 1372. Section 32 thereof, and inserting in lieu thereof a new second paragraph, as follows:

The Chief Deputy shall be paid an annual salary of Twenty-four Hundred Dollars (\$2400.00); and the other Deputies shall each be paid an annual salary of Twenty-one Hundred Dollars (\$2100.00); and the clerks shall each be paid an annual salary of Two Thousand Dollars (\$2000.00); and the delinquent tax investigators shall each receive an annual salary of Two Thousand Dollars (\$2000.00); and the bookkeepers shall each receive an annual salary of Fifteen Hundred Dollars (\$1500.00); and the stenographer shall receive an annual salary of Fifteen Hundred Dollars (\$1500.00).

Section 2. This Act shall become effective on the first day of April 1943.

Approved April 13, 1943.

CHAPTER 93

COUNTY TREASURERS AND COLLECTION OF TAXES
SALARIES OF DEPUTY AND CLERICAL ASSISTANTS OF THE RECEIVER
OF TAXES AND COUNTY TREASURER OF SUSSEX COUNTY

AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE
OF DELAWARE, 1935, ENTITLED "COUNTY TREASUR-
ERS AND COLLECTION OF TAXES," IN RELATION TO
THE SALARY OF DEPUTY AND CLERICAL ASSIS-
TANCE.

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

Section 1. That Chapter 45 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of the second paragraph of 1440 Section 100 thereof and inserting in lieu thereof a new paragraph as follows:

"The Receiver of Taxes and County Treasurer may select and employ one deputy, at an annual salary of Fourteen Hundred Dollars (\$1400.00) and one clerk at an annual salary of Ten Hundred Eighty Dollars (\$1080.00), which salaries shall be likewise paid to said deputy and clerk by warrants of the Levy Court, in equal monthly installments. Provided, however, that the Levy Court of Sussex County, from time to time, may authorize and direct that The Receiver of Taxes and County Treasurer may select and employ such other clerks and at such times and in such numbers, as the Levy Court of Sussex County shall deem proper to perform the public work required in the office of The Receiver of Taxes and County Treasurer, at a salary to be determined by the Levy Court of Sussex County."

Approved March 26, 1943.

CHAPTER 94

COUNTY TREASURERS AND COLLECTION OF TAXES

AUTHORIZING THE TRANSFER OF CERTAIN FUNDS TO THE
GENERAL FUND OF SUSSEX COUNTY

AN ACT TO AUTHORIZE AND DIRECT THE COLLECTOR OF TAXES AND COUNTY TREASURER OF SUSSEX COUNTY TO TRANSFER TO THE GENERAL FUND OF SUSSEX COUNTY THE SUM OF SEVEN THOUSAND NINETY-TWO DOLLARS AND FIFTY-FOUR CENTS (\$7,092.54) APPEARING IN THE SUSSEX COUNTY TREASURY AS "WALTER ROACH, TREASURER, SUSSEX COUNTY HIGHWAY IMPROVEMENT REFUNDING BONDS, SECOND SERIES, 1941", TO THE CREDIT OF SAID COUNTY.

WHEREAS, there is in the County Treasury to the credit of Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, Second Series, 1941, the sum of Seven Thousand Ninety-two Dollars and Fifty-four Cents (\$7,02.54), which sum was raised from the sale of certain bonds known as "Sussex County Highway Improvement Refunding Bonds Second Series, 1941", to refund, pay and redeem certain outstanding "Sussex County Highway Refunding Bonds Second Series"; and

WHEREAS, after paying, refunding and redeeming the said remaining outstanding "Sussex County Highway Improvement Refunding Bonds Second Series" there remains in the County Treasury the sum of Seven Thousand Ninety-two Dollars and Fifty-four Cents (\$7,092.54) to the credit of "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds Second Series, 1941", and

WHEREAS, the said fund is no longer needed for the purpose for which it was raised; therefore

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

COUNTY TREASURERS AND COLLECTION OF TAXES**AUTHORIZING THE TRANSFER OF CERTAIN FUNDS TO THE
GENERAL FUND OF SUSSEX COUNTY**

Section 1. That the Collector of Taxes and County Treasurer of Sussex County be and he is hereby authorized and directed to transfer to the General Fund of Sussex County, the sum of Seven Thousand Ninety-two Dollars and Fifty-four Cents (\$7,092.54) appearing in the County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds Second Series, 1941", to the credit of said Sussex County.

Section 2. That the said sum so transferred, as provided for in Section 1 of this Act shall be used towards payment of the General expenses and appropriations by the Levy Court of Sussex County.

Approved March 4, 1943.

CHAPTER 95

COUNTY TREASURERS AND COLLECTION OF TAXES

AUTHORIZING THE TRANSFER OF CERTAIN FUNDS TO THE
GENERAL FUND OF SUSSEX COUNTY

AN ACT TO AUTHORIZE AND DIRECT THE COLLECTOR OF TAXES AND COUNTY TREASURER OF SUSSEX COUNTY TO TRANSFER TO THE GENERAL FUND OF SUSSEX COUNTY THE SUM OF EIGHT THOUSAND SEVEN HUNDRED EIGHT DOLLARS AND SIXTY-THREE CENTS (\$8,708.63) APPEARING IN THE SUSSEX COUNTY TREASURY AS "WALTER ROACH, TREASURER, SUSSEX COUNTY HIGHWAY IMPROVEMENT REFUNDING BONDS, 1941" TO THE CREDIT OF SAID COUNTY.

WHEREAS, there is in the County Treasury to the credit of Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, 1941, the sum of Eight Thousand Seven Hundred Eight Dollars and Sixty-three Cents (\$8,708.63), which sum was raised from the sale of certain bonds known as "Sussex County Highway Improvement Refunding Bonds, 1941", to refund, pay and redeem certain outstanding "Sussex County Highway Improvement Refunding Bonds", and

WHEREAS, after paying, refunding and redeeming the said remaining outstanding "Sussex County Highway Improvement Refunding Bonds" there remains in the County Treasury the sum of Eight Thousand Seven Hundred Eight Dollars and Sixty-three Cents (\$8,708.63) to the credit of Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, 1941; and

WHEREAS, the said fund is no longer needed for the purpose for which it was raised; therefore

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

COUNTY TREASURERS AND COLLECTION OF TAXES
AUTHORIZING THE TRANSFER OF CERTAIN FUNDS TO THE
GENERAL FUND OF SUSSEX COUNTY

Section 1. That the Collector of Taxes and County Treasurer of Sussex County be and he is hereby authorized and directed to transfer to the General Fund of Sussex County, the sum of Eight Thousand Seven Hundred Eight Dollars and Sixty-three Cents (\$8,708.63) appearing in the County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, 1941", to the credit of said County.

Section 2. That the said sum so transferred, as provided for in Section 1 of this Act, shall be used toward payment of the general expenses and appropriations by the Levy Court of Sussex County.

Approved March 4, 1943.

CHAPTER 96

COUNTY COMPTROLLER

RELATING TO COMPTROLLER AND DEPUTY COMPTROLLER OF
NEW CASTLE COUNTY

**AN ACT TO AMEND CHAPTER 46 OF THE REVISED CODE
OF DELAWARE, 1935, ENTITLED "COUNTY COMP-
TROLLERS" IN RELATION TO THE COMPTROLLER
AND DEPUTY COMPTROLLER OF NEW CASTLE
COUNTY.**

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

Section 1. That Chapter 46 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of the third paragraph of 1478, Section 3 thereof, and inserting in lieu thereof a new paragraph, as follows:

The salary of the Comptroller of New Castle County shall be Four Thousand Dollars (\$4,000.00) per annum, payable in equal semi-monthly installments, by warrants duly drawn upon the County Treasurer of New Castle County. The Comptroller of New Castle County may select and employ one Deputy, at a salary of Twenty-four Hundred Dollars (\$2400.00) per annum, to be paid in equal semi-monthly installments, by warrants drawn upon the County Treasurer of New Castle County. Such Deputy Comptroller shall be under the control of said Comptroller, who shall have the right to discharge him at any time. Such Deputy Comptroller shall have the authority to sign or execute, in the name of the Comptroller, all checks, books, reports, bills or papers, that the Comptroller is now or hereafter may be authorized, empowered or directed to sign or execute.

Section 2. This Act shall become effective on the first day of the month following its approval.

Approved March 29, 1943.

CHAPTER 97

COUNTY COMPTROLLER

RELATING TO COMPTROLLER AND DEPUTY COMPTROLLER OF
SUSSEX COUNTY

AN ACT TO AMEND CHAPTER 46 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED BY CHAPTER 115, VOLUME 43, LAWS OF DELAWARE, ENTITLED "COUNTY COMPTROLLERS" IN RELATION TO THE DEPUTY COMPTROLLER 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 46 of the Revised Code of Delaware, 1935, as amended by Chapter 115, Volume 43, Laws of Delaware, be and the same is hereby amended by striking out the last sentence of the fifth paragraph of 1478, Section 3 thereof, as the same appears on page 359, Volume 43, Laws of Delaware and inserting in lieu thereof a new sentence as follows:

"The Comptroller of Sussex County may select and employ one deputy, at a salary of Twelve Hundred Dollars (\$1200.00) per annum to be paid in equal monthly installments."

Approved March 16, 1943.

CHAPTER 98

SALARIES OF CERTAIN COUNTY OFFICERS

NEW CASTLE COUNTY

AN ACT TO AMEND CHAPTER 53 OF THE REVISED CODE OF DELAWARE, 1935 ENTITLED "SALARIES OF CERTAIN COUNTY OFFICERS" IN RELATION TO THE SALARIES OF CERTAIN COUNTY OFFICERS OF NEW CASTLE COUNTY.

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

Section 1. That Chapter 53 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of the first paragraph of 1597, Section 6 thereof and inserting in lieu thereof a new first paragraph, as follows:

The Clerk of the Peace, Sheriff, Coroner, Prothonotary, Recorder, Register of Wills, Register in Chancery and Clerk of the Orphans' Court, in each of the Counties, shall be paid, in lieu of all fees, costs, allowances, perquisites and other compensation of every kind for performing every and all the services, acts and duties of their respective offices, the following annual salaries payable in equal monthly installments by warrants drawn by the Levy Court on the County Treasurer of their respective Counties namely: In New Castle County the Clerk of the Peace shall receive Four Thousand Dollars (\$4000.00); the Sheriff, Four Thousand Dollars (\$4000.00); the Coroner, Seventeen Hundred Dollars (\$1700.00); the Prothonotary, Four Thousand Dollars (\$4000.00); the Recorder, Four Thousand Dollars (\$4000.00); the Register of Wills, Four Thousand Dollars (\$4000.00); the Register in Chancery, Two Thousand Dollars (\$2,000.00) and the Clerk of the Orphans' Court, Two Thousand Dollars (\$2,000.00).

Section 2. This Act shall become effective on the first day of the month following its approval.

Approved March 26, 1943.

CHAPTER 99

SALARIES OF CERTAIN COUNTY OFFICERS

SALARIES OF DEPUTIES AND CLERKS IN CERTAIN COUNTY OFFICES
IN NEW CASTLE COUNTY

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND CHAPTER 53 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED SALARIES OF CERTAIN COUNTY OFFICERS" BEING CHAPTER 120, VOLUME 43, LAWS OF DELAWARE, 1941, IN RELATION TO THE SALARIES OF THE DEPUTIES AND CLERKS OF CERTAIN COUNTY OFFICES OF NEW CASTLE COUNTY.

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

Section 1. That Chapter 120, Volume 43, Laws of Delaware, 1941, be and the same is hereby amended by striking out and repealing all of the second paragraph of 1598, Section 7, thereof and inserting in lieu thereof a new paragraph, as follows:

In New Castle County, the Clerk of the Peace may select and employ one Chief Deputy at an annual salary of Twenty-four Hundred Dollars (\$2400.00), and four Clerks, each at an annual salary of Two Thousand Dollars (\$2000.00); the Sheriff, one Chief Deputy at an annual salary of Twenty-four Hundred Dollars (\$2400.00), and one other Deputy at an annual salary of Two Thousand one hundred Dollars (\$2100.00) and four additional Deputies, each at an annual salary of Two Thousand Dollars (\$2,000.00); the Prothonotary, one Chief Deputy at an annual salary of Twenty-four Hundred Dollars (\$2400.00), and four Clerks, each at an annual salary of Two Thousand Dollars (\$2000.00); the Recorder, one Chief Deputy, and two other Deputies or Index Clerks, each at an annual salary of Twenty four Hundred Dollars (\$2400.00), and eight Clerks, each at an annual salary of Two Thousand Dollars (\$2000.00); the Register of Wills, one Chief Deputy at an annual salary of Twenty-four Hundred Dollars (\$2400.00); and one other Deputy at an annual salary of Twenty-one Hundred Dollars (\$2100.00) and three Clerks, each at an annual salary of Two Thousand Dollars (\$2000.00); the Regis-

SALARIES OF CERTAIN COUNTY OFFICERS

SALARIES OF DEPUTIES AND CLERKS IN CERTAIN COUNTY OFFICES IN NEW CASTLE COUNTY

ter in Chancery and Clerk of the Orphans' Court, one Chief Deputy, at an annual salary of Twenty-four Hundred Dollars (\$2400.00), and four Clerks each at an annual salary of Two Thousand Dollars (\$2000.00); the Coroner, one Chief Deputy, at an annual salary of Six Hundred Dollars (\$600.00).

Section 2. This Act shall become effective on the first day of the month following its approval.

Approved March 12, 1943.

CHAPTER 100

SALARIES OF CERTAIN COUNTY OFFICERS

KENT COUNTY

AN ACT TO AMEND CHAPTER 43 REVISED CODE OF DELAWARE 1935, AND CHAPTER 53 REVISED CODE OF DELAWARE 1935, AS AMENDED BY CHAPTER 120, VOL. 43 LAWS OF DELAWARE, IN RELATION TO DEPUTIES TO AND CLERICAL ASSISTANCE FOR COUNTY OFFICERS IN KENT COUNTY; AUTHORIZING THE LEVY COURT OF KENT COUNTY TO EMPLOY SAID DEPUTIES AND CLERICAL ASSISTANTS, FIX THEIR COMPENSATION, AND PAY THE NECESSARY TRAVEL EXPENSES OF SAID COUNTY OFFICERS, DEPUTIES AND CLERICAL ASSISTANTS WHILE IN THE CONDUCT OF COUNTY BUSINESS.

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

Section 1. That Chapter 53 of the Revised Code of Delaware, 1935, as amended by Chapter 120, Vol. 43, Laws of Delaware, be and the same is further amended by repealing and striking out all of paragraphs six and seven of Section 1598. Sec. 7 of said Code, as amended by Chapter 120, Vol. 43, Laws of Delaware, in so far as same may apply to Kent County, Kent County officials or Kent County clerical employees.

Section 2. That Chapter 43 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of 1191, Section 45 thereof, and inserting in lieu thereof a new Section to be known as 1191 Section 45 as follows:

1191. Sec. 45. **Deputies, Clerical Assistance for Kent County Offices: Appointment, Compensation and Travel for County Officials and said Deputies and Clerical Assistance:**—The Levy Court of Kent County may authorize the employment by any of the County Officials of such Chief Deputies and such clerical assistance as may, in the judgment of the said Levy Court, be necessary and may fix their compensation. Said compensation

SALARIES OF CERTAIN COUNTY OFFICERS

KENT COUNTY

shall be paid in equal monthly installments, by warrants according to the form to be prescribed by the Levy Court, and drawn on the Receiver of Taxes and County Treasurer.

Said Levy Court may also pay mileage, as other County expenses are paid, not to exceed five cents a mile, to County Officials, including Deputies and clerks for travel in the necessary conduct of County business, for expenses actually incurred in the carrying out of said County business. In no wise, however, is this paragraph to be construed to allow the payment of mileage to officials, deputies or clerical assistants to or from their home and their place of employment.

Section 3. The Chief Deputies selected and employed as aforesaid shall be possessed of all the authority of their respective offices, and in the absence or disability of the duly elected officer, the Chief Deputy of such officer shall perform all the duties of the office.

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

Approved March 26, 1943.

CHAPTER 101

SALARIES OF CERTAIN COUNTY OFFICERS

SUSSEX COUNTY

AN ACT TO AMEND CHAPTER 53 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED BY CHAPTER 120, VOLUME 43, LAWS OF DELAWARE, ENTITLED "SALARIES OF CERTAIN COUNTY OFFICERS" IN RELATION TO THE DEPUTIES AND CLERKS OF CERTAIN COUNTY OFFICES 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 53 of the Revised Code of Delaware, 1935, as amended by Chapter 120, Volume 43, Laws of Delaware, be and the same is hereby amended by striking out all of the eighth paragraph of 1598 Section 7 relating to Sussex County, as the same appears on page 363, Volume 43, Laws of Delaware and inserting in lieu thereof a new paragraph as follows:

In Sussex County, the Clerk of the Peace may select and employ a Deputy at a salary of Twelve Hundred Dollars (\$1200.00) per year; the Sheriff may select and employ a Deputy at a salary of Twelve Hundred Dollars (\$1200.00) per year; the Prothonotary may select and employ a Deputy at a salary of Twelve Hundred Dollars (\$1200.00) per year; the Recorder of Deeds may select and employ a Deputy at a salary of Twelve Hundred Dollars (\$1200.00) per year and five Clerks, each at an annual salary of One Thousand Eighty Dollars (\$1,080.00) per year; the Register of Wills may select and employ a Deputy at a salary of Twelve Hundred Dollars (\$1200.00) per year; the Register in Chancery and Clerk of the Orphans' Court may select and employ a Deputy at a salary of Twelve Hundred Dollars (\$1200.00) per year; the Coroner may employ a Clerk at a salary of Three Hundred Dollars (\$300.00) per year.

Approved March 16, 1943.

CHAPTER 102

STATE OLD AGE WELFARE COMMISSION

PROVISION FOR THE INVESTIGATION AND RETURN OF ADULT
INDIGENT PERSONS TO THE STATE

AN ACT TO AMEND CHAPTER 54 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED STATE OLD AGE WELFARE COMMISSION AND STATE WELFARE HOME, BY PROVIDING FOR THE INVESTIGATION AND RETURN OF ADULT INDIGENT PERSONS TO THE STATE.

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

Section 1. That 1607. Section 4, of Chapter 54, of the Revised Code of Delaware 1935, be and the same is hereby amended by adding thereto the following new paragraph:

Upon the request of any individual, superintendent or other duly authorized officer of any State institution, agency, association or organization, the State Old Age Welfare Commission may investigate by correspondence, visitation and otherwise, the circumstances relating to the non-resident and alien adult poor temporarily residing in the State of Delaware, and also relating to those of our own citizens who might be classed as non-residents and alien adult poor in another State, the State Old Age Welfare Commission hereby being given the power to dispose of and properly supervise such cases and are authorized to pay all expenses incident thereto, in accordance with the laws of the State of Delaware relating thereto.

Section 2. That 1632. Section 29, of Chapter 54, of the Revised Code of Delaware 1935, be and the same is hereby amended by adding thereto the following new paragraph:

Upon the request of any individual, superintendent or other duly authorized officer of any State institution, agency, association or organization, the State Old Age Welfare Commission may investigate by correspondence, visitation and otherwise, the cir-

STATE OLD AGE WELFARE COMMISSION**PROVISION FOR THE INVESTIGATION AND RETURN OF ADULT
INDIGENT PERSONS TO THE STATE**

cumstances relating to the non-resident and alien adult poor temporarily residing in the State of Delaware, and also relating to those of our own citizens who might be classed as non-residents and alien adult poor in another State, the State Old Age Welfare Commission hereby being given the power to dispose of and properly supervise such cases in accordance with the laws of the State of Delaware relating thereto.

Approved April 16, 1943.

CHAPTER 103

ROADS AND BRIDGES

PROVISION FOR THE NOTICE REQUIRED IN PROCEEDINGS TO
VACATE PUBLIC ROADS AND BRIDGES**AN ACT TO AMEND CHAPTER 55 OF THE REVISED CODE
OF DELAWARE, 1935, RELATING TO ROADS AND
BRIDGES, BY PROVIDING FOR THE NOTICE REQUIRED
IN PROCEEDINGS TO VACATE PUBLIC ROADS
AND BRIDGES.**

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

Section 1. That Chapter 55 of the Revised Code of Delaware, 1935, be and the same is hereby amended, by inserting an additional paragraph at the end of 1673, Sec. 29, as follows:

The provisions of this section with respect to notice to all parties in interest shall not apply where the intended application relates only to the vacation of roads or bridges or any part thereof, and in such cases it shall be sufficient to give notice to the State Highway Department, if it is not the applicant, and to all persons owning property which abuts upon and is contiguous to, or which is accessible only by, along or across that part of the road or bridge desired to be vacated, by mailing to the State Highway Department and to such persons or their legal representatives, if known, at their last known post office address written notice of the intended application at least ten days prior to its presentation to the Court of General Sessions, or to the Resident Judge, and also by publishing notice to all parties in interest, in some newspaper of general circulation in the County in which such road or bridge is located, of the intended application at least five days previous to its presentation.

Approved February 19, 1943.

Elections

CHAPTER 104

REGISTRATION OF VOTERS

REGISTRATION OFFICERS, DUTIES; PLACES; HOURS; DAYS AND
NOTICE OF SITTING

AN ACT TO AMEND CHAPTER 56, REVISED CODE OF DELAWARE 1935, RELATING TO REGISTRATION OF VOTERS, BY THE REPEAL OF 1712. SEC. 7, AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1712. SECTION 7.

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

Section 1. That Chapter 56, Revised Code of Delaware 1935, be and the same is hereby amended by striking out and repealing all of 1712, Sec. 7, and by substituting in lieu thereof a new Sec. to be known as 1712 Sec. 7 as follows:

1712, Sec. 7. Registration Officers, Duties in Years of Supplementary Registrations; Hours and Days for Registration; Notices:—In those years in which a supplementary registration is had, as provided for in 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 appear as qualified voters on the books of registered voters, 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 books of registered voters, at such public and suitable places in their respective election districts as will, in the judgment of the Board of Registration of the respective Registration Department Districts in this State,

REGISTRATION OF VOTERS

REGISTRATION OFFICERS, DUTIES; PLACES; HOURS; DAYS AND NOTICE OF SITTING

be the 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 second Thursday in August and on the third Saturday next preceding the day of election.

The Board of Registration of the respective Registration Department Districts in this State, as described in this Chapter, 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 their respective Registration Department Districts, 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.

Approved March 16, 1943.

CHAPTER 105

REGISTRATION OF VOTERS

REGISTRATION OFFICERS; MEETING; DUTIES; ENTRIES MADE
IN BOOKS

**AN ACT TO AMEND CHAPTER 56, REVISED CODE OF
DELAWARE RELATING TO REGISTRATION OFFI-
CERS; MEETING; DUTIES; ENTRIES MADE IN BOOKS:
—BY THE REPEAL OF 1714. SEC. 9, AND BY SUBSTI-
TUTING IN LIEU THEREOF A NEW SECTION TO BE
KNOWN AS SECTION 1714. SEC. 9.**

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

Section 1. That Chapter 56, Revised Code of Delaware 1935, be and the same is hereby amended by striking out and repealing all of 1714. Sec. 9; and by substituting in lieu thereof a new section to be known as 1714. Sec. 9 as follows:

**1714. Sec. 9. Registration Officers; Meeting; Duties; En-
tries Made in Books:—**The Registrar and the Assistant Regis-
trars in each election district in this State shall, at the times
in this chapter designated for registration, meet in their respec-
tive election districts at the places which, as provided in this
chapter, shall be designated for such meeting, and at such time
shall do and perform the following acts, viz.:

First. At every general 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 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 the surname in full, then the Christian name in full and then the initial or initials of the middle name or names. The names of said applicants for registration shall be written on the Books of Registered Voters

REGISTRATION OF VOTERS

REGISTRATION OFFICERS; MEETING; DUTIES; ENTRIES MADE
IN BOOKS

in the alphabetical order of their surname, that is, all applicants whose surname begins with the letter "A" shall be grouped together, all those whose surname begins with the letter "B" shall be grouped together and so on, as to the first letter of each surname. No name of any other letter group shall be written on any page containing a name or names of any other letter group.

Second. They shall examine all such persons applying as aforesaid, as to their qualifications as electors, and shall immediately enter in the Register the statements and facts below set forth, and in the manner following viz.:

I. In the column headed "age" "Over 21" when the applicant is twenty-one years of age or over, at the time of his registration, or "21 on....." giving the day, month and year when the applicant will reach majority, 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.

II. In the column headed "nativity", the State, territory or country in which the applicant was born.

III. Under the column headed "residence", the place of the applicant's residence, street and number if any, or such other clear and definite designation of the place of said residence as shall enable it to be readily determined, and his post office address.

IV. In the subdivision of the column headed "Term of residence" how long he has resided in the State, how long in the County and how long in the election district in which he applies to be registered.

V. In the column headed "naturalized" the word "yes" or "no" or "native" as the facts shall appear, and if naturalized, the date of naturalization and before what Court.

REGISTRATION OF VOTERS

REGISTRATION OFFICERS; MEETING; DUTIES; ENTRIES MADE
IN BOOKS

VI. In the column headed "registered voter" if the registration officers shall be satisfied, upon examination or otherwise, that the applicant for registration is entitled to be registered as a registered voter, they shall write his name in full as written in the first column.

VII. In the column headed "disqualified" if they are satisfied, upon examination or otherwise, that the applicant for registration is disqualified as an elector in the election district in which he shall apply to be registered, a line shall be heavily drawn in ink opposite his name in the column headed "Registered Voter" and the cause of his disqualification shall be briefly stated in the column "disqualified" opposite his name as first recorded, and a line shall be drawn across his name as first entered, but in such manner that said name shall remain legible. Provided that every applicant for registration shall be held and considered to be a qualified voter if he be a citizen of this State of the age of twenty-one years and upwards, or who will be the age of twenty-one years on or before the day of the general election next succeeding his registration, and will have resided in this State one year next before such election, and for the last three months thereof will have been a resident of the County, and for the last thirty days a resident of the election district in which he may offer to vote and in which he shall have been duly registered; provided that no person in the military, naval or marine service of the United States shall be considered as acquiring a residence in this State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no idiot or insane person, pauper, or person convicted of a crime deemed by law a felony, or person who shall have been rendered incapable of voting by reason of violating Section 7 of Article V of the Constitution of this State for ten years next following his conviction and sentence thereunder and no person who attained the age of twenty-one years after the first day of January 1900, or after that date became a citizen of the United States, and is unable to read the Constitution of this

REGISTRATION OF VOTERS

REGISTRATION OFFICERS; MEETING; DUTIES; ENTRIES MADE
IN BOOKS

State in English, and write his name, except by reason of physical disability, shall be held or constituted a qualified voter.

VIII. In the column headed "Date of Application" the day of the month and year on which application for registration is made.

IX. In the column headed "If challenged", the word "yes" or "no".

X. In the column headed "Cause of challenge" the objections and by whom made.

XI. In the column headed "Appeal" the word "yes" or "no".

XII. In the column headed "Remarks" they may enter such facts or statements as may be deemed pertinent to the qualification or disqualification of the applicant as an elector.

Third. In making the entries hereinbefore specified the registration officers shall in every case make such entries in ink, in the columns above specified opposite the name of the applicant to whom such entries are intended to apply; if the registration officers shall be in doubt, after the primary examination of the applicant for registration, and upon such evidence as may be immediately obtainable, whether such applicant ought to be registered as a registered voter, they may postpone the determination of the matter to their next sitting or to a later sitting at the request of the applicant.

Fourth. It shall be the duty of the Registration Officers of each and every election district in this State, upon the close of each day's registration, to write in the line on the Registers, immediately below the last person registered on said day, the words "end of this day's registration and the date", and immediately under each said entry, the said registration officers shall sign their respective names with the proper designation of their office.

Approved April 2, 1943.

CHAPTER 106

REGISTRATION OF VOTERS

GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW
SETS OF BOOKS SUPPLIED; WHEN; NEW GENERAL
REGISTRATION; WHEN AND HOW MADE

AN ACT TO AMEND CHAPTER 56, REVISED CODE OF DELAWARE, 1935, RELATING TO REGISTRATION OF VOTERS, BY THE REPEAL OF 1717. SEC. 12, AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1717. SEC. 12.

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

Section 1. That Chapter 56 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of 1717. Sec. 12, and by substituting in lieu thereof a new section to be known as 1717. Sec. 12, as follows:

1717. Sec. 12. General Registration in 1940, Permanent; Electors Need Not Register Again, Unless etc.; Supplementary Registration After 1940; 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 1940, 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". No person who shall have registered in said General Registration and whose name appears in the said General Registration as a registered voter shall be required to register again in 1942, or in any subsequent year 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 as hereinafter provided, or unless a new general registration shall be had in the election district in which he is a resident, as hereafter in this section provided.

REGISTRATION OF VOTERS

GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW SETS OF BOOKS SUPPLIED; WHEN; NEW GENERAL REGISTRATION; WHEN AND HOW MADE

The registration made in each year in which there is a general election, after the year 1940, 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.....". No person whose name appears in any such supplementary registration as a registered voter shall be required to register again in any subsequent year unless he shall cease to be a resident of the election district in which he was thus registered, or unless he shall cease to possess the qualifications of a voter under the Constitution and laws of this State, or unless his name shall be stricken from the said supplementary registration as hereinafter provided, or unless a new general registration shall be had in the election district in which he is a resident as hereafter in this Section provided.

The books known as "Registers" and the books known as "Books of Registered Voters", which were used in making the general registration for the year 1940, shall also be used in making the supplementary registrations in succeeding years, until said "Registers" and "Books of Registered Voters" shall become so filled with entries that they can no longer be conveniently used for such purposes.

The first supplementary registration succeeding the general registration of the year 1940 shall start in the Registers immediately after the general registration as follows:

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.

REGISTRATION OF VOTERS

GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW SETS OF BOOKS SUPPLIED; WHEN; NEW GENERAL REGISTRATION; WHEN AND HOW MADE

Each subsequent supplementary registration shall be headed by the entry "The Supplementary Registration of Qualified Voters in.....Election District of.....Representative District in.....County for the year.....". Such entry shall be written by the Registrar on each page of the Register where the entry of the close of the preceding supplementary registration appears as hereinbefore provided. Immediately following such entry shall begin the entries concerning applicants for registration at such supplementary registration.

If, after the year 1940, or at the completion of the supplementary 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 a 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 Boards of Registration in their respective Registration Department Districts to examine all the Registration Books immediately after their delivery as aforesaid, and to notify the Governor forthwith whether any and what Registration Books will be required for subsequent registration in any election district in this State, in their respective Registration Department Districts, and it shall be the duty of the Governor at least five days prior to the first day in April, in the year of holding the next succeeding general election, to furnish to the said Boards of Registration all Registration Books needed in any election district in their respective Registration Department Districts for subsequent registration as aforesaid, of the form and design hereinbefore provided, and the books so delivered shall become and be the "Registers" or "Books of Registered Voters" for 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.....Representative

REGISTRATION OF VOTERS

GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW SETS OF BOOKS SUPPLIED; WHEN; NEW GENERAL REGISTRATION; WHEN AND HOW MADE

District in.....County" together with the day, month and year when the same were received 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.

If any Register containing the general registration for the year 1940, or any 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 Board of Registration of the Registration Department District in which any such election district is located to certify such fact to the Governor, who shall, prior to the first day in April of the year of holding the general election next succeeding, supply the said Board of Registration in which any such election district is located with the necessary books for a new general registration in such district, of the same form and design as hereinbefore described. And it shall be the duty of the Board of Registration of each Registration Department District to examine all the Registration Books immediately after the delivery to them as in this Chapter provided, and if they shall find that any of the Registration Books of any election district of their District are missing or mutilated or defaced, so that they are no longer available for registration purposes, they shall certify the fact to the Governor; or if any Registration Books shall, after their delivery as aforesaid, be lost or destroyed or become mutilated or defaced, so that they are no longer available for registration purposes, they shall certify this fact to the Governor; and the Governor shall supply

REGISTRATION OF VOTERS

GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW SETS OF BOOKS SUPPLIED; WHEN; NEW GENERAL REGISTRATION; WHEN AND HOW MADE

all Registration Books that may be needed in any election district for any of the causes aforesaid, prior to the first day of April 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. The Registrar of such election district shall 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 by him 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 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 at the general election to be held in such year, 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. The Board of Registration of the Registration Department District in which any such election district is located, shall, at least ten days prior

REGISTRATION OF VOTERS

GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW SETS OF BOOKS SUPPLIED; WHEN; NEW GENERAL REGISTRATION; WHEN AND HOW MADE

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 such election district, that the original Registers are no longer available and that it has become necessary to have another 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.

Provided, however, that no new general registration 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 Board of Registration of said Registration Department District to make or have 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 "Book of Registered Voters" supplied by the Governor as aforesaid. Such transcription shall be verified by the oath or affirmation of all the members of the said Board of Registration of the said Registration Department District, and the affidavit, signed by them, 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."

Provided further that the Board of Registration of any registration department district may, at any time that it shall deem necessary, transcribe or cause to be transcribed any "Register" or "Book of Registered Voters".

REGISTRATION OF VOTERS

GENERAL REGISTRATION; SUPPLEMENTARY REGISTRATION; NEW
SETS OF BOOKS SUPPLIED; WHEN; NEW GENERAL
REGISTRATION; WHEN AND HOW MADE

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 their correctness by a representative of each of the two leading political parties.

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.

Approved April 2, 1943.

CHAPTER 107

REGISTRATION OF VOTERS

STRIKING NAMES FROM THE REGISTRATION BOOKS FOR FAILURE
TO VOTE AND FOR BECOMING DISQUALIFIED

AN ACT TO AMEND CHAPTER 56, REVISED CODE OF DELAWARE 1935, RELATING TO REGISTRATION OF VOTERS, BY THE REPEAL OF 1718. SEC. 13. AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1718 SEC. 13.

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

Section 1. That Chapter 56, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of 1718. Sec. 13, and by substituting in lieu thereof a new Section to be known as 1718, Sec. 13. as follows:—

1718. Sec. 13. Striking Names from Registration Lists; Who May Move; Affidavit; Duties of Judge and Registrar; When Motion Made First to Registration Officers; Removing Names of Deceased Voters; List of Names Stricken Off by Reason of Death:
—Any person may move to strike from the general registration or any supplementary registration the name of any person who has been illegally registered as a qualified voter, or who since his registration has become disqualified, or for any reason has ceased to be a qualified voter in the Election District in which he is registered, provided, the person making such motion be a qualified voter of the Representative District which includes the Election District wherein the person whose name is to be stricken off, is registered. Such motion may be made to the same Judge who sits to hear appeals from registration officers in the County where the person affected by such motion is registered, without such motion having been previously made to the registration officers, or such motion may first be made before the registration officers of the election district in which the person affected is registered, provided that the person making such motion shall make an affidavit that he believes he has lawful grounds for such motion, and setting them forth. If such motion

REGISTRATION OF VOTERS

STRIKING NAMES FROM THE REGISTRATION BOOKS FOR FAILURE TO VOTE AND FOR BECOMING DISQUALIFIED

shall be made to the Judge in the first instance the said Affidavit shall be presented to the said Judge at the time of making such motion; but if such motion shall be made first to the registration officers, then the said affidavit shall be presented to the Registrar. When such motion is made to the Judge in the first instance as aforesaid, it shall be the duty of the person making the motion to notify the Registrar of the election district in which the person affected by such motion is registered, and also to notify the person affected by such motion, stating in said notice the time when said motion will be made to the Judge aforesaid, which time shall be one of the days hereinafter named for hearing appeals. It shall be the duty of the Judge before whom any such motion is made to hear and inquire into all the grounds of such motion set forth in the affidavit aforesaid. If it shall appear that the person against whom the motion is made was illegally registered, or that since his registration he has become disqualified, or that for any reason he has ceased to be a qualified voter of the district in which he is registered, then and in any such cases the Judge shall order and direct the Registrar to make the appropriate marks and entries in the Registration Books. It shall be the duty of the Registrar of the Election District in which the person against whom the motion is made is registered, to appear at the hearing of such motion before the Judge, with the Registration Books, and to make such marks and entries therein as he shall be directed by the said Judge.

When such motion is made first to the registration officers, then it shall be the duty of the person making such motion to notify the person affected of his intention to make such motion at the next sitting of the registration officers of the district in which the person affected is registered, and it shall be the duty of the registration officers at said sitting to examine into the matter, and if upon such examination it shall appear that the person against whom such motion is made was illegally registered, or that since his registration he has become disqualified, or that for any reason he has ceased to be a qualified voter of the district in which he is registered, or that he attained the age

REGISTRATION OF VOTERS

STRIKING NAMES FROM THE REGISTRATION BOOKS FOR FAILURE
TO VOTE AND FOR BECOMING DISQUALIFIED

of twenty-one after the first day of January, 1900, or after that date became a citizen of the United States, and is unable at the time of the hearing of the said motion, 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, then and in any of such cases, a heavy line shall be drawn in ink through his name in the column headed "Registered Voter" and a line shall be drawn through his name as first entered, but in such manner that his name shall remain legible, and the cause of his disqualification shall be briefly stated in the column headed "Disqualified" and in the column headed "Remarks" opposite his said name shall be written the words "Adjudged disqualified on revision by the registration officers" and the date when his disqualification was ascertained as aforesaid, and in the "Books of Registered Voters," a heavy line in ink shall be drawn through his name, his residence and his age.

Beginning with the year 1944, and each year thereafter, it shall be the duty of the Registrar of Vital Statistics for the State of Delaware, to furnish to the Board of Registration for each Registration Department District, on or before the tenth day of January, April, July and October, a full, complete and accurate copy of the record of the name, residence and age of each person twenty-one years of age and upward who has died in such Registration Department District, during the three calendar months then next preceding as the facts in respect to such deaths, shall be furnished to the said Registrar of Vital Statistics.

The Board of Registration shall keep, preserve and file all such copies of such records.

It shall be the duty of the Board of Registration for each Registration Department District in each year in which an election is held, to cause to be made and delivered to the registration officers in each and every election district, on or before the Fifteenth day of October in that year, a record of all persons twenty-one years of age and upward who in the district in which

REGISTRATION OF VOTERS

STRIKING NAMES FROM THE REGISTRATION BOOKS FOR FAILURE TO VOTE AND FOR BECOMING DISQUALIFIED

the said registration officers are to serve, have died since the last day of registration. Such record shall be known and designated as the Record of Deaths. It shall be the duty of the registration officers in each election district, upon the receipt of such record to attach securely the same to the inside cover of the Register in his custody, to the end that it may be preserved; and each Registrar shall examine the Registers in his custody as to the name of every person upon said Registers who, by said Record of Deaths shall be a coincidence in respect to said name and facts appear to have deceased, and opposite to and against every such name to enter in the column headed "Disqualified" the word "Dead" and the month, day and year of such entry and in the column headed "Remarks" the words "Stricken from the Registers" adding against each such entry made in the Column of Remarks the initial letters of the name of the Registrar making such entry; and through the name of every such person stricken from the registers, and then only, shall draw a line indicative that such name is stricken from the registers of that election district.

It shall be the duty of the Board of Registration of each Registration Department District, in each year of Registration, to strike or cause to be stricken from the Registers and from the Books of Registered Voters, in the manner hereinafter stated, the name of every person appearing on said books who has failed or omitted, for any cause whatever, to vote in the election district covered by said Registers for a period of five years. The fact of voting or not voting shall, for the purpose of this section, be deemed to be prima facie established by the entry of the word "voted", or the omission of such entry in the appropriate column opposite the name of the registered voter in the Book of Registered Voters, but before any name shall be stricken from the books as aforesaid, the Board of Registration of such Registration Department District, shall give notice of such intention, and the reason therefor, by Registered Mail, directed to such Registered Voter at the Post Office address as the same shall appear in the Registers, the date on which the matter will be passed on at a meeting of the Board of Registration of such Registration

REGISTRATION OF VOTERS

STRIKING NAMES FROM THE REGISTRATION BOOKS FOR FAILURE
TO VOTE AND FOR BECOMING DISQUALIFIED

Department District. Such notice shall be mailed not later than the Wednesday next preceding the sitting of the Board of Registration aforesaid. If at such meeting of said Board of Registration it shall be established to their satisfaction that the person, aforesaid, did in fact vote in said Election District within a period of five years then his name shall not be stricken from the books as aforesaid; but if it shall not be so established, then such Board of Registration shall draw or shall cause to be drawn, a heavy line, in ink, through the name of such person in the column headed "Registered Voter" and a line shall be drawn through his name as first entered, but in such manner that his name shall remain legible, and in the column headed "Remarks" opposite his name shall be written the words "Stricken off for failure to vote in five years", giving the year of the general election at which said person last voted and the date of such entry; and in the Books of Registered Voters a heavy line, in ink, shall be drawn through his name, his residence and his age. Every person whose name has been stricken from the Registers for failure to vote as aforesaid, may become registered anew at any sitting for registration if he possesses all the necessary qualifications for registration, upon personal application for such purpose, as if he had not before been registered. Provided, however, it shall be unlawful to strike any name from the Registration Books on the last day of registration in any year for having failed to vote as aforesaid.

Approved April 2, 1943.

CHAPTER 108

REGISTRATION OF VOTERS

TIME REQUIRED TO GIVE NOTICE OF APPEALS CHANGED

AN ACT TO AMEND CHAPTER 56, AS AMENDED, REVISED CODE OF DELAWARE, 1935, ENTITLED "REGISTRATION OF VOTERS" BY CHANGING THE TIME REQUIRED TO GIVE NOTICE OF APPEALS.

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

Section 1. That Chapter 56, as amended, of the Revised Code of Delaware, 1935, be and the same is hereby further amended by striking out the third paragraph of 1724. Sec. 19. of Chapter 56, as amended, of the Revised Code of Delaware, 1935, and inserting in lieu thereof the following:

All notices required to be given by the provisions of this, or the preceding Section, upon any Registrar shall be in writing and shall be served personally, if possible, or by registered mail addressed to the last known post office address of said Registrar. All notices required by this, or the preceding Section, to be given to any person other than the Registrar shall be in writing and shall be served upon such other person personally or by registered mail addressed to the last known post office address of such person. All notices required to be given by the provisions of this, or the preceding Section shall be served at least five days prior to the day on which the appeal or application is made to the Resident Associate Judge. In all cases where service is made by registered mail, proof of such service shall be evidenced by a return receipt, showing such service as having been made at least five (5) days prior to the day on which the appeal or application is made to the Resident Associate Judge. No appeal or application under the provisions of this, or the preceding Section, shall be received by the Resident Associate Judge, unless he shall be satisfied by the oath of the Party presenting the same, or otherwise, that notice has been given as required by this Section.

Approved March 8, 1943.

CHAPTER 109

REGISTRATION OF VOTERS

PROVISION FOR PERMANENT RECORD OF ELECTION APPEALS, AND
THE KEEPING AND CUSTODY THEREOF

**AN ACT TO AMEND CHAPTER 56, AS AMENDED, REVISED
CODE OF DELAWARE, 1935, ENTITLED "REGISTRA-
TION OF VOTERS", BY PROVIDING FOR A PERMA-
NENT RECORD OF ELECTION APPEALS AND PROVID-
ING FOR THE KEEPING AND CUSTODY THEREOF,
AND PROVIDING FOR THE EFFECT OF THE DETERMI-
NATION OF AN APPEAL UPON SUBSEQUENT AP-
PEALS PRESENTING THE SAME ISSUE.**

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

Section 1. That 1724. Sec. 19. Chapter 56, as amended, Re-
vised Code of Delaware, 1935, be and the same is hereby further
amended by adding a new paragraph at the end of said 1724. Sec.
19. to read as follows:

From and after the passage and approval of this Act, it shall
be the duty of each of the Boards of Registration for each of the
Registration Department Districts of the State of Delaware to
secure and provide a book or books of permanent record to be
known as "Election Appeal Docket for the Registra-
tion Department District", in which Election Appeal Docket a
permanent record shall be made and preserved of all election
appeals acted upon by the Resident Associate Judge of the re-
spective Counties, sitting as a Judge to hear appeals from the
decisions of the Registration Officers in the respective election
Districts of his county. The Docket shall contain the following
information in respect to each appeal:

- (1) Date of the appeal
- (2) Name of the appellee
- (3) The ground or grounds of each appeal

REGISTRATION OF VOTERS

PROVISION FOR PERMANENT RECORD OF ELECTION APPEALS, AND THE KEEPING AND CUSTODY THEREOF

- (4) The name of the person or persons making the affidavit or affidavits on each appeal.
- (5) The determination of the Resident Associate Judge on each of the grounds of appeal asserted in each such appeal.

The docket may contain such other information or data as may be required to make a complete record of each appeal acted upon. All entries in said docket shall be under the supervision and direction of the Resident Associate Judge, and the record of each appeal shall be approved by the Resident Associate Judge sitting in said appeal. The record of each appeal shall fully disclose each and every ground upon which the said appeal is filed. The Election Appeal Docket or Dockets for each of the Registration Department Districts shall be and remain in the care and custody of the respective Board of Registration for the Registration Department District wherein the appeals are taken and shall be produced before the Resident Associate Judge by the respective Board of Registration for the Registration Department Districts whenever required by the Resident Associate Judge sitting for the purpose of hearing appeals from the decision of the Registration Officers in the respective election Districts of his County. Once an appeal has been determined, no appeal shall thereafter be heard or allowed by the Resident Associate Judge which presents the same or substantially the same issue as has already been determined in a prior appeal.

Approved March 8, 1943.

CHAPTER 110

REGISTRATION OF VOTERS

REGISTRATION DAYS FOR ELECTION DISTRICTS IN CITY OF
WILMINGTON: GENERAL PROVISIONS**AN ACT TO AMEND CHAPTER 56, REVISED CODE OF
DELAWARE, 1935, RELATING TO 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 Chapter 56 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by striking out and repealing all of the first paragraph of 1743. Sec. 38. thereof and by enacting and inserting in lieu thereof the following:-

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 Board of Registration for the First Registration Department District (New Castle County) 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.

REGISTRATION OF VOTERS

REGISTRATION DAYS FOR ELECTION DISTRICTS IN CITY OF WILMINGTON: GENERAL PROVISIONS

Section 2. That Chapter 56 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by striking out and repealing all of Paragraph 1712. Sec. 7. thereof and by enacting and inserting in lieu thereof a new paragraph to be styled 1712. Sec. 7, as follows:-

1712. Sec. 7. Registration Officers, Duties in Years of Supplementary Registrations; Hours and Days for Registration; Notices:—In those years in which a supplementary registration is had, as provided for in 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 appear as qualified voters on the books of registered voters, 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 books of registered voters, at such public and suitable places in their respective election districts as will, in the judgment of the Board of Registration of the respective registration department districts in this State, be the 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 second Thursday in August and on the third Saturday next preceding the day of election.

The Board of Registration of the respective Registration Department Districts in this State, as described in this Chapter, 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 their respective Registration Department District, 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.

REGISTRATION OF VOTERS

REGISTRATION DAYS FOR ELECTION DISTRICTS IN CITY OF WILMINGTON: GENERAL PROVISIONS

The Board of Registration of the respective Registration Department Districts in this State shall select and designate a place of registry in each election district in their respective Registration Department District, and all the work of registration shall be performed at the places so designated. Each of such Boards of Registration for their respective Department District shall hire all such places and cause the same to be fitted up, warmed, lighted and cleaned; such place shall be in the most public, orderly and convenient portion of the district; no building or part of a building shall be designated or used as a place of registry in which, or in any part of which, spirituous or intoxicating liquor is or has been sold within sixty days next preceding the time of using the same as such a place of registry.

Each Board of Registration of its respective Registration Department District shall furnish for each of such places of registry a white muslin flag, preferably staffed, of suitable size for the lettering thereon in black letters, the following words:

Registration and Polling Place.

At every registry, and during the time the aforesaid places are to be opened in accordance with the law, the said white flag herein provided for shall be displayed at or near the entrance to such place of registry, so as to be readily seen.

Section 3. That Chapter 56 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by enacting and inserting a new paragraph to be styled 1711. Sec. 6., as follows:

1711. Sec. 6. Necessary Conveniences, Supplies, &c.; Board to Have Custody of and Furnish:—The Board of Registration of the respective Registration Department Districts in this State for their respective Registration Department District shall prepare and furnish all necessary maps, forms, oaths, certificates, blanks and instructions for the use of Registration Officers, and provide for the furnishing of such officers therewith and with all

REGISTRATION OF VOTERS

REGISTRATION DAYS FOR ELECTION DISTRICTS IN CITY OF WILMINGTON: GENERAL PROVISIONS

necessary supplies and also a copy of the Registration and Election Laws. Each Board shall have and retain the custody of all books, maps, forms, oaths of office and of removal, blanks, instructions, and all other records and supplies of every kind or description pertaining to each of said Boards for its respective Registration Department District.

Section 4. That Chapter 56 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by enacting and inserting, immediately following 1706 G. Sec. 1 G., a new paragraph to be styled 1706 G. Sec. 2 G., as follows:

1706 G. Sec. 2 G. **Notices to Department of Elections of New Castle County of Persons Appointed Registration Officers, &c.:**—Upon the Board of Registration for the First Registration Department District (New Castle County) appointing the local Registration Officers as provided by 1706 G. Sec. 1 G. immediately and within five days it shall transmit and deliver in writing to the Department of Elections for New Castle County a list of persons so appointed by it as the local Registration Officers of the various election districts in New Castle County in order that said Department of Elections may appoint the same persons as the Election Officers for the same Election Districts, as provided by law. Whenever said Board of Registration shall make any subsequent changes in said list of local Registration Officers it shall give immediate notice in writing to said Department of Elections.

Approved April 22, 1943.

CHAPTER 111

REGISTRATION OF VOTERS

REPEAL OF 1744. SEC. 39

**AN ACT TO AMEND CHAPTER 56, REVISED CODE OF
DELAWARE, 1935, RELATING TO REGISTRATION OF
VOTERS, BY THE REPEAL OF 1744, SECTION 39.**

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

Section 1. That Chapter 56, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of 1744, Section 39.

Approved April 16, 1943.

CHAPTER 112

DEPARTMENT OF ELECTIONS—NEW CASTLE COUNTY
AN ACT TO AMEND CHAPTER 57, REVISED CODE OF
DELAWARE, 1935, RELATING TO DEPARTMENT OF
ELECTIONS 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 57 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by striking out and repealing all of Paragraph 1759, Sec. 15, thereof and by enacting and inserting in lieu thereof a new paragraph to be styled 1759, Sec. 15, as follows:-

1759. Sec. 15. **Places of Election Designated, Furnished, &c.; Places Excluded:**—The said Department of Elections for New Castle County shall designate a polling place in each Election District in New Castle County, and all elections shall be held at the places so designated. The said Department shall hire all such places and cause the same to be fitted up, warmed, lighted and cleaned; such place shall be in the most public, orderly and convenient portion of the district; no building or part of a building shall be designated or used as a polling place in which, or in any part of which, spirituous or intoxicating liquor is or has been sold within sixty days next preceding the time of using the same as such a polling place. The said Department shall furnish for each of such places of election a white muslin flag, preferably staffed, of suitable size for the lettering therein in black letters, the following words:

REGISTRATION AND POLLING PLACE.

At every election, including a Primary Election, and during the time the aforesaid places are to be opened in accordance with the law, the said white flag hereinbefore provided for shall be displayed at or near the entrance to such place of election, so as to be readily seen.

DEPARTMENT OF ELECTIONS—NEW CASTLE COUNTY

Section 2. That Chapter 57 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by striking out and repealing all of Paragraph 1760. Sec. 16 thereof and by enacting and inserting in lieu thereof a new paragraph to be styled 1760. Sec. 16. as follows:-

1760. Sec. 16. Necessary Conveniences, Supplies, &c.; Department to Have Custody of and Furnish:—Said Department of Elections shall prepare and furnish all necessary maps, forms, oaths, certificates, blanks and instructions for the use of election officers, and provide for the furnishing of such officers therewith and with all necessary supplies and also a copy of the registration and election laws. Said Department shall have and retain the custody of all books, maps, forms, oaths of office and of removal, blanks, instructions, and all other records and supplies of every kind or description pertaining to said Department.

Section 3. That Chapter 57 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by striking out and repealing all of Paragraph 1765 B. Sec. 21 B. thereof and by enacting and inserting in lieu thereof the following new paragraph, to be styled 1765 B. Sec. 21 B., as follows:

1765 B. Sec. 21 B. Inspector; Judges of Election; Appointments; Terms; Refusal to Serve; Vacancy:—The Department of Elections for New Castle County shall immediately and within five days after receiving the list of persons selected and appointed by the Board of Registration for the First Registration Department District (New Castle County) as Registrars and Assistant Registrars for each Election District in New Castle County shall select and appoint the same three persons as the Election Officers for the same Election District in New Castle County, which Election Officers shall become Inspector and the Judges of Election, as hereinafter provided. Every person so selected to be such Election Officer shall, on receipt of notice thereof, appear within ten days thereafter, before said Department, for the purpose of examination, and if found qualified, shall, unless excused by said Department by reason of ill health or other good and

DEPARTMENT OF ELECTIONS—NEW CASTLE COUNTY

sufficient cause, be bound to serve as such officer at every election for the term for which he is appointed. The failure on the part of any such person to present himself for examination within the time prescribed, or to comply with any of the requirements of this section preliminary to receiving his certificate of appointment, or to attend on the day of any election during his term, unless prevented by sickness or other sufficient cause, the burden of proof of which shall be upon the delinquent, shall be deemed a refusal to comply with the requirements of this section or to serve or to act as election officer within the meaning of this section. The Department of Elections shall deliver a certificate of appointment to whomsoever shall be selected, appointed and sworn into office, by it as such election officer, said certificate to be in such form as shall be prescribed by such Department of Elections, specifying the Election District in and for which the person to whom the same is issued is appointed to serve, and the date of the expiration of his term of office. The persons so appointed Election Officers under the provisions of this section shall, respectively, hold office for the term of two years unless sooner removed for want of requisite qualifications or for cause; in either of which cases such removal, unless made while such Election Officers are actually on duty on a day of election and for improper conduct as an Election Officer, shall only be made after notice in writing to the officers sought to be removed, which notice shall set forth clearly and distinctly the reasons for his removal. Any person appointed to fill any vacancy shall serve for the unexpired term of the person whose office he is appointed to fill. The neglect or refusal of any person so appointed Election Officer as aforesaid to appear and qualify as such Election Officer within the time herein prescribed shall be deemed to create a vacancy in said office, which fact shall be immediately reported by letter to the Board of Registration for the First Registration Department District (New Castle County).

If any such election officer, being appointed either for a full term or a vacancy, shall refuse to qualify as aforesaid, or having qualified, shall fail or refuse to perform any of the duties of his office, he shall be guilty of a misdemeanor and upon conviction in the Court of General Sessions of the County where

DEPARTMENT OF ELECTIONS—NEW CASTLE COUNTY

such offense was committed, he shall forfeit and pay to the State a fine of one hundred dollars.

Said Department of Elections shall have power to dismiss any such election officer at any time and to make all necessary removals, and upon so doing the said Department of Elections shall immediately notify the Board of Registration for the First Registration Department District (New Castle County) of such fact, and the said Board of Registration shall select and appoint another person as a Registrar or Assistant Registrar for the same Election District and the said Department of Elections shall select and appoint that person as an Election Officer of said Election District.

Said Election Officers, when they have met on the day of holding any general or special election at the place designated for holding such election in their respective election districts, shall organize as a Board by selecting one of their number to act as Inspector, but in case of failure to so organize by the time fixed for the opening of the polls in such District, the Inspector shall be selected by lot. After such organization the Election Officer so selected shall be the Inspector of Election of said Election District, and the remaining two Election Officers shall respectively be the Judges of Election of said Election District.

Approved April 13, 1943.

CHAPTER 113

DEPARTMENT OF ELECTIONS—NEW CASTLE COUNTY

AN ACT TO AMEND CHAPTER 57, REVISED CODE OF DELAWARE, 1935, RELATING TO THE DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY, BY THE REPEAL OF 1761. SEC. 17.

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

Section 1. That Chapter 57, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of 1761. Sec. 17.

Approved April 2, 1943.

CHAPTER 114

DEPARTMENT OF ELECTIONS—KENT COUNTY

AN ACT TO AMEND CHAPTER 125, VOLUME 43, LAWS OF DELAWARE, CREATING A DEPARTMENT OF ELECTIONS FOR KENT COUNTY BY FIXING THE TERM OF OFFICE OF THE CLERKS OF ELECTIONS.

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

Section 1. That Section 8, Chapter 125, Volume 43, Laws of Delaware, be amended by adding the following at the end of and as a part of the first paragraph of said Section 8:

The terms of the said Clerks of Elections shall be two years commencing on the day of their appointment. Said Clerks of Election may be qualified by the inspector or one of the Judges of Election on the day of Election if he or they have not previously been qualified before the Department of Elections.

Approved April 16, 1943.

CHAPTER 115

DEPARTMENT OF ELECTIONS—SUSSEX COUNTY

AN ACT TO AMEND CHAPTER 126, VOLUME 43, LAWS OF DELAWARE, CREATING A DEPARTMENT OF ELECTIONS FOR SUSSEX COUNTY BY FIXING THE TERM OF OFFICE OF THE CLERKS OF ELECTION.

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

Section 1. That Section 8, Chapter 126, Volume 43, Laws of Delaware be amended by adding the following at the end of and as a part of the first paragraph of said Section 8:

The terms of the said Clerks of Elections shall be two years commencing on the day of their appointment. Said Clerks of Election may be qualified by the inspector or one of the Judges of Election on the day of Election if he or they have not previously been qualified before the Department of Elections.

Approved April 16, 1943.

CHAPTER 116

PRIMARY ELECTIONS

AN ACT TO AMEND CHAPTER 58, REVISED CODE OF DELAWARE, 1935, RELATING TO PRIMARY ELECTIONS, BY THE REPEAL OF 1776, SEC. 8, RELATING TO VOTING BOOKS OF QUALIFIED VOTERS FOR PRIMARY ELECTIONS; HOW PREPARED; SUPPLEMENTARY OR DUPLICATE BOOKS;—AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1776, SEC. 8.

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

Section 1. That Chapter 58 of the Revised Code of Delaware, 1935, relating to Primary Elections be and the same is hereby amended by repealing 1776, Sec. 8, and by substituting in lieu thereof a new Section to be known as 1776, Sec. 8.

1776. Sec. 8. Voting Books of Qualified Voters For Primary Elections; How Prepared; Supplementary or Duplicate Books:—Beginning with the year 1942, the registration officers of each election district in New Castle County shall be furnished by the Board of Registration of the Registration Department District comprising New Castle County, and the Registration officers of each election district in Kent County shall be furnished by the Board of Registration of the Registration Department District comprising Kent County, and the registration officers of each election district in Sussex County shall be furnished by the Board of Registration of the Registration Department District comprising Sussex County, as described in 1706, Sec. 1. of Chapter 56 of the Revised Code of Delaware, 1935, as amended, with two books, to be known as Voting Books of Qualified Voters for Primary Elections, before the first day of any registration of voters in such election district.

And also in each year, after the year 1941, in which a municipal election is held in the City of Wilmington, as provided for in Section 38 of Chapter 56 of the Revised Code of Delaware,

PRIMARY ELECTIONS

1935, as amended, and in Section 12 of this Chapter, the registration officers of each election district within the said City of Wilmington shall be furnished by the said Board of Registration of the Registration Department District comprising New Castle County, as aforesaid, with two books, to be known as Voting Books of Qualified Voters for Primary Elections, before the first day of any registration of voters in such election district.

The Voting Books of Qualified Voters for Primary Elections used in the year 1940, (and in the year 1941 in the said City of Wilmington), shall be used in making subsequent registrations for primary elections, until they shall become so filled with entries that they can no longer be conveniently used for such purpose; or until replaced by Supplementary or Duplicate Books, as hereinafter in this Chapter provided.

Said books shall be ruled in parallel columns and so arranged as to admit of the convenient entry, in alphabetical order, of the name of every person who may be entered on the Registers of said election district as a registered voter, and in the parallel column, opposite the name of said person, the following particulars, to-wit:

First:—His or her residence.

Second:—The date of registration.

Said books shall contain twelve parallel columns for the entry of the word "voted", together with the date of voting.

It shall be the duty of the registration officers of each election district to make up the Voting Books of Qualified Voters for Primary Elections as follows:

They shall enter in the said books, in its proper alphabetical order, the name of every person whose name appears as a registered voter in the Registers and Voting Books of Registered Voters of said election district, (except the name of a person already appearing as a registered voter in the said books), and also his or her residence and the date of registration, so that the

PRIMARY ELECTIONS

said Voting Books of Qualified Voters for Primary Elections shall contain the names of all the qualified voters of said election district who were registered during the general registration in the year 1940, and any supplementary registration up to and including the last registration day in the month of August of the year in which said books are made up. They shall, within three days after the last registration day in the month of August aforesaid, complete the making up of said books and shall compare the same with the Registers, and append to each of said books a certificate, verified by oath or affirmation, that they contain an accurate alphabetical list of the names of all persons whose names appear as registered voters in the Registers and Voting Books of Registered Voters of said election district.

And it shall be the duty of the registration officers of each election district within the City of Wilmington to make up the Voting Books of Qualified Voters for Primary Elections, on the registration day in each year in which a municipal election is held in the said City, beginning with the year 1943, 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, as provided in Section 38, of Chapter 56 of the Revised Code of Delaware, 1935, as amended; and the said registration officers shall make up the said Voting Books of Qualified Voters for Primary Elections as follows:

They shall enter in said books, in its proper alphabetical order, the name of every person whose name appears as a registered voter in the Registers and Voting Books of Registered Voters of said election district, (except the name of a person already appearing as a registered voter in the said books), and also his or her residence and date of registration, so that the said Voting Books of Qualified Voters for Primary Elections of said election district shall contain the names of all the qualified voters of said election district who were registered during each and all of the five general registration days, in the year 1940, and also during any supplementary registration up to and including the last registration day in the month of April of the year in which a municipal election is held in said City and in which year said

PRIMARY ELECTIONS

books are made up. They shall within three days after the said registration day on the third Saturday in April aforesaid, complete the making up of said books and shall compare the same with the Registers and Books of Registered Voters of said election district, and shall append to each of said Books a certificate, verified by oath or affirmation, that they contain an accurate alphabetical list of the names of all persons whose names appear as registered voters in the Registers and Voting Books of Registered Voters of said election district.

It shall be the duty of the Registrar of each election district in New Castle County, including the City of Wilmington, and the Registrar of each election district in Kent County, and the Registrar of each election district in Sussex County, within one secular day after the certification by the registration officers, as herein required, to deliver to the Board of Registration of the Registration Department District of their respective Counties, the two Voting Books of Qualified Voters for Primary Elections, who shall safely keep the same.

If at the completion of the registration in any year, it shall appear that the Voting Books of Qualified Voters for Primary Elections in any election district will not be available for a supplementary registration, either from lack of space or because the said Books, or either of them, have become worn, or for any other reason whatever, it shall be the duty of the registration officers to immediately certify this fact to the Board of Registration of the Registration Department District in which the election district is situated. It shall be the duty of the said Boards of Registration of the Registration Department Districts of the several counties to examine all such Books immediately after their delivery to them, as in this Chapter provided, in order to determine whether any and what supplementary books will be required for subsequent registration in any election district in their respective Registration Department Districts.

And in addition to the Books required to be furnished by the said Boards of Registration of the Registration Department Districts of the several counties, as in this Chapter provided, the registration officers of each election district of the several coun-

PRIMARY ELECTIONS

ties shall be furnished by the said Boards of Registration of the Registration Department Districts of the several counties, on or before the first day of any registration of voters in any year in such election district, with all such Books needed by any such election district for subsequent registration as aforesaid, of the form and design, hereinbefore provided; and said Books so furnished and delivered shall become and be, and shall be known as, "Supplementary Voting Books of Qualified Voters for Primary Elections" for the District for which they were furnished and shall be so endorsed, and all the provisions of this Chapter relative to Voting Books of Qualified Voters for Primary Elections shall apply to them.

And it shall be the duty of each of the said Boards of Registration of the Registration Department Districts of the several Counties to examine all such Books immediately after the delivery to them, as in this Chapter provided; and if they shall find that any Voting Books of Qualified Voters for Primary Elections or Supplementary Voting Books of Qualified Voters for Primary Elections of any election district are missing or mutilated or defaced, so that they are no longer available for the purposes for which they were intended then, and in all such cases, the Board of Registration of each Registration Department District shall prepare all such duplicate Books that may be needed for any of the causes above stated in any election district in its Registration Department District, on or before the first day of any registration of voters in any year in such election district. The said books shall be of the same form and design as hereinbefore described. The said books shall be known as the Duplicate Voting Books of Qualified Voters for Primary Elections or Duplicate Supplementary Voting Books of Qualified Voters for Primary Elections, as the case may be, for..... Election District of..... Representative District of..... County, and the Board of Registration of such Registration Department District shall endorse or cause to be endorsed 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 the word "Duplicate" shall be prefixed at the beginning of such endorsement.

PRIMARY ELECTIONS

It shall be the duty of the Board of Registration to make up the Duplicates aforesaid from the Registers, so that the said Duplicates will contain, at any primary election, the names of all the persons who, according to the Registers and Books of Registered Voters of said District, are entitled to vote at such primary election, and all the provisions of this Chapter relative to Voting Books of Qualified Voters for Primary Elections shall apply to such Duplicate Books.

Provided, further, that the Board of Registration of any Registration Department Districts may, at any time that it shall deem necessary, transcribe or cause to be transcribed, any "Voting Books of Qualified Voters for Primary Elections", or "Supplementary Voting Books of Qualified Voters for Primary Elections".

Provided, further, that when any such "Voting Books of Qualified Voters for Primary Elections", or "Supplementary Voting Books of Qualified Voters for Primary Elections" has been transcribed by a Board of Registration of any Registration Department District, as hereinbefore provided for, the said "Voting Books of Qualified Voters for Primary Elections", or "Supplementary Voting Books of Qualified Voters for Primary Elections", shall be compared as to their correctness by a representative of each of the two leading political parties.

The cost of transcribing and comparing and all necessary expense connected therewith shall be paid by the Levy Court of the County wherein the election district is located.

The two Assistant Registrars shall be paid Seven Dollars and Fifty Cents each for their services in connection with the said Voting Books of Qualified Voters for Primary Elections, and the Registrar shall be paid Twelve Dollars and Fifty Cents for his services in connection with and for the delivery of said books, said compensation to be paid by the State.

Provided, however, that no such compensation shall be paid to the registration officers of any election district within the City of Wilmington, until after the last registration day in the month

PRIMARY ELECTIONS

of April in the year immediately succeeding the year of the last preceding general election, beginning with the year 1943, and not until the said registration officers have completed the making up of the said books of their election district and have compared the same and duly certified to the accuracy of the same, as in this Section provided; and provided, further, that no such compensation shall be paid to the registration officers of any election district outside of the City of Wilmington until after the last registration day in the month of August in the year of a general election, beginning with the year 1942, and not until the said registration officers have completed the making up of the said books of their election district and have compared the same and duly certified to the accuracy of the same, as in this Section provided.

Approved April 2, 1943.

CHAPTER 117

INSPECTORS OF ELECTIONS

AN ACT TO AMEND CHAPTER 59, REVISED CODE OF DELAWARE, 1935, RELATING TO INSPECTORS OF ELECTIONS.

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

Section 1. That Chapter 59 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by enacting and adding at the end of said Chapter a new and additional Section, to be styled 1809A. Sec. 5A, as follows:-

1809A. Sec. 5A. Inspector Selected by Election Officers; Notice to Department of Elections; New Selection Upon Vacancy:—

The election officers for each Election District, after appointment and having qualified and received their respective certificates of appointment, and not later than the First day of October in each year in which a general election is held, shall organize as a Board by selecting one of their number as the Inspector of Election of said Election District, who shall be the presiding election officer of said Election District, and the other two Election Officers respectively shall be the Judges of Election of said Election District.

Within three days thereafter notice of said action and the names of the Election Officers so selected as the Inspector and the Judges of said Election District shall be transmitted to the Department of Elections of the County of the respective Election Districts.

Whenever from any cause after the selection of the Inspector, as aforesaid, and before the ensuing general election, a vacancy shall occur in said office of Inspector, upon the appointment of another election officer for said election district by the Depart-

INSPECTORS OF ELECTIONS

ment of Elections of the county in which said Election District is located, the then Election Officers of said District shall forthwith meet and shall organize as a Board and shall select the Inspector and Judges of said Election District, as hereinbefore provided, and shall give immediate notice thereof to the Department of Elections of the County of said Election District.

Section 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed and amended to the extent of such inconsistency.

Approved April 13, 1943.

CHAPTER 118

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

**AN ACT TO PERMIT VOTING BY PERSONS NOT PRESENT
AT THE POLLING PLACES, UNDER CERTAIN CIRCUM-
STANCES AND CONDITIONS.**

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

Section 1. Any qualified elector of this State, duly registered, who may be in the public service of the United States of America or of this State, and who because of such public service, or who because of the nature of his or her work or business, may be absent, or may expect to be absent, from this State, or from the election district in which he or she is a qualified elector, or who because of sickness or physical disability cannot appear at the polling place in such district, on the day of holding any general election, may vote at such election as hereinafter provided.

Section 2. Any such elector, not more than thirty days nor less than three days, or, if request is made in person, not later than during the regular office hours of the day prior to any such general election, may make request to the Clerk of the Peace of the County, in which the election district of such elector is located, for an official ballot to be voted at such election.

Section 3. The word "ballot" as used herein shall mean the official ballot to be used for voting at the regular election district of the absentee voter and shall include one of every separate official ballots if two or more separate ballots are authorized by law to be so used at such general election.

Section 4. Upon receipt of such a request from a duly registered elector, and not more than twenty nor less than three days prior to a general election, the said Clerk of the Peace shall mail to the applicant, postage prepaid, an official ballot for the proper representative district in which the said elector is a resident and in which he is duly registered, or such officer shall de-

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

liver such a ballot to the applicant personally, not more than fifteen nor less than one secular day before said election, accompanied by a voucher envelope, a carrier envelope self-addressed to said Clerk of the Peace and a copy of "Instructions to Absentee Voter", as hereinafter provided.

Section 5. The said Clerk of the Peace shall enclose such ballot in a voucher envelope, not sealed, to be furnished by him, which voucher envelope shall bear upon the face thereof the words "VOUCHER ENVELOPE", and for each County such voucher envelopes shall be successively numbered beginning with Number 1 printed in red ink in the upper right hand corner on the face thereof.

There shall also be printed on the face of such voucher envelope an affidavit in substantially the following form:

STATE OF }
COUNTY OF } SS.

I,, do solemnly swear (or affirm) that I am a resident of the..... election district of the..... representative district in the County of..... State of Delaware, and am entitled to vote in such election district at the general election to be held on..... That I am.....

(Here state work or business or public service, name of employer, place of employment, work or service and such information to establish inability to personally appear at polls.)
and because of: (Strike out clause not applicable)

- (a) My duties in such work, business or service
- (b) Sickness or physical disability

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

I cannot personally appear at the polling place in said election district on the day of said election. I further swear that I marked the enclosed ballot in secret.

Signed.....

Subscribed and sworn (or affirmed) to before me thisday of....., A. D. 19....; and I hereby certify that the affiant exhibited the enclosed ballot to me unmarked; that he then in my presence and in the presence of no other person, and in such manner that I could not see his vote, marked such ballot and enclosed and sealed the same in this envelope; that the affiant was not solicited or advised by me to vote for or against any candidate or candidates.

.....
Notary Public
(Or other qualified person,
stating your title.)

Section 6. Such absent or sick or disabled voter shall make and subscribe to the affidavit, provided for in Section 5 of this Act, before an officer authorized by law to administer oaths, and said voter shall thereupon in the presence of such officer, and of no other person, mark said ballot but in such manner that said officer cannot know how the ballot is marked, and said ballot shall then in the presence of said officer be folded by the voter so as to conceal the marking, and in the presence of said officer the said ballot shall be deposited in such voucher envelope, and the said voucher envelope shall be securely sealed by said voter. Thereupon said voucher envelope containing the marked ballot shall be enclosed in the carrier envelope received by said voter from the Clerk of the Peace, and after the voter has securely sealed the voucher envelope containing the marked ballot in the carrier envelope, he shall securely seal the carrier envelope and shall mail it, postage prepaid, to the Clerk of the Peace of his county issuing the ballot, or if more convenient, may be delivered to said officer in person, to be received, in either event, by said Clerk of the Peace prior to noon of election day and not afterwards.

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

Section 7. The said Clerk of the Peace shall also mail or deliver to such an absentee elector, from whom he has received a request for an official ballot, a copy of "Instructions to Absentee Voter", as hereinafter provided, and a carrier envelope of sufficient size to enclose the voucher envelope containing the marked ballot, which carrier envelope shall bear upon the face thereof the words "CARRIER ENVELOPE" and the name, official title and postoffice address of such Clerk of the Peace.

Section 8. All envelopes used under the provisions of this Act, including all envelopes in which the Clerk of the Peace shall forward to an absentee voter an official ballot accompanied by the voucher envelope, a carrier envelope and "Instructions to Absentee Voter", the voucher envelopes, the carrier envelopes and the envelopes to be used by the Clerk of the Peace for forwarding the return marked ballot to the polls of the various election districts, shall be uniform throughout the State and shall be of the kind or type known as a security mailing envelope and such as will securely protect the contents thereof from tampering, removal or substitution without detection. It shall be the duty of the Attorney General of the State personally to approve each kind or type of said envelopes, and it shall be unlawful for a Clerk of the Peace to purchase, use, have printed upon, mail or deliver any envelope for use under the provisions of this Act, unless such kind or type of envelope has first been so approved personally by the Attorney General as aforesaid.

Section 9. The Attorney General of the State shall prepare a list of instructions to assist an absentee voter in properly marking and returning his ballot under the provisions of this Act, which list shall be known as "Instructions to Absentee Voter". Before each general election the Attorney General shall deliver a copy thereof to each Clerk of the Peace in sufficient time for such officials to have such instructions printed and forwarded to absentee electors requesting an official ballot for the ensuing general election.

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

Section 10. Upon receipt from the absentee elector of the carrier envelope, the said Clerk of the Peace shall open only the carrier envelope and take therefrom the sealed voucher envelope containing the ballot of the absentee voter and shall ascertain therefrom the proper election district to which said ballot shall be forwarded as indicated by the elector in his affidavit thereon.

It shall be unlawful for a Clerk of the Peace to open or attempt to open the enclosed voucher envelope containing the ballot of the absentee elector, or to change or alter, or attempt to do so, the said envelope or any writing, printing or anything whatsoever thereon.

The Clerk of the Peace shall forthwith enclose the voucher envelope as received by him and unopened in a larger or carrier envelope, having first impressed on said larger or carrier envelope the seal of his office, which said envelope shall have printed thereon the following:

ABSENTEE VOTER'S BALLOT

for the

..... Election District
of the..... Representative District
of..... County

This envelope contains an Absentee Voter's Ballot and shall be opened only at the polls of said Election District on Election Day while said polls are open.

This envelope and the enclosed Voucher Envelope shall be preserved by the Inspector and at the close of the count shall be placed in the box into which the ballots shall have been put when read, and returned therewith.

.....
Clerk of the Peace of
..... County.

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

The Clerk of the Peace shall forthwith securely seal said carrier envelope and in ink shall endorse his full name thereon in the proper place, as above provided, having first affixed his official seal thereon in order not to mark the contents thereof, and shall safely keep the same in his office until delivered by him as hereinafter provided.

Section 11. When an absentee voter's ballot shall be received by the Clerk of the Peace prior to the delivery of the official ballots, as provided by law, the voucher envelope containing the marked ballot, sealed in the carrier envelope of the Clerk of the Peace, shall be enclosed in the package containing the official ballots for the election district in which said absentee voter, as so indicated by said voter, is a resident and therewith delivered in said package as provided by the general election law.

If the official ballots for such election district shall have been delivered prior to the receipt of such absentee voter's ballot by said Clerk of the Peace, the said Clerk of the Peace, after enclosing said voucher envelope containing the marked ballot in a carrier envelope in a manner and form as provided by Section 10 hereof, shall safely keep the same in his office until the day of the election, and on election day and as early as possible, the Clerk of the Peace, in person or by a duly deputized agent, shall deliver all such absentee voters ballots separately enclosed in a carrier envelope as aforesaid to the inspector of election at the polls of the respective election districts of said absentee voters, taking the receipt of the respective inspectors for the delivery of such a ballot or ballots.

It shall be the duty of any such absentee voter to return his marked ballot enclosed in the voucher envelope to the Clerk of the Peace of his county before noon of election day; and any absentee ballot received by the Clerk of the Peace after noon of election day shall not be forwarded to the polls, but the Clerk of the Peace shall endorse on the voucher envelope containing such ballot the time such was received and shall retain all such enve-

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

lopes unopened and so endorsed until the last day of February next after the election, and longer if directed to do so by proper authority.

Section 12. The election officers at any poll shall refuse to receive any absentee voter's ballot from any person other than the Clerk of the Peace of their county, or a duly deputized agent, other than those ballots enclosed in the sealed package of ballots and envelopes delivered by the Clerk of the Peace to the inspector of said election district, and shall refuse to receive and act upon any such ballot that is not enclosed in an envelope bearing the seal and the signature in ink of the said Clerk of the Peace, according to the provisions of Section 10 hereof.

Section 13. At any time between the opening and the closing of the polls on election day the inspector or a judge of election of said election district shall open the outer or carrier envelope only and ascertain the name of the absentee voter as appears by the executed affidavit of the absentee voter on the voucher envelope enclosing the marked ballot; whereupon he shall announce the absentee voter's name and upon the determination that such person is a duly qualified elector of said district, and that said elector has not voted in person at said election, he shall open the voucher envelope containing such absentee voter's ballot in such a manner as not to deface or destroy the number thereof, or the affidavit thereon, and take out the ballot therein contained, without unfolding or permitting the same to be unfolded or examined and shall place the said ballot in a regular official envelope used at a general election and cause said ballot to be voted in the same manner, with the proper entries thereof in the election records, as if the said ballot had been tendered in person by said elector.

In case the affidavit of the absentee voter is found to be insufficient, or that said absentee is not a duly qualified elector in such election district, or that the voucher envelope is open, or has been opened and re-sealed, or it is evident that the

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

voucher envelope has been tampered with or altered, or contains more than one of every separate official ballots authorized by law, or such ballot has been forwarded to said polls by someone other than the Clerk of the Peace of said county, such vote shall not be accepted or counted. If the voucher envelope has not been opened at the time the election officers decide that the offered ballot contained therein should be rejected for any of the foregoing reasons, it shall not be opened by the election officers but they shall endorse thereon "REJECTED (give reason therefor)", and if the voucher envelope has been opened and the ballot is rejected, the ballot shall be replaced in the same voucher envelope from which it was taken and the election officers shall endorse on the envelope: "REJECTED (give reason therefor)".

All voucher envelopes from which ballots have been taken and voted as aforesaid, and all voucher envelopes containing ballots and rejected and endorsed as aforesaid, shall be preserved by the Inspector, and at the close of the count placed with other disputed ballots and envelopes in the ballot box as provided by 1859. Sec. 50. of Chapter 60 of the General Election Laws and the Revised Code of Delaware of 1935.

Section 14. The vote of any absentee voter may be challenged for the same causes and in the same manner as provided by the General Election Laws, and upon challenge, proceedings thereon shall be as provided by the General Election Laws.

Section 15. Whenever it shall be made to appear by due proof to the inspector and judges of election that any absentee voter, who has marked and forwarded his ballot, as provided in this Act, has died, the voucher envelope containing the ballot shall not be opened but shall be marked "REJECTED, Dead", and shall be preserved and disposed of as other rejected ballots as provided by Section 13 hereof.

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

vided for, other than the printing of said envelopes by the official printer selected by the Clerk of the Peace for the printing of such envelopes pursuant to the provisions of this Act; or any person who shall aid or abet, or attempt to aid or abet, any fraud in connection with any vote cast, or to be cast, under the provisions of this Act, shall be guilty of a misdemeanor and upon conviction shall be imprisoned for not less than one year nor more than five years.

Any person who shall fraudulently sign the name of a voter to the affidavit provided for by this Act on any voucher envelope, or shall fraudulently sign the name of a Clerk of the Peace on any carrier envelope provided for by this Act, shall be guilty of forgery and upon conviction therefor shall be punished for such crime as by law provided.

Any election officer or public official who shall knowingly violate any of the provisions of this Act, and thereby aid in any way the illegal casting of a vote, or attempting to cast a vote, or who shall connive to nullify any provision of this Act, in order that fraud may be perpetrated, shall be guilty of felony and upon conviction shall be fined not less than five hundred (\$500) dollars nor more than five thousand (\$5,000) dollars and imprisoned for not less than one year nor more than ten years.

Any person who in any way in the voting or attempting to vote by himself or any other person pursuant to the provisions of this Act, violates any of the laws of this State enacted to secure secrecy and the independence of the voter, preserve the freedom and purity of elections and prevent fraud, corruption and intimidation, shall be punished as provided thereby.

Section 19. Any affidavit required under the provisions of this Act may be taken before any person with authority to administer oaths and affirmations in the place where such affidavit may be taken, and whenever taken outside the State of Delaware, the authority of such person shall be conclusively presumed.

GENERAL ELECTIONS

ABSENTEE VOTING PERMITTED UNDER CERTAIN CONDITIONS

Section 20. It is intended, by the provisions of this Act, that those qualified electors, who may vote under the provisions thereof, shall be those only who may be absent, or may expect to be absent, on election day from the polling place in the election district in which he or she may be a qualified elector, because of the inherent nature of his or her work or business, such as those engaged in the military forces of the United States or of this State, commercial travelers, railroad employees, pilots and sailors, and not merely because such electors may find it more convenient not to personally appear at the polls and to follow his or her regular work or employment or for mere personal convenience and not because of enforced inability to personally attend.

Section 21. The provisions of this Act shall be deemed to provide a method of voting in addition to the method now provided by law, and to such extent as amendatory of laws now in force relating to the manner and method of voting.

Section 22. That Article 5 of Chapter 60 of the Revised Code of Delaware 1935, comprising 1945. Sec. 136. to 1959. Sec. 150. inclusive, is hereby repealed.

Approved April 15, 1943.

CHAPTER 119

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL
BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

AN ACT TO AMEND CHAPTER 129 VOLUME 43, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND CHAPTER 60 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO GENERAL ELECTIONS, AND PROVIDING FOR TWO SEPARATE BALLOTS,—A PRESIDENTIAL AND VICE-PRESIDENTIAL BALLOT, AND A STATE, COUNTY AND DISTRICT BALLOT".

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

Section 1. That Chapter 60 of the Revised Code of Delaware, 1935, as amended by Chapter 129 Volume 43, Laws of the State of Delaware, be and the same is hereby further amended by striking out and repealing all of 1811. Sec. 2. thereof, and inserting in lieu thereof a new section to be styled 1811. Sec. 2., as follows:

1811. Sec. 2. Certificates of Nominations and Party Devices; What Device May Be Used; Two Parties May Not Adopt Same Device; Counter Claims For, How Decided; Death, Resignation or Removal of Candidate; Supplemental Certificates:—

The Nominations of the Candidates for electors of President and Vice-President, together with the names of the candidates for President and Vice-President of the United States of the certifying political party, shall be certified to the Secretary of State by the Presiding Officer and Secretary of the several Party Conventions or Committees; and the nominations of the candidates for the office of United States Senator, Representative in Congress, Governor and other state offices, shall be certified to the several Clerks of the Peace by the Presiding Officer and Secretary of the several State Party Conventions or Committees; and the nominations of the candidates for the County, Hundred and District offices, shall be certified to the respective Clerks of

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

.the Peace of the County in and for which such nominations have been made, by the Presiding Officer and Secretary of the proper Party Convention or Committee.

The Certificates shall be in writing and, in each case, shall contain the name of each person nominated, his or her residence and the office for which he or she is nominated, other than the names of the candidates for President and Vice-President for which no residence need be given. The persons making such certificates shall add to their signatures their respective places of residence and shall acknowledge such certificate, before an officer duly authorized to take acknowledgments of Deeds, and a certificate of such acknowledgment shall be fixed to the instrument.

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

In case of death, resignation or removal of any candidate subsequent to nomination, or failure, for any reason whatsoever, to certify, or upon a change in the name of any candidate for President or Vice-President, a supplemental certificate may be filed by the proper officers of the State, County, District or Hundred Committees.

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL
BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

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

There shall be two separate ballots, to-wit: a Presidential and Vice-Presidential Ballot and a State, County and District Ballot. The Clerks of the Peace for the several Counties shall cause to be printed on the Presidential and Vice-Presidential Ballot, herein provided for, the names of the candidates nominated for President and Vice-President by the parties recognized by them as political parties within the meaning of this Chapter,

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

as shall be certified to them by the Secretary of State; and the Clerks of the Peace for the several Counties shall cause to be printed on the State, County and District Ballot, herein provided for, the names of the candidates nominated for United States Senators, Representative in Congress, Governor and other State Officers, and for the County, Hundred and District Offices, as shall be certified to them respectively by the Parties recognized by them as political parties within the meaning of this Chapter, and as herein provided.

The Secretary of State, upon receiving the certificates of the several Party Conventions or Committees, or any supplemental certificate, of the respective nominations of the candidates for electors of President and Vice-President of the United States and the names of the candidates for President and Vice-President of the United States as hereinbefore provided, not less than twenty days before the day fixed by law for the ensuing general election, under his hand and seal of office, shall certify to the Clerk of the Peace in each County the names of the candidates for President and Vice-President of the United States of said political parties, together with the designated title of each party and the figure or device of each party as so certified to him.

It shall be the duty of the Clerk of the Peace in each County to cause the names of all candidates for President and Vice-President of the United States, as so certified to him by the Secretary of State, to be printed upon the official ballot, in form and manner as provided by 1814. Sec. 5 of this Chapter, as amended.

The Secretary of State before the day of the ensuing general election, under his hand and seal of office, shall certify to the Prothonotary of the Superior Court in each County the nominations of the candidates for electors of President and Vice-President of the United States and the names of the candidates for President and Vice-President of the United States of each political party as shall have been duly certified to him, which certifi-

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL
BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

cates shall be presented by the Prothonotary to the Superior Court of the County upon its convening for the performance of the duties imposed upon it by Article V of the Constitution of this State.

Section 2. That Chapter 60 of the Revised Code of Delaware, 1935, as amended by Chapter 129 Volume 43 Laws of Delaware, be and the same is hereby further amended by striking out and repealing all of 1813. Sec. 4 thereof, as amended as aforesaid, and inserting in lieu thereof a new section to be styled 1813. Sec. 4, as follows:

1813. Sec. 4. Publication of Nominations; How Arranged; What Excluded:—

At least ten days before a Presidential Election, the Secretary of State shall cause to be published in at least two newspapers within each County a copy of the official ballot to be used at the ensuing election, setting forth the names of the candidates for President and Vice-President of the United States of various political parties as the same shall have been certified to him; and the Clerk of the Peace of each County, at least ten days before an election to fill any public office, shall cause to be published in at least two newspapers within his County the nominations to office certified to him as directed in 1811. Sec. 2 of this Chapter. The Secretary of State, and the Clerk of the Peace in each County, shall make no less than two publications in each of such newspapers before such election. Such publications shall be made in two newspapers representing the two principal political parties. In all cities where a daily newspaper is published, such notice shall also be published in two daily papers representing such political parties, if such there be. Such publications by the Secretary of State and by the respective Clerks of the Peace shall be arranged, so far as practicable, in the order and form in which they will be printed upon the ballots and shall designate the devices under which the lists of candidates of each party will

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

be printed. The Clerk of the Peace shall not include, in the publication to be made according to this Section, the name of any candidate, whose certificate of nomination shall have been filed in his office, who shall have notified him in writing duly signed and acknowledged that he will not accept the nomination. The names of such candidates shall not be included in the names of the candidates to be printed on the ballot, as hereinafter provided.

Section 3. That Chapter 60 of the Revised Code of Delaware, 1935, as amended by Chapter 129 Volume 43, Laws of Delaware, be and the same is hereby further amended by striking out and repealing at the end of 1814. Sec. 5 the plan for the official Presidential and Vice-Presidential Ballot and the plan for the official State, County and District Ballot and inserting in lieu thereof the following:

GENERAL ELECTIONS

**PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL
BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT**

OFFICIAL BALLOT FOR REPRESENTATIVE DISTRICT

NUMBER.....

PRESIDENTIAL AND VICE-PRESIDENTIAL BALLOT.

A vote for the candidates for President and Vice-President shall be a vote for the electors of such party, the names of whom are on file with the Secretary of State.

<div data-bbox="175 740 381 939" style="border: 1px solid black; text-align: center; padding: 20px;">Device</div>	<div data-bbox="590 740 796 939" style="border: 1px solid black; text-align: center; padding: 20px;">Device</div>
DEMOCRATIC PARTY	REPUBLICAN PARTY
For President JOHN DOE	For President JOHN DOE
For Vice-President JOHN DOE	For Vice-President JOHN DOE

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL
BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

The 'State, County and District Ballot' shall in general conform, as nearly as possible, to the following form:

OFFICIAL BALLOT FOR REPRESENTATIVE DISTRICT
NUMBER.....

STATE, COUNTY AND DISTRICT BALLOT.

<div style="border: 1px solid black; width: 150px; height: 100px; margin: 0 auto; text-align: center; line-height: 100px;">Device</div>		<div style="border: 1px solid black; width: 150px; height: 100px; margin: 0 auto; text-align: center; line-height: 100px;">Device</div>	
DEMOCRATIC PARTY		REPUBLICAN PARTY	
	For Governor JOHN DOE		For Governor JOHN DOE
	For Lieutenant Governor JOHN DOE		For Lieutenant Governor JOHN DOE

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL
BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

The State, County and District Ballots shall be so ruled as to form a square, as nearly as possible, at the left of the name of each candidate and the office for which he is nominated, in order to permit of individual voting, as provided for by 1858. Sec. 49 hereof.

Section 4. That Chapter 60 of the Revised Code of Delaware, 1935, as amended by Chapter 129 Volume 43, Laws of Delaware, be and the same is hereby further amended by adding at the end of 1814. Sec. 5. thereof, as amended as aforesaid, a new section to be styled 1814. A. Sec. 5 A., as follows:

1814. A. Sec. 5 A. Vote for Electors; Counting and Certifying Vote by Board of Canvass:—

A vote for the candidates of a political party for President and Vice-President of the United States by ballot, as herein provided, shall be a vote for all the electors of President and Vice-President of such party, the names of whom are on file with the Secretary of State, and shall be as effective as if the vote was given directly for said electors.

The Superior Court, sitting in each County as a Board of Canvass pursuant to Article V of the Constitution, in ascertaining the state of the election throughout the County, shall calculate the votes given for the candidates for President and Vice-President of a political party as votes given for each and all the electors of President and Vice-President of such party, the names of whom are on file with the Secretary of State and as certified to said Court by said officer, as herein provided, and said Court shall make its certificates accordingly in the form and manner now provided by 1868. Sec. 59. and 1869. Sec. 60. of this Chapter.

Section 5. That Chapter 60 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by striking out and repealing in 1834. Sec. 25. thereof, the word "two", being the fourth word thereof, and inserting in lieu thereof the

GENERAL ELECTIONS

PROVISION MADE FOR A PRESIDENTIAL AND VICE-PRESIDENTIAL
BALLOT AND A STATE, COUNTY AND DISTRICT BALLOT

word "three"; and by striking out and repealing in the form of the certificates of election the following:

"For the Office of Electors of President
and Vice-President",

and inserting in lieu thereof the following:

For President of the United States

.....Received.....Votes

.....Received.....Votes

For Vice-President of the United States

.....Received.....Votes

.....Received.....Votes

Approved March 19, 1943.

CHAPTER 120

GENERAL ELECTIONS

RELATING TO BALLOT BOXES, TALLY LISTS, ETC.

AN ACT TO AMEND ARTICLE 1 OF CHAPTER 60, REVISED CODE OF DELAWARE 1935, RELATING TO GENERAL ELECTIONS, BY THE REPEAL OF 1824, SECTION 15, RELATING TO BALLOT BOXES AND TALLY LISTS; DUTY OF THE DEPARTMENT OF ELECTIONS AS TO; COMPENSATION OF INSPECTOR AND OF TRUSTY PERSONS FOR DELIVERY OF PACKAGES CONTAINING BALLOTS, ETC.,—AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1824. SECTION 15.

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

Section 1. That Article 1 of Chapter 60, Revised Code of Delaware 1935, be and the same is hereby amended by striking out and repealing all of 1824, Section 15, relating to Ballot Boxes and Tally Lists; Duty of Department of Elections as to; Compensation of Inspector or Trusty Person for Delivery of Packages containing Ballots, etc., and substituting in lieu thereof a new section to be known as 1824, Section 15, as follows:

1824, Sec. 15. Ballot Boxes and Tally Lists; Duty of Department of Elections as to; Compensation of Inspector or Trusty Person for Delivery of Packages Containing Ballots, etc.:—

The Department of Elections shall make the Ballot Boxes and the Tally Lists and all other papers to be delivered to the several Inspectors conform to the requirements of this Chapter. The Inspector or the Trusty Person, for his services in receiving and delivering at the place of holding the Election as aforesaid the packages containing the Ballots, Envelopes, Pencils and Rubber Bands, shall receive two dollars.

Approved March 30, 1943.

CHAPTER 121

GENERAL ELECTIONS

DIVISION OF THE FOURTH REPRESENTATIVE DISTRICT OF SUSSEX
COUNTY INTO TWO DISTRICTS

AN ACT TO AMEND CHAPTER 60 OF THE REVISED CODE OF DELAWARE, 1935, RELATIVE TO GENERAL ELECTIONS BY DIVIDING THE FOURTH REPRESENTATIVE DISTRICT OF SUSSEX COUNTY INTO THE FIRST ELECTION DISTRICT OF THE FOURTH REPRESENTATIVE DISTRICT AND THE SECOND ELECTION DISTRICT OF THE FOURTH REPRESENTATIVE DISTRICT AND DEFINING THE BOUNDARIES THEREOF.

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

Section 1. That Chapter 60 of the Revised Code of Delaware, 1935 be and the same is hereby amended by striking out paragraph S. 10 of 1826. Sec. 17 of the Revised Code of Delaware, 1935 and inserting in lieu thereof a new paragraph to be known as S. 10, 1826. Sec. 17 as follows:

S. 10. The First Election District of the Fourth Representative District shall embrace all of that portion of Broad Creek Hundred bounded by a line beginning at a point at the intersection of a line through the center of Woodland Ferry Slip and a line through the center of the Nanticoke River; thence in a southerly direction by and with the center of the Nanticoke River to its intersection with Broad Creek; thence by and with the center of Broad Creek in an easterly direction to Laurel Pond; thence by and with the center of Laurel Pond, James Branch, Hitch Pond, Trapp Pond and a branch running near Bethesda Methodist Church to a point in the center of the slag road leading from Whitesville to Georgetown, and there intersecting the boundary line of the Sixth Representative District of Sussex County; thence with the boundary line of the Sixth Representative District of Sussex County and the boundary line of the Third Representative District in a northwesterly direction to a point where the

GENERAL ELECTIONS

DIVISION OF THE FOURTH REPRESENTATIVE DISTRICT OF SUSSEX
COUNTY INTO TWO DISTRICTS

center of the Laurel-Georgetown Highway intersects with the center of the Highway leading from Concord to Millsboro; thence in a southwesterly direction by and with the center of said Laurel-Georgetown Highway to the intersection of a Public Road leading from what was formerly Taylor's Mill to Broad Creek, near the residence of David T. Boyce; thence with the center of said road leading from Taylor's Mill to Broad Creek in a westerly direction to the intersection of the center of said road with the center of U. S. Highway No. 13 at Broad Creek; thence with the center of the concrete road leading from Broad Creek to Bethel in a southerly direction to the center of a slag road leading from Laurel to Woodland; thence in a southerly direction by and with the center of the aforesaid slag road to the place of beginning.

All persons entitled to vote in the First Election District of the Fourth Representative District shall vote at or near the Laurel Armory in the Town of Laurel.

The Second Election District of the Fourth Representative District shall embrace all of that portion of Broad Creek Hundred bounded by a line beginning at a point at the intersection of a line through the center of Woodland Ferry Slip and a line through the center of the Nanticoke River; thence in an easterly direction with the center of the slag road leading from Woodland Ferry to the intersection of said slag road with the concrete highway leading from Bethel to Broad Creek; thence with the center of said concrete highway leading from Bethel to Broad Creek in an easterly direction to the intersection of U. S. Highway Route #13; thence across said U. S. Highway Route #13 in an easterly direction following the center of the public road, leading from Broad Creek to Taylor's Mill until said public road, leading from Broad Creek to Taylor's Mill, intersects with the concrete highway leading from Laurel to Georgetown; thence in a northerly direction by and with the center of said Laurel-Georgetown concrete highway to the boundary line between this

GENERAL ELECTIONS

DIVISION OF THE FOURTH REPRESENTATIVE DISTRICT OF SUSSEX
COUNTY INTO TWO DISTRICTS

Election District and the Third Representative District; thence by and with the boundary line of the Third Representative District in a westerly direction to the center of the dam at Concord; thence from the center of the dam by and with the center of the Nanticoke River in a southwesterly and southeasterly direction to the place of beginning.

All persons entitled to vote in the Second Election District of the Fourth Representative District shall vote at the fire hall in the Town of Blades.

Approved March 30, 1943.

CHAPTER 122

GENERAL ELECTIONS

ROOM FOR HOLDING ELECTION: CHANGE OF VOTING PLACE:
NOTICE: FURNITURE: BOOTHS, ETC.

**AN ACT TO AMEND CHAPTER 60, REVISED CODE OF
DELAWARE, 1935, RELATING TO GENERAL ELEC-
TIONS.**

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

Section 1. That Chapter 60 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by striking out and repealing all of Paragraph 1827. Sec. 18. thereof and by enacting and inserting in lieu thereof a new paragraph to be styled 1827. Sec. 18. as follows:

1827. Sec. 18. Room for Holding Elections; Department of Elections to Provide; Location; Plan of; Change of Voting Place; Notice; Furniture; Booths:—It shall be the duty of each Department of Elections for their respective Counties to select a voting place in each Election District within their respective Counties, and to provide the room in which any general or a special election is to be held, and it shall be the duty of the election officers appointed to hold the said general or special election, to construct therein the necessary number of booths, and to do all other things required to be done in and about the furnishing and fitting up of said election room. Said room shall have a door or entrance of easy or convenient access, and, if practicable, a separate means of exit. In each room there shall be provided a railing separating the part of the room to be occupied by the Election Officers from the remainder of the room, and such room shall also be provided with 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. There shall also be constructed in every election room in each Election District at

GENERAL ELECTIONS

ROOM FOR HOLDING ELECTION: CHANGE OF VOTING PLACE:
NOTICE: FURNITURE: BOOTHS, ETC.

least one booth for every two hundred and fifty voters, or fractional part thereof, provided that there shall not be less than three booths in every room used for election purposes. The booths shall be at least three feet square and six feet high, if the ceiling will so permit. Each booth shall contain a shelf properly constructed, and a suitable 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 the booths at any one time.

If at any time it shall be impractical to hold the election in any election district at the place selected and designated by the Department of Elections for the respective county in which said Election District is located, the Department of Elections for the respective county shall have power to select and designate some other place in said election district as near as can be conveniently obtained to the place previously selected and designated; and in such event, public notice thereof shall be made by notices posted in at least five of the most public places in said election district, if circumstances will permit of such notice being given, but if not, then such public and general notice shall be made as the circumstances will permit.

Section 2. That Chapter 60 of the Revised Code of Delaware of 1935, as amended, be and the same is hereby further amended by striking out and repealing all of Paragraph 1859. Sec. 50 thereof and by enacting and inserting in lieu thereof a new paragraph to be styled 1859. Sec. 50 as follows:

1859. Sec. 50. Distinguishing Marks; When Ballots Not Counted; Disputed Envelopes and Ballots How Preserved; Unused Envelopes Destroyed; Counted Ballots and Envelopes How Disposed of; Ballots; How Counted and Disposed of:—In the counting of the votes any ballot contained in an envelope which is not endorsed with the names of the Clerks of the Election, as provided

GENERAL ELECTIONS

ROOM FOR HOLDING ELECTION: CHANGE OF VOTING PLACE:
NOTICE: FURNITURE: BOOTHS, ETC.

in this Chapter, or any ballot which shall bear such a mark, impression or device that it is apparent that such was placed thereon with the intent of distinguishing such ballot, or any ballot which is contained in any envelope which shall bear any such distinguishing mark, impression or device, shall be void and shall not be counted; and any ballot, or part of a ballot, from which it is impossible to determine the electors choice of candidates shall not be counted as to the candidate or candidates affected thereby; provided, however, that all such ballots and envelopes and all disputed ballots and envelopes shall be preserved by the Inspector, and, at the close of the count, placed with the seals of the envelope packages in the box into which the ballots shall have been put when read.

If any envelope shall be found to contain more than one of each official ballot authorized by law to be voted at any election, none of the ballots contained therein shall be counted; but if any envelope shall contain less than one of each official ballot, such ballot or ballots, if otherwise valid, shall be counted and shall not be rejected for the reason that there was not one of each official ballot in said envelope.

The Election Officers shall also record on the tally list memoranda of such ballots and envelopes and the condition of the seal of the envelope packages, and in any contest of election any such ballot, envelope or seals may be submitted in evidence. Immediately on closing the polls, the envelopes remaining unused shall be counted. Those envelopes on which the Clerks of Election shall have written their names and remain unused shall be destroyed by the Election Officers of the several Election Districts by totally consuming by fire, and the envelopes remaining unused upon which the Clerks of Election shall not have written their names, shall be returned to the respective Clerks of the Peace in the manner hereinafter provided and the Election Officers shall certify the number of envelopes so destroyed and the number of envelopes so returned on the respective tally lists.

GENERAL ELECTIONS

ROOM FOR HOLDING ELECTION: CHANGE OF VOTING PLACE:

NOTICE: FURNITURE: BOOTHS, ETC.

In the counting of the ballots, each ballot or ballots shall be removed from its envelope and immediately counted for the candidates voted for thereon, and, after being counted, immediately shall be returned to the envelope from which the same has or have been taken, and shall be secured therein by a rubber band, and thereafter disposed of as provided in Section 55 of this Chapter.

Approved April 22, 1943.

CHAPTER 123

GENERAL ELECTIONS

DELIVERY OF BALLOT BOXES, ETC.

AN ACT TO AMEND ARTICLE 1 OF CHAPTER 60, REVISED CODE OF DELAWARE 1935, RELATING TO GENERAL ELECTIONS, BY THE REPEAL OF 1831, SECTION 22, AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1831, SECTION 22.

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

Section 1. That Article 1 Chapter 60, Revised Code of Delaware 1935, be and the same is hereby amended by striking out and repealing all of 1831, Section 22, and by substituting in lieu thereof a new section to be known as 1831, Section 22. as follows:-

1831. Sec. 22. Department of Elections to Deliver Ballot Boxes; List of Officers; Tape; Sealing Wax; Certificates; Tally Lists; Directions; Blank Forms of Oaths; Outside of Wilmington; Department of Elections, Similar Duties of in Wilmington:—

The Department of Elections of each County shall, after the twenty-third day and before the twenty-seventh day of October in the year of holding the General Election, deliver to the Inspector of each Election District or other officer, authorized by law to hold the election therein (outside of the City of Wilmington) two suitable ballot boxes, with a piece of tape and sealing wax, together with a list of all the officers to be chosen at the then next General Election, written or printed forms of tally lists, of certificates of election in said election district, of the oath or affirmation of the inspector or other person authorized by law to hold the election therein, and persons to be taken as Judges of Election, and also of the clerks who shall be chosen to act at such election, and of the certificate of administering such oaths or affirmations, with printed or written directions as to correcting, completing and signing such oath or affirmation

GENERAL ELECTIONS

DELIVERY OF BALLOT BOXES, ETC.

and certificate of administering the same, and shall also deliver to each Inspector or other officer authorized by law to hold the election as aforesaid (outside of the City of Wilmington) a book of blank forms of oaths (or affirmations) provided for in Section 53 of this Chapter.

The Department of Elections for the City of Wilmington shall, in addition to the Registers and things they are now required by law to furnish to the Inspectors of Election in said City, between the twenty-third and twenty-seventh days of October in the year of holding the General Election, deliver to the minority member of the Board of Election Officers of each Election District in the City of Wilmington, two suitable ballot boxes with a piece of tape and sealing wax, together with a list of all the officers to be chosen at the then next General Election, written or printed forms of tally lists, of certificates of Election in said Election District, of the oath or affirmation of the Inspector or other person authorized by law to hold the election therein, and of the persons to be taken as Judges of Election, and also of the Clerks who shall be chosen to act at such election, and of the certificate of administering such oaths or affirmations, with printed or written direction as to correcting, completing and signing such oath or affirmation, and certificate of administering the same, and shall also deliver to such Election Officer a book of blank forms of oaths (or affirmations) provided for in Section 53 of this Chapter.

Approved March 30, 1943.

CHAPTER 124

GENERAL ELECTIONS

HOUR OF OPENING ELECTION

AN ACT TO AMEND ARTICLE 1 OF CHAPTER 60, REVISED CODE OF DELAWARE 1935, RELATING TO GENERAL ELECTIONS BY THE REPEAL OF 1845, SECTION 36, AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1845, SECTION 36.

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

Section 1. That Article 1, Chapter 60, Revised Code of Delaware 1935, be and the same is hereby Amended by striking out and repealing all of 1845, Section 36, and by substituting in lieu thereof a new section to be known as 1845, Section 36, as follows:

1845. Sec. 36. Hour of Opening Election; By Whom:—

The General Election shall be opened in every Election District of the State, including those in the City of Wilmington, on the Tuesday next after the first Monday in the month of November in the year in which the same is held, between the hours of seven and seven-thirty o'clock, in the morning, by the Inspector, or other officer authorized by law to hold the election, making proclamation that the same is open.

Approved March 12, 1943.

Corporations

CHAPTER 125

GENERAL PROVISIONS RESPECTING CORPORATIONS

AN ACT TO AMEND CHAPTER 65 OF THE REVISED CODE OF THE STATE OF DELAWARE OF 1935 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 thereon):

SEC. 1. That Section 2 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2034 of said Revised Code, as amended, be and the same hereby is further amended by adding thereto a new paragraph to be numbered 10. and to read as follows:

10. To indemnify any and all of its directors or officers or former directors or officers or any person who may have served at its request as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor against expenses actually and necessarily incurred by them in connection with the defense of any action, suit or proceeding in which they, or any of them, are made parties, or a party, by reason of being or having been directors or officers or a director or officer of the corporation, or of such other corporation, except in relation to matters as to which any such director or officer or former director or officer or person shall be adjudged in such action, suit or proceeding to be liable for negligence or misconduct in the performance of duty. Such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled, under any by-law, agreement, vote of stockholders, or otherwise.

GENERAL PROVISIONS RESPECTING CORPORATIONS

SEC. 2. That Section 9 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2041 of said Revised Code, as amended, be and the same hereby is further amended by adding thereto the following sentence, viz.:

A Director of any corporation organized under the provisions of this Chapter, or a member of any Committee designated by the Board of Directors pursuant to authority conferred by this Chapter, shall in the performance of his duties be fully protected in relying in good faith upon the books of account or reports made to the corporation by any of its officials, or by an independent certified public accountant, or by an appraiser selected with reasonable care by the Board of Directors or by any such Committee, or in relying in good faith upon other records of the corporation.

SEC. 3. That Section 10 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2042 of said Revised Code, as amended, be and the same hereby is further amended by adding to the second paragraph thereof, now reading:

"Any two offices (but not more than two) may be held by the same person."

the following sentence, viz.:

More than two offices other than the offices of President and Secretary may be held by the same person if the By-laws so provide.

SEC. 4. That Section 39 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2071 of said Revised Code, as amended, be and the same hereby is further amended by striking out all of said Section 39, as amended, and inserting in lieu thereof the following:

2071. 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,

GENERAL PROVISIONS RESPECTING CORPORATIONS

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 of record having voting power, and also 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 convened 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, by consent of a majority in interest of the stockholders present in person or by proxy, having voting power, be adjourned or recessed from time to time; and if at any such meeting two-thirds in interest of all the stockholders, having voting power, shall consent that a dissolution shall take place and signify their consent in writing, such consent, together with a list of the names and residences of the directors and officers, certified by the President or a Vice-President and the Secretary or an Assistant Secretary, and verified by oath of one of said officers, 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.

Whenever all the stockholders, having voting power, shall consent in writing to a dissolution, no meeting of stockholders shall be necessary, but on filing such consent in the office of the

GENERAL PROVISIONS RESPECTING CORPORATIONS

Secretary of State, he shall, as above provided, issue a certificate of dissolution, which shall be published as above provided.

Whenever the Secretary of State issues a certificate of dissolution it shall be recorded in the office of the Recorder of the County in which the principal office of the corporation was maintained.

SEC. 5. That Section 59 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2091 of said Revised Code, as amended, be and the same hereby is further amended by striking out the fourth paragraph of said Section 59 and inserting in lieu thereof, the following, viz.:

If the corporation resulting from or surviving such consolidation or merger is to be governed by the Laws of any State other than the laws of this State, it shall agree that it may be served with process in this State in any proceeding for enforcement of any obligation of any constituent corporation of this State, as well as for enforcement of any obligation of the resulting or surviving corporation arising from the merger, including any suit or other proceeding to enforce the right of any stockholder as determined in appraisal proceedings pursuant to the provisions of Section 61 of this Chapter, and shall irrevocably appoint the Secretary of State as its agent to accept service of process in any such suit or other proceeding and shall specify the address to which a copy of such process shall be mailed by the Secretary of State. Service of such process shall be made by personally delivering to and leaving with the Secretary of State duplicate copies of such process. The Secretary of State shall forthwith send by registered mail one of such copies to such resulting or surviving corporation at its address so specified, unless such resulting or surviving corporation shall thereafter have designated in writing to the Secretary of State a different address for such purpose, in which case it shall be mailed to the last address so designated.

Sec. 6. That Section 61 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2093 of said Revised Code, as amended, be and the same hereby is further amended by

GENERAL PROVISIONS RESPECTING CORPORATIONS

striking out the whole of said Section 61 and inserting in lieu thereof, the following, viz.:

2093. Sec. 61. Consolidation or Merger; Payment for Stock of Dissatisfied Stockholder:—If any stockholder in any corporation of this State consolidating or merging as aforesaid, who objected thereto in writing and whose shares were not voted in favor of such consolidation or merger, and who filed such written objection with the corporation before the taking of the vote on such consolidation or merger, shall within twenty days after the date on which the agreement of consolidation or merger has been filed and recorded, as aforesaid, demand in writing, from the corporation resulting from or surviving such consolidation or merger, payment for his stock, such resulting or surviving corporation shall, within thirty days after the expiration of said period of twenty days, pay to him the value of his stock on the date of the recording of said agreement of consolidation or merger, exclusive of any element of value arising from the expectation or accomplishment of such consolidation or merger. If during said period of thirty days the corporation and any such stockholder fail to agree as to the value of such stock, any such stockholder, or the corporation resulting from or surviving such consolidation or merger, may by petition filed in the Court of Chancery within four months after the expiration of said period of thirty days demand a determination of the value of the stock of all such stockholders by an appraiser to be appointed by the Chancellor.

Upon the filing of any such petition by a stockholder, service of a copy thereof shall be made upon the corporation, which shall within ten days after such service file in the office of the Register in Chancery in which said petition was filed a duly verified list containing the names and addresses of all stockholders who have demanded payment of their shares and with whom agreements as to the value of their shares have not been reached by the corporation. If the petition shall be filed by the corporation, the petition shall be accompanied by such a duly verified list. The Register in Chancery shall give notice of the time and place fixed for the hearing of such petition by registered mail to the corporation and to the stockholders shown

GENERAL PROVISIONS RESPECTING CORPORATIONS

upon said list at the addresses therein stated, and notice shall also be given by publishing a notice at least once a week for two successive weeks, the second publication to appear at least one week before the day of the hearing, in a newspaper of general circulation published in the City of Wilmington, Delaware. The Court shall have power to direct such additional publications of notice as it may deem advisable. The forms of the notices by mail and by publication shall be approved by the Court.

After the hearing of such petition the Court shall determine the shareholders who have complied with the provisions of this section and become entitled to the valuation of and payment for their shares, and shall appoint an appraiser to determine such value. Such appraiser shall have power to examine any of the books and records of the corporation the stock of which he is charged with the duty of valuing, and he shall make a determination of the value of the shares upon such investigation as to him may seem proper. The appraiser shall also afford a reasonable opportunity to the parties interested to submit to him pertinent evidence on the value of the shares. The appraiser, also, shall have such powers and authority as may be conferred upon Masters by the Rules of the Court of Chancery or by the order of his appointment.

The appraiser shall determine the value of the stock of the stockholders adjudged by the Chancellor to be entitled to payment therefor and shall file his report respecting such value in the office of the Register in Chancery and notice of the filing of such report shall be given by the Register in Chancery to the parties in interest. Such report shall be subject to exceptions to be heard before the Court both upon the law and facts. After hearing exceptions to the said report the Court shall by its decree determine the value of the stock of the stockholders entitled to payment therefor and shall direct the payment of such value to the stockholders entitled thereto by the resulting or surviving corporation upon the transfer to it of the certificates representing such stock, which decree may be enforced as other decrees in the Court of Chancery may be enforced, whether such resulting or surviving corporation be a corporation of this State

GENERAL PROVISIONS RESPECTING CORPORATIONS

or of any other State of the United States of America. The shares of the surviving or resulting corporation into which the shares of such dissenting stockholders would have been converted had they assented to the consolidation or merger shall have the status of authorized and unissued shares of the surviving or resulting corporation, as the case may be.

The cost of any such appraisal, including a reasonable fee to and the reasonable expenses of the appraiser, but exclusive of fees of counsel or of experts retained by any party, may on application of any party in interest be determined by the Chancellor and taxed upon the parties to such appraisal or any of them as may appear to be equitable, except that the cost of giving the notice by publication and by registered mail hereinabove provided for shall be paid by the corporation.

Any stockholder who shall have demanded payment of his stock as herein provided shall not thereafter be entitled to vote such stock for any purpose or be entitled to the payment of dividends or other distribution on said stock (except dividends payable to stockholders of record at a date which is prior to the date of the recording of said agreement) unless the appointment of an appraiser shall not be applied for within the time herein provided, or the proceeding be dismissed as to such stockholder, or unless such stockholder shall with the written approval of the corporation deliver to the corporation a written withdrawal of his objections to and an acceptance of such consolidation or merger, in any of which cases the right of such stockholder to payment of his stock shall cease.

At the time of appointing the appraiser or at any time thereafter the Court may require the dissenting stockholders to submit their certificates of stock to the Register in Chancery for notation thereon of the pendency of the appraisal proceedings, and if any stockholder fails to comply with such direction the Court may dismiss the proceedings as to such stockholder.

This section shall apply only to cases of agreements of consolidation or merger filed after the date of the approval of this Act. All prior cases shall be governed by the law in force immedi-

GENERAL PROVISIONS RESPECTING CORPORATIONS

ately prior to the approval of this Act, which, as to such cases, and only such cases, is continued in force and effect.

SEC. 7. That Section 77A of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2109A of said Revised Code, as amended, be and the same hereby is further amended, (1), by striking out the first paragraph of said Section 77A and inserting in lieu thereof, the following, viz.:

2109A. Sec. 77A. **Plan of Reorganization Under National Bankruptcy Act, Execution of, Filing Certificate:**—(1) Any corporation organized under this Chapter or existing under the laws of this State, a plan of reorganization of which, pursuant to any of the provisions of the Act of Congress entitled "An Act to Establish a Uniform System of Bankruptcy Throughout the United States", approved June 1, 1898, and Acts amendatory thereof and supplementary thereto, is contemplated or has been or shall be confirmed by the decree or order of a court of competent jurisdiction, shall have full power and authority to put into effect and carry out the plan and the decrees and orders of the court or judge relative thereto and may take any proceeding and do any act provided in the plan or directed by such decrees and orders, without further action by its directors or stockholders. Such power and authority may be exercised, and such proceedings and acts may be taken, as may be directed by such decrees or orders, by the trustee or trustees of such corporation appointed in the reorganization proceedings (or a majority thereof), or if none be appointed and acting, by designated officers of the corporation, or by a master or other representative appointed by the court or judge, with like effect as if exercised and taken by unanimous action of the directors and stockholders of the corporation. and, (2) by striking out the third numbered paragraph of said Section 77A and substituting in lieu thereof, the following, viz.:

(3) A certificate, executed as hereinafter provided, of any amendment, change or alteration, or of dissolution, or any agreement of merger or consolidation, made by such corporation pursuant to the foregoing provisions, shall be filed in the office of the Secretary of State, and a certified copy thereof recorded in the

GENERAL PROVISIONS RESPECTING CORPORATIONS

office of the Recorder of Deeds of the County in which the principal place of business is located, and shall thereupon become effective in accordance with its terms and the provisions hereof. Such certificate, agreement of merger or other instrument shall be made, executed and acknowledged, as may be directed by such decrees or orders, by the trustee or trustees appointed in the reorganization proceedings (or a majority thereof), or, if none be appointed and acting, by officers of the corporation, or by a master or other representative appointed by the court or judge, and shall certify that provision for the making of such certificate, agreement or instrument is contained in a decree or order of a court or judge having jurisdiction of a proceeding under said National Bankruptcy Act for the reorganization of such corporation.

SEC. 8. That Section 80 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2112 of said Revised Code, as amended, be and the same hereby is further amended by striking out the first paragraph of said Section 80 and substituting in lieu thereof, the following, viz.:

2112. Sec. 80. Change of Location of Principal Office; Change of Resident Agent:—(1) The Board of Directors of any corporation organized under the laws of this State may change the location of the principal office of such corporation within this State to any other place within this State by resolution adopted at a regular or special meeting of such Board; by like resolution, the resident agent of such corporation may be changed to any other person or corporation. In either such case, such resolution shall be as detailed in its statement as is provided in Paragraph 2 of Section 5 of this Chapter. Upon the adoption of a resolution as aforesaid, a copy thereof shall be filed in the office of the Secretary of State signed by the President or a Vice-President and Secretary or an Assistant Secretary of such corporation, and sealed with its corporate seal; and a certified copy recorded in the office of the Recorder in and for the County in which said new office may be located; and, if such new office be located in a county other than that in which the former office was located, a certified copy of such resolution shall also be recorded in the office

GENERAL PROVISIONS RESPECTING CORPORATIONS

of the Recorder in and for the county in which such former office was located. For filing the said certificate, the Secretary of State shall charge a fee of five dollars.

SEC. 9. That Chapter 65 of the Revised Code of Delaware of 1935, as amended, be and the same hereby is further amended by inserting therein a new section to be known as Code Section 2113A, Sec. 81A, as follows, viz.:

2113A, Sec. 81A. **When Notice Not Required:**—Whenever any notice whatever is required to be given under the provisions of this Chapter, or under the provisions of the certificate of incorporation or by-laws of any corporation organized under the provisions of this Chapter, to any person with whom communication is made unlawful by any law of the United States of America now or hereafter enacted, or by any rule, regulation, proclamation or executive order issued under any such law, then the giving of such notice to such person shall not be required and there shall be no duty to apply to any governmental authority or agency for a license or permit to give such notice to such person; and any action or meeting which has been or hereafter shall be taken or held without notice to any such person or without giving or without applying for a license or permit to give any such notice to any such person with whom communication is made unlawful as aforesaid, shall have the same force and effect as if such notice had been given as provided under the provisions of this Chapter or under the provisions of the Certificate of Incorporation or By-Laws of any corporation organized under this Chapter. In the event that the action taken by the corporation is such as to require the filing of a certificate under any of the other sections of this Chapter, the certificate shall state, if such is the fact and if notice is required, that notice was given to all persons entitled to receive notice except such persons with whom communication is made unlawful by any law, rule, regulation, proclamation or executive order as aforesaid.

SEC. 10. That Section 219 of Chapter 65 of the Revised Code of Delaware of 1935, being Section 2251 of said Revised Code, as amended, be and the same hereby is further amended by

GENERAL PROVISIONS RESPECTING CORPORATIONS

striking out the whole of said Section 219 and inserting in lieu thereof, the following, viz.:

2251. Sec. 219. **Agent for Service of Process:**—Any such foreign corporation, by filing a certificate of the same kind and nature, executed as aforesaid, may change such agent or person and substitute another person or agent for the purposes aforesaid, provided, however, every such person or agent shall at the time of his appointment be a resident of this State. Any individual or corporation that has been designated by a foreign corporation as its authorized agent for service of process may resign by filing with the Secretary of State a signed statement that he or it is unwilling to continue to act as the agent of such corporation for service of process, including in such statement the post office address of such corporation. Upon the expiration of thirty days after the filing of such statement with the Secretary of State, the capacity of such individual or corporation, as such agent, shall terminate. Upon the filing of such statement, the Secretary of State forthwith shall give written notice, by mail, to such corporation of the filing of such statement, which notice shall be addressed to such corporation at the post office address given in such statement. If any person or agent designated and certified as aforesaid shall die or remove from this State, or resign, then the foreign corporation for which such person or agent had been so designated and certified shall, within ten days after the death or removal or resignation as aforesaid of such agent or person, substitute, designate and certify to the Secretary of State, the name of another person or agent for the purposes aforesaid, and all process, orders, rules and notices mentioned in the foregoing Section 218, may be served on or given to such substituted person or agent with like effect as is prescribed in said Section.

Approved April 15, 1943.

CHAPTER 126

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES HAVING CAPITAL STOCK**AN ACT TO AMEND ARTICLE 4 OF CHAPTER 6 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"STATE REVENUE", PERTAINING TO THE ASSESS-
MENT AND TAXATION OF SHARES OF CAPITAL
STOCK OF BANKS AND TRUST COMPANIES HAVING
CAPITAL STOCK.**

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

Section 1. That 63. Sec. 29, of Chapter 6 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the semi-colon after the word "prescribed" in said section, inserting in lieu thereof a period, and by striking out all the words of said section after the word "prescribed".

Approved March 29, 1943.

CHAPTER 127

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES HAVING CAPITAL STOCK**AN ACT TO AMEND ARTICLE 4 OF CHAPTER 6 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"STATE REVENUE", PERTAINING TO THE ASSESS-
MENT AND TAXATION OF SHARES OF CAPITAL
STOCK OF BANKS AND TRUST COMPANIES HAVING
CAPITAL STOCK.**

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

Section 1. That 64. Sec. 30, of Chapter 6 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus, and undivided profits" in the fourth and fifth lines of said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (exclud-
ing allocated reserves)

Section 2. That 65. Sec. 31, of Chapter 6 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus, and undivided profits" in the fourteenth and fifteenth lines of said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (exclud-
ing allocated reserves)

Section 3. That 67. Sec. 33, of Chapter 6 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus, and undivided profits" in the twelfth and thirteenth lines of the first paragraph of said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (exclud-
ing allocated reserves)

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

**ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES HAVING CAPITAL STOCK**

Section 4. That 69. Sec. 35, of Chapter 6 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus, and undivided profits" wherever they may appear in said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (excluding allocated reserves)

Approved March 29, 1943.

CHAPTER 128

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES NOT HAVING CAPITAL STOCK**AN ACT TO AMEND ARTICLE 4 OF CHAPTER 6 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"STATE REVENUE", PERTAINING TO THE ASSES-
MENT AND TAXATION OF SAVINGS BANKS AND
SAVINGS SOCIETIES NOT HAVING CAPITAL STOCK.**

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

Section 1. That 73. Sec. 39, of Chapter 6 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of said section, and inserting in lieu thereof a new section, to be styled 73. Sec. 39, as follows:

Every savings bank and savings society, not having capital stock outstanding, doing business in this State shall pay to the State for the privilege of carrying on its business in this State an annual tax, which shall be one-fifth of one per centum of the aggregate amount of its surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) as shown on its books as of the close of business June 30 of the year in and for which the statement is filed; provided the aggregate of the surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) shall exceed ten per centum of the average deposits for the twelve month period immediately preceding. Should the percentage be less than above recited, the tax shall be two cents upon every one hundred dollars of the amount of the average of the deposits held by it during the calendar year preceding the year in which such tax is levied, ascertained as hereinafter provided.

Section 2. That 75. Sec. 41, of Chapter 6 of the Revised Code of Delaware, 1935, be and the same is hereby amended by

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES NOT HAVING CAPITAL STOCK**

striking out the period at the end of the first sentence of said section, inserting in lieu thereof a comma, and adding thereto the following:

provided the aggregate of surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) is less than ten per centum of the average deposits for the twelve month period immediately preceding June 30. Should the percentage be greater than above stated, the report to be filed with the State Bank Commissioner shall reveal the surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) as shown by the books of the bank at the close of business June 30 of the year in and for which the statement is filed.

Approved March 29, 1943.

CHAPTER 129

**BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES
EXAMINATIONS BY STATE BANK COMMISSIONER****AN ACT TO AMEND ARTICLE 3 OF CHAPTER 66 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"BANKS, SAVINGS SOCIETIES AND TRUST COMPAN-
IES" PERTAINING TO EXAMINATIONS BY THE STATE
BANK COMMISSIONER.**

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

Section 1. That 2293. Sec. 36, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the period at the end of the first paragraph of said section, inserting in lieu thereof, a comma, and adding thereto the following:

except that for the duration of the war in which the United States is engaged, such examinations of banks and trust companies which are also examined by any agency of the Federal Government shall be made at least once in each eighteen months.

Approved March 16, 1943.

CHAPTER 130

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES
RESERVES**AN ACT TO AMEND CHAPTER 66 OF THE REVISED
CODE OF DELAWARE, 1935, RELATING TO "BANKS,
SAVING SOCIETIES AND TRUST COMPANIES", IN
REFERENCE TO RESERVES.**

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

Section 1. That Chapter 66 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 2298. Sec. 41, thereof, and inserting in lieu thereof a new section, to be styled 2298. Sec. 41, as follows:

2298. Sec. 41. Reserves Must be Maintained; Of What to Consist:—Demand deposits as used in this section shall mean all deposits payable within thirty days; and time deposits shall comprise all deposits payable after thirty days, all savings accounts, certificates of deposit, and postal savings which are subject to not less than thirty days notice before payment.

Every bank, banking association, trust company, savings bank or savings society shall maintain liquid reserves as follows:

(a) Seven per centum of the aggregate of its demand deposits. Such reserve shall consist only of cash in the possession of the bank and of net balances, payable on demand, with banking institutions chartered by this State, any other State, or the Federal Government, including Federal Reserve Banks, which have been approved in writing as reserve depositories by the State Bank Commissioner.

(b) Three per centum of the aggregate of its time deposits. Such reserve shall consist of cash in the possession of the bank

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

RESERVES

and of net balances with reserve depositories as hereinbefore specified with regard to demand deposit reserves.

Whenever the State Bank Commissioner shall determine that the maintenance of sound banking practices or the prevention of injurious credit expansions or contraction makes such action advisable, he may, by general regulation, change, from time to time, the requirements as to reserves against demand or time deposits, or both, in banking institutions doing business in this State which are not members of the Federal Reserve System. The reserves so specified shall be not less than the statutory requirement, nor greater than those requirements of the Federal Reserve Bank in this district applicable to member banks in this State.

No money held in a fiduciary capacity, whether as executor, administrator, guardian, trustee, or otherwise, shall be carried or counted as a part of the required reserves in any bank or trust company, exclusive of Federal Reserve Member Banks, unless it shall first set aside, earmarked for the trust department, United States Government securities having a maturity of not more than one year from the date of earmarking for the trust department and having a current market value of at least 110% of the amount on deposit.

If the reserve of any corporation comprehended by this section shall be less than prescribed by general regulations issued by the State Bank Commissioner, such corporation shall not make any new loans or discounts, other than discounting bills of exchange payable on sight, nor shall such corporation declare or pay any dividends until the full amount of its reserve shall have been restored.

Upon failure of any such corporation to make good its reserve within thirty days after notice from the State Bank Commissioner, the said Commissioner may treat such corporation as in an unsound condition and may proceed against it accordingly.

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES
RESERVES

If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are declared to be severable.

Approved March 29, 1943.

CHAPTER 131

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

RESTRICTIONS ON THE BORROWING OF MONEY BY BANKS
ON COLLATERAL**AN ACT TO AMEND ARTICLE 3 OF CHAPTER 66 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"BANKS, SAVINGS SOCIETIES AND TRUST COMPAN-
IES" BY PROVIDING RESTRICTIONS ON THE BOR-
ROWING OF MONEY BY BANKS ON COLLATERAL.**

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

Section 1. That 2306. Sec. 49, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the second paragraph of said section, and by substituting in lieu thereof the following:

No bank or trust company shall repledge or rehypothecate any property held by it in pledge or hypothecation as collateral which belongs to any other corporation or persons, unless such property is accompanied by the obligation of the original borrower from the institution.

Section 2. That 2300. Sec. 43, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the period after the word "credit" at the end of the second paragraph of sub-division (c) of said section, inserting in lieu thereof a semi-colon, and adding thereto the following:

nor shall said limitations or restrictions apply to any loan, discount, or extension of credit, heretofore or hereafter made, to the extent that any such loans, discounts, or extensions of credit, are secured or covered by guaranties, or by commitments, or agreements to take over or to purchase any such loans, discounts, or extensions of credit, made by any Federal Reserve Bank or by the United States or any department, bureau, board,

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

**RESTRICTIONS ON THE BORROWING OF MONEY BY BANKS
ON COLLATERAL**

commission or establishment of the United States, including any corporation wholly owned directly or indirectly by the United States; provided, however, that such guaranties, agreements, or commitments are unconditional and must be performed by payment of cash or its equivalent within sixty days after demand.

Approved March 23, 1943.

CHAPTER 132

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES HAVING CAPITAL STOCK**AN ACT TO AMEND ARTICLE 4 OF CHAPTER 66 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"BANKS, SAVINGS SOCIETIES AND TRUST COMPAN-
IES", PERTAINING TO THE ASSESSMENT AND TAXA-
TION OF SHARES OF CAPITAL STOCK OF BANKS AND
TRUST COMPANIES HAVING CAPITAL STOCK.**

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

Section 1. That 2317. Sec. 60, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus, and undivided profits" in the fourth line of the second paragraph of said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (exclud-
ing allocated reserves)

Section 2. That 2318. Sec. 61, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus and undivided profits" in the fourteenth and fifteenth lines of said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (exclud-
ing allocated reserves)

Section 3. That 2320. Sec. 63, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus, and undivided profits" in the twelfth and thirteenth lines of the first paragraph of said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (exclud-
ing allocated reserves)

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

**ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES HAVING CAPITAL STOCK**

Section 4. That 2322. Sec. 65, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "capital, surplus, and undivided profits" wherever they may appear in said section, and by substituting in lieu thereof the following:

capital, surplus, undivided profits and reserves (excluding allocated reserves)

Approved March 29, 1943.

CHAPTER 133

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF BANKS AND TRUST COMPANIES HAVING CAPITAL STOCK

AN ACT TO AMEND ARTICLE 4 OF CHAPTER 66 OF THE REVISED CODE OF DELAWARE, 1935, RELATIVE TO "BANKS, SAVINGS SOCIETIES AND TRUST COMPAN- IES", PERTAINING TO THE ASSESSMENT AND TAXA- TION OF SHARES OF CAPITAL STOCK OF BANKS AND TRUST COMPANIES HAVING CAPITAL STOCK.

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

Section 1. That 2317. Sec. 60, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the semi-colon after the word "prescribed" in the first paragraph of said section, inserting in lieu thereof a period, and by striking out all the words of said paragraph after the word "prescribed".

Approved March 29, 1943.

CHAPTER 134

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES NOT HAVING CAPITAL STOCK**AN ACT TO AMEND ARTICLE 5 OF CHAPTER 66 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"BANKS, SAVINGS SOCIETIES AND TRUST COMPAN-
IES", PERTAINING TO THE ASSESSMENT AND TAXA-
TION OF SAVINGS BANKS AND SAVINGS SOCIETIES
NOT HAVING CAPITAL STOCK.**

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

Section 1. That 2328. Sec. 71, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the first paragraph of said section, and by substituting in lieu thereof the following:

Every savings bank and savings society, not having capital stock outstanding, doing business in this State shall pay to the State for the privilege of carrying on its business in this State an annual tax, which shall be one-fifth of one per centum of the aggregate amount of its surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) as shown on its books as of the close of business June 30 of the year in and for which the statement is filed; provided the aggregate of the surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) shall exceed ten per centum of the average deposits for the twelve month period immediately preceding. Should the percentage be less than above recited, the tax shall be two cents upon every one hundred dollars of the amount of the average of the deposits held by it during the calendar year preceding the year in which such tax is levied, ascertained as hereinafter provided.

Section 2. That 2329. Sec. 72, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**ASSESSMENT AND TAXATION OF SHARES OF CAPITAL STOCK OF
BANKS AND TRUST COMPANIES NOT HAVING CAPITAL STOCK**

striking out the period at the end of the first sentence of said section, inserting in lieu thereof a comma, and adding thereto the following:

provided the aggregate of surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) is less than ten per centum of the average deposits for the twelve month period immediately preceding June 30. Should the percentage be greater than above stated, the report to be filed with the State Bank Commissioner shall reveal the surplus, undivided profits and/or interest, and reserves (excluding allocated reserves) as shown by the books of the bank at the close of business June 30 of the year in and for which the statement is filed.

Approved March 29, 1943.

CHAPTER 135

BUILDING AND LOAN ASSOCIATIONS

APPOINTMENT OF STATE BANK COMMISSIONER AS A RECEIVER FOR
UNSOUND BUILDING AND LOAN ASSOCIATIONS

AN ACT TO AMEND ARTICLE 6 OF CHAPTER 66 OF THE REVISED CODE OF DELAWARE, 1935, RELATIVE TO "BUILDING AND LOAN ASSOCIATIONS", BY PROVIDING FOR THE APPOINTMENT OF THE STATE BANK COMMISSIONER AS RECEIVER FOR UNSOUND BUILDING AND LOAN ASSOCIATIONS.

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

Section 1. That 2351. Sec. 94, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by adding a new paragraph to said section, as follows:

The receiver to be appointed as aforesaid shall be the State Bank Commissioner or, in his absence or disability, the Deputy Bank Commissioner. Neither of said officials shall receive any extra compensation for acting as such receiver. The Court may in its discretion vest the receiver with full power and authority to borrow such sum or sums of money as the Court shall determine in order the more readily or expeditiously to settle the affairs of the said building and loan association and/or to make payments to its creditors or to its depositors or to its shareholders. Such borrowing may be from any public or governmental or quasi public or quasi governmental corporation, board, commission or other agency or from any source whatsoever, and the Court may authorize the receiver to secure any such loan by the pledge of any of the property or assets of the building and loan association, and to give the lender a preference as to the pledged property and assets over the creditors of the building and loan association.

Approved March 16, 1943.

CHAPTER 136

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

AMOUNT OF CAPITAL STOCK OF TRUST COMPANIES

**AN ACT TO AMEND ARTICLE 9 OF CHAPTER 66 OF THE
REVISED CODE OF DELAWARE, 1935, RELATIVE TO
"BANKS, SAVINGS SOCIETIES AND TRUST COMPAN-
IES" PERTAINING TO THE AMOUNT OF CAPITAL
STOCK OF TRUST COMPANIES.**

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

Section 1. That 2399. Sec. 142, of Chapter 66 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the period at the end of the first paragraph of said section, inserting in lieu thereof a comma, and adding thereto the following:

but nothing contained in this section shall prohibit the increase in capital stock of a trust company organized prior to the passage of this Article to any amount which may be less than required in Section 125.

Approved March 16, 1943.

CHAPTER 137

WILMINGTON

LEAVE OF ABSENCE GRANTED TO EMPLOYEES OF THE MAYOR AND COUNCIL OF THE CITY OF WILMINGTON IN CERTAIN CASES

AN ACT GRANTING LEAVE OF ABSENCE TO EMPLOYEES OF THE MAYOR AND COUNCIL OF WILMINGTON, AND PRESERVING THEIR RIGHT TO PRIORITY AND ADVANCEMENT IN CERTAIN CASES.

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

Section 1. That in the case of any employee of The Mayor and Council of Wilmington who heretofore has entered or who hereafter shall enter any branch of the Armed Forces of the United States of America, whether voluntarily or involuntarily, or the National Guard of the State of Delaware when in continuous active service, or who has heretofore been or who hereafter shall be conscripted for any other war service of the United States of America, the Agency, Board, Department, Commission, or other employing officer or agency of The Mayor and Council of Wilmington employing such employee is hereby authorized in its discretion to grant such employee a leave of absence which shall cover the entire period of said service, or until the term of service, to which such employee has been called or volunteered, has been terminated, and upon the completion of such leave of absence and service to reinstate such employee in the position which such employee held at the time that such leave of absence was granted, and thereafter such employee shall be continued in such employment under the same terms and conditions as if such employee had been in the continuous service of such employing agency during the period of the said leave of absence. Any person who may be appointed to replace any such employee as above referred to, shall be appointed only for the period covered by such leave of absence.

Section 2. This Act shall become effective immediately upon the approval thereof by the Governor.

Approved April 15, 1943.

CHAPTER 138

MILFORD

RELATING TO FISCAL YEAR

AN ACT TO AMEND CHAPTER 162, VOLUME 37, LAWS OF DELAWARE, ENTITLED "AN ACT CHANGING THE NAME OF 'THE TOWN OF MILFORD' TO 'THE CITY OF MILFORD' AND ESTABLISHING A CHARTER THEREFOR" AND RELATING TO THE FISCAL YEAR.

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 162, Volume 37, Laws of Delaware, entitled "AN ACT CHANGING THE NAME OF 'THE TOWN OF MILFORD' TO 'THE CITY OF MILFORD' AND ESTABLISHING A CHARTER THEREFOR" be and the same is hereby amended by striking out the last sentence of the first paragraph of Section 12 thereof and inserting in lieu thereof the following:

Beginning with the First day of October, 1943, the fiscal year shall begin the First day of October and shall end with the next succeeding Thirtieth day of September.

Approved February 23, 1943.

CHAPTER 139

FERRIS INDUSTRIAL SCHOOL

CHANGE OF NAME, ETC.

AN ACT TO AMEND CHAPTER 70 OF THE REVISED CODE OF DELAWARE, 1935, BY CHANGING THE NAME OF THE FERRIS INDUSTRIAL SCHOOL TO FERRIS SCHOOL FOR BOYS, AND PROVIDING FOR RELEASE OF BOYS UNDER EIGHTEEN.

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 Ferris Industrial School of Delaware shall be known as the Ferris School for Boys.

Section 2. The Ferris School for Boys shall have all of the rights and powers and all of the duties and obligations heretofore or hereafter created, which are, or shall be vested in, or imposed upon the Ferris Industrial School of Delaware. All appropriations heretofore or hereafter made to the Ferris Industrial School of Delaware shall inure to the benefit of the Ferris School for Boys.

Section 3. That 2505, Section 7, of Chapter 70, of the Revised Code of Delaware, 1935, be amended by striking out the following paragraph:

"The said Board in its discretion, shall have power to discharge finally any boy in its custody after he shall attain the age of eighteen years; if the Board shall determine such discharge to be for the best interests of the boy or of the school. After such discharge, the Board shall be relieved of all liability for any such boy."

FERRIS INDUSTRIAL SCHOOL

CHANGE OF NAME, ETC.

and inserting in lieu thereof a new paragraph to read as follows:

The said Board in its discretion shall have power to discharge finally any boy in its custody, if the Board shall determine such discharge to be for the best interests of the boy or of the school. After such discharge, the Board shall be relieved of all liability for any such boy.

Approved April 16, 1943.

CHAPTER 140

THE DELAWARE INDUSTRIAL SCHOOL FOR GIRLS
CHANGE OF NAME, ETC.**AN ACT TO AMEND CHAPTER 70 OF THE REVISED CODE
OF DELAWARE, 1935, BY CHANGING THE NAME OF
THE DELAWARE INDUSTRIAL SCHOOL FOR GIRLS
TO WOODS HAVEN SCHOOL FOR GIRLS.**

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

Section 1. That from and after the passage of this Act, The Delaware Industrial School for Girls shall be known as Woods Haven School for Girls.

Section 2. Woods Haven School for Girls shall have all the rights and powers and all of the duties and obligations heretofore or hereafter created, which are, or shall be vested in, or imposed upon The Delaware Industrial School for Girls.

All appropriations heretofore or hereafter made to The Delaware Industrial School for Girls shall inure to the benefit of the Woods Haven School for Girls.

Approved April 15, 1943.

CHAPTER 141

INDUSTRIAL SCHOOL FOR COLORED GIRLS OF
DELAWARE

CHANGE OF NAME, ETC.

AN ACT TO AMEND CHAPTER 70 OF THE REVISED CODE OF DELAWARE, 1935, BY CHANGING THE NAME OF INDUSTRIAL SCHOOL FOR COLORED GIRLS OF DELAWARE, AND PROVIDING FOR THE RELEASE OF GIRLS UNDER EIGHTEEN.

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 Industrial School for Colored Girls of Delaware shall be known as The Kruse School.

Section 2. The Kruse School shall have all of the rights and powers and all of the duties and obligations heretofore or hereafter created, which are, or shall be vested in, or imposed upon the Industrial School for Colored Girls of Delaware. All appropriations heretofore or hereafter made to the Industrial School for Colored Girls of Delaware shall inure to the benefit of The Kruse School.

Section 3. That 2531, Section 33, of Chapter 70, of the Revised Code of Delaware, 1935, be amended by striking out the following paragraph:

"The said Board in its discretion shall have power to finally discharge any girl in its custody after she shall have attained the age of eighteen years if the Board shall determine that such discharge is for the best interests of the girl or of the school, and after such discharge the Board shall be relieved of all further liability for such girl."

INDUSTRIAL SCHOOL FOR COLORED GIRLS OF
DELAWARE

CHANGE OF NAME, ETC.

and inserting in lieu thereof a new paragraph to read as follows:

The said Board in its discretion shall have power to discharge finally any girl in its custody, if the Board shall determine such discharge to be for the best interests of the girl or of the school. After such discharge, the Board shall be relieved of all liability for any such girl.

Approved April 16, 1943.

CHAPTER 142

FREE PUBLIC SCHOOLS

PRESIDENT OF UNIVERSITY OF DELAWARE, TO BE EX OFFICIO A
MEMBER OF THE STATE BOARD OF EDUCATION

**AN ACT TO AMEND CHAPTER 71, REVISED CODE OF
DELAWARE, 1935, RELATING TO FREE PUBLIC
SCHOOLS BY MAKING THE PRESIDENT OF THE UNI-
VERSITY OF DELAWARE, EX OFFICIO, A MEMBER
OF THE STATE BOARD OF EDUCATION.**

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

Section 1. That 2623 Sec. 1 Article 1 Chapter 71, Revised Code of Delaware be amended by adding a new paragraph to said section reading as follows:

The President of the University of Delaware shall be, ex officio, a member of said State Board of Education, and shall serve in a consulting and advisory capacity only. He shall have no vote nor shall he receive any compensation for serving as a member of said State Board of Education.

Approved March 10, 1943.

CHAPTER 143

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF
EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

**AN ACT PROVIDING FOR THE ELECTION OF BOARDS OF
SCHOOL TRUSTEES OF SCHOOL DISTRICTS AND
BOARDS OF EDUCATION OF SPECIAL SCHOOL
DISTRICTS.**

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

Section 1. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby amended by repealing (but only in so far as the same shall apply to the Counties of Kent and Sussex) the following section thereof: 2643. Section 21.

Section 2. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby amended by adding after 2643. Section 21 of said Chapter, the following new section to be known as 2643A. Section 21A, as follows:

2643A. Section 21A. In each School District in the Counties of Kent and Sussex, 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 Districts and shall exercise the powers granted to Trustees by this Chapter. The said Board of School Trustees of Kent and Sussex Counties shall be composed of four members, who shall be citizens of the State of Delaware and residents of the said School District. The Board of School Trustees shall be elected from the residents of the several School Districts in Kent and Sussex Counties by the qualified voters of that District at the annual election, which shall be held on the second Saturday in May, between the hours of one and five o'clock in the afternoon. The present Board of School Trustees of each School District in Kent and Sussex Counties shall, by this Act be appointed to serve, and shall act as the Board of School Trustees of said School District from and after the passage hereof until the Board of School Trustees are duly elected and qualify; and that at the annual election held on the

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

second Saturday in May, 1943, after the passage of this Act, four members of the Board of School Trustees in each School District of Kent and Sussex Counties shall be elected, one of whom shall be elected for one year, one for two years, one for three years and one for four years from the first day of July next succeeding their election; and the person receiving the highest number of votes shall be elected for the term of four years, the person receiving the next highest number of votes, for a term of three years, the person receiving the third highest number of votes, for a term of two years, and the person receiving the fourth highest number of votes for a term of one year. At each annual election thereafter the successor of every member of the Board of School Trustees in each School District in Kent and Sussex Counties shall be elected by the qualified voters of said School District for a term of four years from the first day of July next succeeding their election and until their respective successors qualify.

In the event that there are not any nominations filed for members of the Board of School Trustees in any School District in Kent or Sussex Counties as hereinafter provided, and an election of Board of School Trustees is not held in any of the School Districts in Kent and Sussex Counties on the second Saturday in May, 1943 after the passage of this Act, the present Board of School Trustees in any School District in Kent and Sussex Counties shall by this Act be appointed to serve and shall act as the Board of School Trustees for the following terms, the member of the Board of School Trustees whose present term expires on the first day of July, 1943 shall serve for a term of four years, the member whose term expires on the first day of July, 1946 for a term of three years, the member whose term expires on the first day of July, 1945 for a term of two years, the member whose term expires on the first day of July, 1944 for a term of one year, and at each annual election thereafter the successor of every member of the Board of School Trustees in each of the said School Districts in Kent and Sussex Counties shall be elected as hereinbefore provided.

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

The annual school election in each of said School Districts of Kent and Sussex Counties shall be conducted by the members of the Board of School Trustees of each School District. The Chairman of the Board of School Trustees of each School District shall preside at the election and two other members of the said Board of School Trustees shall be judges of the election. Provided, that if, for any reason, one or more members of the Board of School Trustees should be unable to serve as election officers, the said Board of School Trustees shall designate another person, or persons, to sit in such capacity. And provided, further, that should the Board of School Trustees of any School District fail or neglect to provide election officers at such election, the voters present, when the polls open, shall designate and appoint election officers to conduct the election in such School District. The School election shall be held at the principal school house in the respective School Districts.

At least twenty days before an election as hereinbefore fixed, the Clerk of the Peace of Kent County and the Clerk of the Peace of Sussex County shall cause to be published in at least two newspapers published within his County notice of said School District elections, stating the offices to be filled, the date when nominations shall be filed, and the date and place of each School District election. The Clerk of the Peace of Kent County and the Clerk of the Peace of Sussex County shall also cause like notices to be posted in ten public places of each School District.

At least fifteen days before the day of election as hereinbefore fixed, nominations shall be filed with the Clerk of the Peace in the County where the respective School District is located, provided, however, if said School District is located partly in Kent County and partly in Sussex County nominations shall be filed with the Clerk of the Peace of the County where the principal school house or building is located. The said nominations shall be in writing signed by at least fifteen citizens and residents of said School District. The school election shall be by ballot and the Clerk of the Peace shall cause to be printed ballots which shall contain the names of all persons nominated which

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

shall be entered alphabetically and without party designation. The Clerk of the Peace shall deliver or cause to be delivered such ballots to the persons appointed or selected to hold the election on or before the opening of the polls, and every qualified voter calling for a ballot shall receive one from the persons holding the election.

Every person desiring to vote at said elections shall have all the qualifications as provided for by Article 17 of this Chapter. The voter shall not vote for more candidates than are to be voted for at the election and in voting shall cross out the names of all candidates which he or she does not desire to vote for. 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 to the office for the term stated. In case of a tie, the persons holding the election shall, by a majority vote, decide which of the candidates so tied shall be elected.

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 voting, 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 Board of School Trustees of said School District, and it shall be evidence in any Court of Law and Equity. All ballots cast and the records of the elections shall be preserved in the custody of the Election Board for a period of ten days. The ballots and other needed election supplies shall be provided by the Clerk of the Peace and paid for by the Levy Court, including the costs of publication and notices.

A vacancy on a Board of School Trustees for any cause shall be filled by the remaining members of the Board of School Trustees for the unexpired term. Any member ceasing to be a resident of his respective School District, his office shall, thereupon, become vacant.

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF
EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

Section 3. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by repealing (but only in so far as the same shall apply to the Counties of Kent and Sussex) the following section thereof: 2655. Section 33.

Section 4. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby amended by adding after 2655. Section 33 of said Chapter, the following new section to be known as 2655A. Section 33A:

2655A. Section 33A. The general administration and supervision of the free public schools and educational interests of each Special School District in Kent County and Sussex County shall be vested in a Board of Education which shall be composed of four members, who shall be citizens of the State of Delaware and residents of said Special School District and shall be elected by the qualified voters of said Special School District at the annual election which shall be held on the second Saturday in May, between the hours of one and five o'clock in the afternoon. The present Board of Education of each Special School District in Kent County and Sussex County shall, by this Act, be appointed to serve and shall act as the Board of Education of said Special School District, from and after the passage hereof until the Board of Education are duly elected and qualify; and that at the annual election held on the second Saturday in May, 1943 after the passage of this Act, four members of the Board of Education in each Special School District of Kent County and Sussex County shall be elected, one of whom shall be elected for one year, one for two years, one for three years and one for four years from the first day of July next succeeding their election; and the person receiving the highest number of votes shall be elected for the term of four years, the person receiving the next highest number of votes, for a term of three years, the person receiving the third highest number of votes, for a term of two years, and the person receiving the fourth highest number of votes for a term of one year. At each annual election thereafter the suc-

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

cessor of every member of the Board of Education in each Special School District in Kent County and Sussex County shall be elected by the qualified voters of said Special School District for a term of four years from the first day of July next succeeding their election and until their respective successors qualify.

In the event that there are not any nominations filed for members of the Board of Education in any Special School District in Kent or Sussex Counties as hereinafter provided, and an election of a Board of Education is not held in any of the Special School Districts in Kent and Sussex Counties on the second Saturday in May, 1943 after the passage of this Act, the present Board of Education in any Special School District in Kent and Sussex Counties shall, by this Act, be appointed to serve and shall act as the Board of Education for the following terms, the member of the Board of Education whose present term expires on the first day of July, 1943 shall serve for a term of four years, the member whose term expires on the first day of July, 1946 for a term of three years, the member whose term expires on the first day of July, 1945 for a term of two years, the member whose term expires on the first day of July, 1944 for a term of one year, and at each annual election thereafter the successor of every member of the Board of Education in each of the said Special School Districts in Kent and Sussex Counties shall be elected as hereinbefore provided.

The Annual School Election in each of said Special School Districts of Kent County and Sussex County shall be conducted by the members of the Board of Education of each Special School District. The President of the Board of Education of each Special School District shall preside at the election and two other members of the said Board of Education shall be judges of the election. Provided, that if, for any reason, one or more members of the Board of Education should be unable to serve as election officers, the said Board of Education shall designate another person or persons to sit in such capacity. And provided, further, that should the Board of Education of any Special School District fail

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF
EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

or neglect to provide election officers at such election, the voters present, when the polls open, shall designate and appoint election officers to conduct the election in such Special School District. The School election shall be held at the principal school house or building in the respective Special School Districts.

At least twenty days before an election as hereinbefore fixed, the Clerk of the Peace of Kent County and the Clerk of the Peace of Sussex County shall cause to be published in at least two newspapers published within his County notice of said Special School District elections, stating the offices to be filled, the date when nominations shall be filed and the date and place of each Special School District election. The Clerk of the Peace of Kent County and the Clerk of the Peace of Sussex County shall also cause like notices to be posted in ten public places of each Special School District.

At least ten days before the day of election as hereinbefore fixed, nominations shall be filed with the Clerk of the Peace in the County where the respective Special School Districts are located, provided, however, if said Special School District is located partly in Kent County and partly in Sussex County nominations shall be filed with the Clerk of the Peace of the County where the principal school house or building is located. The said nominations shall be in writing signed by at least fifteen citizens and residents of said Special School District. The school election shall be by ballot and the Clerk of the Peace shall cause to be printed ballots which shall contain the names of all persons nominated, which shall be entered alphabetically and without party designation. The Clerk of the Peace of Kent County and the Clerk of the Peace of Sussex County shall deliver or cause to be delivered such ballots to the persons appointed or selected to hold the election on or before opening of the polls, and every qualified voter calling for a ballot shall receive one from the persons holding the election.

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

Every person desiring to vote at said elections shall have all the qualifications as provided for by Article 17 of this Chapter. The voter shall not vote for more candidates than are to be voted for at the election and in voting shall cross out the names of all candidates which he or she does not desire to vote for. 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. In case of a tie, the persons holding the election shall, by a majority vote, decide which of the candidates so tied shall be elected.

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 voting, 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 Board of Education of said Special School Districts and it shall be evidence in any Court of Law and Equity. All ballots cast and the records of the Election shall be preserved in the custody of the Election Board for a period of ten days. The ballots and other needed election supplies shall be provided by the Clerk of the Peace of the respective counties and paid for by the Levy Court including costs of publication and notices.

A vacancy on a Board of Education for any cause shall be filled by the remaining members of the Board of Education for the unexpired term. Any member ceasing to be a resident of his respective School District, his office shall thereupon, become vacant.

Section 5. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by repealing (but only in so far as the same shall apply to the Counties of Kent and Sussex) the following section thereof: 2656. Section 34.

Section 6. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is further amended by adding after

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF
EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

2656. Section 34 of said Chapter, the following new section to be known as 2656A. Section 34A:

2656A. Section 34A. In Kent and Sussex Counties whenever a new Special School District shall be created and erected the State Board of Education shall at once appoint four suitable persons to be members of the Board of Education of such Special School District who shall take office immediately and serve under the provisions of this Act until the first day of July following the next Special School District election, and until their respective successors qualify. At the next Special School District election after such appointment there shall be four members elected, one of whom shall be elected for one year, one for two years, one for three years and one for four years from the first day of July following such election and until their respective successors qualify, such election to be held as hereinbefore provided.

Section 7. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by repealing (but only in so far as the same shall apply to the Counties of Kent and Sussex) the following section thereof: 2635. Section 13.

Section 8. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by adding after 2635. Section 13 of said Chapter, the following new section to be known as 2635A. Section 13A:

2635A. Section 13A. In Kent and Sussex Counties, when consolidation has been effected, the State Board of Education shall select from the Boards of Education or Boards of School Trustees of the Districts so consolidated four suitable persons to be members of the new Board who shall take office immediately and serve under the provisions of this Act until the first day of July following the next school election, and until their respective successors qualify. At the next school election after such appointment there shall be four members elected, one of whom

FREE PUBLIC SCHOOLS

BOARDS OF TRUSTEES OF SCHOOL DISTRICTS AND BOARDS OF EDUCATION OF SPECIAL SCHOOL DISTRICTS TO BE ELECTED

shall be elected for one year, one for two years, one for three years and one for four years from the first day of July following such election and until their respective successors qualify, such election to be held as hereinbefore provided.

In the case of any consolidation as aforesaid, it shall be lawful for the State Board of Education to transfer as much of the budget allowance for the remainder of the biennium covered by the school budget as would have been required for the maintenance of the school that is eliminated by such consolidation to the transportation account for use in the transportation to and from school of pupils in the consolidated district.

Approved April 2, 1943.

CHAPTER 144

FREE PUBLIC SCHOOLS

SCHOOL ATTENDANCE

AN ACT TO AMEND CHAPTER 71 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED "FREE PUBLIC SCHOOLS" IN RELATION TO SCHOOL ATTENDANCE.

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

Section 1. That Chapter 71 of the Revised Code of Delaware, 1935, be and the same is hereby amended by adding at the end of 2767 Section 145 a new paragraph to be known as 2767-A Section 145-A as follows:

2767-A Section 145-A. That the Board of School Trustees in each school district and the Board of Education in each special school district are hereby authorized to reduce the minimum school year in their respective school district or special school district to one hundred forty (140) days.

Section 2. This Act shall become effective immediately upon approval by the Governor and shall remain in force until six months after the termination of the present War in which the United States is engaged or until the termination of the present emergency by proclamation of the Governor, whichever event shall happen first, at which time the regulations and requirements in respect to school attendance which were in force prior to the effective date of this Act shall be restored and shall thereafter have the full force and effect of law.

Section 3. All acts or parts of acts inconsistent herewith are hereby repealed in so far as such inconsistency exists.

Approved April 26, 1943.

CHAPTER 145

FREE PUBLIC SCHOOLS

ROSEHILL-MINQUADALE SCHOOL NO. 47 AUTHORIZED TO BORROW
MONEY AND ISSUE BONDS

**AN ACT AUTHORIZING THE ROSEHILL-MINQUADALE
SCHOOL DISTRICT NO. 47 NEW CASTLE COUNTY TO
BORROW MONEY AND ISSUE BONDS THEREFOR FOR
THE CONSTRUCTION OF ADDITIONAL FACILITIES AT
THE MINQUADALE SCHOOL.**

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

Section 1. That the Board of School Trustees of Rosehill-Minquadale School District No. 47, New Castle County, and its successors in office be and it is hereby authorized and empowered to borrow at its discretion a sum of money not to exceed twenty-five thousand dollars (\$25,000.00) to be used for the construction of additional facilities at the Minquadale School.

Section 2. That the Board of School Trustees of Rosehill-Minquadale School District No. 47, New Castle County, shall have full power and authority to issue and sell Bonds of the said Board of School Trustees in an amount not exceeding, in the aggregate, the sum of twenty-five thousand dollars (\$25,000.00), and said Bonds shall be known by whatever name the Board of School Trustees shall determine.

Section 3. That the said Bonds shall be authorized by a resolution of the Board of School Trustees and shall be issued in one or more series, shall bear such date or dates, mature at such time or times, not exceeding twenty-five (25) years from their respective dates, bear interest at such rate or rates, not exceeding four and one-half (4½%) per centum per annum, payable at such time, be in such denominations, and payable at such place or places as such resolution or subsequent resolutions may provide. The Bonds may or may not be coupon Bonds and may or may not be registered Bonds, as the said Board of School Trustees shall determine. Any or all of said Bonds may be redeemed at the option of the Board of School Trustees at par and accrued

FREE PUBLIC SCHOOLS

ROSEHILL-MINQUADALE SCHOOL NO. 47 AUTHORIZED TO BORROW MONEY AND ISSUE BONDS

interest at any interest period after the expiration of five (5) years from the date of said Bonds; provided, however, that if the said Board of School Trustees shall elect to redeem any or all of said Bonds as aforesaid, such redemption shall be made in pursuance of a notice signed by the Chairman and one other member of the Board of School Trustees, published once a week for two consecutive weeks in a newspaper or newspapers published and circulating in New Castle County, Delaware. Such notice shall indicate the Bonds called, and in making such call or calls for redemption the said Board of School Trustees shall begin with the lower numbers and select serially the Bonds to be called, and, provided further, that if the Bonds issued under the provisions of this Act shall be "Registered Bonds", such Bonds shall not be called until two weeks after notice has also been sent in writing by registered letter to the registered owners of the Bonds to be called.

The interest on any of said Bonds so called shall cease from the date named in any of said calls for redemption.

Section 4. That the Board of School Trustees shall direct and effect the preparation and sale of the Bonds which are authorized by this Act at such time or times and upon such terms as the said Board of School Trustees may deem expedient. Provided that such Bonds may, in no event, be sold for less than their face value and, provided that the said Board of School Trustees shall sell and dispose of the same on the most advantageous terms obtainable after having advertised the same in at least two daily papers published in the State of Delaware for at least three consecutive issues in each paper. All monies arising from the sale of said Bonds shall be used for the purpose of carrying out the provisions of this Act.

Section 5. That the form of said Bonds with the coupons that may be attached thereto shall be prescribed by resolution of the Board of School Trustees, and said Bonds shall be signed by the Chairman and Secretary of the Board of School Trustees and sealed with some seal which the Board of School Trustees

FREE PUBLIC SCHOOLS

ROSEHILL-MINQUADALE SCHOOL NO. 47 AUTHORIZED TO BORROW MONEY AND ISSUE BONDS

are hereby authorized to select and adopt as their own for this purpose and shall be exempt from State, County and municipal taxes. As said Bonds and coupons attached thereto shall be paid, the same shall be cancelled as the said Board of School Trustees shall direct.

Facsimile signatures of the Chairman and Secretary of the Board of School Trustees may be imprinted upon the coupons that may be attached to said Bonds in lieu of the respective signatures of the said Chairman and Secretary.

Section 6. That the faith and credit of Rosehill-Minquadale School District No. 47, New Castle County, shall be deemed to be pledged for the due payment of all of the Bonds and interest thereon that may be issued under the provisions of this Act.

Section 7. That the said Board of School Trustees shall be and hereby is authorized to provide funds for the payment of the interest and annual payments on such Bonds which without further authority shall be provided for by an additional tax levy on the real and personal property subject to taxation for county purposes in Rosehill-Minquadale School District No. 47, New Castle County, and by a poll tax on all persons twenty-one years of age and upward residing in the District of such amount as shall be determined by the Board of School Trustees of the aforesaid District.

The rules governing the assessment and collection of taxes for the purpose of discharging the indebtedness represented by the Bonds authorized by this Act shall, in so far it is reasonable, be the same in all respects as the rules which govern the Board of School Trustees at present in respect to the taxes for the purpose of raising additional funds for the maintenance and operation of the Minquadale School, except that the Receiver of Taxes and County Treasurer of New Castle County shall pay the proceeds of any such tax so levied directly to the Board of School Trustees of Rosehill-Minquadale School District No. 47, New Castle County, who shall give the aforesaid Receiver of

FREE PUBLIC SCHOOLS

ROSEHILL-MINQUADALE SCHOOL NO. 47 AUTHORIZED TO BORROW MONEY AND ISSUE BONDS

Taxes and County Treasurer a receipt for those funds, which receipt shall operate as a complete discharge to the aforesaid County officer from his responsibility for these funds: Provided that the sums levied and assessed under and by virtue of this Section shall not exceed the interest on the Bonds then outstanding and the par value of the Bonds called in for that year by more than twenty (20%) per centum of the aggregate amount of said interest and par value of said Bonds.

Section 8. That all monies collected by virtue of the provisions of this Act either from the sale of Bonds or from taxes levied for the discharge of the indebtedness represented by these Bonds shall be deposited and kept in the Farmers Bank, at Wilmington, until they are used by the Board of School Trustees to effect the provisions of this Act.

Section 9. That any Bond issued pursuant to this Act may contain a recital that it is issued pursuant to this Act, which recital shall be conclusive evidence of its validity and of the regularity of its issuance.

Section 10. That before any Bonds shall be authorized and issued under the provisions of this Act, a Special Election shall be held in the Minquadale School Building in the same manner as other school Elections, of which Election notice shall be given by advertisements published in at least two newspapers in New Castle County at least once a week for at least two weeks before the day of said Election; the last publication thereof to be at least five days before the said Election, and also by notice posted on the door of the Minquadale School. In all of said advertisements and notices the amount of Bonds proposed to be issued and the purposes and reasons therefor shall be set forth plainly and in detail. At such Election there shall be provided a sufficient number of ballots on which shall be printed the words "For the Bond Issue" and an equal number of ballots on which shall be printed the words "Against the Bond Issue", and each voter shall be entitled to receive both of said ballots, one of which the voter may deposit as his or her ballot. But any voter may pre-

FREE PUBLIC SCHOOLS

ROSEHILL-MINQUADALE SCHOOL NO. 47 AUTHORIZED TO BORROW MONEY AND ISSUE BONDS

pare his or her own ballot and deposit that in lieu of the ballot provided as aforesaid. The polls for said Election shall be opened at one o'clock P. M. of the day advertised for the said Election according to said advertisements and remain open until eight o'clock P. M. of the said day and the said Election shall be held by such persons as shall be designated by the Board of School Trustees of Rosehill-Minquadale School District No. 47, New Castle County, and if the persons so designated are not present at the time for opening the polls, the voters present may, by viva voce vote, name election officers consisting of an inspector, two judges and two tellers to hold said Election.

At the conclusion of said Election immediately after eight o'clock P. M. the ballot box shall be opened and the election officers shall count the votes in public and publicly announce the result of the Election. The result so announced shall immediately be certified, in writing, to the Board of School Trustees and shall be conclusive in the determination of the rights of the Board of School Trustees in respect to this Act, except that upon the application of twenty-five (25) voters of the aforesaid District filed with the Board of School Trustees before the expiration of one week from the date of the Election an appeal may be taken to the Board of School Trustees of Rosehill-Minquadale School District No. 47, New Castle County, on any question of the qualification of electors who voted at the aforesaid School Election or any question as to whether or not a majority of the votes was obtained either for or against the Bond issue.

An appeal from the decision of the Board of School Trustees may be taken to the Resident Judge of New Castle County, provided that it is taken by means of a written application within one week from the determination of the appeal to the Board of School Trustees.

In all cases the determination of the Resident Judge of New Castle County upon the facts in dispute shall be final and conclusive.

Approved April 2, 1943.

CHAPTER 146

FREE PUBLIC SCHOOLS

BOUNDARIES OF CERTAIN SPECIAL SCHOOL DISTRICTS CHANGED

**AN ACT CHANGING THE BOUNDARIES OF CERTAIN
SPECIAL SCHOOL DISTRICTS.**

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

Section 1. Any school district whose school is now closed or shall be closed by the State Board of Education, shall become a part of the consolidated or special school district or districts to which the children from the school district whose school is closed are sent by the State Board of Education. Whenever the State Board of Education shall send the children from a closed school district to more than one school, they shall divide the closed district and designate the consolidated or special school district that each part or portion of said closed district as divided shall become a part of.

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

Approved April 22, 1943.

Fish, Oyster & Game

CHAPTER 147

GAME

SEASON EXTENDED FOR CATCHING AND KILLING MUSKRATS

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, RELATIVE TO FISH, OYSTERS AND GAME; BY EXTENDING THE SEASON FOR CATCHING AND KILLING MUSKRATS ON EMBANKED MEADOW OR MARSH IN NEW CASTLE COUNTY TO APRIL 1st, 1943.

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

That Chapter 74 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the last five words of line fourteen, all of line fifteen, sixteen and the first three words of line seventeen of the second paragraph of 2821, Sec. 20 of the Revised Code of Delaware, 1935 and inserting in lieu thereof the following:

provided that in cases of embanked meadow or marsh in New Castle County the date shall be from December 1st, 1942 to April 1st, 1943 and thereafter from December 1st to March 20th next following.

Approved March 10, 1943.

CHAPTER 148

GAME

RELATING TO THE TAKING AND TRAPPING OF MUSKRATS AND
OTHER FUR BEARING ANIMALS

**AN ACT REGULATING THE TRAPPING AND TAKING OF
MUSKRATS AND OTHER FUR BEARING ANIMALS IN
AND ADJACENT TO BROADKILN CREEK FROM THE
TOWN OF MILTON TO THE DELAWARE BAY.**

*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 trap or take muskrats or other fur bearing animals from any lands adjacent to Broadkiln Creek, from the corporate limits of the town of Milton to the Delaware Bay, or from the banks of Broadkiln Creek, from the corporate limits of the town of Milton to the Delaware Bay, without first obtaining the consent of the owner of said lands or the banks of said Creek. The failure of any person, trapping or taking muskrats or other fur bearing animals, as aforesaid, to produce the consent in writing of the land owner or the owner of the bank on which traps are set for muskrats or other fur bearing animals are taken shall be prima facie evidence of the violation of this act.

Section 2. Any person found guilty of the violation of this act shall be guilty of a misdemeanor and shall pay a fine of not less than twenty dollars nor more than two hundred dollars, at the discretion of the court.

Approved March 30, 1943.

CHAPTER 149

GAME

SALE OF BULL FROGS PERMITTED

AN ACT TO AMEND ARTICLE 1 OF CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO FISH, OYSTERS AND GAME, BY PERMITTING THE SALE OF BULL FROGS.

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

Section 1. That Article 1 of Chapter 74 of the Revised Code of Delaware, 1935, be and the same hereby is amended by adding a new Section to follow immediately after 2835. Sec. 34, to be known as 2835 (a) Sec. 34 (a) as follows:

2835 (a) Sec. 34 (a). **Sale of Bull Frogs Permitted:** Notwithstanding any other provisions of this Chapter it shall be lawful to sell Bull Frogs lawfully taken or killed under the provisions of this Chapter and to buy and possess Bull Frogs in any quantity, which have been lawfully taken or killed under the provisions of this Chapter.

Approved March 10, 1943.

CHAPTER 150

GAME

TRAINING OR BREAKING OF DOGS

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED "FISH, OYSTERS AND GAME" IN RELATION TO THE TRAINING OR BREAKING OF DOGS.

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

Section 1. That Chapter 74 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of 2869. Sec. 68. and inserting in lieu thereof a new section to be known as 2869. Sec. 68, as follows:

2869. Sec. 68. Training or Breaking Dogs Lawful; Exception; Proviso; Unlawful to Carry Gun, When:—It shall be lawful for the owner or custodian of any bird, rabbit, or fox dog, to train and break the same, at any time of the year daylight or night, except during the months of March, April, May, June, July and August. Provided, that while training or breaking dogs, the owner or custodian thereof exercises reasonable precaution to keep such dogs in control, and if any such dog or dogs shall, during such training, wander off and out of control of the owner or custodian without his fault, such dog or dogs shall not be deemed to be running at large within the meaning of this Section. Any dog or dogs killing any game protected by the laws of this State, during the closed season, while so training, the owner or custodian shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than Two Dollars nor more than Five Dollars for each offense.

It shall be unlawful for any person to carry a gun while training a dog or dogs in closed game season.

Approved April 16, 1943.

CHAPTER 151.

OYSTERS

DREDGING FOR OYSTERS FROM NATURAL OYSTER BEDS

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, PROVIDING FOR A DELAWARE COMMISSION OF SHELL FISHERIES, AND BY DEFINING THE POWERS AND DUTIES THEREOF.

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

Section 1. That Chapter 131, Volume 42, Laws of Delaware, 1939, Chapter 180, Volume 41, Laws of Delaware, 1937, Chapter 181, Volume 41, Laws of Delaware, 1937, Chapter 203, Volume 40, Laws of Delaware, 1935, Chapter 205, Volume 40, Laws of Delaware, 1935, be and the same hereby are repealed.

Section 2. That 2897. Section 96., 2898. Section 97., 2899. Section 98., 2900. Section 99., 2902. Section 101., 2903. Section 102., 2904. Section 103., 2905. Section 104., 2906. Section 105., 2907. Section 106., 2908. Section 107., 2909. Section 108, 2911. Section 110., 2912. Section 111., 2913. Section 112., 2921. Section 120., 2922. Section 121., 2923. Section 122., 2924. Section 123., 2925. Section 124., 2926. Section 125., 2927. Section 126., 2935. Section 134., 2940. Section 139., 2941. Section 140., 2942. Section 141., 2943. Section 142., 2944. Section 143., 2946. Section 145., 2947. Section 146., 2948. Section 147., 2949. Section 148., 2952. Section 151., 2953. Section 152., 2955. Section 154., 2956. Section 155., 2957. Section 156., 2958. Section 157., 2964. Section 163., 2965. Section 164., 2966. Section 165., 2967. Section 166., 2968. Section 167., 2969. Section 168., 2975. Section 174., 2976. Section 175., 2977. Section 176., 2978. Section 177., of Chapter 74 of the Revised Code of Delaware, 1935, be and the same hereby are repealed.

Section 3. **Commission Established:**—The Delaware Commission of Shell Fisheries is hereby created.

Section 4. **Appointment; Qualifications; Terms of Office; Vacancies:**—The Governor shall appoint five (5) persons who shall constitute the said Commission. Two (2) of the persons

OYSTERS

DREDGING FOR OYSTERS FROM NATURAL OYSTER BEDS

so appointed shall be actually engaged in the shellfish industry as planters or shippers, or owners or lessee of land on which shellfish are produced. The fifth (5th) member of the said commission shall be the Collector of Oyster Revenue, who shall be a member of the said Commission during the full term of service as Collector of Oyster Revenue.

Within ten (10) days after the passage and approval of this Act, the Governor of the State of Delaware shall appoint two (2) members to the said Commission whose term of office shall be designated to expire in two (2) years, and the Governor shall also appoint two (2) other members whose term of office shall be designated to expire in three (3) years. Upon the expiration of the terms first designated, the Governor shall appoint the succeeding members for a full term of three (3) years each. Any vacancies occurring shall be filled by the Governor for the unexpired term.

No more than three members of said Commission shall be of the same political party.

Section 5. Meetings; Officers; Compensation; Mileage:—
The Commission shall meet in the Court House in Dover, at such times as its rules may prescribe, and at such times and places within the State as in its judgment may be deemed necessary. The Commission shall elect one of its members President, and shall elect one of its members Secretary; the said officers shall hold office for one (1) year, or until their successors shall be duly elected and qualified.

The members of the said Commission shall receive no compensation for their services, but shall be allowed all necessary expenses in carrying out their duties as members of said Commission, including mileage of five (5) cents per mile, going to and from their residences to the point of service, and returning therefrom; the State Treasurer, upon the warrant of the Commission, shall pay the said expenses.

OYSTERS

DREDGING FOR OYSTERS FROM NATURAL OYSTER BEDS

Section 6. Duties; Powers; Making and Enforcing Regulations; Reports:—The Delaware Commission of Shell Fisheries shall have full control and direction of the shellfish industry and of the protection of shellfish throughout the entire State. The said Commission shall have the power by affirmative vote of a majority of the Commission to adopt, promulgate, amend, and repeal regulations consistent with the law, which shall be enforced by members of the Commission, the Captain or Masters of guard boats, guards, special inspectors employed by the Commission, and any police officer or constable, for the following purposes: (a) To preserve and improve the shellfish industry of the State of Delaware. (b) To operate, cultivate, and replenish on the oyster or clam grounds or beds in waters within the jurisdiction of the State of Delaware. (c) To regulate, inspect, and approve any boat or vessel or equipment used in the shellfish industry in the State of Delaware. (d) To provide regulations for the replacement of any boat or vessel lost or destroyed which was licensed in the shellfish industry of the State of Delaware. (e) When deemed necessary to provide for the issuance of permits to persons engaged in the shellfish industry in the State and for the revocation for cause of such permits. (f) To provide for the preservation and improvement of the oyster and clam beds and grounds of the State.

Such regulations of the Commission shall have the force and effect of law and shall supersede all local ordinances and regulations heretofore or hereinafter enacted or adopted which are inconsistent therewith. A copy of every such regulation, giving the date that it takes effect, shall be filed with the Secretary of State, and shall be published in at least two newspapers of general circulation in the territory to be effected once a week for two weeks prior to the time the rule or regulation becomes effective, except in the case of an emergency when the Commission shall give such advance notice as in its opinion it may deem necessary or desirable. The Commission shall file an Annual Report with the Governor, setting forth therein all receipts and expenditures. The said report shall also contain any recommendations of the said Commission.

OYSTERS

DREDGING FOR OYSTERS FROM NATURAL OYSTER BEDS

Section 7. Fees; Charges:—The Commission shall have the right to establish fees or charges for the taking of shellfish from any of the said waters within the limits of the State of Delaware, to be fixed on a unit basis of not more than five (5) cents per bushel of any shellfish taken from the said waters. The Commission shall have the right to issue such permits as it deems necessary to persons engaged in the shellfish industry in the State, and shall establish fees or charges for the same.

All such fees or charges under the provisions of this Act shall be remitted to the State Treasurer who shall place moneys so collected in the General Fund of the State of Delaware.

Section 8. Expenses; Indebtedness:—The Commission may incur such expenses as it may consider proper to fully carry out the provisions of this Act; provided, however, the said Commission shall not contract any indebtedness or obligations which cannot be met by funds immediately available to its use, as in this Act provided.

Section 9. Payment of Expenses:—For the purposes set forth in this Act there is hereby appropriated a sum of money equal to fifty (50) percent of the receipts of the said Commission which shall be drawn upon warrants of the said Commission and certified to the State Treasurer.

Section 10. Examination of Witnesses; Perjury; Subpoenas:—The Commission by its presiding officer may administer oaths and examine witnesses under oath in any part of the State, in any matter relating to the shellfish industry. Any person who, having been sworn, willfully gives false testimony, shall be guilty of Perjury. For the purpose of this section the Commission may issue subpoenas signed by its President and Secretary, requiring the attendance of witnesses and the production of books and papers in any part of the State before it. Any person who, being served with a subpoena issued pursuant to this section, shall fail to attend, or if he attends, refuses to testify without cause, shall be liable to a penalty of Two Hundred Dollars (\$200.00) for each and every offense.

OYSTERS

DREDGING FOR OYSTERS FROM NATURAL OYSTER BEDS

Section 11. Cooperating State Agencies:—The Captain of the guard boat, guards, and other employees of the Collector of Oyster Revenue, shall in addition to their other duties, cooperate with the Commission in carrying out the provisions of this Act.

Section 12. Crabs and Crabbing:—The Commission shall not have authority over crabs or crabbing. And the Commission shall not make rules or regulations concerning crabs or crabbing.

Section 13. Violations; Penalties:—Any person, firm, or corporation, violating any of the rules and regulations of the Commission, shall upon conviction thereof, be fined not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00), and costs of the prosecution. Provided, that, for the violation of any of the rules and regulations of the Commission by a non-resident of this State, the minimum fine shall be Two Hundred Dollars (\$200.00). If any person shall fail to pay any fine or costs imposed under the provisions of this Act, such person shall be committed to jail for a period of not less than thirty (30) days and not exceeding ninety (90) days. Upon a second 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 or permit of the convicted person for a period of one (1) year from the date of the said second conviction.

Every person, other than employees of the Commission, members of the said Commission, and peace officers, who shall arrest or secure the arrest and the conviction of any violator of the rules and regulations of the Commission shall receive one-half of the fine imposed and collected for the violation for which he makes or secures the arrest and conviction.

Section 14. All Acts or parts of Act inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Section 15. This Act shall take effect May 1, 1943.

Approved April 26, 1943.

CHAPTER 152

OYSTERS

CATCHING AND TAKING OYSTERS FROM BROADKILL RIVER AND
ITS TRIBUTARIES REGULATED**AN ACT REGULATING THE CATCHING AND TAKING OF
OYSTERS FROM BROADKILL RIVER AND ITS TRIBUTARIES BY REGULATING THE SIZE AND AMOUNT OF
OYSTERS TAKEN, AND FIXING A TAX ON THE
AMOUNT CAUGHT.**

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

Section 1. From and after the passage and approval of this Act, it shall be unlawful to catch or take any oysters by dredges, tongs or otherwise from Broadkill River or its tributaries which are less than two and one-half inches ($2\frac{1}{2}$ ") in length. All oysters caught or taken from said river or its tributaries, shall be culled in the stream of water of at least two (2) feet deep at mean low water.

Section 2. No boat shall take or catch more than twenty-five (25) bushel of oysters from said Broadkill River or its tributaries in any one day provided that there shall be an allowance of twenty percent (20%) of the total catch made for waste.

Section 3. Any person or persons who shall catch or take any oysters from said Broadkill River or its tributaries, shall pay to the collector of Oyster Revenue the sum of two cents (\$.02) per bushel, and if the said oysters are sold, then an additional tax of three cents (\$.03) per bushel should be paid by the purchaser to whom the oysters are sold.

Section 4. It shall be unlawful to take or catch any oysters commonly known as plants from the said Broadkill River or its tributaries.

Section 5. No oysters shall be taken or caught from the said Broadkill River or its tributaries, except during the period from October 1, to the following March 31, both dates inclusive.

OYSTERS

CATCHING AND TAKING OYSTERS FROM BROADKILL RIVER AND ITS TRIBUTARIES REGULATED

Section 6. Any person or persons convicted of violating any provisions of this Act shall, upon conviction thereof, be fined not less than twenty-five dollars (\$25.00), nor more than fifty dollars (\$50.00), or imprisoned not less than five (5) days, nor more than twenty (20) days, or be both fined and imprisoned at the discretion of the court.

Approved March 10, 1943.

CHAPTER 153

LOBSTERS

**AN ACT FOR THE CONSERVATION AND PROTECTION OF
LOBSTERS.**

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

Section 1. No person, firm or corporation shall take in any manner whatsoever from the public waters of this State, including the waters of the Atlantic Ocean within three (3) nautical miles of the coast line, or have in his or her possession any lobster measuring less than 3 1/8 inches measured from the rear end of the eye socket along a line parallel to the center line of the body shell to the rear of the body shell, or any spawning lobster.

Section 2. No person, firm or corporation shall take, possess, sell, possess for sale, or offer for sale, any lobster measuring less than 3 1/8 inches as specified in Section 1 of this Act, whether caught within the jurisdictional limits of this State or otherwise.

Section 3. Any person, firm or corporation shall be fined not more than \$5.00 for each lobster taken, possessed, sold, possessed for sale or offered for sale by him, her or it in violation of the provisions of this Act, or be imprisoned not more than fifteen (15) days for each such offense.

Approved April 15, 1943.

CHAPTER 154

FISHING IN DELAWARE RIVER AND DELAWARE BAY
CLOSED SEASON FOR CATCHING FISH, CHANGEDAN ACT TO AMEND CHAPTER 74, REVISED CODE OF
DELAWARE, 1935, RELATING TO FISH, OYSTERS AND
GAME CHANGING THE CLOSED SEASON FOR THE
CATCHING OF FISH.

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

Section 1. That 2987. Sec. 186, Article 6, Chapter 74, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the following words at the end of said section and contained in lines ten, eleven, twelve, thirteen and fourteen reading as follows:

And provided further that it shall be unlawful for any person to catch and take fish in the manner provided for herein from the tenth day of June to the first day of July in each year.

Approved April 15, 1943.

CHAPTER 155

FISHING IN DELAWARE RIVER AND DELAWARE BAY
CLOSED SEASON FOR CATCHING FISH, CHANGEDAN ACT TO AMEND CHAPTER 74, REVISED CODE OF DEL-
AWARE, 1935, RELATING TO FISH, OYSTERS AND
GAME. CHANGING THE CLOSED SEASON FOR THE
CATCHING OF FISH.

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

Section 1. That 2994. Sec. 193, Article 6, Chapter 74, Re-
vised Code of Delaware, 1935, be and the same is hereby amended
by striking out all of the last sentence of the first paragraph of
said section reading as follows:

It shall also be unlawful for any person to catch and take
or to attempt to catch and take, any trout or weak fish from the
waters aforesaid with a net of any character between the tenth
day of June in each year and the first day of July thence next
ensuing.

Approved April 15, 1943.

CHAPTER 156

FISHING IN WATERS OTHER THAN THE DELAWARE RIVER AND DELAWARE BAY

TAKING STRIPED BASS OR ROCK FISH FROM THE NANTICOKE RIVER BY MEANS OF NET, PROHIBITED

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF THE STATE OF DELAWARE, PROHIBITING THE TAKING OF STRIPED BASS OR ROCK FISH FROM THE NANTICOKE RIVER OF THE STATE OF DELAWARE, BY MEANS OF NETS.

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 thereto the following:

"That from and after the passage of this Act, it shall be unlawful for non-residents to take striped bass or rock fish from the Nanticoke River with a drift net, gill net or haul seine, at any time during the calendar year."

Section 2. Any person violating the provisions of the foregoing Section shall be deemed guilty of misdemeanor and upon conviction thereof be subject to a fine of Two Hundred Dollars (\$200.00), together with a forfeiture of all nets, boats and other appliances used.

Approved March 23, 1943.

CHAPTER 157

CRABS

**AN ACT FOR THE CONSERVATION AND PROTECTION OF
SOFT SHELL, PEELER AND HARD SHELL CRABS.**

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

Section 1. No person, firm or corporation shall take, possess, sell, possess for sale, or offer for sale any soft shell crab measuring less than three and one-half inches across the shell from tip to tip of spike, or any peeler crab or hard shell crab measuring less than three inches across the shell from tip to tip of spike.

Section 2. Any person, firm or corporation shall be fined not more than Five Dollars (\$5.00), and in default of the payment of the said fine and costs shall be imprisoned for not less than ten days for each peeler, hard shell or soft shell crab taken, possessed, sold, possessed for sale or offered for sale by him or it in violation of the provisions of this act.

Approved April 13, 1943.

Regulations Concerning Trade

CHAPTER 158

WEIGHTS AND MEASURES

AN ACT TO AMEND CHAPTER 82 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO WEIGHTS AND MEASURES BY GIVING THE POWER OF ARREST TO THE REGULATORS OF WEIGHTS AND MEASURES, AND MAKING MISREPRESENTATIONS AS TO QUANTITY IN CONTAINERS A MISDEMEANOR AND INCREASING THE PENALTY FOR SECOND OFFENSES.

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

Section 1. That 3423, Section 5 of Chapter 82 of the Revised Code of Delaware, 1935, as amended, be amended by adding thereto a new paragraph as follows, to-wit:

Each Regulator shall have the power within his respective jurisdiction to make arrests for all violations of Chapter 82 of the Revised Code of Delaware, 1935, as amended. The Deputies of the respective Regulators shall have the same power.

Section 2. That 3428, Section 10 of Chapter 82 of the Revised Code of Delaware, 1935, as amended, be amended by striking out and repealing all of said section and substituting in lieu thereof a new section to be known as 3428, Section 10:

3428. Sec. 10. New Castle County; Violations of Chapter, Misdemeanors; Penalty; Disposition of Fines:—In case any user or owner of such beams, scales, weights and measures within the County of New Castle, in this State, shall refuse or neglect to comply with any of the requisitions which the said regulator is

WEIGHTS AND MEASURES

by this Chapter authorized or directed to make or shall knowingly sell or buy any false beams, scale, weight, or measure; or shall purposely alter any beam, scale, weight, or measure, so that the capacity is diminished or increased after the same shall have been adjusted and stamped; or shall, in buying or selling, knowingly use any beam, scale, weight, or measure, so altered, or shall purposely alter any beam, scale, weight, or measure so as to impair the adjustment thereof after the same shall have been adjusted and stamped; or shall knowingly have in his possession any beam, scale, weight, or measure so altered as aforesaid; or shall knowingly buy, sell, use, or barter by any beam, scale, weight, or measure, or other weighing or measuring apparatus that has not been duly adjusted and stamped as aforesaid; or shall knowingly make, use, or have in possession any false stamp or brand for stamping any beams, scales, weights, or measures, he or they shall be guilty of a misdemeanor and upon conviction thereof shall, for the first offense, be fined not less than ten or more than twenty dollars or imprisoned for a term not exceeding ten days, and, for every subsequent offense, be imprisoned for a term not exceeding thirty days. One-half of all fines recovered for violations of any of the provisions of Sections 8 to 12, inclusive, of this Chapter, shall be paid by the officer receiving the same to the informer and the other half to the Treasurer of New Castle County.

Any person, partnership or corporation fraudulently misrepresenting the amount of a commodity contained in a package, bag, box or any other kind of container displayed for sale, exhibited for sale, or offered for sale, or sold by said person, partnership or corporation and which said package, bag, box or other container shall contain less than the amount of the quantity of the commodity so represented shall be guilty of a misdemeanor and shall be fined for the first offense not less than ten dollars or more than twenty dollars or imprisoned for a term not exceeding ten days and for every subsequent offense be imprisoned for a term not exceeding ten days.

Approved February 19, 1943.

CHAPTER 159

PARENTS AND CHILDREN

DUTY OF PARENTS TO SUPPORT MINOR CHILDREN

**AN ACT RELATING TO THE LEGAL DUTY OF PARENTS TO
SUPPORT THEIR MINOR CHILDREN.**

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

Section 1. The legal duty to support a minor child shall rest solely upon the father if he is living and able to provide such support, but if the father is not living or is unable to provide such support then such duty shall rest upon the mother if she is living and able to provide such support. Such duty to support shall not exceed the amount necessary to provide for the essential needs of the minor child, such as food, clothing, shelter, medical expenses and reasonable education.

All Acts or parts of Acts inconsistent herewith to the extent of such inconsistency are hereby repealed.

Approved March 19, 1943.

CHAPTER 160

EMPLOYERS AND EMPLOYEES

HOURS OF LABOR OF FEMALE EMPLOYEES REGULATED

**AN ACT TO AMEND 3592 SECTION 2 OF CHAPTER 90 OF
THE REVISED CODE OF DELAWARE 1935 REGULAT-
ING THE HOURS OF LABOR OF FEMALE EMPLOYEES.**

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

Section 1. That 3592 Section 2 of Chapter 90 of the Revised Code of Delaware 1935 be and the same hereby is amended by striking out, where they appear in the first paragraph of said section, the words "no female shall be employed or permitted to work in any mechanical or manufacturing establishment, laundry, baking or printing establishment, office or dressmaking establishment between the hours of ten o'clock P. M. and six o'clock A. M. of the following day" and substituting in lieu thereof the following:

No female shall be employed or permitted to work in any mechanical or manufacturing establishment, laundry, baking or printing establishment, office or dressmaking establishment between the hours of eleven o'clock P. M. and six o'clock A. M. of the following day.

Approved March 12, 1943.

CHAPTER 159

PARENTS AND CHILDREN

DUTY OF PARENTS TO SUPPORT MINOR CHILDREN

**AN ACT RELATING TO THE LEGAL DUTY OF PARENTS TO
SUPPORT THEIR MINOR CHILDREN.**

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

Section 1. The legal duty to support a minor child shall rest solely upon the father if he is living and able to provide such support, but if the father is not living or is unable to provide such support then such duty shall rest upon the mother if she is living and able to provide such support. Such duty to support shall not exceed the amount necessary to provide for the essential needs of the minor child, such as food, clothing, shelter, medical expenses and reasonable education.

All Acts or parts of Acts inconsistent herewith to the extent of such inconsistency are hereby repealed.

Approved March 19, 1943.

CHAPTER 160

EMPLOYERS AND EMPLOYEES

HOURS OF LABOR OF FEMALE EMPLOYEES REGULATED

**AN ACT TO AMEND 3592 SECTION 2 OF CHAPTER 90 OF
THE REVISED CODE OF DELAWARE 1935 REGULAT-
ING THE HOURS OF LABOR OF FEMALE EMPLOYEES.**

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

Section 1. That 3592 Section 2 of Chapter 90 of the Revised Code of Delaware 1935 be and the same hereby is amended by striking out, where they appear in the first paragraph of said section, the words "no female shall be employed or permitted to work in any mechanical or manufacturing establishment, laundry, baking or printing establishment, office or dressmaking establishment between the hours of ten o'clock P. M. and six o'clock A. M. of the following day" and substituting in lieu thereof the following:

No female shall be employed or permitted to work in any mechanical or manufacturing establishment, laundry, baking or printing establishment, office or dressmaking establishment between the hours of eleven o'clock P. M. and six o'clock A. M. of the following day.

Approved March 12, 1943.

CHAPTER 161

EMPLOYERS AND EMPLOYEES

HOURS OF LABOR OF FEMALE EMPLOYEES REGULATED

AN ACT TO AMEND CHAPTER 90 OF THE REVISED CODE OF DELAWARE, 1935, IN REFERENCE TO FEMALE EMPLOYEES, BY ALLOWING LONGER HOURS OF WORK DURING THE WAR EMERGENCY; AND PROVIDING FOR THE RETURN TO REGULATIONS NOW IN FORCE.

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

Section 1. That 3592. Section 2 of Chapter 90 of the Revised Code of Delaware, 1935, as amended, be and the same hereby is amended by adding a new paragraph to follow immediately after the last paragraph of 3592. Section 2 as follows:

None of the provisions of this Chapter prohibiting or regulating the employment of females or the labor of females in any mechanical or manufacturing establishment, laundry or baking establishment, between the hours of 11:00 o'clock P. M. and 7:00 o'clock A. M. of the following day shall apply during the period of the present war in which the United States is engaged and for six months thereafter, or until the Governor shall proclaim a termination of the present emergency, whichever event shall happen first.

Approved April 16, 1943.

CHAPTER 162
EMPLOYERS AND EMPLOYEES
CHILD LABOR

AN ACT TO AMEND CHAPTER 90, ARTICLE 3, OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO CHILD LABOR; BY CHANGING THE HOURS OF EMPLOYMENT IN CERTAIN CASES.

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

Section 1. That Chapter 90, Article 3, of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of 3616. Sec. 26 of said Chapter 90, Article 3, of the Revised Code of Delaware, 1935, and inserting in lieu thereof the following:

3616. Sec. 26. No child to whom an employment certificate—general or provisional—has been issued shall be employed, permitted or suffered to work in, about or in connection with any establishment or in any occupation before the hour of 6:00 A. M. or after the hour of 7:00 P. M., except that a child may be employed, permitted or suffered to work in a bowling alley setting up pins after the hour of 6:00 A. M. and before the hour of twelve o'clock midnight; and, further, except that a child may be employed, permitted or suffered to work on and from any vehicle delivering milk or cream after the hour of 5:00 A. M. and before the hour of 12:00 midnight; nor for more than six days or more than forty-eight hours in any one week; nor more than eight hours in any one day, nor without at least thirty minutes continuous rest between 11:30 A. M. and 2:00 P. M., except that in any event such rest period shall come not later than after five hours of work. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein.

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed, insofar as the inconsistency may appear only.

Approved March 9, 1943.

CHAPTER 163

EMPLOYERS AND EMPLOYEES

ARCHITECTS, ENGINEERS, CONTRACTORS, SUB-CONTRACTORS AND
THEIR AGENTS, ETC.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT PROHIBITING ARCHITECTS, ENGINEERS, CONTRACTORS, SUB-CONTRACTORS AND THEIR AGENTS FROM PAYING OUT, USING OR APPROPRIATING MONEYS AND FUNDS RECEIVED FOR THE ERECTION, CONSTRUCTION, ALTERATION, COMPLETION AND REPAIR OF BUILDINGS AND FOR ADDITIONS THERETO BEFORE FIRST PAYING IN FULL OR PRO RATA ALL CLAIMS DUE TO SURVEYORS, ENGINEERS AND PERSONS FURNISHING LABOR AND MATERIAL," THE SAME BEING CHAPTER 169, VOLUME 38, LAWS OF DELAWARE AND ARTICLE 8, CHAPTER 90 OF THE REVISED CODE OF DELAWARE, 1935.

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

Section 1. That Article 8, Chapter 90 of the Revised Code of Delaware, 1935, be and the same hereby is amended by repealing 3652 Sec. 62 thereof and by inserting in lieu thereof a new section to be known as 3652 Sec. 62 as follows:

3652 Sec. 62. Moneys Received for Erection of Building Declared Trust Funds; Unlawful to Use or Pay out Said Funds Until All Claims Due for Labor and Materials are Paid:—All moneys or funds whatsoever received by a contractor in connection with a contract for the erection, construction, completion, alteration or repair of any building or for additions to a building and all moneys or funds whatsoever received by a contractor in connection with a contract for the sale of land and the erection, construction, completion, alteration or repair of any building or addition thereon, are hereby declared to be trust funds in the hands of such contractor. The term "contractor" as herein used shall include, but shall not be limited to, an architect, engineer, real estate broker or agent, sub-contractor or other person, firm, association of persons or corporation, who shall enter into any

EMPLOYERS AND EMPLOYEES

ARCHITECTS, ENGINEERS, CONTRACTORS, SUB-CONTRACTORS AND THEIR AGENTS, ETC.

contract with another person, firm, association of persons or corporation for the erection, construction, completion, alteration or repair of any building or for additions to a building, by such contractor, or, for the sale to such other person, firm, association of persons or corporation of any lands and premises, whether owned by such contractor or another, upon which such contractor undertakes to erect, construct, complete, alter or repair any building or addition to a building. The term "moneys or funds" as herein used shall include, but shall not be limited to, the entire amount of all moneys or funds received by a contractor, as herein defined, who, being the owner of the legal title to lands and premises, shall receive, in connection with a contract for the sale thereof and for the erection, construction, completion, alteration or repair of any building or addition thereon by such contractor, any moneys or funds by way of a loan or advance upon the security of such lands and premises for the purpose of such erection, construction, completion, alteration or repair and/or who shall receive from the other contracting party or vendee any deposit or sum of money on account of the purchase or contract price. For the purpose of this Article, no part of such moneys or funds, as herein defined, shall be deemed or construed applicable to the payment of the cost or selling price of land, unless that part of the contract price or selling price applicable to cost or selling price of land, be specifically so stated in such contract.

It shall be unlawful for any contractor, as above defined, or any agent of such contractor, to pay out, use or appropriate any of such moneys or funds until the same have first been applied to the payment of the full amount of all moneys due and owing by such contractor to all persons, firms, association of persons or corporations (including surveyors and engineers) furnishing labor and/or material (including fuel) for the erection, construction, completion, alteration or repair of, or for additions to, such building, whether or not said labor and/or material entered into or became a component part of any such building or addition and whether or not the same were furnished on the credit of such building or addition or on the credit of such contractor.

EMPLOYERS AND EMPLOYEES

ARCHITECTS, ENGINEERS, CONTRACTORS, SUB-CONTRACTORS AND THEIR AGENTS, ETC.

Section 2. That Article 8, Chapter 90 of the Revised Code of Delaware, 1935, be and the same hereby is amended by repealing 3653. Sec. 63 thereof and by inserting in lieu thereof a new section to be known as 3653 Sec. 63 as follows:

3653 Sec. 63. Penalty For Violation:—Any contractor, as above defined, or any agent of such contractor, who shall pay out, use or appropriate, or who shall consent to the paying out, use or appropriation of any such moneys or funds, prior to paying in full or pro-rata to the extent of the moneys or funds so received as aforesaid, all the lawful claims of all persons, firms, associations of persons or corporations (including surveyors and engineers) furnishing labor and/or materials (including fuel), as aforesaid, shall be guilty of a misdemeanor and upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars or be sentenced to imprisonment for a term not exceeding three years, or both.

Section 3. That Article 8, Chapter 90 of the Revised Code of Delaware, 1935, be and the same hereby is amended by repealing 3654 Sec. 64 thereof and by inserting in lieu thereof a new section to be known as 3654 Sec. 64 as follows:

3654 Sec. 64. Failure to Pay Prima Facie Evidence of Misuse of Trust Funds:—Failure of a contractor, as above defined, or of an agent of such contractor, to pay or cause to be paid, in full or pro-rata, as aforesaid, the lawful claims of all persons, firms, association of persons or corporations (including surveyors and engineers), so furnishing labor and/or material (including fuel), as required by this Article, within thirty (30) days after the receipt of any moneys or funds as aforesaid, for the purposes aforesaid, shall be prima facie evidence of the payment, use or appropriation of such trust moneys or funds by such contractor in violation of the provisions of this Article.

EMPLOYERS AND EMPLOYEES

ARCHITECTS, ENGINEERS, CONTRACTORS, SUB-CONTRACTORS AND THEIR AGENTS, ETC.

Section 4. If any provision of this Act or the application thereof to any person or circumstances shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this Act which may be given effect without the invalid provision or application and to this end the several provisions of this Act are hereby declared to be severable.

Section 5. No act committed or criminal proceeding commenced, prior to the date of the approval of this Act shall be in any manner affected hereby but shall be governed by the law in force immediately prior to the approval hereof.

Approved March 12, 1943.

CHAPTER 164

EMPLOYERS AND EMPLOYEES

STATEMENT OF PAYROLL DEDUCTIONS TO BE FURNISHED

AN ACT TO REQUIRE EMPLOYERS TO FURNISH EMPLOYEES WITH A STATEMENT OF PAYROLL DEDUCTIONS AND TOTAL PAY DUE.

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

Section 1. All persons, partnerships, or corporations doing business in this State, which shall employ eight or more mechanics, laborers, or other servants, shall either, as part of the check, draft, or other voucher paying the wages, or in the event the wages are paid in cash, furnish the employee at the end of each pay period with a statement showing the total amount of deductions which have been made from the wages due. All deductions for War Bonds, Taxes which the Employer is required by Law to make, Relief and Loans, shall be specified.

Section 2. The effective date of this Act shall be July 1, A. D. 1943.

Approved April 15, 1943.

Titles to Real Property

CHAPTER 165

CONVEYANCES

ACKNOWLEDGMENTS OF DEEDS AND OTHER INSTRUMENTS

AN ACT AMENDING 3670 SECTION 13 OF CHAPTER 92 OF THE REVISED CODE OF DELAWARE 1935 IN REFERENCE TO THE ACKNOWLEDGMENT OF DEEDS AND OTHER INSTRUMENTS.

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

Section 1. That 3670 Section 13 of Chapter 92 of the Revised Code of Delaware 1935 be and the same hereby is amended by adding a new paragraph at the end of said section as follows:

In case any person executing a deed concerning lands, tenements, or hereditaments within this State, or any affidavit, or other statement requiring proof is a member of the armed forces of the United States or of any unarmed auxiliary thereto and is located in any foreign country, the acknowledgment of such deed or other instrument may be taken by any commanding officer of such person, provided that such commanding officer shall hold a rank of not less than First Lieutenant in the Army or Marine Corps or Ensign in the Navy or an equivalent rank in any unarmed auxiliary to any of such branches of service, and provided further that such commanding officer in addition to signing the certificate of such acknowledgment shall state his or her rank and branch of service.

Approved March 23, 1943.

CHAPTER 166

CONVEYANCES

LEGAL INSTRUMENTS WHICH HAVE NOT BEEN PROPERLY
ACKNOWLEDGED, MADE VALID

AN ACT TO MAKE VALID THE RECORD OF LEGAL INSTRUMENTS WHICH HAVE NOT BEEN PROPERLY ACKNOWLEDGED.

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

Section 1. That the record of all legal instruments which are dated prior to the first day of January, A. D. 1943, and which by law are directed to be recorded or are entitled to be recorded, and which have been duly executed by the proper party or parties, notwithstanding said instruments have not been acknowledged before an officer authorized by the laws of Delaware to take acknowledgements, or have not been otherwise properly acknowledged, or the acknowledgments of which, including the private examination of any married woman party thereto, have not been taken and certified in conformity with the laws of this State in force at the time each such instrument was executed, shall be and the same are hereby severally made as valid and effective in law as if each said instrument had been correctly acknowledged and the acknowledgment correctly certified; and the said record of each such instrument, or any office copy thereof, or the original instrument itself shall be admitted as evidence in all Courts of this State and shall be as valid and conclusive evidence as if such instrument had been in all respects acknowledged and the acknowledgment certified in accordance with the then existing law.

Approved March 19, 1943.

The General Police

CHAPTER 167

GENERAL PROVISIONS RESPECTING THE POLICE EXPLOSIVES

AN ACT TO REGULATE THE MANUFACTURE, SALE, DISTRIBUTION, USE AND POSSESSION OF EXPLO- SIVES.

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

Section 1. **Definitions.** As used in this Act:

(a) "Explosives" means gunpowders, powders used for blasting, high explosives, blasting materials, fuses (other than electric circuit breakers), detonators and other detonating agents, smokeless powder and any chemical compound or any mechanical mixture containing any oxidizing and combustible units, or other ingredients in such proportions, quantities, or packing that ignition by fire, friction, concussion, percussion or detonation of any part thereof may and is intended to cause an explosion, but shall not include fixed ammunition for small arms, firecrackers or matches, when the individual units contain any of the above-mentioned articles in such limited quantity or of such nature and in such packing that it is impossible to produce an explosion of such units to the injury of life, limb or property.

(b) "Person" includes any natural person, partnership, association or corporation.

(c) "Manufacturer" means any person who is engaged in the manufacture of explosives or who otherwise produces any explosive.

GENERAL PROVISIONS RESPECTING THE POLICE
EXPLOSIVES

(d) "Dealer" means any person, not a manufacturer, engaged in the business of buying and selling explosives.

(e) "Licensing authority" means the State Tax Commissioner or other officer designated as a licensing authority by the Governor.

Section 2. License.

No person shall manufacture, possess or deal in explosives unless he has obtained a license therefor pursuant to the provisions of Section 3 of this Act.

Section 3. Applications for Licenses.

(a) Application for a license to manufacture explosives shall be made to the Licensing Authority in such form as the Attorney General shall prescribe; and shall state, among other things: (1) the name and address of the applicant, (2) the reason for desiring to manufacture explosives, (3) his citizenship, if the applicant is an individual, (4) if the applicant is a partnership, the names and addresses of the partners and their citizenship, and (5) if the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship. The Licensing Authority shall issue the license applied for unless he finds that either the applicant, or the officers, agents or employees of the applicant, is not sufficiently experienced in the manufacture of explosives, lacks suitable facilities therefor, has been convicted of a crime involving moral turpitude, or is disloyal to the United States.

(b) Application for license to engage in the business of dealing in explosives shall be made to the said Licensing Authority in such form as the Attorney General shall prescribe and shall state, among other things: (1) the name and address of the applicant, (2) the reason for desiring to engage in the business of dealing in explosives, (3) citizenship, if an individual applicant, (4) if a partnership, the names and addresses of the partners and their citizenship, and (5) if an association or corporation the names and addresses of the officers and directors

GENERAL PROVISIONS RESPECTING THE POLICE EXPLOSIVES

thereof and their citizenship. The Licensing Authority shall issue the license applied for unless he finds that either the applicant, or the officers, agents or employees of the applicant, is not sufficiently experienced in the business of dealing in explosives, lacks suitable facilities therefor, has been convicted of a crime involving moral turpitude, or is disloyal to the United States.

(c) Application for license to possess explosives shall be made in writing to the Licensing Authority in such form as the Attorney General shall prescribe and shall state, among other things: (1) the name and address of the applicant, (2) the reason for desiring the license to possess explosives, (3) his citizenship, if the applicant is an individual, (4) if the applicant is a partnership, the names and addresses of the partners and their citizenship, and (5) if the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship. The Licensing Authority shall issue the license applied for unless he finds that either the applicant, or the officers, agents or employees of the applicant, is not sufficiently experienced in the handling of explosives, lacks suitable facilities therefor, has been convicted of a crime involving moral turpitude, or is disloyal to the United States.

Section 4. **Records.**

Manufacturers and dealers shall keep a record of all explosives shipped, purchased or sold by them, which record shall include the name and address of each consignee, vendor or vendee, the date of each shipment, sale or purchase, and the amount and kind of explosives shipped, sold or purchased. Such record shall be open for inspection by duly authorized agents of the Licensing Authority and by all federal, state and local law enforcement officers at all times.

Printed forms for reports necessary for the maintenance of all records required by this Act shall be furnished by the State Tax Department, and certified copy of any and all records required by this Act shall, upon request of the "Licensing Authority,"

**GENERAL PROVISIONS RESPECTING THE POLICE
EXPLOSIVES**

be submitted to the State Tax Commissioner within five (5) days after the date of said request.

Section 5. Sale to Unlicensed Persons.

No dealer shall sell, barter, give or dispose of explosives to any person who does not hold a license to possess explosives issued under the provisions of this Act.

Section 6. Revocation; Term of License; Fees.

(a) Any license issued hereunder may be revoked by the official issuing the same on any ground specified herein as a ground for denying an application for such license.

(b) All licenses issued hereunder shall expire on the thirty-first day of May of each calendar year unless sooner revoked.

(c) Each application for a license hereunder shall be accompanied by the fee hereinafter prescribed, which fee shall be returned in the event such application is denied.

The license fees shall be as follows:

Manufacturer's license Five Dollars (\$5.00)

Dealer's license Two Dollars (\$2.00)

Possessors' license One Dollar (\$1.00)

Section 7. Rules and Regulations.

The Attorney General may prescribe such rules and regulations as he may deem necessary and proper for carrying out the provisions of this Act.

Section 8. Appeal.

Any person denied a license or whose license has been revoked by the Licensing Authority, shall have the right to an appeal to the Superior Court in the County wherein such person shall reside and such Court is hereby vested with jurisdiction to hear and determine the matter.

GENERAL PROVISIONS RESPECTING THE POLICE EXPLOSIVES

Section 9. Penalties.

Any person who violates any provision of this Act, or any rule or regulation made hereunder, shall, upon conviction, be imprisoned for a term of not more than three years, or shall be fined not more than One Thousand Dollars (\$1,000.00), or both, in the discretion of the Court.

Section 9A.

Any explosives in the possession of any person violating any provision of this Act, or any rule or regulation made hereunder, may be confiscated by the State at the direction of the Attorney General.

Section 10. Exceptions.

The provisions of this Act shall not apply to the armed forces of the United States, the National Guard, the Delaware State Guard or to officers or employees of the United States or of this state who are authorized by the United States or the state to handle explosives.

Nothing contained in this act shall apply to explosives while being transported upon vessels, vehicles or railroad cars, or while being held for delivery, provided such transportation and delivery is subject to and in conformity with the regulations prescribed by the Interstate Commerce Commission or the Bureau of Marine Inspection, Department of Commerce of the U. S. A. and provided further, that nothing in this act shall apply to the receipt, possession and use of signals required for the safe operation of vessels, motor vehicles, railroad cars or aircraft, by the operators of such vessels, motor vehicles, railroad cars and aircraft.

Section 11. Severability.

If any provisions of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall

**GENERAL PROVISIONS RESPECTING THE POLICE
EXPLOSIVES**

not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Section 12. Repeal.

All acts and parts of acts inconsistent with the provisions of this act and not expressly repealed herein are hereby repealed to the extent of such inconsistency only.

Section 13. Short Title.

This Act may be cited as the Explosives Act.

Section 14. Duration.

This Act, and all lawful regulations made under it, shall be in force until May 15, 1947; provided any violations of the Act, committed while the Act is in force, may be prosecuted and punished thereafter, whether or not this Act is in force at the time of such prosecution and punishment.

Approved April 2, 1943.

CHAPTER 168

JAILS AND WORKHOUSES

APPOINTMENT OF WARDEN FOR KENT COUNTY JAIL AUTHORIZED

AN ACT TO AMEND AN ACT ENTITLED "AN ACT AUTHORIZING THE APPOINTMENT OF A WARDEN FOR KENT COUNTY JAIL, DEFINING HIS POWERS AND DUTIES AND PROVIDING FOR THE FORMULATION OF RULES AND REGULATIONS FOR SAID JAIL," SAME BEING CHAPTER 216, VOLUME 43, LAWS OF DELAWARE, BY FURTHER DEFINING THE POWERS, DUTIES AND RESPONSIBILITIES OF THE LEVY COURT OF KENT COUNTY, THE SHERIFF OF KENT COUNTY AND THE WARDEN FOR KENT COUNTY JAIL.

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

Section 1. That Chapter 216, Volume 43, Laws of Delaware, be and the same is hereby amended by striking out all of Sections 2, 3, 4, 5, 6, 7 and 8 thereof and by inserting in lieu thereof new Sections designated as Sections 2 to 15 inclusive as hereinafter set forth.

Section 2. The person appointed Warden, as above provided, shall be of good moral character and experienced in the detention and handling of prisoners. He and his immediate family, which shall comprise his wife or housekeeper and his minor children only, shall occupy the official living quarters in the jail, which along with board, for him and his immediate family, shall be furnished by the Levy Court and paid for by funds provided by the County.

Section 3. The term of office of the said Warden for Kent County Jail shall be for six years, beginning the first Monday in January, 1943, and the term of office of each succeeding Warden shall likewise be for six years.

Section 4. In addition to the living expenses enumerated in Section 2, said Warden shall receive as an additional compensation for his services, the sum of Two Thousand Dollars annually, payable in equal monthly installments.

JAILS AND WORKHOUSES

APPOINTMENT OF WARDEN FOR KENT COUNTY JAIL AUTHORIZED

Section 5. The Levy Court of Kent County shall require the Warden so appointed to enter into bond with sufficient surety to the Levy Court of Kent County in the sum of Ten Thousand Dollars conditioned for the faithful discharge of his duties as such Warden of Kent County Jail. Said bond shall be approved by the Resident Judge of Kent County, and shall be recorded and indexed in the Continuance Docket in the Prothonotary's office for Kent County.

Section 6. The Warden above referred to is hereby authorized to appoint a Deputy Warden and a sufficient number of other employes to be used in a clerical capacity, or as keepers, or as both, to properly conduct the operation of the jail. The force referred to in this paragraph is not, however, to exceed six in number, exclusive of the Deputy Warden, and the Warden shall be responsible for the well conduct of the said Deputy Warden and the other employes so appointed.

In addition to the employes referred to above, the Levy Court of Kent County is authorized to appoint two additional employes, if it be by said Court deemed advisable to further the well conduct of the County affairs, for such time and at such salary as the Levy Court may direct, and said Court is authorized to pay same out of any County funds not otherwise appropriated.

Either the Warden or the Deputy Warden shall, at all hours of the day or night, be present on the jail property in order to more efficiently care for the operation of the institution. The Deputy Warden and other employes herein referred to shall receive for their services an annual salary to be fixed by the Levy Court of Kent County, said salary to be paid out of County funds by the said Levy Court, in equal monthly installments.

Section 7. Said Deputy Warden and the six other employes referred to in the first paragraph of Section 6 hereof shall hold office at the pleasure of the Warden, but shall not be discharged except for an infraction of the rules and if he be charged with the violation of any rule and discharged therefor, as herein provided, he shall, if he so elect, after five days written notice to the Court,

JAILS AND WORKHOUSES

APPOINTMENT OF WARDEN FOR KENT COUNTY JAIL AUTHORIZED

be given a hearing before at least three of the Judges of the Court of General Sessions in and for Kent County, which said Court shall either find the discharge justified or otherwise and take appropriate action thereunder.

Section 8. The Warden shall formulate written rules and regulations for the proper operation and maintenance of said jail as to the safe keeping of all prisoners. One set of rules shall apply to the conduct of prisoners, and one set of regulations shall define the duties of the Deputy Warden and other employes. These rules and regulations are to be as comprehensive as possible: Before such rules and regulations, however, shall become effective, the same shall be approved by the Associate Judge of the State of Delaware, Resident in Kent County. The said rules and regulations, aforesaid, when approved in the manner aforesaid, may be added to or amended or repealed, subject to the same procedure or provisions as applicable to the proper adoption of the original rules and regulations hereunder.

Section 9. All prisoners that may be sentenced or committed by a Justice of the Peace or by a duly qualified Alderman of any City or Town in Kent County may be delivered by the officer or officers having them in charge, to the Warden of the Kent County Jail, and all prisoners that may be sentenced or committed by the Court of Common Pleas of Kent County, the Court of General Sessions in and for Kent County and the Court of Oyer and Terminer held in Kent County, shall, except as by law otherwise provided, be committed to the custody of the Warden of the Kent County Jail, for carrying into effect the sentence imposed.

Under the provisions of this section, the board and lodging of all prisoners, sentenced and committed by a duly qualified Alderman of any City or Town in Kent County, shall be paid by said City or Town to the Levy Court of Kent County. The amount of said board and lodging is to be determined by the Levy Court. All moneys received under the provisions hereof shall be turned over by said Levy Court to the Receiver of Taxes and County

JAILS AND WORKHOUSES

APPOINTMENT OF WARDEN FOR KENT COUNTY JAIL AUTHORIZED

Treasurer for Kent County to be by him deposited to the credit of the General Fund of said County.

All prisoners now incarcerated in Kent County Jail, having been sentenced by the various Courts to the custody of the Sheriff of Kent County are hereby transferred by operation of law to the custody of the Warden of the Kent County Jail to be by him retained until such time as their original sentence shall have been carried into effect, unless otherwise provided by law.

Section 10. The said Warden, except as otherwise herein provided shall have charge, control and custody of all prisoners in Kent County Jail, and shall safely keep them for and during their terms of imprisonment, respectively, or until they be duly discharged.

The said Warden be and he is hereby authorized and empowered, under regulations promulgated by and under the direction of the Kent County Levy Court, to engage employment for any prisoner entrusted to his care in the trustworthiness of whom he is satisfied, from time to time, at such wages, and for such length of time and at such places as may be deemed advisable by the Levy Court during the term of the sentence of said prisoner. The employment referred to above, however, shall not extend beyond the boundaries of Kent County, and the moneys received for their services shall be allocated as the Levy Court may direct.

All prisoners incarcerated in Kent County Jail shall be compelled to labor at some inside or outside employment, if so directed by the Warden, under the rules referred to above, each day, Sundays excepted, unless said prisoner be physically unfit, and it shall be the duty of the Warden to collect the wages or compensation for the employment of said prisoner or prisoners, and to return such proportion of same to the County Treasurer, and to give such proportion of same to the prisoner at such time and in such proportions and amounts as the Levy Court of the County may direct.

JAILS AND WORKHOUSES

APPOINTMENT OF WARDEN FOR KENT COUNTY JAIL AUTHORIZED

Any employer, or any other person, who, through negligent control of said prisoner, or otherwise, shall counsel, advise, aid, assist, abet, or procure the escape of any prisoner employed outside the jail shall be guilty of a misdemeanor, and shall either be fined or imprisoned, or both fined and imprisoned at the discretion of the Court.

Any prisoner employed under the provisions of this Act shall be considered as in the legal custody of the said Warden, notwithstanding his, or her, absence from the jail by reason of such employment, and any employer of any such prisoner shall be considered as to him or her the representative of, or keeper for said Warden.

Section 11. All judgments or sentences considered and imposed by any Court sitting in and for Kent County, upon every person convicted of any crime, which judgments or sentences shall include, in whole or in part, either the corporal punishment of such person so convicted or the hanging of such person so convicted, shall be carried out and executed by the Warden of the Kent County Jail.

Section 12. On and after the first Monday in January, 1943, the board of prisoners shall be furnished by the Warden under the direction and control of the Levy Court of Kent County. All food necessary to properly feed the prisoners and all supplies and equipment for the jail or the prisoners or the keepers, of whatever nature, as well as all repairs for the jail and its furnishings and equipment shall be purchased by the Warden, under the direction and control of the Levy Court of Kent County, and all charges therefor shall be paid by the Levy Court from County funds.

Section 13. Whenever any vacancy shall occur in the office of Warden for any cause or reason whatsoever, other than the expiration of the term of office of said Warden, a new Warden shall be appointed for the unexpired term, by a majority of the Judges of the Court of General Sessions of the State of Delaware, not less than three of whom shall concur in said appointment.

JAILS AND WORKHOUSES

APPOINTMENT OF WARDEN FOR KENT COUNTY JAIL AUTHORIZED

No warden shall be removed for any cause except upon the verdict of three Judges of the Court of General Sessions of the State of Delaware who shall have power to hear and determine any charges placed against said Warden. Any Warden who shall be removed as a result of the findings by the said Judge of the Court of General Sessions shall be replaced by said Judges as hereinbefore provided.

Section 14. The Levy Court of Kent County, except as herein otherwise provided, shall have complete control and management of the said Kent County Jail. It shall provide suitable tools, implements, food, raiment, and all other necessary things for the safe keeping, maintenance and betterment of the inmates of said jail. It shall keep or have kept accurate books of account, showing in reasonable detail all items of the receipt and the expenditures of money in account with said jail and they shall be the sole authority for the expenditure of the moneys of Kent County incidental thereto.

Section 15. All custody and control whatever of prisoners in Kent County heretofore vested in the Sheriff of Kent County is hereby transferred to the Warden of Kent County, and all power heretofore vested in the Levy Court of Kent County in reference to same is specially retained by said Levy Court, in addition to the powers and duties herein vested in said Levy Court.

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

Approved January 27, 1943.

CHAPTER 169

JAILS AND WORKHOUSES

RELATING TO THE TRANSFER OF PRISONERS FROM THE NEW CASTLE COUNTY WORKHOUSE TO THE SUSSEX COUNTY JAIL, ETC.

AN ACT AUTHORIZING THE COURT OF GENERAL SESSIONS OR THE COURT OF OYER AND TERMINER, OF THE STATE OF DELAWARE, SITTING IN AND FOR SUSSEX COUNTY, TO RE-SENTENCE AND TRANSFER TO THE CUSTODY OF THE BOARD OF TRUSTEES OF THE PRISON, PRISON FARM, COURTHOUSE AND COURTHOUSE ANNEX OF SUSSEX COUNTY, PRISONERS COMMITTED TO, AND SERVING TERMS IN THE NEW CASTLE COUNTY WORKHOUSE, HERETOFORE COMMITTED TO THE CUSTODY OF THE BOARD OF TRUSTEES OF THE NEW CASTLE COUNTY WORKHOUSE, BY THE COURT OF GENERAL SESSIONS OR COURT OF OYER AND TERMINER, OF THE STATE OF DELAWARE, SITTING IN AND FOR SUSSEX COUNTY.

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

Section 1. That the Court of General Sessions or the Court of Oyer and Terminer, of the State of Delaware, sitting in and for Sussex County, be and is hereby authorized and fully empowered to re-sentence and transfer to the Custody of "The Board of Trustees of the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County," all prisoners committed to or serving terms in the New Castle County Workhouse, New Castle County, State of Delaware, heretofore committed to the custody of The Board of Trustees of the New Castle County Workhouse, by the Court of General Sessions or the Court of Oyer and Terminer of the State of Delaware, sitting in and for Sussex County.

Section 2. That the Board of Trustees of the New Castle County Workhouse, or the Warden of New Castle County Workhouse, upon order of either of the said Courts, or both, are hereby authorized and directed to bring before the said courts, sitting in and for Sussex County, such prisoners as mentioned in Section

JAILS AND WORKHOUSES

RELATING TO THE TRANSFER OF PRISONERS FROM THE NEW CASTLE COUNTY WORKHOUSE TO THE SUSSEX COUNTY JAIL, ETC.

1 of this Act, and as ordered by the Courts, and upon being re-sentenced as aforesaid, the said Board of Trustees of the New Castle County Workhouse, or the Warden of New Castle County Workhouse, shall deliver the said prisoners to the custody of The Board of Trustees of the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County, in accordance with the re-sentence and order of the Court.

Section 3. That the Levy Court of Sussex County shall pay to the said Board of Trustees of the New Castle County Workhouse all expenses incurred in carrying out the purposes of this Act, as approved by said Courts.

Approved March 10, 1943.

Courts

CHAPTER 170

JUDICIAL REPORTS

AN ACT TO AMEND CHAPTER 109 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO JUDICIAL REPORTS.

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

Section 1. That Chapter 109 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of 4256. Sec. 2. thereof, and inserting in lieu thereof a new section to be styled 4256. Sec. 2., as follows:

4256. Sec. 2. **Judicial Decisions; Equity; By Whom Reported:**—The Chancellor shall collect and publish such decisions of the Court of Chancery, the Orphans' Court in the respective counties, and appeals in the Supreme Court from the Court of Chancery and Orphans' Court, as in his judgment are proper to be reported, and shall print and publish the same in volumes of not less than four hundred pages, including an index. He shall deposit two hundred copies with the Secretary of State.

Section 2. That Chapter 109, of the Revised Code of Delaware, 1935, be and the same is hereby further amended by striking out and repealing all of Sec. 4259. Sec. 5. thereof and inserting in lieu thereof a new section to be styled 4259. Sec. 5., as follows:

4259. Sec. 5. **Payment for Reports Deposited With Secretary of State:**—Upon the receipt by the Governor of the certificate of the Secretary of State that the reports published by the Associate Judge resident in Kent County have been deposited in

JUDICIAL REPORTS

the office of the Secretary of State, as required by law, the Governor shall draw his warrant upon the State Treasurer, in favor of said Judge to pay for the same, for the sum of two thousand dollars; and upon the receipt by the Governor of the certificate of the Secretary of State that the reports published by the Chancellor have been deposited in the office of the Secretary of State, as required by law, the Governor shall draw his warrant upon the State Treasurer, in favor of said Chancellor, to pay for the same, for the sum of sixteen hundred dollars. There shall be allowed and paid to the Chancellor and the Associate Judge resident in Kent County, respectively, for reporting said decisions the sum of two hundred dollars per annum in addition to their respective salaries.

Approved April 22, 1943.

CHAPTER 171

ORPHANS' COURT

INVESTMENT OF TRUSTEES, GUARDIANS AND OTHER FIDUCIARIES

**AN ACT IN RELATION TO INVESTMENTS OF TRUSTEES,
GUARDIANS AND OTHER FIDUCIARIES AND TO
PROPERTY TAKEN OVER BY THEM, BEING AN
AMENDMENT TO CHAPTER 117 OF THE REVISED
CODE OF THE STATE 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 Section 35 of Chapter 117 of the Revised Code of Delaware (1935), being Section 4401 of said Code, as amended by Chapter 224, Volume 43, Laws of Delaware, be and the same is hereby further amended by striking out and repealing all of 4401. Section 35 of said Chapter 117, Revised Code of Delaware (1935) as contained in Chapter 224, Volume 43, Laws of Delaware, and inserting in lieu thereof the following new section to be known and styled as 4401. Section 35:

4401. Section 35. Investments of Fiduciaries.

(a) The provisions of this Section 35 shall govern trustees, guardians and other fiduciaries, hereinafter in this Section called "fiduciaries", acting under wills, agreements, court orders and other instruments now existing or hereafter made.

(b) In acquiring, investing, reinvesting, exchanging, retaining, selling and managing property for the benefit of another, fiduciaries shall exercise the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital. Within the limitations of the foregoing standard, fiduciaries are authorized to acquire and retain every kind of property, real, personal or mixed, and every kind of investment, specifically including but not by way of limi-

ORPHANS' COURT

INVESTMENT OF TRUSTEES, GUARDIANS AND OTHER FIDUCIARIES

tation, bonds, debentures and other corporate obligations, and stocks, preferred or common, which men of prudence, discretion and intelligence acquire or retain for their own account, and within the limitations of the foregoing standard, fiduciaries may retain property properly acquired, without limitation as to time and without regard to its suitability for original purchase.

(c) Nothing contained in this Section 35 shall be construed as authorizing any departure from, or variation of, the express terms or limitations set forth in any will, agreement, court order or other instrument creating or defining the fiduciary's duties and powers, but the terms "legal investment" or "authorized investment" or words of similar import, as used in any such instrument, shall be taken to mean any investment which is permitted by the terms of subdivision (b) of this Section 35.

(d) Nothing contained in this Section 35 shall be construed as restricting the power of a court of proper jurisdiction to permit fiduciaries to deviate from the terms of any will, agreement, or other instrument relating to the acquisition, investment, reinvestment, exchange, retention, sale or management of fiduciary property.

(e) A bank or trust company authorized to act in a fiduciary capacity and acting in such a capacity, other than merely as agent, may invest funds held by it for investment as fiduciary in fractional undivided interests in a common fund composed exclusively of property permitted for investment by the terms of sub-division (b) of this Section 35 and of cash, provided that such common fund shall have been created and is managed exclusively by such bank or trust company as trustee under a written plan of which an original executed by such bank or trust company has been filed and is recorded in the office of the Register in Chancery of the County in which such bank or trust company is located; and also provided that under such a plan it shall not be permitted that any such fractional interests shall at any time be owned by any other than such bank or trust company as fiduciary under will,

ORPHANS' COURT

INVESTMENT OF TRUSTEES, GUARDIANS AND OTHER FIDUCIARIES

under agreement, or for an insane person, or as guardian of a minor, or as executor or administrator; and also provided that at least once each three months, as of a predetermined date, the fair value of the assets of the common fund shall be ascertained, and that fractional interest in such common fund may only be acquired or redeemed on such predetermined dates or within two business days thereafter by payment, in the case of acquisition, of an amount in cash therefor, or in the case of redemption, of an amount in cash or in kind, or partly in cash and partly in kind, equal to its proportionate part of the fair value of the common fund, and also provided that at the time of the making of an investment in such common fund there shall not be held in the fund any asset which, because of the nature of such asset, the bank or trust company might not then properly purchase as an investment for the fiduciary account for which the investment in the common fund is made; and also provided that the bank or trust company shall not charge a fee or commission to the common fund for its management or receive any fees or commissions from any fiduciary estate which may be invested in a common fund other than those it would be entitled to receive if such estate were otherwise invested.

Approved March 10, 1943.

CHAPTER 172

COURT OF CHANCERY

RELATING TO COURT REPORTERS, COURT STENOGRAPHERS AND
EXPENSES OF THE COURT OF CHANCERY

AN ACT TO AMEND CHAPTER 117 OF THE REVISED CODE OF DELAWARE, 1935, BY REPEALING 4412 SEC. 46 THEREOF AS AMENDED BY CHAPTER 226, VOLUME 43 LAWS OF DELAWARE, AND 4413 SEC. 47 OF SAID CHAPTER OF SAID REVISED CODE, AND TO PROVIDE FOR COURT REPORTERS, OFFICE STENOGRAPHERS, AND FOR THE PAYMENT OF EXPENSES OF THE COURT OF CHANCERY 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 Section 46 of Chapter 117 of the Revised Code of the State of Delaware, 1935, being Code Section 4412, as amended by Chapter 226, Volume 43 Laws of Delaware, be and the same is hereby amended by repealing all of said Section, as amended, and substituting in lieu thereof the following new Section, to be known as 4412. Sec. 46:

4412. Sec. 46. Court Reporters; Office Stenographers; Expenses; Payment:—The Chancellor is authorized to appoint, and to remove at pleasure, not more than three skilled and competent stenographers to be designated as Court Reporters, whose duties shall be to attend the sessions of the Court of Chancery and the Orphans' Court in the several counties, and at hearings in Chambers of causes, petitions, or other matters properly heard by said Courts, before the Chancellor, the Vice-Chancellor, and the Judges of the Orphans' Court, and to report all evidence, opinions, and other matters as the Chancellor, the Vice-Chancellor, or the said Judges may order.

The Chancellor is authorized to appoint, and to remove at pleasure, not more than three competent stenographers to be designated as Office Stenographers, whose duties shall be to render to the Chancellor and the Vice-Chancellor such clerical, steno-

COURT OF CHANCERY

RELATING TO COURT REPORTERS, COURT STENOGRAPHERS AND
EXPENSES OF THE COURT OF CHANCERY

graphic, type-writing, and secretarial services as shall be required of them for the proper functioning of the Court of Chancery, including the duty, when assigned to do so by the Chancellor, to assist the Court Reporters in connection with the transcribing of evidence, opinions and other matters.

The Court Reporters, before entering upon their duties, shall take and subscribe the oath of office as required by the Constitution.

The Court Reporters and Office Stenographers shall severally receive as compensation for their services, to be paid in equal monthly installments by the State Treasurer, such amounts as the Chancellor shall from time to time determine.

The Chancellor shall certify to the State Auditor and State Treasurer the names and addresses of the several persons appointed as Court Reporters and Office Stenographers, the several dates of their appointments, and the monthly compensation to be paid to them as shall have been determined.

The Chancellor is empowered to adopt rules and regulations with respect to the charges to be made by Court Reporters for furnishing to solicitors or other interested parties, transcriptions of evidence, opinions, or records of trials, arguments, or hearings; and to adopt rules and regulations with respect to the purchase of supplies and equipment, the presentation of bills and vouchers for the payment thereof, and for other necessary expenses of the Court of Chancery; and bills for such supplies, equipment and other expenses shall be paid by the State Treasurer when approved in writing by the Chancellor.

If, by reason of illness or other proper cause, any of the Court Reporters or Office Stenographers shall be unable to perform the duties assigned to him, her, or them, and it shall be necessary for the transaction of the business of the Court of Chancery to employ a substitute, the Chancellor is authorized to designate and appoint a suitable and competent substitute to

COURT OF CHANCERY

RELATING TO COURT REPORTERS, COURT STENOGRAPHERS AND EXPENSES OF THE COURT OF CHANCERY

serve as a temporary Court Reporter or Office Stenographer for such time and for such compensation as he shall determine. Such substitute Court Reporter shall take the same oath of office as is required of a Court Reporter, and his acts shall have the same force and effect as if done by an official Court Reporter.

The payment of the compensation of the Court Reporters and Office Stenographers, and the payment of bills for office supplies, equipment, and other necessary expenses of the Court of Chancery, shall be made by the State Treasurer out of funds regularly appropriated for the operation and expenses of the Court of Chancery.

Section 2. That Section 47 of Chapter 117 of the Revised Code of the State of Delaware, 1935, being Code Section 4413 thereof, be and the same is hereby repealed.

Approved March 12, 1943.

CHAPTER 173

JUSTICES OF THE PEACE

ADDITIONAL JUSTICE OF THE PEACE FOR KENT COUNTY

AN ACT TO AMEND CHAPTER 119 OF THE REVISED CODE OF DELAWARE, 1935, BY PROVIDING FOR AN ADDITIONAL JUSTICE OF THE PEACE AND NOTARY PUBLIC FOR KENT COUNTY TO RESIDE IN THE TOWN OF HOUSTON.

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

Section 1. That Chapter 119, Revised Code of Delaware, 1935, as amended be further amended by adding a new paragraph at the end of 4446. Sec. 1. of said Chapter 119, Revised Code of Delaware, 1935, reading as follows:

That the Governor be and is hereby authorized to appoint an additional Justice of the Peace and Notary Public in and for Kent County to reside in the Town of Houston.

Approved April 9, 1943.

CHAPTER 174

JUSTICES JURISDICTION IN TRESPASS, REPLEVIN AND DETINUE CASES

FILING OF AFFIDAVIT BY DEFENDANT DENYING AGENCY OF OPERATOR PROVIDED FOR

AN ACT TO AMEND CHAPTER 122 OF THE REVISED CODE OF DELAWARE, 1935, RELATIVE TO JUSTICES' JURIS- DICTION IN TRESPASS, REPLEVIN AND DETINUE CASES, PROVIDING FOR FILING OF AFFIDAVIT BY DEFENDANT DENYING AGENCY OF OPERATOR.

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

Section 1. Amend Chapter 122 of the Revised Code of Delaware, 1935, by adding after 4545, Section 3, a new section to be known as 4545A, Section 3A, as follows:

4545A. Section 3A. When said statement of injury shall allege the operation of a vehicle by a servant, agent or employee of defendant, it shall not be necessary for the plaintiff at the trial to prove that the person operating said vehicle was a servant, agent or employee of the defendant or that said servant, agent or employee of the defendant was at the time of the occurrence for which said action is brought was operating said vehicle in and about the course of his duties as a servant, agent or employee of defendant, but the same shall be taken to be admitted as alleged in said statement of injury unless the defendant, or when there is more than one defendant, some one of the defendants, shall have filed at the latest upon the second day before the time fixed for trial an affidavit denying that the operator of said vehicle was operating the same as a servant, agent or employee of defendant, or that said operator of said vehicle was operating the same in and about the course of his duties as a servant, agent or employee of defendant.

Approved April 16, 1943.

CHAPTER 175

JUSTICES JURISDICTION IN FORCIBLE ENTRY,
DETAINER AND HOLDING OVERAN ACT TO AMEND SECTION 14 OF CHAPTER 123 OF THE
REVISED CODE OF DELAWARE, 1935, RELATING TO
JUSTICES' JURISDICTION IN FORCIBLE ENTRY, DE-
TAINER AND HOLDING OVER.

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

Section 1. That Section 14 of Chapter 123 of the Revised Code of Delaware, 1935, being Section 4570 of said Code, be, and the same hereby is, amended by striking out said Section and inserting in lieu thereof the following:

"4570. Sec. 14. **Holding Over After Notice to Quit; Demise How Laid:**—If any person who shall have demised any house, lands or tenements, for one or more years, or less time, or at will, or his heirs or assigns, shall, three months or upwards, before the end of such term or estate, or if any person who shall permit another to occupy or enjoy any house, lands or tenements by sufferance, or under such condition that the term of such occupancy is not fixed, or his heirs or assigns, shall, one month or upward before the time fixed for the termination of such occupancy in the notice hereafter referred to, give notice in writing to the tenant in possession under such demise, or to such occupant, to remove from the premises, such tenant or occupant or any person coming into possession under him, shall deliver full possession of the said premises to the lessor or to the person permitting such occupancy, or his heirs or assigns, at the end of the said term or estate or at the time fixed, or, in a case of occupancy by sufferance or in which the term of occupancy is not fixed, at the time specified in said notice; and if he shall fail to do so the case shall be within the provisions of this Chapter.

"In every case of a tenancy from year to year, whether such at first, or such by consent after a prior term ended, the

JUSTICES JURISDICTION IN FORCIBLE ENTRY,
DETAINER AND HOLDING OVER

demise may be alleged to be for the term of one year from the beginning of the year of the tenancy in which the notice to quit is given; but if the tenancy be created expressly by a written instrument, the demise must be laid according to the legal effect of the instrument. In the case of occupancy by sufferance or a case in which no term is fixed it shall be unnecessary that any demise be laid but the facts pertaining to such occupancy alone need be stated."

Approved April 22, 1943.

Civil Actions, Pleading and Practice

CHAPTER 176

PLEADING AND PRACTICE IN CIVIL ACTIONS

AFFIDAVIT MUST BE FILED BY DEFENDANT DENYING AGENCY OF OPERATOR, IN ACTIONS FOR DAMAGE ARISING OUT OF OPERATION OF ANY MOTOR VEHICLE

AN ACT TO AMEND CHAPTER 128 OF THE REVISED CODE OF DELAWARE, 1935, RELATIVE TO PLEADINGS AND PRACTICE IN CIVIL ACTIONS PROVIDING IN ALL ACTIONS FOR DAMAGE ARISING OUT OF THE OPERATION OF ANY VEHICLE AFFIDAVIT MUST BE FILED BY DEFENDANT DENYING AGENCY OF OPERATOR.

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

Section 1. Amend Chapter 128 of the Revised Code of Delaware, 1935, by adding to said Chapter after 4651, Section 9, a new section to be known as 4651A, Section 9A, as follows:

4651A. Section 9A. In any action arising out of the operation of any vehicle, in which it shall be alleged that the operator of said vehicle was a servant, agent or employee of the defendant, it shall not be necessary for the plaintiff on the trial to prove that the person operating said vehicle was a servant, agent or employee of the defendant or that said servant, agent or employee was at the time of the occurrence for which said action shall be brought, was operating said vehicle in and about the course of his duties as a servant, agent or employee of defendant, but the same shall be taken to be admitted on the record as alleged unless the defendant, or where there is more than one defendant, some one of the defendants, shall have filed, at or before the time when the pleas are filed in such action, or at such

PLEADING AND PRACTICE IN CIVIL ACTIONS**AFFIDAVIT MUST BE FILED BY DEFENDANT DENYING AGENCY OF
OPERATOR, IN ACTIONS FOR DAMAGE ARISING OUT OF
OPERATION OF ANY MOTOR VEHICLE**

other time as the court may allow, an affidavit denying that the operator of said vehicle was operating the same at the time of said occurrence as a servant, agent or employee of defendant, or that said operator of said vehicle was operating the same in and about the course of his duties as a servant, agent or employee of defendant.

Approved April 13, 1943.

CHAPTER 177

LIBEL

AN ACT TO LIMIT THE LIABILITY OF NEWSPAPERS FOR LIBEL.

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

Section 1. Libel Against Newspaper; Notice Before Action. Before any action either civil or criminal, is brought for the publication, in a newspaper of a libel, the plaintiff or prosecutor shall at least five days before instituting such action serve notice in writing on the defendant specifying the article and the statements therein which he alleges to be false and defamatory.

(a) Effect of Publication in Good Faith and Retraction. If it appears upon the trial that said article was published in good faith, that its falsity was due to an honest mistake of the facts, and that there were reasonable grounds for believing that the statements in said article were true, and that within ten days after the service of said notice a full and fair correction, apology and retraction was published in the same editions or corresponding issues of the newspaper in which said article appeared, and in as conspicuous a place and type as was said original article, then the plaintiff in such case, if a civil action, shall recover only actual damages, and if, in a criminal proceeding, a verdict of "guilty" is rendered on such a state of facts, the defendant shall be fined a penny and the costs, and no more.

Section 2. Anonymous Communications. The two preceding sections shall not apply to anonymous communications and publications.

Approved April 15, 1943.

Proceedings in Special Cases

CHAPTER 178

EJECTMENT

AN ACT TO AMEND CHAPTER 141 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO THE ACTION OF EJECTMENT.

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

Section 1. Sections 1, 2 and 3 of Chapter 141 of the Revised Code of Delaware, 1935, and any and all amendments thereto, be, and the same hereby are, repealed and the following Sections, to be designated in the said Code as 4983, Sec. 1, to 4985A, Sec. 3A, inclusive, are hereby substituted in lieu thereof:

4983. Sec. 1. The action of ejectment and the forms of pleading and rules of practice pertaining thereto as the same have heretofore existed in this State are hereby repealed.

4984. Sec. 2. The legal title to lands or to any tenements whereon entry can be made may be tried in an action of ejectment. The action shall be begun by filing in the office of the Prothonotary of the County in which said lands or tenements lie a petition setting forth the cause or causes of action of the plaintiff, a sufficient description of the lands and tenements claimed and such other facts as may be pertinent. If the premises for which the action is brought are actually occupied by any person such actual occupant shall be named defendant in the suit, and all other persons claiming title or interest to or in the same may be joined as defendants. If the premises are not occupied the action shall be brought against some person exercising acts of ownership on the premises claimed or claiming title thereto or some interest therein at the commencement of the suit. Upon the

EJECTMENT

filing of such petition a summons shall issue to the defendants named in said petition and the same shall be served by the Sheriff, together with a copy of said petition, upon the defendant or defendants in the usual manner. The said summons shall require the defendant therein to appear in said cause and to file his answer within twenty (20) days after the service of the said summons and petition upon him. The Sheriff shall make return of his service as soon as the same can be done, irrespective of any term or terms of Court.

The answer or answers of the defendant or defendants shall set forth all of the defenses in law or fact and any defenses in law may be heard by the Court at such time or in such manner as may be appropriate.

4985. Sec. 3. The Superior Court shall have authority to make any and all rules relating to practice or forms of pleading in such action and to make any and all orders with respect to bills of particulars or more definite statements by either or any of the parties or pertaining to discovery, intervention, surveys, or with respect to any other matter which may be necessary or appropriate in any such action.

4985A. Sec. 3A. **Tenant Being Served Shall Notify His Landlord; Penalty for Neglect.** If a tenant, being served with a petition in ejectment, neglect to give a notice thereof, without delay, to his landlord, or his agent, he shall be liable as is provided in Section 80 of Chapter 142.

Section 2. This act shall become effective upon its approval.

Approved April 16, 1943.

CHAPTER 179
LANDLORD AND TENANT
REMOVAL OF TOP FODDER

**AN ACT TO AMEND CHAPTER 142 OF THE REVISED CODE
OF DELAWARE, 1935, RELATING TO LANDLORD AND
TENANT, BY ALLOWING OUTGOING TENANT TO
REMOVE TOP FODDER.**

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

Section 1. That 5069. Sec. 84, of Chapter 142 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of paragraph (c) of the said Section and by substituting in lieu thereof the following:

(c) In the event the said outgoing tenant, or the tenant giving up possession, cuts, shocks, husks or reshocks said corn, he shall be privileged to feed the entire amount of said corn fodder grown on said farm that year, provided said corn fodder as aforesaid is fed upon the farm on which said corn was grown. Provided, however, that the outgoing tenant or the tenant giving up possession of any farm located in Kent or Sussex Counties may move from the said farm any corn fodder cut above the ear of corn commonly known as top fodder. In no event may the said outgoing tenant or the tenant giving up possession move from said farm any other corn fodder without first having obtained consent of the landlord or owner of said farm.

Approved April 16, 1943.

Crimes and Punishments

CHAPTER 180

OFFENSES AGAINST PUBLIC POLICY

PROHIBITING THE RECEIPT OF ANY CLOTHING, GOODS OR MERCHANDISE FROM ANY RELIEF UNIT, AND DISPOSITION OF SAME FOR CASH OR OTHERWISE

AN ACT PROHIBITING PERSONS RECEIVING CLOTHING, GOODS OR MERCHANDISE FROM ANY RELIEF UNIT IN THIS STATE FROM DISPOSING OF THE SAME FOR CASH OR OTHERWISE, AND PROVIDING PENALTY THEREFOR.

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 or persons who shall have received any clothing, foods, goods or other merchandise from any relief unit in this state to dispose of the same for cash or barter, or for any other consideration.

Section 2. Any person or persons who shall be convicted of violating the provisions of this Act shall be fined not less than twenty-five dollars (\$25.00), nor more than three hundred dollars (\$300.00), or imprisoned not less than thirty (30) days nor more than six (6) months, or shall be both fined and imprisoned within the limits herein mentioned at the discretion of the court.

Approved March 12, 1943.

Fees of Public Officers

CHAPTER 181

FEES PAYABLE TO REGISTER OF WILLS OF NEW CASTLE COUNTY FOR FILING INVENTORY

AN ACT TO AMEND CHAPTER 156 OF THE REVISED CODE OF DELAWARE AS AMENDED RELATING TO FEES OF PUBLIC OFFICERS BY INCREASING THE FEE PAYABLE TO THE REGISTER OF WILLS OF NEW CASTLE COUNTY FOR FILING INVENTORY.

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

Section 1. That 5355 Section 12 of Chapter 156 of the Revised Code of Delaware, 1935, be and the same is hereby amended by repealing the following language:-

Filing inventory, and making registry of such filing and of appraised value of goods and chattels there25

and substituting in lieu thereof the following:

Filing inventory of goods and chattels, list of debts and credits and statement of real estate and making registry of such filing 1.00

Approved February 22, 1943.

CHAPTER 182

FEES TO BE CHARGED FOR SERVICES RENDERED BY THE
RECORDER OF DEEDS OF NEW CASTLE COUNTY**AN ACT TO AMEND CHAPTER 156 OF THE REVISED CODE
OF DELAWARE IN RELATION TO FEES TO BE CHARG-
ED FOR SERVICES RENDERED BY THE RECORDER OF
DEEDS 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 156 of the Revised Code of Dela-
ware (1935) be and the same is hereby amended by repealing
all of 5357, Section 14 thereof, and by substituting in lieu thereof
the following:

5357. Sec. 14. Recorder in New Castle County:

For recording, comparing and certifying an official
obligation\$2.00

For recording, comparing and indexing a private
Act of Assembly, deed, mortgage, chattel
mortgage, release, assignment, contract of
marriage, or other paper proper to be recorded,
one dollar and seventy-five cents for the first
two record pages or under, and for every addi-
tional page or fractional part of a page, seven-
ty-five cents.

Certificate of Incorporation and Certificate of
Amendment of Incorporation, four pages or
less, three dollars and fifty cents. Each addi-
tional page, seventy-five cents.

For certificate under hand and seal of office.....\$0.50

For certified copy, office copy or exemplified copy
of any record, one dollar and fifty cents a page
or fractional part of a page.

For noting satisfaction of mortgage.....\$0.50

For certificate under hand, of the date of receiving
mortgage for record.....\$0.25

FEEES TO BE CHARGED FOR SERVICES RENDERED BY THE
RECORDER OF DEEDS OF NEW CASTLE COUNTY

For furnishing list of mortgages under hand and
seal of office to sheriff.....\$1.00

Conveyance and lien searches, time consumed in
making same, one dollar and fifty cents for
first hour and one dollar additional for each
additional hour.

For filing certificates of Prothonotary, and noting
on margin of mortgage return on writ of levavi
facias\$0.25

For noting on margin of record of mortgage, names
of parties, number of writ and term in scire
facias proceedings, upon certificate of Pro-
thonotary\$0.25

For preparing and furnishing abstract of mort-
gages in scire facias proceedings, one dollar
and fifty cents a page or fractional part of a
page.

Registering deeds in Registry Bureau of the City of
Wilmington, and in the Board of Assessment
of New Castle County, twenty-five cents for
each property described.

For noting on margin of record of mortgage, name
or names of assignees in assignment of mort-
gage, twenty-five cents for each notation.

A record page shall consist of fifty lines, and a line,
when used as a measure of computation shall
mean eight words.

Section 2. This Act shall become effective May 1, 1943.

Approved April 9, 1943.

CHAPTER 183

FEES OF BAILIFF OF NEW CASTLE COUNTY INCREASED

AN ACT TO AMEND CHAPTER 156 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO FEES OF PUBLIC OFFICERS BY INCREASING THE FEES OF BAILIFFS 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 5361, Section 18 of Chapter 156 of the Revised Code of Delaware, 1935, be and the same is hereby amended by repealing the second sentence thereof beginning with the word "In" and ending with the word "paid" and inserting in lieu thereof a new sentence to read as follows:

In New Castle County each bailiff shall receive a salary of Fifteen Hundred Dollars per annum, payable semi-monthly, in the same manner as the salaries of other county officers are paid.

Approved April 13, 1943.

CHAPTER 184

HOUSING AUTHORITIES

**AN ACT TO AUTHORIZE HOUSING AUTHORITIES TO MAN-
AGE AND ADMINISTER AS AGENT FOR THE FEDERAL
GOVERNMENT PROJECTS TO PROVIDE HOUSING FOR
PERSONS ENGAGED IN WAR INDUSTRIES OR ACTIVI-
TIES AND TO COOPERATE WITH THE FEDERAL GOV-
ERNMENT IN MAKING HOUSING AVAILABLE FOR
SUCH PERSONS.**

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

Section 1. That any Housing Authority now or hereafter established pursuant to Chapter 160 of the Revised Code of Delaware 1935, as amended may exercise any and all of its powers to aid and cooperate with the Federal Government in making housing available for persons engaged, or to be engaged in war industries or activities; and further may act as agent for the Federal Government in developing, managing and administering projects undertaken by the Federal Government to provide such war housing; may lease such projects from the Federal Government; and may arrange with public bodies and provide agencies for such services and facilities as may be needed for such projects.

Section 2. That any Housing Authority now, or hereafter established pursuant to Chapter 160 of the Revised Code of Delaware 1935, as amended, in acting as agent for the Federal Government in the developing, managing and administering projects for persons engaged or to be engaged in war industries, or as lessee of the Federal Government may operate in any area or territory beyond its fixed area of operation.

Section 3. The powers herein given to any Housing Authority established pursuant to Chapter 160 of the Revised Code of Delaware 1935, shall be only for the period of the present national emergency and six months thereafter.

Section 4. This Act will become effective upon its approval.

Approved March 30, 1943.

CHAPTER 185

HOUSING AUTHORITIES

AN ACT TO DECLARE VALID AND LEGAL THE CREATION, ESTABLISHMENT AND ORGANIZATION OF HOUSING AUTHORITIES, AND TO DECLARE VALID AND LEGAL AND TO APPROVE ALL BONDS, NOTES, AGREEMENTS, PAYMENTS TO PUBLIC BODIES IN THE STATE AND UNDERTAKINGS OF SUCH HOUSING AUTHORITIES, AND ALL PROCEEDINGS, ACTS AND THINGS UNDERTAKEN OR DONE WITH REFERENCE THERETO.

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

Section 1. That the creation, establishment and organization of housing authorities under the provisions of the Housing Authority Law (Chapter 160 of the Revised Code of 1935, as amended), together with all proceedings, acts and things heretofore undertaken or done with reference thereto, are hereby validated and declared legal in all respects.

Section 2. That all agreements and undertakings of such housing authorities heretofore entered into relating to financing, or aiding in the development or operation of any housing projects, including (without limiting the generality of the foregoing) loan and annual contributions contracts, agency contracts and leases, agreements with municipalities or other public bodies (including those which are pledged or authorized to be pledged for the protection of the holders of any notes or bonds issued by such housing authorities or which are otherwise made a part of the contract with such holders of notes or bonds) relating to cooperation in aid of housing projects, furnishing of municipal services and facilities and the elimination of unsafe and insanitary dwellings and contracts for the construction of housing projects, together with all proceedings, acts and things heretofore undertaken or done with reference thereto, are hereby validated and declared legal in all respects.

HOUSING AUTHORITIES

Section 3. That all proceedings, acts and things heretofore undertaken or done in or for the authorization, issuance execution and delivery of notes and bonds by housing authorities for the purpose of financing or aiding in the development or construction of a housing project or projects are hereby validated and declared legal in all respects. Any payments to public bodies in the State heretofore made by a housing authority are hereby validated and declared legal in all respects, and a housing authority is hereby authorized to make payments to public bodies in the State in such amounts as it finds desirable, notwithstanding any statutory limitation on the amount of such payments. All notes and bonds heretofore issued by housing authorities are hereby validated and declared legal in all respects.

Section 4. That this Act shall become effective from and after its passage and approval by the Governor.

Approved April 9, 1943.

CHAPTER 186

HOUSING AUTHORITIES

AN ACT TO PROVIDE THAT BONDS AND OTHER OBLIGATIONS ISSUED BY ANY PUBLIC HOUSING AUTHORITY OR AGENCY IN THE UNITED STATES, WHEN SECURED BY A PLEDGE OF ANNUAL CONTRIBUTIONS TO BE PAID BY THE UNITED STATES GOVERNMENT, SHALL BE SECURITY FOR ALL PUBLIC DEPOSITS AND NEGOTIABLE AND LEGAL INVESTMENTS FOR THE STATE AND PUBLIC OFFICERS, MUNICIPAL CORPORATIONS, POLITICAL SUB-DIVISIONS, AND PUBLIC BODIES, ALL BANKS, BANKERS, TRUST COMPANIES, SAVINGS BANKS AND INSTITUTIONS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, INVESTMENT COMPANIES AND OTHER PERSONS CARRYING ON A BANKING BUSINESS, ALL INSURANCE COMPANIES, INSURANCE ASSOCIATIONS AND OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS, AND ALL EXECUTORS, ADMINISTRATORS, GUARDIANS, TRUSTEES AND OTHER FIDUCIARIES.

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

Section 1. That the State and all public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds or other obligations issued by a housing authority established pursuant to Chapter 160 of the Revised Code of 1935, as amended, or issued by any public housing authority or agency in the United States, when such bonds or other obligations are secured by a pledge of annual

HOUSING AUTHORITIES

contributions to be paid by the United States Government, or any agency thereof, and such bonds and other obligations shall be authorized security for all public deposits and fully negotiable in this State; it being the purpose of this act to authorize any persons, firms, corporations, associations, political subdivisions, bodies and officers, public or private, to use any funds owned or controlled by them, including (but not limited to) sinking, insurance, investment, retirement, compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations and that such bonds or other obligations shall be security for public deposits and negotiable in this State; provided, however, that nothing contained in this act shall be construed as relieving any person, firm or corporation from any duty of exercising reasonable care in selecting securities.

Section 2. That notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Section 3. That insofar as the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall be controlling.

Section 4. That this act shall become effective from and after its passage and approval by the Governor.

Approved April 9, 1943.

CHAPTER 187

MOTOR VEHICLES

RELATIVE TO INSPECTION AND FRONT NUMBER PLATES

AN ACT GRANTING CERTAIN EMERGENCY WAR POWERS TO THE STATE HIGHWAY DEPARTMENT WITH RESPECT TO THE ELIMINATION OF THE FRONT NUMBER PLATES ASSIGNED TO A MOTOR VEHICLE AND PERMITTING THE STATE HIGHWAY DEPARTMENT TO WAIVE MOTOR VEHICLE INSPECTIONS AND TO MAKE RULES AND REGULATIONS IN RESPECT TO INSPECTION REQUIREMENTS, FOR THE DURATION OF THE PRESENT WAR AND FOR SIX MONTHS AFTER THE TERMINATION THEREOF.

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

Section 1. Short Title. This Act may be cited as the "Highway Emergency Act of 1943."

Section 2. Declaration of Policy. By reason of the war in which the United States of America is presently engaged, and in order to conserve materials needed and to facilitate transportation of persons and property as is deemed essential to the prosecution of such war or to the domestic wartime economy of the State, it is hereby found and declared to be necessary that the State Highway Department be granted certain powers relating to conservation of materials and transportation.

Section 3. Elimination of Front Number Plate. The State Highway Department is authorized to suspend the application of any statute requiring two number plates to be assigned to a motor vehicle, and may promulgate an order, rule or regulation requiring only one number plate to be assigned to a motor vehicle. said plate to be attached in the rear thereof.

Section 4. Suspension or Modification of Inspection Requirements. The State Highway Department is authorized to suspend the application of any statute requiring the inspection of a motor

MOTOR VEHICLES

RELATIVE TO INSPECTION AND FRONT NUMBER PLATES

vehicle, and may promulgate rules, orders or regulations modifying or eliminating any such statutory inspection requirement when the Department shall determine that equipment required by law, or replacement parts, or repair services are not available and/or adequate by reason of the war emergency.

Section 5. Rules, Orders, Regulations; Filing Thereof; Force and Effect of Law. Any order, rule or regulation, or any amendments thereto, promulgated by the State Highway Department under the authority of this Act shall, upon being filed with the Motor Vehicle Commissioner, have the force and effect of law.

Section 6. Amendment or Rescission of Orders, Rules and Regulations. The State Highway Department is authorized and empowered to amend and rescind any order, rule or regulation promulgated by it under the authority of this Act.

Section 7. Penalties. Any person who violates any of the orders, rules or regulations or any amendments thereto promulgated by the State Highway Department pursuant to this Act shall, upon conviction thereof before a Court of competent jurisdiction, be punished for the first offense by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than ten days, nor more than ninety days, or by both such fine and imprisonment, and shall be punished for each subsequent like offense by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00) or by imprisonment for not less than twenty days nor more than six months, or by both such fine and imprisonment.

Section 8. Severability. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

MOTOR VEHICLES

RELATIVE TO INSPECTION AND FRONT NUMBER PLATES

Section 9. Effective Date; Termination. An emergency existing this Act shall take effect immediately upon the approval thereof by the Governor and shall remain in force for the duration of the present war and for six months after the termination thereof.

Approved March 15, 1943.

CHAPTER 188

MOTOR VEHICLES

PROVIDING FOR THE CANCELLATION OF THE TITLE TO A MOTOR VEHICLE TO BE REGISTERED IN ANOTHER STATE, THE RETURN OF THE NUMBER PLATES THEREOF AND FEE TO BE PAID FOR SUCH PLATES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO MOTOR VEHICLES, AS AMENDED BY CHAPTER 244, LAWS OF DELAWARE, 1941, BY PROVIDING FOR THE CANCELLATION OF THE TITLE TO A MOTOR VEHICLE TO BE REGISTERED IN ANOTHER STATE, THE RETURN OF THE NUMBER PLATES THEREOF AND THE FEE TO BE PAID FOR SUCH PLATES.

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

Section 1. That Article 2 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding a new paragraph to be known as paragraph (g) to 5553. Section 15 thereof, to read as follows:

(g) Whenever any motor vehicle for which a title has been issued by the Department, and whether such vehicle be registered or unregistered, shall be removed from this State, whether through transfer or otherwise, for the purpose of re-titling the same in another State, the owner thereof, upon transferring and/or removing such vehicle for the purpose aforesaid, shall, in addition to complying with all the other provisions of this Section, remove the number plates, and if the vehicle is registered, the registration plates, therefrom, and shall immediately give or send such plates to the Department or an authorized representative thereof, together with a report that such vehicle is to be re-titled in another State. If the Department is satisfied that such vehicle is to be removed from this State for the purpose aforesaid, the title to such vehicle shall be cancelled and the

MOTOR VEHICLES

PROVIDING FOR THE CANCELLATION OF THE TITLE TO A MOTOR
VEHICLE TO BE REGISTERED IN ANOTHER STATE, THE RETURN
OF THE NUMBER PLATES THEREOF AND FEE TO BE PAID
FOR SUCH PLATES

Department shall pay the sum of fifty cents (\$.50) per plate for each number plate returned to the Department in accordance with the provisions of this subparagraph.

Section 2. This Act shall become effective immediately upon the approval thereof by the Governor.

Approved March 30, 1943.

CHAPTER 189

MOTOR VEHICLES

IN REFERENCE TO LIABILITY OF PARENT, GUARDIAN OR EMPLOYER
FOR NEGLIGENCE OF MINOR

**AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
MOTOR VEHICLES, IN REFERENCE TO THE LIABIL-
ITY OF PARENT, GUARDIAN OR EMPLOYER FOR
NEGLIGENCE OF MINOR.**

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

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding to 5609, Sec. 71 thereof, the following additional sentence:

"The liability imposed upon the person who signs the application of a minor under the age of 18 years as herein provided shall apply to the original license granted said minor or any renewal thereof, without the necessity of such person signing said minor's renewal application, unless such person shall notify the Motor Vehicle Department in writing at least thirty days prior to the date of any such renewal of the original license granted said minor that he or she does not consent to such renewal."

Approved April 13, 1943.

CHAPTER 190

MOTOR VEHICLES

IN REFERENCE TO BLINKER LIGHTS, AND REQUIRING MOTOR
VEHICLES TO STOP AT CERTAIN HIGHWAYS

**AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
MOTOR VEHICLES, IN REFERENCE TO BLINKER
LIGHTS, AND REQUIRING MOTOR VEHICLES TO STOP
AT CERTAIN HIGHWAYS.**

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

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and removing from 5638 Section 100, Paragraph (a), the following sentence:

“Any person violating the provisions of this section shall be deemed guilty of reckless driving and a misdemeanor, and upon conviction shall be punished as provided in Section 142 of this Act.”

Section 2. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding to 5638 Section 100, Paragraph (c), an additional subsection styled (3), as follows:

“5638 Section 100 (c) (3). Whenever flashing red or yellow signals are used at the intersection of two highways, they shall require obedience by vehicular traffic as follows:

First. Flashing Red (Stop Signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles approaching the flashing signal shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign as contained in Section 100, paragraph (b).

MOTOR VEHICLES

IN REFERENCE TO BLINKER LIGHTS, AND REQUIRING MOTOR VEHICLES TO STOP AT CERTAIN HIGHWAYS

Second. **Flashing Yellow (Caution Signal).** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signals only with caution."

Approved March 23, 1943.

CHAPTER 191

MOTOR VEHICLES

IN REFERENCE TO RECKLESS DRIVING

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO MOTOR VEHICLES, IN REFERENCE TO RECKLESS DRIVING.

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

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing 5621 Section 83 thereof and inserting in lieu thereof the following:

"5621 Section 83. **Reckless Driving.** No person shall drive any vehicle in willful or wanton disregard for the safety of persons or property, and this offense shall be known as reckless driving."

Approved April 15, 1943.

CHAPTER 192

MOTOR VEHICLES

IN REFERENCE TO INSTRUCTION PERMITS

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO MOTOR VEHICLES, IN REFERENCE TO INSTRUCTION PERMITS.

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

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing the last sentence of paragraph (a) of 5594 Section 56, which provides as follows:

"Provided, however, that if such applicant is under the age of twenty years, the Department shall require a birth certificate, or a certified copy thereof, to be filed with such application."

And there shall be inserted in lieu thereof the following:

"Provided, however, that if such applicant is under the age of twenty years, the Department shall require a birth certificate, or a certified copy thereof, or some other evidence of the birth date of the applicant satisfactory to the Department.

Approved April 7, 1943.

CHAPTER 193

MOTOR VEHICLES

RELATING TO TRACTION ENGINES AND TRACTORS

**AN ACT TO AMEND 5689 SECTION 151 OF CHAPTER 165
OF THE REVISED CODE OF DELAWARE, 1935, AS
AMENDED BY CHAPTER 259, VOLUME 43, LAWS OF
DELAWARE, RELATING TO TRACTION ENGINES AND
TRACTORS.**

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

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 259, Volume 43, Laws of Delaware be and the same is hereby further amended by inserting a new paragraph immediately after paragraph (b) of said Chapter 259, Volume 43, Laws of Delaware amending said Chapter 165, of the Revised Code of Delaware, 1935, as follows, known as 5689, Section 151 (c).

(c) A traction engine or tractor equipped with pneumatic tires 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 single vehicle with smooth metal or pneumatic tires used primarily as a farm implement or any wagon used for hauling farm produce.

Section 2. This Act shall become effective immediately upon approval by the Governor and shall remain in force until six months after the termination of the present War in which the United States is engaged or until the termination of the present emergency by proclamation of the Governor, whichever event shall happen first.

Approved April 16, 1943.

CHAPTER 194

MOTOR VEHICLES

RELATING TO WELL DRILLING MACHINES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO MOTOR VEHICLES.

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

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be further amended by adding a new paragraph to 5539. Section 1 thereof, to be known as paragraph (gg) as follows:

(gg) **Well Drilling Machine.** Any self propelled vehicle to which has been permanently mounted, or attached, any rig or other equipment used for the purpose of drilling wells, whether or not such vehicle was originally a truck, tractor, or other type of motor vehicle or was designed and built as a complete well drilling unit.

Section 2. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be further amended by adding a new paragraph to 5564. Section 26 thereof, as follows:

For the registration of any well drilling machine the fee shall be Five Dollars (\$5.00) for the first five hundred pounds of the gross weight of such machine and Fifty Cents (50¢) for each additional five hundred pounds of the gross weight of such machine.

Section 3. That Chapter 165 of the Revised Code of Delaware, as amended, be further amended by adding a new paragraph to 5666. Section 128 thereof, to be known as paragraph (i) as follows:

MOTOR VEHICLES

RELATING TO WELL DRILLING MACHINES

(i) A well drilling machine need not be equipped with the lights required by this or any other Act of this Chapter; provided, however, that any such machine not equipped with lights as required by this Section shall not be driven upon, stand upon, or use in any way the highways of this state during the period from one half hour after sunset to one half hour before sunrise.

Approved March 3, 1943.

CHAPTER 195

MOTOR VEHICLES

INCREASING PERMISSIBLE ACTUAL WEIGHT OF MOTOR VEHICLES

**AN ACT TO AMEND CHAPTER 165 REVISED CODE OF
DELAWARE, 1935, RELATING TO MOTOR VEHICLES
BY INCREASING THE PERMISSIBLE ACTUAL WEIGHT
OF SAID MOTOR VEHICLES.**

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

Section 1. That 5655. Sec. 117 of Article 5 Chapter 165, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of the last line of subparagraph (d) of said section reading as follows:-

Thirty-eight thousand (38,000) pounds, and inserting in lieu thereof the following:-

Forty thousand (40,000) pounds.

Section 2. That said 5655. Sec. 117 Article 5 Chapter 165, Revised Code of Delaware, 1935, be further amended by adding a new paragraph at the end of said section to be known and styled as subparagraph (g) reading as follows:

It shall be lawful to operate a vehicle equipped with two axles, with a power brake on each rear hub having a gross weight including vehicle and load, of not more than thirty thousand (30,000) pounds.

Approved March 18, 1943.

CHAPTER 196

MOTOR VEHICLES

CHANGING AUTHORIZED LENGTH OF MOTOR VEHICLES

**AN ACT TO AMEND CHAPTER 165 REVISED CODE OF
DELAWARE, 1935, RELATING TO MOTOR VEHICLES
BY CHANGING THE AUTHORIZED LENGTH OF MOTOR
VEHICLES.**

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

Section 1. That 5653. Sec. 115 of Article 5, Chapter 165, Revised Code of Delaware, 1935, be and the same is hereby amended by striking out the words "thirty-three", as the same appear in line two of sub-paragraph (c) of said 5653. Sec. 115 of said Article 5, Chapter 165 and inserting in lieu thereof the words "thirty-five".

Approved March 18, 1943.

CHAPTER 197

STATE HIGHWAY DEPARTMENT

IN REFERENCE TO EDUCATION CAMPAIGN ON STREET AND
HIGHWAY SAFETY

AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED: "STATE HIGHWAY DEPARTMENT", IN REFERENCE TO 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:

Section 1. That Chapter 166 of the Revised Code of Delaware, 1935, be and the same is hereby amended, by striking out and repealing all of 5763. Sec. 44. thereof, and by inserting in lieu thereof a new Section to be styled 5763. Sec. 44., as follows:

"5763. Sec. 44. Facilities of Delaware Safety Council And Delaware Automobile Association, And Similar Organizations May Be Used By Department: 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 Department is especially authorized to use and employ the facilities of the Delaware Safety Council, Delaware Automobile Association, and any similar organization.

Approved February 19, 1943.

CHAPTER 198

REGIONAL PLANNING—NEW CASTLE COUNTY

AN ACT TO AMEND CHAPTER 168 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED "REGIONAL PLANNING", AS AMENDED, BY PROVIDING FOR THE PREPARATION OF A MASTER PLAN FOR NEW CASTLE COUNTY AND THE FILING AND RECORDING OF PLATS AND THE ESTABLISHMENT OF THE OFFICIAL MAP FOR NEW CASTLE COUNTY AND PROVIDING FOR CERTAIN PENALTIES.

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

Section 1. That 5787. Section 1 of Chapter 168 of the Revised Code of Delaware, 1935, as amended, by Chapter 266 Volume 43 Laws of Delaware (1941) be and the same is hereby repealed and a new section substituted in lieu thereof to read as follows:

5787. Sec. 1. Words and Phrases Construed:—The words and phrases used in this Chapter, 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 Chapter; (2) "District" shall refer to and mean "Regional Planning District of New Castle County" created by this Chapter; (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) "Recorder's Office" shall refer to and mean "Recorder of Deeds in and for New Castle County"; (6) "Council" shall refer to and mean "The Council of The Mayor and Council of Wilmington"; (7) "County Engineer" shall refer to and mean "County Road Engineer of New Castle County"; (8) "Road" shall include any "road", "street", "highway", "freeway", "parkway" or other public thoroughfare.

REGIONAL PLANNING—NEW CASTLE COUNTY

Section 2. That 5788. Section 2 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 Volume 43 Laws of Delaware (1941) be and the same is hereby repealed and a new section substituted in lieu thereof to read as follows:

5788. Sec. 2. Purposes: Portions of New Castle County Affected: Regional Planning Commission of New Castle County:—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, airways, railways, public buildings, parks, playgrounds, civic centers, airports, water supplies, sewers and sewage disposal, drainage and other improvements and utilities (excepting, however, privately owned public utilities engaged in furnishing light, heat, power, transportation or communication by telephone or by telegraph or otherwise, as to which the provisions of this act shall not apply) in that portion of New Castle County which is not included within the corporate limits of any City or Town, unless any territory within such corporate limits is included upon request made by the governing body or authority of any such City or Town, and as well as for the purpose of preventing the unnecessary duplication of such improvements or utilities, a department 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.

Section 3. That 5791. Section 5 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed and a new section substituted in lieu thereof to read as follows:

5791. Sec. 5. Master Plan: Amendment of Plan: Official Map: Approval:—It shall be the duty of the Commission to prepare a Master plan of the District showing existing and proposed roads included in or likely to be incorporated in the road system, together with the indication of their existing and proposed widths; existing and proposed county parks, play grounds, parkways, and other recreation places; existing and proposed county

REGIONAL PLANNING—NEW CASTLE COUNTY

airways, aviation fields and other county open places; existing and proposed sites for county buildings; and such other features as may come wholly or partially within county jurisdiction; and, in addition, similar elements of the plan existing and proposed within City or Town as have or are likely to bear an important relation to the above county features. Such master plan shall be a public record, but its purpose and effect shall be solely as an aid to the Commission in the performance of its duties. The said Commission may, from time to time, amend, extend or add to said Master Plan.

There is hereby established an Official Map of the District. The Commission shall be the maker and custodian of said map. Said map shall show the location and lines of the roads within the District existing and established by law as public roads at the time of the preparation and setting up of the Map by the Commission; also the location of the lines of the roads on plats which shall have been approved by the Commission at or previous to said time.

Whenever the said Commission shall have adopted an Official Map or any amendment, extension or addition thereto, it shall submit the said Official Map or such amendment, extension or addition thereto, to the said Levy Court for its approval and if said Official Map or amendment, extension or addition thereto shall pertain to the road system of or any road in New Castle County, said Official Map or any amendment, extension or addition thereto shall also be submitted to the Highway Department for its approval and upon approval of said Official Map or such amendment, extension or addition thereto, the said Commission shall cause the said Official Map or such amendment, extension or addition thereto to be recorded in the said Recorder's Office within thirty (30) days after such approval. The provisions of this section shall not be construed to affect any Official Map now duly recorded in the Recorder's Office but shall apply to any amendment, extension or addition made thereto after the effective date of this Act.

Said Commission may, from time to time, amend, extend, add to or remove from said Official Map all roads established or vacated by law.

REGIONAL PLANNING—NEW CASTLE COUNTY

Section 4. That 5793. Section 7 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed.

Section 5. That 5794. Section 8 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed and a new section substituted in lieu thereof to read as follows:

5794. Sec. 8. Plats: Recording: Fees: Regulations:—On and after the effective date of this Act 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, shall be submitted to said Commission for its adoption and the approval of the said Levy Court and it shall be unlawful on and after the effective date of this Act, 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. Such plan or map shall, when recorded, become a part of said Official Map.

No plat of land within the District shall be received or recorded by the Recorder of Deeds in and for New Castle County or filed for recording in the said Recorder's Office until the said plat shall have been submitted to and approved by the Commission and the Levy Court and such approvals be endorsed in writing on the plat by the Chairman or Secretary of the Commission and the President of the Levy Court. The filing or recording of a plat without the approval of the Commission and the Levy

REGIONAL PLANNING—NEW CASTLE COUNTY

Court shall, upon application of the Commission or the Levy Court, to the Superior Court in and for New Castle County, Delaware, be expunged from the records.

On the basis of the estimated cost of the services to be rendered by it in connection with the consideration of such plats and the work incident thereto, the Commission may fix the scale of fees to be paid to it and may from time to time amend such scale. In the case of each plat submitted to the Commission, the fee thus fixed shall be paid before said plat is approved or disapproved, but such fees shall not exceed the actual cost to the Commission of the services and shall be paid by the person requesting the Commission's approval.

Every such plat shall be prepared upon cloth of such size and character, with such notations, information and markings, and accompanied by such data and information as the Commission may, by regulation prescribe, and shall have such permanent markers, boundary stones or stations as the Commission shall prescribe, which shall be shown and designated on the plat thereof. The Commission shall prescribe the procedure for the submission of such plats and action in respect thereto.

Section 6. That 5795. Section 9 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed.

Section 7. That 5796. Section 10 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware, (1941) be and the same is hereby repealed and a new section substituted in lieu thereof to read as follows:-

5796. Sec. 10. Approval or Disapproval of Plat by Commission; Hearing:—The Commission shall approve or disapprove a plat within forty days after the submission thereof; otherwise such plat shall be deemed to have been approved and a certificate to that effect shall be issued by the Commission upon demand;

REGIONAL PLANNING—NEW CASTLE COUNTY

provided, however, that such period may be extended by mutual agreement between the Commission and the applicant for the Commission's approval. The grounds of disapproval of any plat shall be stated upon the records of the Commission and a copy of such statement shall be furnished to the applicant. No plat shall be acted upon by the Commission without affording a hearing thereon, notice of the time and place of which shall be sent by registered mail to said applicant not less than five days before the date fixed therefor; provided, however, that in his application applicant may waive the requirement of such hearing and notice.

Section 8. That 5797. Section 11 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware, (1941) be and the same is hereby repealed.

Section 9. That 5798. Section 12 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed.

Section 10. That 5799. Section 13 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed and a new section substituted in lieu thereof to read as follows:

5799. Section 13. It Shall be Unlawful to Record Unapproved Plats:—Any recorder who receives for filing or recording any plan or map contrary to the provisions of this Chapter 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.

Section 11. That 5800. Section 14 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed.

Section 12. That 5801. Section 15 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of

REGIONAL PLANNING—NEW CASTLE COUNTY

Volume 43 Laws of Delaware (1941) be and the same is hereby repealed and a new section substituted in lieu thereof to read as follows:

5801. Sec. 15. Authority to Go Upon Land: Access to Records: Surveys:—In the performance of the functions and duties of the Commission any member thereof or any employee or agent thereof shall have the right to enter and go upon, at reasonable times (Sundays and holidays excluded) between the hours of 8 A. M. and 5 P. M. any lands in the District, either public or private, and to make surveys and to place and maintain necessary monuments and markers thereon, but such entry shall be made with due care and regard for the protection and preservation of property. In the performance of the functions and duties of the Commission, any member thereof, or any employee or agent thereof shall have free access, without expense, to all State, County, Municipal and other public records.

The Commission is empowered in pursuance of the development and carrying out of its master plan, to make from time to time surveys for the exact location of the lines of future roads, road relocations, road extensions, road widenings or narrowings in the District or any portion thereof, and to make plats of the areas thus surveyed, showing the Commission's recommendations for the exact locations of such future road lines.

Section 13. That 5802. Section 16 of Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266 of Volume 43 Laws of Delaware (1941) be and the same is hereby repealed.

Section 14. All acts or parts of acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistencies.

Section 15. This act shall become effective upon its approval by the Governor.

Approved April 22, 1943.

CHAPTER 199

COURT OF COMMON PLEAS—NEW CASTLE COUNTY
AN ACT RELATING TO THE SALARY OF CERTAIN PUBLIC OFFICER AND OFFICIAL 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 169 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of 5808. Sec. 2. thereof and by enacting and inserting in lieu thereof a new section to be known as 5808. Sec. 2.

5808. Sec. 2. **How Composed:**—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.

The Governor of the State of Delaware shall appoint and commission a Judge who shall hold office for a term of twelve years and who shall have power and authority to hold and preside over the Court of Common Pleas for New Castle County. No person shall be eligible to the office of Judge of the Court of Common Pleas for New Castle County unless he be a person learned in the law and of good standing as a practicing attorney in the Supreme Court of the State of Delaware for at least five years and a resident of New Castle County. In the event the said Judge of the Court of Common Pleas for New Castle County shall be disabled, disqualified or unable for any cause to preside over said Court, the Chief Justice of the State of Delaware shall thereupon assign one of the judges of the Superior Court of the State of Delaware, or the Governor may appoint a qualified member of the Bar of New Castle County as Judge ad litem, to hold said Court of Common Pleas during the absence, disability or disqualification of the Judge thereof. In the event of the appointment of a Judge ad litem by the Governor, said Judge ad litem shall receive a salary of Fifteen (\$15.00) Dollars per day, to be paid by the State Treasurer out of the general funds of the State upon the certificate of the Chief Justice of the State of Delaware.

COURT OF COMMON PLEAS—NEW CASTLE COUNTY

The Judge of the said Court of Common Pleas for New Castle County shall receive an annual salary of not less than Five Thousand (\$5,000.00) Dollars as shall be determined by the Levy Court of New Castle County, payable as other salaries are paid by the Levy Court of New Castle County.

Approved April 13, 1943. .

CHAPTER 200

COURT OF COMMON PLEAS FOR NEW CASTLE COUNTY

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND CHAPTER 169 OF THE REVISED CODE OF THE STATE OF DELAWARE 1935 IN RELATION TO COURT OF COMMON PLEAS FOR NEW CASTLE COUNTY", BEING CHAPTER 267 VOLUME 43, LAWS OF DELAWARE 1941, RELATING TO THE SALARY OF THE CLERK OF COURT OF COMMON PLEAS FOR NEW CASTLE COUNTY.

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

Section 1. That Section 13 of Chapter 169 of the Revised Code of Delaware 1935, being Code Section 5819, as amended by Chapter 267, Volume 43, Laws of Delaware 1941, be and the same is hereby amended by striking out and repealing all of the first paragraph thereof and inserting in lieu thereof a new first paragraph as follows:

The Judge of the Court of Common Pleas for New Castle County shall appoint a Clerk for said Court who shall hold office during the pleasure of said Judge. The Clerk shall perform such duties as may be incident to said office and as the Judge thereof may direct. The Clerk of said Court shall receive a yearly salary of Twenty-seven Hundred (\$2700.00) Dollars to be paid monthly in equal installments by the Levy Court of New Castle County.

Approved March 26, 1943.

CHAPTER 201

DELAWARE WORKMEN'S COMPENSATION LAW

PERMITTING EMPLOYEES TO DESIGNATE THEIR OWN PHYSICIANS
OR SURGEONS

AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED "DELAWARE WORKMEN'S COMPENSATION LAW", BY PERMITTING EMPLOYEES TO DESIGNATE THEIR OWN PHYSICIANS OR SURGEONS.

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

Section 1. That 6078, Section 8 of Chapter 175 of the Revised Code of Delaware 1935, as amended by Section 6 of Chapter 269 of Volume 43, Laws of Delaware (1941) be amended by adding thereto a new sub-section to be known as Sub-Section (f) as follows:-

(f) Any employee may apply in writing to the Industrial Accident Board for permission to employ a physician or surgeon other than the physician or surgeon furnished by his or her employer. Such application shall state the name and address of the physician or surgeon whose services are desired by the employee. Upon the approval by the Industrial Accident Board of any such application, the employee by whom or on whose behalf the application was filed shall be entitled to receive from his or her employer the reasonable cost of the services of any physician or surgeon whose employment was approved, performed subsequent to such approval, within the limitations provided for in sub-section (b) of this section.

Approved April 16, 1943.

CHAPTER 202

DELAWARE WORKMEN'S COMPENSATION LAW
EXTENDING THE PROVISIONS FOR PAYMENTS THEREUNDER**AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED DELAWARE WORKMEN'S COMPENSATION LAW, BY EXTENDING THE PROVISIONS FOR PAYMENTS THEREUNDER.**

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

Section 1. That 6079. Section 9, of Chapter 175 of the Revised Code of Delaware, 1935, as amended by Section 7, Chapter 269, of Volume 43, Laws of Delaware (1941), be amended by striking out and repealing all of said Section and substituting in lieu thereof a new section to be known as 6079. Section 9 as follows:

6079. Section 9. If death results from the injury within one year, the employer shall pay the reasonable burial expenses of an injured employee, not exceeding Two Hundred Twenty-five Dollars (\$225.00), but without deduction of any amount theretofore paid for compensation or medical expenses.

Section 2. That 6080. Section 10, Paragraph (c) of Chapter 175 of the Revised Code of Delaware, as amended by Section 8 of Chapter 269, Volume 43, Laws of Delaware (1941) be amended by striking out the following language:

"Amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot. Amputation at or above the knee shall be considered as the loss of a leg."

And inserting in lieu thereof the following language:

Amputation to the ankle or any part of the foot, not including the toes, shall be considered as the equivalent of the loss of a foot. Amputation above the ankle shall be considered as the loss of a leg.

DELAWARE WORKMEN'S COMPENSATION LAW
EXTENDING THE PROVISIONS FOR PAYMENTS THEREUNDER

Section 3. That 6118. Section 48 of Chapter 175 of the Revised Code of Delaware, 1935, as amended by Chapter 243, Volume 41, Laws of Delaware, and as amended by Chapter 244 of Volume 41, Laws of Delaware, and as amended by Section 11, Chapter 269, Volume 43, Laws of Delaware (1941) be amended by adding thereto a new paragraph to read as follows:

Any duly organized Volunteer Fire Company of the State of Delaware may elect to be bound by the compensatory provisions of Chapter 175, Revised Code of Delaware, 1935, as amended, provided that the election to be so bound receives a majority vote of the members of said Volunteer Fire Company in the State of Delaware at a duly called meeting of the said Volunteer Fire Company, and notice of said election is forwarded in writing to the Industrial Accident Board created under the provisions of said Chapter 175 as amended. Any Volunteer Fire Company of the State of Delaware which elects to be bound by the compensatory provisions of said Chapter 175, Revised Code of Delaware, 1935, as amended, may subsequent to said election revoke the election to be bound provided the revocation receives a majority vote of the members of said Volunteer Fire Company in the State of Delaware at a duly called meeting of said Volunteer Fire Company and notice of said revocation is forwarded in writing to the Industrial Accident Board.

Section 4. That 6080. Section 10, Sub-section (c) of Chapter 175 of the Revised Code of Delaware, 1935, as amended by Section 8 of Chapter 269 of Volume 43, Laws of Delaware (1941), be amended by adding after the first paragraph of sub-section (c) a new paragraph to read as follows:

For loss of a hand sixty percentum (60% of wages during two hundred weeks;

Approved April 22, 1943.

CHAPTER 203

ALCOHOLIC LIQUORS, WINES AND BEER

PROVIDING THAT CERTAIN QUANTITIES OF SPIRITS AND WINE OR SPIRITS AND BEER MAY BE SOLD OR PURCHASED

AN ACT TO AMEND CHAPTER 176 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO ALCOHOLIC LIQUOR, WINES AND BEER, AS AMENDED, BY PROVIDING THAT CERTAIN QUANTITIES OF SPIRITS AND WINE OR SPIRITS AND BEER MAY BE SOLD AND/OR PURCHASED.

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

Section 1. That Chapter 176 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out sub-paragraph (5) of 6145. Sec. 16 as amended by Chapter 191, 42 Laws of Delaware, and by inserting in lieu thereof a new sub-paragraph (5) of 6145. Sec. 16 as follows:

6145. Sec. 16. (5) The Commission may sell at its store or stores, and deliver to any person authorized under this Chapter to purchase alcoholic liquors, alcohol, spirits, wines or beer; provided, however, that no quantity greater than one bottle of spirits and twelve bottles of wine or beer, or twenty-four half bottles of wine or of beer, shall be sold to persons other than to a person personally exhibiting at the time of such purchase his or her license to purchase a stock of alcoholic liquor for personal use.

Section 2. That Chapter 176 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out sub-paragraph (6) of 6146. Sec. 17 as amended by Chapter 191, 42 Laws of Delaware, and by inserting in lieu thereof a new sub-paragraph (6) of 6146. Sec. 17 as follows:

6146. Sec. 17 (6) Any person in charge of a hotel, a restaurant, a club or a store, whether owner, lessee or manager, and recognized as such by the Commission, may purchase from the Commission or through the Commission, as

ALCOHOLIC LIQUORS, WINES AND BEER

PROVIDING THAT CERTAIN QUANTITIES OF SPIRITS AND WINE OR SPIRITS AND BEER MAY BE SOLD OR PURCHASED

provided in Section 16, Paragraph (4), but not otherwise, and may keep and sell and deliver on the premises only spirits, wine or beer by the bottle or half-bottle only, but not for consumption on the premises where sold, or in any dependency thereof; provided, however, that no quantity greater than one bottle of spirits and twelve bottles of wine or beer or twenty-four half-bottles of wine or beer shall be so sold or delivered except to a person personally exhibiting at the time of such purchase his or her license to purchase a stock of alcoholic liquor for personal use. All bottles so sold shall be delivered to the purchaser and shall be removed by him or her from the premises where sold and with the seals of such bottles unbroken.

Section 3. That Chapter 176 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out sub-paragraph (1) of 6148. Sec. 19 and by inserting in lieu thereof a new sub-paragraph (1) of 6148. Sec. 19 as follows:

6148. Sec. 19. (1) Sale of alcoholic liquor in excess of one bottle of spirits and twelve bottles of wine or of beer or twenty-four half-bottles of wine or beer to be kept in stock for personal use but not for purpose of resale may be made to an individual holder of a license authorizing him or her to purchase such alcoholic liquor for stock.

Section 4. That Chapter 176 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out sub-paragraph (1) of 6149. Sec. 20 and by inserting in lieu thereof a new sub-paragraph (1) of 6149. Sec. 20 as follows:

6149. Sec. 20. (1) Any individual twenty-one years of age or over may purchase, without license from the Commission, spirits or wine or beer by the glass or, at one purchase an amount not to exceed one bottle of spirits and twelve bottles or twenty-four half-bottles of wine or one

ALCOHOLIC LIQUORS, WINES AND BEER

PROVIDING THAT CERTAIN QUANTITIES OF SPIRITS AND WINE OR SPIRITS AND BEER MAY BE SOLD OR PURCHASED

bottle of spirits and twelve bottles or twenty-four half-bottles of beer, provided that such purchases are made from a person authorized to make the sale.

Section 5. That Chapter 176 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out sub-paragraph (7) of 6159. Sec. 30 and by inserting in lieu thereof a new sub-paragraph (7) of 6159. Sec. 30 as follows:

6159. Sec. 30. (7) To sell alcoholic liquor from a hotel, a restaurant or a store in quantity not more than one bottle of spirits and twelve bottles of wine or of beer or twenty-four half-bottles of wine or of beer, not for consumption on the premises, the sum of one hundred fifty dollars, except as provided in paragraph (1) (c) of this Section.

Section 6. That Chapter 176 of the Revised Code of Delaware, 1935, as amended by Chapter 251, 41 Laws of Delaware and Chapter 191, 42 Laws of Delaware, be and the same is hereby further amended by striking out paragraph (B) (1) (d) of 6165. Sec. 36 and by inserting in lieu thereof a new paragraph (B) (1) (d) of 6165. Sec. 36 as follows:

6165. Sec. 36 (B) (1) (d). In the baggage of an individual who is transporting such alcoholic liquor for his personal use or the use of his family and guests, in quantity not to exceed one bottle of spirits and twelve bottles or twenty-four half-bottles of wine or of beer; provided that the restriction as to quantity shall not apply to the holder of a license to purchase a stock of alcoholic liquor for personal use who having said license then with him or her, is personally transporting for his or her personal use any alcoholic liquor in any quantity; or

Approved March 30, 1943.

CHAPTER 204

ALCOHOLIC LIQUORS, WINES AND BEER
IN REFERENCE TO APPLICATIONS FOR LICENSES**AN ACT TO AMEND CHAPTER 176 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
"ALCOHOLIC LIQUOR, WINES AND BEER", IN REFER-
ENCE TO APPLICATIONS FOR LICENSES.**

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

Section 1. That Chapter 176 of the Revised Code of Delaware, 1935, as amended by Chapter 275, Volume 43 Laws of Delaware, be and the same hereby is amended by striking out the last sentence of sub-paragraph (2A) of 6147, Sec. 18 and inserting in lieu thereof the following sentence:

The provisions of this sub-paragraph (2A) shall not apply to applications for licenses to sell 'alcoholic liquor' at 'gatherings of persons', or to applications for licenses which, if granted, will constitute renewals of licenses theretofore granted.

Approved April 15, 1943.

CHAPTER 205

ALCOHOLIC LIQUORS, WINES AND BEER

RELATING TO THE CANCELLATION OR SUSPENSION OF LICENSES
FOR SALE OF ALCOHOLIC LIQUOR, ETC.

**AN ACT TO AMEND CHAPTER 176 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
THE CANCELLATION OR SUSPENSION OF LICENSE
FOR THE SALE OF ALCOHOLIC LIQUOR, WINES AND
BEER, AND THE DISPOSITION OF ALCOHOLIC LIQ-
UOR, WINES AND BEER BY THE COMMISSION.**

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

Sec. 1. That Chapter 176 of the Revised Code of Delaware, 1935, as amended, be and the same hereby is amended by striking out paragraph 2 (b) of 6158, Section 29, and inserting in lieu thereof the following paragraph:

"2 (b) The Commission shall within thirty (30) days of the date of the cancellation or acceptance of surrender, remit to such license holder a part of the license fee already paid and pertaining to the unexpired term of such license. In addition the Commission shall remit to such license holder the amount originally received by the Commission from such license holder in payment for such 'alcoholic liquor' accepted or seized as remains in packages sealed by the Commission, after paying therefrom all costs and expenses incurred by the Commission by reason of the acceptance or seizure of the 'alcoholic liquor' of such license holder. When other legally acquired 'alcoholic liquors' have been accepted or seized under this section, the value thereof as determined by the Commission shall be remitted to the holder of the license cancelled or surrendered by the Commission, after paying therefrom all costs and expenses incurred by the Commission by reason of the acceptance or seizure of the 'alcoholic liquor' of such license holder. When other illegally acquired 'alcoholic liquors' have been seized under this section, no payment shall be made therefor."

Approved March 30, 1943.

CHAPTER 206

ALCOHOLIC LIQUORS, WINES AND BEER

IN RELATION TO RETALIATORY TAXATION, ETC.

AN ACT TO AMEND CHAPTER 176 OF THE REVISED CODE OF DELAWARE, 1935, IN RELATION TO RETALIATORY TAXATION AND REGULATION OF THE IMPORTATION, SALE AND TRANSPORTATION OF BEER MANUFACTURED OUTSIDE OF THIS STATE.

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

Section 1. That Chapter 176 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out sub-paragraph (21) of 6159 Sec. 30, and by inserting in lieu thereof a new sub-paragraph (21) of 6159 Sec. 30, as follows:

6159 Sec. 30 (21). In addition to compliance with all other provisions of this Act, the Commission shall require each person desiring to sell beer manufactured outside this State to licensees of this State and each licensee of this State who desires to purchase and resell any such beer to pay to the Commission the same fees as are required to be paid by licensees of this State or by persons or licensees in any state, territory or country outside of this State who desire to sell beer manufactured in this State to licensees in such other state, territory or country of origin of such beer not manufactured in this State and to observe and comply with the same regulations, prohibitions and restrictions as are required of or enforced against licensees of this State or persons who desire to purchase and resell beer manufactured in this State in such other state, territory or country of origin. In all cases where the Commission shall have issued any reciprocal regulations or orders concerning beer manufactured in any state, territory or country other than this State no licensee of this State shall purchase any such beer if its importation has been prohibited or if not entirely prohibited, unless such regulations or orders have been observed and complied with by the licensee of this

ALCOHOLIC LIQUORS, WINES AND BEER

IN RELATION TO RETALIATORY TAXATION, ETC.

State and by the person from or through whom the licensee of this State desires to purchase. Any beer manufactured outside of this State which is sold, transported or possessed in this State contrary to any such regulations or orders of the Commission or without the payment of the fees herein required shall be considered contraband and shall be confiscated by the Commission and disposed of in the same manner as any other illegal alcoholic liquors, wines and beer.

Upon learning of the commission by a manufacturer of beer whose principal place of business is outside this State or by any servant, agent, employe or representative of such manufacturer within or partly within and partly outside this State of any violation of this Act or any laws of this State relating to alcoholic liquors, wines and beer, or of any regulation of the Commission adopted pursuant thereto, or of any violation of any laws of this State or of the United States of America relating to the tax payment of alcoholic liquors, wines and beer, the Commission shall cite such manufacturer to appear before it not less than ten nor more than fifteen days from the date of mailing to such manufacturer at his principal place of business wherever located by registered mail a notice to show cause why the further importation into this State of beer manufactured by him should not be prohibited. Upon such hearing whether or not an appearance was made by such outside manufacturer if satisfied that any such violation has occurred, the Commission is specifically empowered and directed to immediately issue an order prohibiting the importation of beer manufactured by such manufacturer into this State for a period of not less than six months nor more than three years. Notice of such action of the Commission shall be given immediately to such manufacturer and to all persons licensed to import beer within this State by mailing a copy of such order to such manufacturer at its principal place of business wherever located and to such licensees at their licensed premises. Thereafter it shall be unlawful for any person licensed to import beer within this State to purchase or sell any beer manufactured

ALCOHOLIC LIQUORS, WINES AND BEER

IN RELATION TO RETALIATORY TAXATION, ETC.

by such outside manufacturer during the term of such prohibition. Any violation of such prohibitory order shall be a misdemeanor and shall also constitute grounds for revocation or suspension of a license to import beer. In all such cases the Commission shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. Any outside manufacturer aggrieved by the action of the Commission may appeal to the Court of General Sessions in the same manner as herein provided for appeals from refusals to grant licenses.

Approved April 22, 1943.

CHAPTER 207

UNEMPLOYMENT COMPENSATION LAW

AN ACT TO AMEND AN ACT KNOWN AND CITED AS THE "UNEMPLOYMENT COMPENSATION LAW," BEING CHAPTER 258 OF THE LAWS OF DELAWARE, 1937, AS AMENDED, BY CHANGING THE DEFINITION OF "EMPLOYMENT OFFICE;" BY CHANGING THE DEFINITION OF "WEEKLY BENEFIT AMOUNT;" BY CHANGING THE DURATION OF BENEFITS; BY PROVIDING FOR A NEW BASIS OF PAYMENTS TO INDIVIDUALS WHO HAVE BEEN IN THE MILITARY SERVICE; BY CHANGING THE PROVISIONS RELATING TO DISQUALIFICATION FOR BENEFITS; BY CHANGING THE REQUIREMENT FOR ELIGIBILITY FOR BENEFITS; BY PRESCRIBING SPECIAL CONDITIONS UNDER WHICH AN EMPLOYER MAY RECEIVE A REDUCED CONTRIBUTION RATE; BY CHANGING THE DEFINITION OF "STATE EXPERIENCE FACTOR;" BY LIMITING THE MAXIMUM CONTRIBUTION RATE TO THREE PERCENTUM; BY PROVIDING FOR A REHIRING CREDIT ON BENEFIT WAGES CHARGED TO EMPLOYERS UNDER CERTAIN CONDITIONS; BY PROVIDING FOR SUCCESSORSHIP TO ADJUSTED CONTRIBUTION RATES UNDER CERTAIN CONDITIONS; BY CHANGING THE PERIOD OF TIME TO BE COVERED BY THE REGULAR REPORT TO THE GOVERNOR; AND BY CERTAIN CHANGES IN THE PROVISIONS RELATING TO SEASONAL EMPLOYMENT.

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

Section 1. That Section 2 (j) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 2 (j) and inserting in lieu thereof as a new Section 2 (j), reading as follows:

UNEMPLOYMENT COMPENSATION LAW

Sec. 2 (j). "Employment office" means a free public employment office or branch thereof operated by this State or as a part of a State-controlled system of public employment offices or by a Federal agency charged with the administration of an unemployment compensation program or free public employment offices.

Section 2. That Section 3 (b) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 3 (b) and inserting in lieu thereof the following:

Sec. 3 (b). An individual's "weekly benefit amount" shall be an amount equal to one-twenty-fifth of his total wages for employment by employers paid during that quarter of his base period in which such total wages were highest, except that if such amount is more than Eighteen Dollars, the weekly benefit amount shall be deemed to be Eighteen Dollars, or if less than Five Dollars, shall be deemed to be Five Dollars, and if not a multiple of Fifty Cents, shall be computed to the next higher multiple of Fifty Cents.

Section 3. That Section 3 (e) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 3 (e) and inserting in lieu thereof a new Section 3 (e), reading as follows:

Sec. 3 (e). Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to ten times his weekly benefit amount plus one times his weekly benefit amount for each two hundred dollars of his wages for employment by employers paid during his base period; provided that such total amount of benefits shall not exceed twenty times his weekly benefit amount; and provided that such total amount of benefits, if not a multiple of Fifty Cents, shall be computed to

UNEMPLOYMENT COMPENSATION LAW

the next higher multiple of Fifty Cents. For the purpose of this section, wages shall be counted as wages for employment by employers for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the date on which the employer from whom such wages were paid has satisfied the conditions of Section 2 (h) or Section 8 (c) with respect to becoming an employer.

Section 4. That Section 3 (f) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 3 (f) and inserting in lieu thereof a new Section 3 (f), reading as follows:

Section 3 (f) (1). Notwithstanding any inconsistent provisions of this Act the benefit rights of trainees shall be determined in accordance with the following provisions of this subsection for the periods and with respect to the matters specified herein. Except as herein otherwise provided, all other provisions of this Act shall continue to be applicable in connection with such benefits.

(2). The term "military service" as used in this subsection means active service in the land or naval forces of the United States including such auxiliary forces as may by Act of Congress be placed under the jurisdiction of or associated in service with such forces, but the service of an individual in any reserve component of the land or naval forces of the United States who is ordered to active duty in any such force for a period of thirty days or less shall not be deemed to be active service in such force during such period.

(3). The term "trainee" as used in this subsection means an individual who entered military service after April 1, 1940, who continued such service for not less than ninety consecutive days and whose military service is terminated no later than six months after the conclusion of the present War.

UNEMPLOYMENT COMPENSATION LAW

(4). With respect to any trainee, the first benefit year following the termination of his military service shall be the one year period beginning on the day next following the date for such termination.

(5). With respect to any trainee, each calendar quarter of his base period which was spent in the military service shall be treated for benefit purposes as if such calendar quarter were spent in covered employment for which the trainee was paid wages of five hundred dollars (\$500.00). Provided, however, that this subsection shall apply only if such trainee had during the four most recent calendar quarters prior to his entrance into the military service been paid wages for employment equal to not less than one hundred twenty-five dollars (\$125.00).

(6). And provided that no benefits based on such credits shall be payable for any week with respect to which he is receiving or has received a payment under a Federal unemployment allowance plan under an act of Congress, based upon previous military service, except that if such remuneration is less than the benefits which would otherwise be due under this Act, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration. And further provided that in no case shall such additional payments under this Act entitle any individual to a maximum amount of benefits beyond the maximum amount for which any other covered worker with identical earnings would be eligible.

Section 5. That Section 4 (e) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out the words: "one hundred and twenty-five dollars (\$125.00)" in the first sentence thereof and inserting in lieu thereof the words: "two hundreds dollars (\$200.00)."

Section 6. That Section 5 of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 5 and substituting in lieu thereof a new Section 5, reading as follows:

UNEMPLOYMENT COMPENSATION LAW

Sec. 5. An individual shall be disqualified for benefits—

(a) For the period of unemployment next ensuing after he has left his employment voluntarily without good cause. Benefit wages related to wage credits earned in such employment shall not be considered in determining the future contribution rate of any individual employer under Section 7 (c) of this act.

(b) For the period of unemployment next ensuing after an individual has been separated from his employment by discharge due solely to deliberate misconduct in wilful disregard of the employing unit's interest. Benefit wages related to wage credits earned in such employment shall not be considered in determining the future contribution rate of any individual employer under Section 7 (c) of this act.

(c) If he has failed, without good cause, either to apply for available suitable work when so directed by the employment office or the Commission or to accept suitable work when offered him. Such disqualification shall begin with the week in which the refusal occurred and shall continue for the duration of the period of unemployment during which such refusal occurred.

(1) In determining whether or not any work is suitable for an individual, the Commission shall consider the degree of risk involved to his health, safety, and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence.

(2) Notwithstanding any other provisions of this Act, no work shall be deemed suitable and benefits shall not be denied under this Act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (a) If the position offered is vacant due directly to a strike, lock-out, or other labor dispute; (b) If the wages, hours, or other conditions of the work offered are substantially less favorable to the

UNEMPLOYMENT COMPENSATION LAW

individual than those prevailing for similar work in the locality; (c) If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona-fide labor organization.

(d) For any week with respect to which the Commission finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed.

(e) (1) For any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of another State or of the United States; Provided that if the appropriate agency of such other State or of the United States finally determines that he is not entitled to such unemployment benefits, this disqualification shall not apply.

(2) For any week with respect to which he is receiving or has received remuneration in the form of a primary insurance benefit under Title II of the Social Security Act, as amended, or similar payments under any Act of Congress. If the amount of such payment for any week is less than the weekly benefit that would otherwise be due under this Act, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such payment.

(f) Any individual who has made a false statement to the Commission for the purpose of obtaining benefits to which he was not lawfully entitled shall be disqualified for benefits for a period of one year from the date on which the said false statement was made. Provided, however, that this disqualification shall not apply to cases in which it shall appear to the satisfaction of the Commission that the said false statement was made by reason of a mistake or misunderstanding of law or of fact and without fraudulent intent.

UNEMPLOYMENT COMPENSATION LAW

Section 7. That Section 7 (c) (1) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by adding thereto a new and additional paragraph to be known as Section 7 (c) (1) (C), reading as follows:

Sec. 7 (c) (1) (C). No employer's rate shall be less than the standard rate for any calendar year unless the balance to the credit of this State in the fund as of December 31 of the preceding calendar year shall have been equal to or in excess of the highest amount of benefits paid in any previous calendar year.

Section 8. That Section 7 (c) (2) (D) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 7 (c) (2) (D) and inserting in lieu thereof a new Section 7 (c) (2) (D), reading as follows:

Sec. 7 (c) (2) (D). For any calendar year, the "state experience factor" shall be the term used for the total benefits paid from the fund during the most recent three completed calendar years, less all amounts credited to the fund in such years other than employers' contributions, divided by the total of the benefit wages of all employers during the same three years. In such computation, any fraction shall be adjusted to the nearest multiple of 1%.

Section 9. That Section 7 (c) (2) (E) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 7 (c) (2) (E) and inserting in lieu thereof a new Section 7 (c) (2) (E), reading as follows:

Sec. 7 (c) (2) (E). The contribution rate for each employer for the current calendar year shall be determined prior to the due date of the first contribution for such year in accordance with the following table:

UNEMPLOYMENT COMPENSATION LAW

TABLE

When the State

Experience
Factor isIf the Employer's Benefit Wage Ratio
Does not Exceed:

	50%	100%	150%	200%	250%
1	25	50	75	100	125
2	17	33	50	66	83
3	13	25	38	50	63
4	10	20	30	40	50
5	8	17	25	34	42
6	7	14	21	29	36
7	6	13	19	25	31
8	6	11	16	22	28
9	5	10	15	20	25
10	5	9	14	18	23
11	4	8	13	17	21
12	4	8	12	15	19
13	4	7	11	14	18
14	3	7	10	13	17
15	3	6	9	12	16
16	3	6	9	12	15
17	3	6	8	11	14
18	3	5	8	11	13
19	3	5	8	10	13
20	2	5	7	10	12
21	2	5	7	9	11
22	2	4	7	9	11
23	2	4	6	8	10
24	2	4	6	8	10

The Employer's Contribution Rate Shall be:

.5% 1.0% 1.5% 2.0% 2.5%

If the employer's benefit wage ratio exceeds the percentage in the last column of the table opposite the State Experience Factor, his contribution rate shall be 3%.

Section 10. That Section 7 (c) (2) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby

UNEMPLOYMENT COMPENSATION LAW

amended by adding thereto a new and additional paragraph to be known as Section 7 (c) (2) (G), reading as follows:

Sec. 7 (c) (2) (G). Notwithstanding any inconsistent provisions of this Act, if after the last day of any claimant's benefit year but within the thirty days next following thereafter, an employer for whom benefit wage charges were made as a consequence of such claimant's receipt of benefits alleges that he had reemployed such claimant within the claimant's benefit year, and the Commission finds that such employee received in benefits a total amount aggregating not more than twenty-five percent of the maximum benefit payments to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with 75% of the benefit wages previously charged against him relating to such claimant's previous employment; or if the Commission finds that such employee received in benefits an amount aggregating more than twenty-five percent but not more than fifty percent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with 50% of the benefit wages previously charged against him relating to such claimant's previous employment; or if the Commission finds that such employee received in benefits a total amount aggregating more than fifty per cent but not more than seventy-five percent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with 25% of the benefit wages previously charged against him relating to such claimant's previous employment. Provided, that such credits shall be made for the calendar year in which the finding is made by the Commission and no attempt shall be made to relate such credits to the period in which the rehiring occurred.

Section 11. That Section 7 (c) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by adding thereto a new and additional paragraph to be known as Section 7 (c) (5), reading as follows:

UNEMPLOYMENT COMPENSATION LAW

Sec. 7 (c) (5). For the purposes of this subsection two or more employing units which are parties to or subject to a merger, consolidation, or other form of reorganization effecting a change in legal identity or form shall be deemed to be a single employing unit if the Commission finds that (i) immediately after such change the employing enterprises of the predecessor employing unit or units are continued solely through a single employing unit as successor thereto, and (ii) immediately after such change such successor is owned or controlled by substantially the same interests as the predecessor employing unit or units.

Section 12. That Section 11 (a) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out the fourth sentence thereof, which states: "Not later than the last day of February of each year, the Commission shall submit to the Governor a report covering the administration and operation of this Act during the preceding calendar year and shall make such recommendations for amendments to this Act as it deems proper", and inserting in lieu thereof the following:

Not later than the last day of February of each odd year, the Commission shall submit to the Governor a report covering the administration and operation of this Act during the preceding two calendar years and shall make such recommendations for amendments to this Act as it deems proper.

Section 13. That Section 19 of Chapter 258 of the Laws of Delaware, 1937, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 19, and inserting in lieu thereof a new Section 19 reading as follows:

Sec. 19 (a). No benefits shall be payable in the months of January, February, March, April, November, and December to any claimant more than 75% of whose base period wages were received for seasonal employment. Provided, however, that this

UNEMPLOYMENT COMPENSATION LAW

restriction shall not apply to payment of benefits for partial unemployment. (This provision shall be effective from April 1, 1943, until March 31, 1945.)

(b). The term "seasonal employment" means employment in a seasonal industry by an individual customarily engaged in such industry and who, during the portion or portions of the year when such industry is not in operation, is ordinarily not engaged in any other work. Provided, however, that no occupation or industry shall be deemed to provide seasonal employment that is not part of the first processing of agricultural products. For the purpose of this section, the canning of chicken and allied products shall be considered part of such processing of agricultural products.

(c) The Commission shall make studies of the employment experience of seasonal workers and of benefits paid to workers engaged partially or entirely in seasonal employment and such studies shall serve as a basis for recommendations for future amendments to this act.

Approved March 12, 1943.

CHAPTER 208

UNEMPLOYMENT COMPENSATION LAW

**AN ACT TO AMEND AN ACT KNOWN AND CITED AS THE
"UNEMPLOYMENT COMPENSATION LAW," BEING
CHAPTER 258 OF THE LAWS OF DELAWARE, 1937, AS
AMENDED, BY CHANGING CERTAIN OF THE ADMIN-
ISTRATIVE PROVISIONS THEREOF.**

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

Section 1. That Section 10 (A) Chapter 258 of the Laws of Delaware, Volume 41, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 10 (A) and substituting in lieu thereof a new Section 10 (A) reading as follows:

Section 10 (A). There is hereby created a Commission to be known as the Unemployment Compensation Commission of Delaware. The Commission shall consist of the following four members: Albert Stetser, who shall be Chairman, Ebe H. Chandler, J. Wallace Woodford, and Robert J. Quillen. Albert Stetser shall hold office until April 30, 1947, said date being the expiration of his present term; Ebe H. Chandler shall hold office until April 30, 1945, said date being the expiration of his present term; J. Wallace Woodford shall hold office until April 30, 1949, said date being the expiration of his term; and Robert J. Quillen shall hold office until April 30, 1949, said date being the expiration of his term; upon the expiration of each of the said terms, the Governor with the advice and consent of a majority of all of the members elected to the Senate, shall appoint a successor who shall hold office for the term of six (6) years, and until his successor is duly appointed and qualified. At the termination of the Chairman's term or upon his death or resignation, the Governor shall designate a new Chairman, being either his successor or some other member of the Commission. Any vacancy occurring during a term shall be filled by the Governor with the advice and consent of the Senate, for the unexpired portion of the term.

UNEMPLOYMENT COMPENSATION LAW

The Chairman of the Commission shall receive an annual salary of \$4,500.00 while the annual salary of each associate member shall be \$2,400.00; the members of the Commission shall devote to the duties of their office such time as is necessary for the satisfactory execution thereof. During his term of membership on the Commission, no member shall serve as an officer or committee member of any political party organization, and not more than two members of the Commission shall be members of the same political party. The Governor may at any time, after notice and hearing, remove any Commissioner for gross inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office.

Section 2. That Section 10 (B) of Chapter 258 of the Laws of Delaware, Volume 41, as amended, be and the same is hereby amended by striking out all of the said Section 10 (B) and substituting in lieu thereof a new Section 10 (B) reading as follows:

Sec. 10 (B). The Chairman of the Unemployment Compensation Commission of Delaware shall be the Executive Director and Approval Officer of the Commission, and its official agent. He shall devote his full time to the duties of such office. The Commission may designate a suitable employee to act as Secretary of the Commission.

Section 3. That Section 10 (C) of Chapter 258 of the Laws of Delaware, Volume 41, as amended, be and the same is hereby amended by striking out all of the said Section 10 (C) and substituting in lieu thereof a new Section 10 (C) reading as follows:

Sec. 10 (C). There is hereby established in the Commission two coordinate divisions: The Delaware State Employment Service division hereby transferred to the Commission as a division thereof, pursuant to Section 12 of the Act, and the Unemployment Compensation division. Each division shall be responsible for the discharge of its distinctive function. Each division shall be a separate administrative unit with respect to personnel,

UNEMPLOYMENT COMPENSATION LAW

budget and duties, except insofar as the Commission may find that such separation is impracticable. Each Commissioner shall be paid from the unemployment compensation administration fund.

Section 4. That Section 11 (1) (1) of Chapter 258 of the Laws of Delaware, Volume 41, as amended, be and the same is hereby amended by striking out Section 11 (1) (1) of said Chapter and inserting in lieu thereof a new Section to be known as Section 11 (1) (1) in the following words:

Sec. 11 (1) (1). The Commission may delegate to a suitable employee thereof the power to make preliminary determinations on all questions relating to the liability of employing units for the contributions mentioned in this Act, but such administrative rulings shall be subject to the review of the Commission if the employing unit affected thereby shall appeal to the Commission. Such appeals shall be taken in the manner and within the time prescribed by the Commission. The person taking the appeal shall be designated as the complainant. The Commission shall hear such appeals within a reasonable time.

Section 5. That Section 14 (d) of Chapter 258 of the Laws of Delaware, Volume 41, as amended, be and the same is hereby amended by striking out all of said Section 14 (d) and substituting in lieu thereof a new Section 14 (d) reading as follows:

Sec. 14 (d). The contributions, penalties, and interest due from the employer under the provisions of this Chapter, from the time they shall become due, shall be a debt of the employer to the Unemployment Compensation Fund and may be reduced to judgment in accordance with Sections 14 (b) and 14 (e) hereof.

Section 6. That Section 14 (e) of Chapter 258 of the Laws of Delaware, Volume 41, as amended, be and the same is hereby amended by striking out all of said Section 14 (e) and substituting in lieu thereof a new Section 14 (e) reading as follows:

UNEMPLOYMENT COMPENSATION LAW

Sec. 14 (e). As an additional or alternative remedy the Commission may issue, under its seal and the hand of its Executive Director, to the Prothonotary of the Superior Court in and for any county of the State of Delaware, a certificate that any employer is indebted under the provisions of this Chapter in an amount which shall be stated in such certificate; and thereupon the Prothonotary to whom such certificate shall have been issued shall immediately enter upon his record of docketed judgments the name of such employer, the name of the Commission, the amount of the debt so certified, a brief description of the said employer's liability under this Chapter, and the date of making such entries. The making of such entries shall have the same force and effect in all respects as the entries of docketed judgment in the office of such Prothonotary, and the Commission shall have all the remedies and may take all the proceedings for the collection of the said debt which could be had or taken upon a judgment in an action of law upon debt or contract. Such debt, from the time of the docketing thereof, shall be a lien on and bind the lands, tenements, and hereditaments of the debtor. Promptly upon the entry of said debt as a judgment, the Prothonotary shall send by Registered letter to the debtor, at his last known address within this State, notice of the entry of the said judgment together with the amount thereof. Within ten (10) days from the date of said notice, the debtor may file a petition in the Superior Court to review the legality or validity of the indebtedness, and upon the filing of said petition all proceedings on such judgment shall be stayed until the final determination of the cause; providing, however, that such review shall be limited to the correct amount of such indebtedness or the correct identity of the debtors.

This Act shall become effective on and after July first (1), 1943.

Approved April 15, 1943.

CHAPTER 209

STATE COUNCIL OF DEFENSE

AN ACT TO AMEND AN ACT ENTITLED "AN ACT RELATING TO NATIONAL AND STATE DEFENSE, PROVIDING FOR THE ESTABLISHMENT OF A STATE COUNCIL OF DEFENSE AND OF LOCAL AND DISTRICT COUNCILS OF DEFENSE, AND PRESCRIBING THE POWERS AND DUTIES THEREOF", THE SAME BEING CHAPTER 285, VOLUME 43 LAWS OF DELAWARE.

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

Section 1. That Section 3, Paragraph (a) of Chapter 285 Volume 43 Laws of Delaware entitled "Organization of Council" be and the same is hereby amended to read as follows:

Section 3. **Organization of Council.** (a) The Council shall consist of the Governor and six or more suitable persons, not to exceed twenty three, appointed by and holding office during the pleasure of the Governor. The Governor shall serve as Chairman of the Council. He shall designate one of the members of the Council as vice-chairman. Appointment of members shall be made without reference to political affiliation and with reference to their special knowledge of industry, agriculture, consumer protection, labor, education, health, welfare, or other subjects relating to National or State defense.

Approved February 23, 1943.

CHAPTER 210

STATE COUNCIL OF DEFENSE

AN ACT TO AMEND AN ACT ENTITLED "AN ACT RELATING TO NATIONAL AND STATE DEFENSE, PROVIDING FOR THE ESTABLISHMENT OF A STATE COUNCIL OF DEFENSE AND OF LOCAL AND DISTRICT COUNCILS OF DEFENSE, AND PRESCRIBING THE POWERS AND DUTIES THEREOF," THE SAME BEING CHAPTER 285, VOLUME 43 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 285, Volume 43, Laws of Delaware, be and the same hereby is amended by repealing subparagraph (a) of Section 4 of said Chapter and by inserting in lieu thereof the following:

(a) To adopt, amend, and repeal rules, regulations, orders and by-laws dealing with the following subjects:

(1) The government of its own procedure and activities.

(2) The health and safety during time of war of inmates of all public institutions in the State of Delaware and of all persons attending or employed in schools of the State of Delaware, including the method of meeting and combating actual, imminent, threatened or possible danger to such inmates and persons from the public enemy.

(3) The method and manner of conducting blackouts, partial blackouts, air raids, air raid tests, civilian defense drills, mobilizations and exercises, the modification and control of illumination, the conduct of the civilian population during blackouts, partial blackouts, air raids, air raid tests, civilian defense drills, mobilizations and exercises and periods during which illumination is modified by law, lawful order or regulation.

(4) The conduct and administration of air raid warnings, test air raid warnings of every classification, civilian defense drills, mobilizations and exercises and the conduct of the civilian

STATE COUNCIL OF DEFENSE

population during and immediately following the same, including the operation and limitation and restriction of operation of motor vehicles of all kinds during such periods in any designated area.

(5) The organization and administration of the Civilian Defense Organization in the State of Delaware, including the recruiting, training, conduct, duties and powers of all volunteer agencies, air raid wardens, auxiliary police and firemen, demolition and clearance crews, fire watchers, road repair crews, rescue squads, medical corps, nurses aid corps, decontamination squads, drivers' corps, messengers' corps, emergency food and housing corps, utility repair squads, the staff corps of all civilian defense organizations and all other civilian protection groups or organizations exercising or performing any functions or duties in connection with the problems of local civilian defense.

(6) The designation of vehicles and persons permitted to move during actual or test air raids of all classifications or during any exercise or mobilization of the Civilian Defense Organization and the restriction and limitation of movement of such vehicles.

(7) The conduct of the civilian population during times of danger from the public enemy and during the threat and imminence of such danger.

(8) Concerning the prevention and counteracting of threatened or actual sabotage, subversive activities or other danger incident to the war emergency.

(9) Concerning the evacuation of residents of damaged or threatened districts and the conduct of the civilian population during any such evacuation.

(10) The maintenance, extension or interconnection of the services of public utility and public service companies and the discontinuance or limitation of such services during actual imminent or threatened danger to the civilian population from the public enemy.

STATE COUNCIL OF DEFENSE

(11) Any matter that may be necessary or desirable to protect the health, safety and welfare or that is designed to aid in the prevention or amelioration of loss or damage to persons or property from the acts of the public enemy.

All such rules and regulations (excepting by-laws for the government of the procedure and activities of the Council) shall, when adopted, be forthwith promulgated by proclamation of the Governor, which promulgation shall be deemed sufficient notice to all persons. Rules and regulations of local councils shall be promulgated by proclamation of the chief executive officer of the political subdivision for which such local council is established. The Council shall also have power to make and enforce any special order relating to any of the foregoing subjects directed to any individual, organization or special circumstances arising as the result of the war emergency. Such special order when made known to the person or persons to whom the same is directed shall have all the force and effect of a general rule or regulation adopted and promulgated as aforesaid.

Approved February 23, 1943.

CHAPTER 211

STATE BUILDING AND GROUNDS COMMISSION

AN ACT ESTABLISHING A STATE BUILDING AND GROUNDS COMMISSION AND DEFINING ITS DUTIES.

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, empowered and directed to appoint five persons, who together with the Governor, are hereby created a commission to be known as the State Building and Grounds Commission.

Section 2. The terms of office of the said members shall be for six years. Upon the death, resignation or removal of any member from the said office, the Governor is authorized, empowered and directed to appoint a successor whose term shall be for the full term of six years.

Section 3. The said Commission shall organize by the election of a president and secretary. Said officers so elected shall be members of and shall hold office at the pleasure of the commission, or until their term of office as a member of the commission shall expire.

Section 4. The members of the commission shall receive no salary or other compensation for their services.

Section 5. The commission, as constituted, is hereby authorized and empowered and it shall be its duty to approve and determine the location of any State Buildings upon State lands now owned, or hereafter acquired by the State of Delaware in the City of Dover. It shall also be the duty of the commission to determine and cause the style of Architecture of any building hereinafter erected, reconstructed or altered on the State group Park or any State lands adjacent thereto to conform with the architecture of the other buildings erected thereon since 1930. It shall further be the duty of the Commission to review and

STATE BUILDING AND GROUNDS COMMISSION

approve the style of Architecture of all buildings hereafter erected, reconstructed or altered on all other state lands in the City of Dover. It shall further be the duty of said commission to supervise the furnishing or refurnishing of the Governor's office in the Legislative Building or wherever same may be located at the State Capitol and to act in an advisory capacity in the furnishing or refurnishing of any other important public rooms or halls now erected or to be erected in the future. The commission shall also advise the Custodian of the State House on matters pertaining to landscaping and maintenance of the aforesaid lands in so far as such maintenance might affect the appearance of buildings and grounds.

Section 6. No department or agency of the State of Delaware, shall erect, reconstruct or alter any building on any State lands in the City of Dover without first having obtained the approval of the Commission as to the style of Architecture and general internal and external appearance as well as location of such building.

Approved April 13, 1943.

CHAPTER 212

STATE SOIL CONSERVATION COMMISSION

AN ACT TO PROVIDE FOR THE CREATION OF SOIL CONSERVATION DISTRICTS WHICH SHALL ENGAGE IN SAVING THE PRODUCTIVE POWER OF DELAWARE FARM LAND BY MAINTAINING OR IMPROVING THE FERTILITY OF THE SOIL, INCLUDING FARM DRAINAGE AND THE PREVENTION OR CONTROL OF SOIL EROSION; TO DEFINE THE POWERS AND DUTIES OF SOIL CONSERVATION DISTRICTS, AND TO PROVIDE FOR THE EXERCISE OF SUCH POWERS AND DUTIES, INCLUDING THE AUTHORITY TO ACCEPT MONEY OR OTHER AID FROM ANY AGENCY OF THE UNITED STATES OR OF THE STATE OF DELAWARE; TO ESTABLISH THE STATE SOIL CONSERVATION COMMISSION AS THE ADMINISTRATIVE HEAD OF ALL SOIL CONSERVATION DISTRICTS HEREAFTER TO BE ESTABLISHED UNDER THE PROVISIONS OF THIS ACT, AND TO DEFINE THE POWERS AND DUTIES OF THIS COMMISSION.

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

Section 1. This Act may be known and cited as the Soil Conservation Districts Act.

Section 2. It is hereby declared to be the policy of the State of Delaware to provide for the saving of the productive power of Delaware farm land by maintaining or improving soil fertility, including farm drainage and the prevention or control of soil erosion, and thereby to promote the general welfare of the people of this State.

Section 3. The following words and phrases when used in this Act shall have for the purposes of this Act, the meanings respectively ascribed to them in this Section, unless a different meaning appears from the context.

STATE SOIL CONSERVATION COMMISSION

(1) Soil conservation district or soil district means a county or one or more areas within the county, with the powers and duties, and subject to the restrictions hereinafter set forth; and in establishing a soil district, if the proposed area is less than the area of the county which contains it, the State Soil Conservation Commission shall have the power to define it. Additional area or areas to be included in such soil district, need not be contiguous with one another, but there shall be only one soil district within the boundaries of the same county, and any farm intersected by the area boundary, shall be considered as lying within that district, for purposes of soil conservation by that district, except that the soil conservation of a farm which lies partly within one county and partly within another shall be considered the duty of the county in which the homestead of such farm is located.

(2) Area means subdivision of county as established by the State Soil Conservation Commission.

(3) "District Supervisors" means the governing body of a soil district, elected or appointed in accordance with the provisions of this Act.

(4) State Soil Conservation Commission means the agency created by Section 4 of this Act for the administration of soil conservation districts provided for by this Act.

(5) Landowner or Owner of Land means and includes any person, firm or corporation who shall hold title to any land in this State not less than three acres in one parcel, outside the corporate limits of any city or town, and outside the boundaries of any town or village, and lying within a soil district organized or proposed to be organized under the provisions of this Act.

Section 4. There is hereby established the State Soil Conservation Commission to administer for this State the soil conservation districts hereinafter provided for by this Act. The State Soil Conservation Commission shall formulate policies and general programs for the conservation of the soil and soil re-

STATE SOIL CONSERVATION COMMISSION

sources including drainage and erosion control by the soil conservation districts; it shall receive and allocate or otherwise expend for the use or benefit of the Soil Conservation districts any funds appropriated by the Legislature of this State for the use or benefit of such districts; it shall receive and properly convey to the Soil Conservation districts any other form of aid extended to such districts by any other agency of this State, except that any money or other form of aid raised or provided within a soil district for the use or benefit of that soil district shall be received and administered by the governing body of that soil district; it shall exercise other powers conferred upon it and perform other duties assigned to it by this Act; and it shall be the administrative agency to represent this State in these and all other matters arising from the provisions of this Act.

(1) The State Soil Conservation Commission shall be composed of the Dean and Director of the School of Agriculture of the University of Delaware, the Secretary of the State Board of Agriculture, who shall be Secretary to the State Soil Conservation Commission, and four farmer members, the latter four to be appointed by the Governor of Delaware, in the manner hereinafter provided, and the vote and authority of each member of this commission shall be equal to the vote and authority of each other member, except the Secretary of the State Soil Conservation Commission, who shall have no voting authority. The ex-officio members may hold office on the State Soil Conservation Commission so long as they shall retain the office from which they shall be serving.

Each of the four farmer members shall be holding legal title to a farm, and shall be earning a livelihood from a farm, all at the time of his appointment to the State Soil Conservation Commission. The farmer members shall be one from New Castle County, one from Kent County, one from Sussex County and one from the State at large. The farmer members shall be appointed for a period of four years, except that the first four appointed shall serve terms of one, two, three and four years respectively. Of these first four appointed, the one year term farmer shall come from New Castle County, the two-year term

STATE SOIL CONSERVATION COMMISSION

farmer from Kent County and the three-year term farmer from Sussex County, and the four-year term farmer from either of the three counties. Not more than two of the appointed members shall belong to the same political party. No Commissioner shall be appointed to succeed himself after a four-year term.

The State Soil Conservation Commission may invite the Secretary of Agriculture of the United States of America to appoint one person to serve with the Commission in an advisory capacity.

(2) The State Soil Conservation Commission may appoint such employees as it may require, within the limits of available funds, and shall determine their qualifications, duties and compensation. The State Soil Conservation Commission may call upon the Attorney General of the State for such legal services as it may require. It shall have authority to delegate to its Chairman, to one or more of its members, or to one or more of its agents or employees, such powers and duties as it may consider necessary for effectuating the purposes of this Act.

(3) The State Soil Conservation Commission shall elect one of its current members to be its Chairman, and may change such Chairman by the same procedure. A majority of the State Soil Conservation Commission shall constitute a quorum, but the concurrence of a majority of this Commission as a whole on any matter within their duties shall be required for its determination, except as this Commission may invest any of its members with power to determine specified matters or to execute routine duties. Each member of the State Soil Conservation Commission may be entitled to expenses, including travel expense, necessarily incurred in the discharge of his duties as a member of this Commission. The State Soil Conservation Commission shall provide for the execution of surety bonds for all of its employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all its proceedings and of all its resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of all its accounts of receipts and disbursements.

STATE SOIL CONSERVATION COMMISSION

(4) In addition to the special powers and duties herein-after assigned to the State Soil Conservation Commission, it shall have the following powers and duties:

(a) To encourage the formation of soil conservation districts in areas where their establishment seems necessary and their administration seems feasible.

(b) To formulate and establish rules and procedures for conducting fair and impartial referendums on the establishing of soil districts, for conducting elections of district supervisors, and for conducting all other local referendums which may from time to time become necessary in order to give land owners an opportunity to reach majority conclusions on programs for the maintaining of soil resources and drainage in their districts.

(c) To receive petitions for the establishing of soil conservation districts as provided in Section 5 of this Act; to determine the validity of these petitions; to conduct hearings upon the subject of these petitions; to determine whether the establishment of a soil district as petitioned would be effective in conserving the soil within the proposed area, and whether a soil district if established there could be feasibly administered; and, upon a favorable conclusion on these matters, to call a referendum on the establishing of the soil district as petitioned.

(d) To advise any soil conservation district in developing its program for conserving the soil, in order that such district may become eligible for any form of aid from State or Federal sources.

(e) To obtain or accept the cooperation and financial, technical or material assistance of the United States or any of its Agencies, and of this State or any of its Agencies, for the work of such soil districts.

(f) To give such other proper assistance as the State Soil Conservation Commission may judge to be useful to any Soil District in the exercise of its powers and performance of its duties.

STATE SOIL CONSERVATION COMMISSION

farmer from Kent County and the three-year term farmer from Sussex County, and the four-year term farmer from either of the three counties. Not more than two of the appointed members shall belong to the same political party. No Commissioner shall be appointed to succeed himself after a four-year term.

The State Soil Conservation Commission may invite the Secretary of Agriculture of the United States of America to appoint one person to serve with the Commission in an advisory capacity.

(2) The State Soil Conservation Commission may appoint such employees as it may require, within the limits of available funds, and shall determine their qualifications, duties and compensation. The State Soil Conservation Commission may call upon the Attorney General of the State for such legal services as it may require. It shall have authority to delegate to its Chairman, to one or more of its members, or to one or more of its agents or employees, such powers and duties as it may consider necessary for effectuating the purposes of this Act.

(3) The State Soil Conservation Commission shall elect one of its current members to be its Chairman, and may change such Chairman by the same procedure. A majority of the State Soil Conservation Commission shall constitute a quorum, but the concurrence of a majority of this Commission as a whole on any matter within their duties shall be required for its determination, except as this Commission may invest any of its members with power to determine specified matters or to execute routine duties. Each member of the State Soil Conservation Commission may be entitled to expenses, including travel expense, necessarily incurred in the discharge of his duties as a member of this Commission. The State Soil Conservation Commission shall provide for the execution of surety bonds for all of its employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all its proceedings and of all its resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of all its accounts of receipts and disbursements.

STATE SOIL CONSERVATION COMMISSION

(4) In addition to the special powers and duties hereinafter assigned to the State Soil Conservation Commission, it shall have the following powers and duties:

(a) To encourage the formation of soil conservation districts in areas where their establishment seems necessary and their administration seems feasible.

(b) To formulate and establish rules and procedures for conducting fair and impartial referendums on the establishing of soil districts, for conducting elections of district supervisors, and for conducting all other local referendums which may from time to time become necessary in order to give land owners an opportunity to reach majority conclusions on programs for the maintaining of soil resources and drainage in their districts.

(c) To receive petitions for the establishing of soil conservation districts as provided in Section 5 of this Act; to determine the validity of these petitions; to conduct hearings upon the subject of these petitions; to determine whether the establishment of a soil district as petitioned would be effective in conserving the soil within the proposed area, and whether a soil district if established there could be feasibly administered; and, upon a favorable conclusion on these matters, to call a referendum on the establishing of the soil district as petitioned.

(d) To advise any soil conservation district in developing its program for conserving the soil, in order that such district may become eligible for any form of aid from State or Federal sources.

(e) To obtain or accept the cooperation and financial, technical or material assistance of the United States or any of its Agencies, and of this State or any of its Agencies, for the work of such soil districts.

(f) To give such other proper assistance as the State Soil Conservation Commission may judge to be useful to any Soil District in the exercise of its powers and performance of its duties.

STATE SOIL CONSERVATION COMMISSION

Section 5. Whenever the State Soil Conservation Commission shall receive from any county, or any area, thereof, a petition declaring that the conserving of the soil resources in that county or in the specified area, or areas, is in the interests of the public welfare, said petition being signed by not less than twenty-five land owners, in the area covered by the petition, the State Soil Conservation Commission, when satisfied that such petition is valid, shall call for and conduct within the area described by such petition, a public hearing of land owners within that area, on the question of establishing that area as a soil conservation district. If from this hearing it shall appear to the State Soil Conservation Commission that there is a general desire for establishing as a soil district the county or the specified area, the Commission shall without delay determine by a survey of the conditions of farm land in the county or specified area whether the establishment of that area as a soil conservation district is actually necessary and administratively feasible. Upon reaching a favorable conclusion, the Commission shall call for a referendum by ballot of land owners within that area, on the question of establishing the county or the specified area as a soil conservation district. A land owner shall have one vote regardless of number of farms he may own. This referendum shall be conducted by the county member of State Conservation Committee with the assistance of the county agricultural extension agent, who represents in that county the School of Agriculture of the University of Delaware, and one local resident farmer appointed jointly by the county member of the State Soil Conservation Commission and County Agent, and this referendum shall be conducted by rules and procedures formulated by the State Soil Conservation Commission, and on a date agreed to by the State Soil Conservation Commission and County representative.

If in this referendum a majority of land owners voting lying within the area proposed to be established as a soil district, do vote in favor of this establishment, the county agent shall at once notify the State Soil Conservation Commission to this effect, and the State Soil Conservation Commission upon receiving this notice shall at once declare the county or area thereof, as specified by the referendum, to be established as a soil con-

STATE SOIL CONSERVATION COMMISSION

servation district; but if such a majority of those voting fail to vote in favor of this establishment, the State Soil Conservation Commission, upon notice from the County Agent of that fact, shall at once declare the question of establishment to have been lost, and another referendum on this question shall not be called by the State Soil Conservation Commission for this area within the twelve months next following the date of this declaration. Subsequent to the establishment of an area as a soil district any other area in the same county may be added to this soil district by the procedure used for the first establishment.

Section 6. The State Soil Conservation Commission upon declaring the establishment of a soil district as provided in Section 5 of this Act, shall notify the County Agent the necessity for a Board of soil district supervisors to act as a local governing body for such soil district. This Board shall consist of six members, as here follows:

Ex-officio, the Chairman of the County Levy Court and the Agricultural Agent; four land owners resident within that soil district and elected by the majority vote of land owners voting under rules and procedures formulated by the State Soil Conservation Commission.

A land owner shall have one vote regardless of number of farms he may own. The term of office of each ex-officio member shall be coincident with his term in the office from which he shall be serving on the supervisory board. The four elected farmer members shall each serve for four years, except that the first four who are elected shall serve for one, two and three and four years respectively as designated by the State Soil Conservation Commission; and in case of the death, resignation or removal from office of one of these farmer members, his successor to the unexpired term shall be appointed by the State Soil Conservation Commission, and such appointee shall be a land owner of that soil district. A soil supervisor shall hold office until his successor has been appointed and elected by the process outlined above in this section (Section 6) or appointed, and duly qualified. A soil supervisor may succeed himself in this office. A majority

STATE SOIL CONSERVATION COMMISSION

of the Board of soil supervisors shall constitute a quorum but the concurrence of a majority of the Board as a whole on any matter within their duties shall be required for its determination, except as the Board may invest any of its members with power to determine specified matters or to execute routine duties. The Board of soil supervisors shall elect a chairman from among themselves, and the county agricultural extension agent shall be Secretary of the Board. The vote and authority of each member of the Board of supervisors shall be equal to the vote of each other member, except the county agricultural extension agent, Secretary to the Board, shall have no voting authority. A soil supervisor shall receive no compensation for his services, but he may be entitled to expenses, including travel expenses, necessarily incurred in the discharge of his duties as a member of this Board. The Board of soil supervisors may appoint such employees as they may require, within the limits of available funds, and shall determine the qualifications, duties and compensation of such employees, subject to the approval of the State Soil Conservation Commission, and the Board may delegate to their chairman, to any member or members of this Board, or to one or more agents or employees, such powers and duties as they may deem proper for the execution of the duties of this Board. The Board of soil supervisors shall submit to the State Soil Conservation Commission for its approval copies of such rules, regulations, forms and other documents as this Board shall contemplate using in pursuance of their duties, and such other information concerning their activities as the State Soil Conservation Commission may require in the performance of its own duties under this Act. The Board of soil supervisors shall provide for the execution of surety bonds for all officers and employees who shall be entrusted with funds or property; shall keep a full and accurate record of all its proceedings and of all its resolutions and regulations issued or adopted; and shall present the soil commission, for approval, a statement of annual audit of all the accounts of receipts and disbursements by the Board. Any soil supervisor may be removed from office by the State Soil Conservation Commission upon notice and hearing, for neglect of duty or official misconduct, but for no other reasons. The Board of soil supervisors may invite the legislative body of any municipality or county located near the

STATE SOIL CONSERVATION COMMISSION

soil district to designate a representative to advise and consult with the soil supervisors of the district on all questions of program and policy which may affect the property, water supply, or other interests of such municipality or county.

Section 7. Any soil district organized under the provisions of this Act shall be a body corporate and shall possess the usual powers of a corporation for public purposes, and shall be officially known and titled "The Soil Conservation District ofCounty," and in that name shall be capable of suing and being sued and of contracting and being contracted with; and any soil district through the Board of soil district supervisors thereof shall have the following powers and duties in addition to others granted in other sections of this Act.

(1) To promote all reasonable measures for the saving of soil within that soil district, including, but not limited to, engineering operations, methods of cultivation, the growing of crops and other vegetation, the rotation of crops, changes in the use of land and drainage of land, and all such recommendations and practices shall be in general agreement with those currently promoted by the School of Agriculture of the University of Delaware for saving the productive power of Delaware farm land.

(2) To cooperate or enter into agreements with, and to aid within the limits of appropriations duly made available to it by law, any agency, governmental or otherwise, or any land owner within that soil district, in the conserving of the soil within that district; and all such cooperations or agreements shall be in accord with the policies of the State Soil Conservation Commission; and any land owner of farm land within that soil district shall be eligible to enter into such cooperations or agreements with the soil supervisors.

(3) To make available to any land owner within that soil district, through existing agencies if agreements with them seem feasible, or by such other feasible means as the supervisors shall prescribe, such services, materials, and equipment as will assist such land owners to carry on operations for conserving the soil.

STATE SOIL CONSERVATION COMMISSION

(4) To accept grants, gifts, and contributions in money, services, or materials from the United States or any of its agencies through the State Soil Conservation Commission and to use or expend such grants, gifts or contributions in carrying on the soil district operations.

(5) To make and execute contracts and other legal instruments, necessary or convenient for the conserving of the soil in that district, subject to approval by the State Soil Conservation Commission.

(6) To accept for the purpose of conserving the soil and drainage thereof in that district, contributions in money, services or materials from any source originating within the county not otherwise provided for herein.

Section 8. The supervisors of any soil district shall not have, nor exercise, the right of eminent domain; nor shall they have authority to incur indebtedness beyond available funds, nor to levy taxes; nor to issue bonds; but they may accept voluntary contributions from any source, provided such donations are offered for the sole and exclusive purpose of promoting the conservation of soil or drainage thereof within that soil district, and provided the district supervisors shall satisfactorily guarantee to the donors the faithful use of their donations for that purpose; nor shall they begin the execution of any program for the saving of the soil on any farm in that soil district before securing the approval of such program by the land owners; nor shall they engage in agricultural research, except by and under the direction of the Delaware Agricultural Experiment station.

Section 9. Any two or more soil conservation districts organized under the provisions of this Act may cooperate with one another in the exercise of any or all powers conferred upon such districts or any or all duties described for such districts by this Act.

Section 10. The Soil Conservation Commission at any time after the establishment of any county or one or more of its areas as a soil district, and after a referendum, called and conducted

STATE SOIL CONSERVATION COMMISSION

according to the provisions of Section 5 of this Act, has shown that a majority of the land owners of such soil district desire the disestablishment of that district, shall declare that district to be disestablished, and the soil supervisors of that district may not thereafter enter into any contracts or agreements on behalf of that district.

The State Soil Conservation Commission upon declaring the disestablishment of any soil district shall take charge of all property real or personal belonging to such soil district, and, if practicable may complete any contract or agreement entered into but left unfinished by the soil supervisors of that district.

The property shall be sold or transferred to other soil districts by the State Soil Conservation Commission, and the proceeds from such sale shall be expended by the State Soil Conservation Commission; provided, however, that such expenditure shall promote soil conservation in a soil district or in soil districts; and provided further, that any property purchased with county funds for the use of a soil district, shall, upon the disestablishment of that district, be used or disposed of by the levy court of that district.

The State Soil Conservation Commission shall also take charge of any unspent funds contributed from private sources to the soil district before the disestablishment of such district, and shall expend such funds or property in the promotion of soil conservation according to the terms of the donation. Subsequent to the disestablishment of a soil district the area once comprising this district shall not be eligible to reestablishment as a soil district for a period of two years, but at the end of that period it may be reestablished by the same procedure (Sec. 5) employed for its first establishment.

Section 11. If any provisions of this Act, or the application of any provision to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances, shall not be affected thereby.

STATE SOIL CONSERVATION COMMISSION

Section 12. Insofar as any of the provisions of this Act are inconsistent with the provisions of any other law, the provisions of this Act shall be controlling.

Section 13. There are hereby authorized to be appropriated for the purposes of this Act such sums as the Delaware Legislature may from time to time determine to be necessary.

Approved April 2, 1943.

CHAPTER 213

TRUSTEES OF NEW CASTLE COMMONS AUTHORIZED
TO INVEST PROCEEDS OF SALE OF REAL ESTATEAN ACT CONCERNING THE INVESTMENT OF THE PRO-
CEEDS OF SALES OF REAL ESTATE BY THE TRUS-
TEES OF THE NEW CASTLE COMMON.

WHEREAS by warrant from William Penn and by subsequent charter and deeds from his heirs certain real estate adjacent to the City of New Castle was vested in the Trustees of the New Castle Common for the benefit of the inhabitants of said City;

AND WHEREAS the Trustees of the New Castle Common having charge of said real estate were also incorporated by Act of the General Assembly of the State of Delaware, passed January 25, 1792;

AND WHEREAS in said charters there existed in the said corporation, the Trustees of the New Castle Common, no corporate power to sell the said real estate;

AND WHEREAS by Act of the General Assembly of the State of Delaware, passed April 15, 1885 (Vol. 17, Laws of Delaware, Chapter 575) the legislature granted to the said corporation, the Trustees of the New Castle Common, the corporate power to sell the said real estate, and also by the said Act the legislature acting as "*parens patriae*" authorized the sale of said real estate and provided that the proceeds of sale, if made, should be invested in "good real estate security";

AND WHEREAS, by reason of changes in economic conditions since the passage of said Act, it may now and hereafter be impossible or inadvisable to invest all of said proceeds in good real estate security at the time of any such sale;

THEREFORE, BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET, and acting as "*Parens Patriae*":

**TRUSTEES OF NEW CASTLE COMMONS AUTHORIZED
TO INVEST PROCEEDS OF SALE OF REAL ESTATE**

Section 1. That in addition to the real estate security in which proceeds of sale may be invested as provided by Section 2 of Chapter 575 of Volume 17, Laws of Delaware, it shall and may be lawful for the Trustees of the New Castle Common to invest any purchase money arising from the sale of real estate in such other securities or investments as may be legal investments for other trust funds under the Laws of the State of Delaware. The said real estate security or other securities or investments shall be held upon the same uses and trusts as the said real estate has been held, and for no other, and the income arising from the said securities or investments shall be applied by the Trustees of the New Castle Common as the rents and profits of the real estate have heretofore been applied, for the benefit of the inhabitants of the City of New Castle, in the discretion of the said Trustees.

Approved January 27, 1943.

Resolutions

CHAPTER 214

SENATE JOINT RESOLUTION

APPOINTING A BILL CLERK FOR THE SENATE AND A BILL CLERK FOR THE HOUSE OF REPRESENTA- TIVES.

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met that Mary W. Burton be and she is hereby appointed Bill Clerk for the Senate, to serve during the present session of the Senate; and Elsie R. Banta be and she is hereby appointed Bill Clerk for the House of Representatives, to serve during the present session of the House of Representatives; in accordance with 337 Section 1 of Chapter 10 of the Revised Code of Delaware 1935.

Approved February 23, 1943.

CHAPTER 215

SENATE JOINT RESOLUTION

**AUTHORIZING THE APPOINTMENT OF A COMMISSION TO
RECOMMEND A REVISION OF THE BANKING 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:*

Section 1. That the Governor be and he is hereby authorized and directed to appoint a Commission of eight persons experienced in banking, residents and citizens of the State of Delaware, not more than four of whom shall be of the same political party, two to be selected to represent the Wilmington Clearing House Association, two from rural New Castle County, two from Kent County and two from Sussex County, which shall be known as the "Commission on Revision of the Banking Laws of the State of Delaware", whose duty it shall be to make a full and complete investigation of the Banking Laws, determine what changes are desirable and report its conclusions to the Governor, and make its recommendations to the next General Assembly of this State, with a view to a complete and comprehensive revision of all Banking Laws of this State.

Section 2. The members of the Commission shall serve without compensation except for the actual and necessary expenses incurred by them in the performance of their duties, their terms of office shall continue until the final adjournment of the next General Assembly, and any vacancies in the Commission which may occur by death, resignation or otherwise, shall be filled by appointment of the Governor.

Section 3. The State Bank Commissioner shall be an ex officio member of the Commission and shall serve as its chairman. He shall receive no additional compensation whatever for his service as chairman and ex officio member of the Commission.

SENATE JOINT RESOLUTION

The Commission may employ counsel and such stenographic assistants as may be needed and fix their compensation. The expenses of the Commission shall be paid by the State Treasurer on the warrant of the chairman, subject, however, to the limitation that the total expenses of the Commission, including the compensation of its counsel and other stenographic assistants, shall not exceed the sum of Two Thousand Dollars (\$2,000.00), which sum is hereby appropriated for that purpose out of any monies in the General Fund of the State Treasury not otherwise appropriated.

Approved April 15, 1943.

CHAPTER 216

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE APPOINTMENT OF A JOINT COMMITTEE TO NOTIFY THE GOVERNOR THAT THE GENERAL ASSEMBLY IS DULY ORGANIZED.

Be it resolved by the Senate of the 109th General Assembly of the State of Delaware, the House of Representatives concurring therein, that a Joint Committee consisting of two members of the Senate and three members of the House of Representatives be appointed by the presiding officers of the respective Houses to notify the Governor that the General Assembly is duly organized and ready to receive any message that he may have to offer.

Approved January 25, 1943.

CHAPTER 217

SENATE CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION TO HEAR THE MESSAGE OF THE GOVERNOR.

Be it resolved by the Senate of the 109th General Assembly, the House of Representative concurring therein, that both Houses of the General Assembly shall meet in joint session on Tuesday, January 5th, at 1:00 P. M. for the purpose of hearing any message which the Governor may wish to send to them.

Approved January 25, 1943.

CHAPTER 218

SENATE CONCURRENT RESOLUTION

**FIXING THE TIME AFTER WHICH NO NEW BILLS OR
JOINT RESOLUTIONS SHALL BE RECEIVED BY
EITHER HOUSE, EXCEPT GENERAL APPROPRIATION
BILLS.**

*Be it resolved by the Senate of the 109th General Assembly,
the House of Representatives concurring therein:*

That no new bills or joint resolutions be received by the Senate or House of Representatives at this session of the General Assembly after one o'clock in the afternoon of Friday, February 5th, 1943.

Approved January 25, 1943.

CHAPTER 219

SENATE CONCURRENT RESOLUTION

**DIRECTING THE APPOINTMENT OF A COMMITTEE TO
ARRANGE A SUITABLE PROGRAM FOR THE OBSERV-
ANCE OF WASHINGTON'S BIRTHDAY.**

Be it resolved by the Senate of the 109th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the President of the Senate and the Speaker of the House of Representatives of the 109th General Assembly be and they hereby are authorized and directed to appoint three members from their respective houses to constitute a committee to arrange a suitable program for the observance of Washington's Birthday.

Approved February 5, 1943.

CHAPTER 220

SENATE CONCURRENT RESOLUTION

THANKING THE WILMINGTON CHAMBER OF COMMERCE.

Be it resolved by the Senate of the 109th General Assembly, the House of Representative concurring therein, that the Members of the Senate and House of Representatives desire to express their appreciation and thanks for the hospitality extended to them by the Wilmington Chamber of Commerce at the Dinner at the Hotel duPont on Thursday, January 28, 1943; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Wilmington Chamber of Commerce.

Approved February 5, 1943.

CHAPTER 221

SENATE CONCURRENT RESOLUTION

RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO AMEND THE CONSTITUTION OF THE UNITED STATES, RELATIVE TO TAXES ON INCOMES, GIFTS AND INHERITANCES; AND PROVIDING LIMITATIONS ON TAXES SO LEVIED; AND REPEALING THE SIXTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

WHEREAS, There is now pending in the current session of the Congress of the United States, proposed legislation to repeal the sixteenth amendment to the constitution of the United States, and to amend the constitution of the United States relative to taxes on incomes, gifts and inheritances; and providing for a limitation of taxes thereon; and

WHEREAS, The people of the State of Delaware are greatly interested in the passage of such legislation; now, therefore,

Be it resolved by the Senate of the State of Delaware; the House of Representatives concurring therein, That the Congress of the United States be memorialized as follows: That application be and it is hereby made to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

ARTICLE

Section 1. The sixteenth amendment to the Constitution of the United States is hereby repealed.

Section 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration: PROVIDED, That in no case shall the maximum rate of tax exceed twenty-five per centum.

SENATE CONCURRENT RESOLUTION

Section 3. The maximum rate of any tax, duty, or excise which Congress may lay and collect with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of death or intended to take effect in possession or enjoyment at or after death or by way of gift, shall in no case exceed twenty-five per centum.

Section 4. Sections 1 and 2 shall take effect at midnight on the thirty-first day of December following the ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax on incomes for any period ending on or prior to said thirty-first day of December laid in accordance with the terms of any law then in effect.

Section 5. Section 3 shall take effect at midnight on the last day of the sixth month following the ratification of this article. Nothing contained in this article shall affect the power of the United States to collect any tax on any devolution or transfer occurring prior to the taking effect of Section 3 laid in accordance with the terms of any law then in effect.

BE IT FURTHER RESOLVED, That the Congress of the United States be, and it hereby is, requested to provide, as the mode of ratification, the said amendment shall be valid to all intents and purposes, as part of the constitution of the United States, when ratified by the legislatures of three-fourths of the several states;

BE IT FURTHER RESOLVED, That the Secretary of State be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States, and to each Delaware member thereof.

Approved April 22, 1943.

CHAPTER 222

SENATE CONCURRENT RESOLUTION

**INVITING THE BOYS' STATE TO BE THE GUESTS OF THE
ONE HUNDRED AND NINTH GENERAL ASSEMBLY.**

Be it resolved, by the Senate of the One Hundred and Ninth General Assembly of the State of Delaware (the House concurring therein):

That the members of the Boys' State, sponsored by the American Legion of the State of Delaware, be and they are hereby invited to be the guests of the One Hundred and Ninth General Assembly during the current session thereof; and

BE IT FURTHER RESOLVED, that the President of the Senate and the Speaker of the House of Representatives, be and they are hereby authorized and directed to appoint two members from each of their respective bodies to make arrangements with the representatives from the American Legion of Delaware for the visitation of the said Boys' State.

Approved March 1, 1943.

CHAPTER 223

SENATE CONCURRENT RESOLUTION

**IN REFERENCE TO THE JOINT SESSION OF THE SENATE
AND HOUSE OF REPRESENTATIVES ON FEBRUARY
12, 1943.**

WHEREAS the Senate and House of Representatives of the 109th General Assembly had a joint session held on February 12, 1943 to mark the anniversary of the birth of that great American, Abraham Lincoln, and had the great privilege of hearing the interesting and scholarly address of the Reverend Joseph C. Settle; and

WHEREAS this celebration was rendered far more pleasant and enjoyable, not only for the members of the General Assembly, but also for their guests, by the excellent music and songs furnished by the Band of the Caesar Rodney School and the Glee Club of the State College.

NOW, THEREFORE, *be it resolved by the Senate of the 109th General Assembly, the House of Representatives concurring therein*, that the General Assembly desires to express its great appreciation to the Reverend Joseph C. Settle for his inspiring remarks and its sincere thanks to the Band of the Caesar Rodney School and the Glee Club of the State College for their kindness in making the Lincoln's Birthday celebration an outstanding success.

Approved March 3, 1943.

CHAPTER 224

SENATE CONCURRENT RESOLUTION

IN RESPECT TO THE PAYMENT OF EXPENSES OF THE
PRESENT SESSION.

Be it resolved by the Senate of the 109th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the following amount be and the same hereby is appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session, viz:

Wilmington Country Club \$57.50

Approved March 19, 1943.

CHAPTER 225

SENATE CONCURRENT RESOLUTION

**THANKING E. PAUL BURKHOLDER FOR HIS PART IN THE
PROGRAM CELEBRATING WASHINGTON'S BIRTH-
DAY.**

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

That the Senate does hereby express to E. Paul Burkholder its sincere thanks for the excellent address delivered by him before the Joint Session of the Senate and House of Representatives of the 109th General Assembly commemorating Washington's Birthday.

Approved March 16, 1943.

CHAPTER 226

SENATE CONCURRENT RESOLUTION

**PROVIDING FOR ADJOURNMENT OF THE SENATE AND
HOUSE OF REPRESENTATIVES UNTIL MONDAY,
APRIL 5, 1943.**

Be it resolved by the Senate of the 109th General Assembly, the House of Representatives concurring therein, that at the close of the Legislative day, March 25, 1943, both Houses of this General Assembly shall adjourn until Monday, April 5, 1943, at eleven o'clock A. M.

Approved March 23, 1943.

CHAPTER 227

SENATE CONCURRENT RESOLUTION

IN REFERENCE TO ADJOURNMENT SINE DIE.

Be it resolved by the Senate of the 109th General Assembly of the State of Delaware, the House of Representatives concurring therein, that at the close of the 60th Legislative Day of the 109th General Assembly of the State of Delaware both Houses of this General Assembly shall adjourn sine die.

Approved March 23, 1943.

CHAPTER 228

SENATE CONCURRENT RESOLUTION

**PROVIDING FOR A JOINT SESSION OF THE SENATE AND
HOUSE OF REPRESENTATIVES TO HEAR THE MESS-
AGE OF THE GOVERNOR OF THE STATE OF DELA-
WARE AND OF THE GOVERNOR OF THE BOYS' STATE.**

Be it resolved by the Senate of the 109th General Assembly, the House of Representatives concurring therein, that both Houses of the General Assembly shall meet in Joint Session in the Senate Chamber at 2:30 P. M. on Friday, March 19, 1943, for the purpose of hearing the message of the Governor of the State of Delaware and of the Governor of the Boys' State.

Approved April 2, 1943.

CHAPTER 229

SENATE CONCURRENT RESOLUTION

**IN RESPECT TO A PROPOSED AMENDMENT TO THE
FEDERAL SOCIAL SECURITY LAWS.**

WHEREAS, at the present time the employees of the State of Delaware and of the various Departments and Agencies of our State Government do not and cannot come under the provisions of the Federal Social Security Laws and, by consequence, are not entitled to participate in any of the privileges accorded to employees under such laws; and

WHEREAS, it is the belief of the 109th General Assembly of the State of Delaware that it would be to the best interests of the State and beneficial to the State employees if the Federal Social Security Laws should be amended so as to permit any State to obtain for its employees these benefits by voluntarily accepting coverage under these Laws;

NOW, THEREFORE, *be it resolved, by the Senate of the 109th General Assembly, the House of Representatives concurring therein*, that the Representatives of the State of Delaware in the Congress of the United States of America, the Honorable James M. Tunnell, the Honorable C. Douglass Buck, and the Honorable Earle D. Willey, be and they hereby are asked, on behalf of the State of Delaware, to propose measures in the Congress of the United States which would permit any State voluntarily to accept coverage under the Social Security Laws of the State of Delaware to the end that the employees of such State would be entitled to participate in the benefits now obtainable by the employees of private industries.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Honorable James M. Tunnell, senior Senator from Delaware, the Honorable C. Douglass Buck, junior Senator from Delaware, and the Honorable Earle D. Willey, Representative from the State of Delaware in the Congress of the United States.

Approved March 26, 1943.

CHAPTER 230

SENATE CONCURRENT RESOLUTION

**IN RESPECT TO ATROCITIES COMMITTED BY THE NAZIS
DURING AND PRIOR TO THE PRESENT WAR AND
CALLING FOR THE PUNISHMENT OF THOSE RESPON-
SIBLE FOR THESE CRIMES.**

WHEREAS, the members of the One Hundred and Ninth General Assembly of the State of Delaware, having learned with deep regret of the atrocities being committed by the Nazis in the occupied countries of Europe and Germany; and

WHEREAS, we are deeply shocked at the official reports from the exiled governments of Europe and from the State Department of the United States of America, which reports tell of the treacherous campaign to destroy innocent men, women and children because of their beliefs and faiths; and

WHEREAS, unbelievably inhuman acts, first ruthlessly directed against the Jews, are now being committed against all other defenseless peoples of Europe, of every faith and belief; and

WHEREAS, the campaign against the Jews is now revealed as a barbaric plan of systematic extermination which is designed to include all liberty loving other peoples and is a crime against civilization and an offense against the high principles and all concepts of Christianity; and

WHEREAS, in this land of liberty and freedom, the hearts of men are filled with good will and sympathy toward all people of the world who are under the heel of hate and oppression; now, therefore

Be it resolved by the Senate, the House of Representatives concurring therein, that we, the Members of the One Hundred and Ninth General Assembly of the State of Delaware, being all God-fearing and liberty-loving Americans, do join with other

SENATE CONCURRENT RESOLUTION

Americans throughout the Nation in our protest that the State Department of the United States of America and Representatives of the United Nations, do everything in their power to stop these brutalities. We further ask that the Governments of the United Nations make plans for certain and just prosecution of these criminals who have brought total war, degradation, suffering and death to thousands of our fellowmen, and we seal this protest with our prayers, our fervent hopes for the day when aggressor nations will no longer live to rise nor darken the Continent of the World, nor ever threaten against our great Democracy.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this General Assembly.

Approved April 9, 1943.

CHAPTER 231

HOUSE CONCURRENT RESOLUTION

**DIRECTING THE APPOINTMENT OF A COMMITTEE TO
ARRANGE FOR A SUITABLE PROGRAM FOR OB-
SERVANCE OF LINCOLN'S BIRTHDAY.**

Be it resolved by the House of Representatives of the 109th General Assembly of the State of Delaware, the Senate concurring therein:

That the Speaker of the House of Representatives and the President of the Senate of the 109th General Assembly, be and they are hereby authorized and directed to appoint three members from their respective Houses to constitute a Committee to arrange for a suitable Program for the observance of Lincoln's Birthday.

Approved January 26, 1943.

CHAPTER 232

HOUSE CONCURRENT RESOLUTION

**DIRECTING THE SECRETARY OF STATE TO RETURN
SENATE SUBSTITUTE FOR SENATE BILL NO. 93 TO
THE HOUSE OF REPRESENTATIVES.**

Be it resolved by the House of Representatives of the 109th General Assembly, the Senate concurring therein, that the Secretary of State be and he hereby is authorized and directed to return Senate Substitute for Senate Bill #93 to the House of Representatives.

Approved March 16, 1943.

CHAPTER 233

HOUSE CONCURRENT RESOLUTION

**APPROPRIATING MONEYS TO PAY CERTAIN CLAIMS
RELATING TO THE EXPENSES OF THE SUPREME
COURT.**

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

That the following amounts be and they are hereby appropriated out of the General Fund for the payment of certain claims against the State of Delaware for supplies and services rendered the Supreme Court:

Oliver C. Hayes, Court Crier	\$140.00
James Reed, Janitor	56.00
Anthony F. Hammond, Page	87.50
John Satterfield, Page	10.50
John H. Teat, Bailiff	140.00
Joseph George, Bailiff	95.00
Norris C. Adams, Sheriff	140.00
Gideon Legates, Bailiff	45.00
Delaware State News, Printing Calendars	140.00
Hugh A. George Co., Printing Stationery	200.50

Approved April 9, 1943.

CHAPTER 234

HOUSE CONCURRENT RESOLUTION

IN RESPECT TO THE DEATH OF THE HONORABLE FRANK HAINSWORTH, A FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES.

WHEREAS, the Senate and House of Representatives of the 109th General Assembly of the State of Delaware has learned with deepest regret of the death of the Honorable Frank Hainsworth, President of the Board of Assessment of New Castle County and former member of the House of Representatives of the 108th General Assembly of the State of Delaware from the second representative district of New Castle County, who died on the twenty-first day of March, A. D. 1943; and

WHEREAS, the said Frank Hainsworth served the people of the State of Delaware ably and loyally in many public capacities, and the State of Delaware has suffered a great loss in his death; and

WHEREAS, it is fitting that the Senate and House of Representatives of the State of Delaware in General Assembly met should give expression of their deep sympathy to the family of the late member of the House of Representatives;

NOW, THEREFORE, *be it resolved by the House of Representatives of the 109th General Assembly, the Senate concurring therein*, that the General Assembly do extend to the family of the Honorable Frank Hainsworth, late member of the House of Representatives of the State of Delaware, the sincere sympathy of the Senate and the House of Representatives in their loss and sorrow and that a copy of this Resolution be spread upon the Journal, a copy delivered to the press, and a copy sent to the family of the deceased.

Approved April 2, 1943.

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CHAPTER 235

HOUSE CONCURRENT RESOLUTION

**RELATIVE TO THE RELEASE OF MANPOWER FROM THE
STATE AGENCIES AND OTHER ORGANIZATIONS FOR
THE SUCCESSFUL PROSECUTION OF THE WAR
EFFORT.**

Whereas the United States of America is now engaged in the greatest war in the history of the world, and

Whereas one of the greatest needs of this nation in the successful prosecution of that war is manpower both for industry and the armed forces,

NOW THEREFORE be it resolved by the House of Representatives of the General Assembly met, the Senate concurring therein

That it is the wish of the 109th General Assembly of the State of Delaware that all State Departments and agencies operating under the State Government should immediately release all possible manpower to aid in the successful prosecution of the War

AND BE IT FURTHER RESOLVED that a copy of this resolution be transmitted, through the office of the Secretary of State, to all State Departments and State Agencies operating under the government of the State of Delaware.

Approved April 9, 1943.

CHAPTER 236

HOUSE CONCURRENT RESOLUTION

RELATING TO THE DEATH OF HARRY B. THAW.

WHEREAS Harry B. Thaw, Speaker's Clerk of the House of Representatives of the 109th General Assembly, departed this life at Milford on Wednesday, March 24, 1943, and

WHEREAS the said Harry B. Thaw was, prior to his period of service as Speaker's Clerk as aforesaid, a Justice of the Peace at Milford for many years, and also held other public offices with credit and distinction to himself and to the State and county which he served, and

WHEREAS the House of Representatives and the Senate of the 109th General Assembly learns with the deepest regret of the death of the said Harry B. Thaw and that due recognition of the death of the said Harry B. Thaw should be had:

Now therefore, *be it resolved, that the House of Representatives of the 109th General Assembly of the State of Delaware, the Senate concurring therein*, does hereby extend to the family of the decedent, Harry B. Thaw, the sincere sympathy of the House of Representatives and the Senate of the 109th General Assembly in their loss and sorrow, and that a copy of this Resolution be spread upon the Journal of each House, that a copy of this Resolution be delivered to the press, and a copy thereof sent to the family of the deceased.

Approved April 9, 1943.

CHAPTER 237

HOUSE CONCURRENT RESOLUTION

IN RESPECT TO "AN ACT APPROPRIATING MONEY TO CERTAIN FIRE COMPANIES IN THE STATE OF DELAWARE" AND "AN ACT APPROPRIATING MONEYS FROM THE STATE TREASURY FOR THE PURPOSE OF PAYING THE INTEREST ON CERTAIN HIGHWAY IMPROVEMENT BONDS AND STATE AID BONDS ISSUED BY THE LEVY COURTS OF NEW CASTLE, KENT AND SUSSEX COUNTIES, DURING THE FISCAL BIENNIUM OF THE STATE OF DELAWARE ENDING JUNE 30, 1945."

Be it resolved by the House of Representatives of the 109th General Assembly, the Senate concurring therein:

That, for the purpose of restoring to the Calendar of the House of Representatives of two House bills, one entitled "AN ACT APPROPRIATING MONEY TO CERTAIN FIRE COMPANIES IN THE STATE OF DELAWARE", formerly known as House Bill No. 11, and the other entitled "AN ACT APPROPRIATING MONEYS FROM THE STATE TREASURY FOR THE PURPOSE OF PAYING THE INTEREST ON CERTAIN HIGHWAY IMPROVEMENT BONDS AND STATE AID BONDS ISSUED BY THE LEVY COURTS OF NEW CASTLE, KENT AND SUSSEX COUNTIES, DURING THE FISCAL BIENNIUM OF THE STATE OF DELAWARE ENDING JUNE 30, 1945", formerly known as House Bill No. 16, authority is hereby conferred for the restoration of said bills by the introduction of two bills of identical title and subject matter as House Bill No. 11 and House Bill No. 16 under new numbers.

Approved April 13, 1943.

CHAPTER 238

HOUSE JOINT RESOLUTION

**APPOINTING DIRECTORS ON THE PART OF THE STATE
FOR THE FARMERS BANK OF THE STATE OF DELA-
WARE.**

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

That William D. Denney, Frank R. Manahan, and Henry V. P. Wilson, 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, John F. Porter and C. Lalor Burdick, 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 William A. B. Dodd, John G. Townsend, Jr. and J. Edward Goslee, be and they are hereby appointed Directors, on the part of the State, of the Farmers Bank of the State of Delaware for the Branch at Georgetown.

Approved January 26, 1943.

CHAPTER 239

HOUSE JOINT RESOLUTION

RELATING TO A NATIONAL CEMETERY IN DELAWARE.

WHEREAS, National Cemeteries have been established in many States of the Union, and

WHEREAS, the State of Delaware has no National Cemetery within its borders, and

WHEREAS, the Governor of the State has appointed a committee composed of Veterans of the American Legion, the Disabled American Veterans and the Veterans of Foreign Wars of the United States, to survey the need for such a Cemetery, to organize among the citizens of Delaware for its establishment and to cooperate with the representatives of the State of Delaware in the United States Senate and the United States House of Representatives in securing necessary Federal legislation to authorize the selection and purchase of a site in the State of Delaware for such a proposed National Cemetery, therefore,

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

That the action of the Governor of the State of Delaware in initiating the movement for a National Cemetery within the State is approved; that the representatives of Delaware in the United States Senate and the House of Representatives be requested to cooperate in the enactment of legislation that will make possible the establishment of a National Cemetery within the State; and that the Secretary of State be instructed to forward copies of this resolution to United States Senators, the Honorable C. Douglass Buck and the Honorable James M. Tunnell, and to the Honorable Earle D. Willey, Representative in Congress, at their offices in Washington.

Approved February 18, 1943.

Proclamations

CHAPTER 240

STATE OF DELAWARE EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Saturday, March 29, 1941, will mark the three hundred and third anniversary of the Landing of the Swedes at "The Rocks" on the north shore of the Christina River, located within the confines of the present-day Fort Christina State Park in the City of Wilmington, and

WHEREAS, the settlement established near "The Rocks" was the first settlement of the Colony of New Sweden as well as the first permanent settlement in the State of Delaware and in the entire Delaware River Valley, and

WHEREAS, the General Assembly of the State of Delaware passed resolution, approved on March 17, 1939, directing the Governor to proclaim March 29 each year as Delaware Swedish Colonial Day, and

WHEREAS, it is fitting and proper that the recurring anniversary of the founding of the first permanent settlement and the establishment of the first permanent government upon the soil of Delaware be commemorated by the holding of suitable patriotic exercises, therefore

I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim Saturday, March 29, 1941, as DELAWARE SWEDISH COLONIAL DAY and request that said day be observed in schools, churches, patriotic and historical societies,

PROCLAMATION

and other institutions and organizations with appropriate exercises, and that officials of State, county, city, and town governments display on that day the flags of the United States and of the State of Delaware, and that at Fort Christina State Park the flags of the United States and of Sweden be hoisted.

IN WITNESS WHEREOF, I, Walter W. Bacon, have hereunto set my hand, and caused the Great Seal to be hereunto affixed, at Dover, this twenty-first day of March, in the year of our Lord one thousand nine hundred and forty-one and of the Independence of the United States of America, the one hundred and sixty-fifth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 241

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the scenic beauty of our State can only be perpetuated by the preservation of our natural landscape values, and the conservation of our bird life by stressing the importance of protecting them from various kinds of destruction; and

WHEREAS, numerous civic bodies have endeavored to beautify our State Highways by the planting of flowers, shrubs and trees. Bird refuges have been provided for, and the Education Department of the State as well as the Forest and Game Conservation Departments have united in an effort to inculcate in the young people, the desire to assist in our program of conservation;

NOW, THEREFORE, by virtue of the authority in me vested, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate

THURSDAY, APRIL 3rd

as

ARBOR AND BIRD DAY

and urge that not only the young people, but all residents of our State observe this day by joining in appropriate exercises where possible, and giving serious consideration to the protection of our birds and the beautification of our landscape.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand, and caused the Great Seal to be hereunto
affixed, at Dover, this twenty-seventh day of

PROCLAMATION

(GREAT SEAL) March, in the year of our Lord one thousand nine hundred and forty-one, and of the Independence of the United States of America, the one hundred and sixty-fifth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 242

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS the observance of National Music Week during the early part of May, each year, has become a well established custom in more than 3000 cities and towns throughout the country, and is everywhere acknowledged as having an important influence on the spread of musical interest and activity in the United States. And,

WHEREAS, the 1941 observance is of particular interest because of its Inter-American phase, to be inaugurated this year and its extension to Canada and the countries of South and Central America is in line with the President's Good Neighbor Policy, and represents a particularly appropriate, appealing and timely use of music.

Music has been one of the most influential factors in the history of mankind, and though our knowledge of same may be great or small, music is the one common language through which we can best express and advance our common aspirations. The steady growth in the observance of National Music Week, and its harmonizing influence indicates the desirability of continuing this means of cultural enjoyment.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate the week of

May 4 to May 11

as

INTER AMERICAN AND NATIONAL MUSIC WEEK

and trust that the observance of this week will be celebrated with special programs in the schools, churches, women's clubs, music clubs, service organizations and other groups, and will

PROCLAMATION

result in a wider knowledge of the music of our neighboring countries, as well as to encourage and stimulate an increasing enjoyment in the field of music. H

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand, and affixed the Great Seal of said State, at
Dover, this twenty-eighth day of April, in the
(GREAT SEAL) year of our Lord one thousand nine hundred and
forty-one, and of the Independence of the United
States of America, the one hundred and sixty-
fifth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 243

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

Whereas, the President of the United States has designated the third Sunday in May as,

I AM AN AMERICAN DAY

and has asked that it be observed in recognition of American citizenship, and

Where, citizenship in the United States of America is a priceless and sacred possession and those of us so fortunate as to be citizens by birth, must be made to understand that citizenship in a democracy, is an inescapable challenge to make our democracy work. It charges us to maintain such a high degree of citizenship that the Statue of Liberty shall always convey to the peoples of the rest of the world that the right to live in a free country—a democracy—is the greatest benefaction of mankind. The right to say "I am an American" is a wonderful privilege. It means faith in democratic processes and it declares that alien policies, subversive to the interests of our country, shall never find root in America.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, do proclaim Sunday, May 18, 1941, as

I AM AN AMERICAN DAY

and urge that this day be observed in patriotic fashion by all citizens both native and naturalized, so that we all may gain a fuller appreciation of the meaning of American citizenship. I call upon public officials, all patriotic, civic, religious and educational organizations in the State of Delaware, to join in appropriate programs calculated to re-awaken patriotism and love of

PROCLAMATION

our country in defense of liberty, thereby glorifying the meaning and virtues of citizenship in this Nation.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand, and affixed the Great Seal of the said State, at Dover, this twenty-ninth day of April, in the year of our Lord one thousand nine hundred and forty-one, and of the Independence of the United States of America, the one hundred and sixty-fifth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 244

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

A time of emergency existing in the United States due to the state of war now existing in the world and the possibility of the participation of our Nation therein, and there being a public need in the Nation and in our State for an agency or organization to prepare for civilian defense in said emergency and in event of any future emergency that may arise due to the unsettled conditions now prevailing;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by an Act entitled, "An Act Relating to National and State Defense, providing for the establishment of A State Council of Defense and of Local and District Councils of Defense and Prescribing the Powers and Duties Thereof," enacted by the General Assembly of the State of Delaware at its 1941 Session and approved by the Governor on the twenty-sixth day of February, A. D. 1941, do create by this Proclamation a State Council of Defense for the general purpose of assisting in the coordination of the State and Local activities relating to National and State Defense, and

I do by the authority further granted me by said Act, appoint the following persons to membership on the said State Council of Defense, to serve during the pleasure of the Governor, and

I do further designate Gerrish Gassaway, one of the members of the said Council of Defense, as Vice-Chairman thereof.

Dr. I. J. MacCollum
Paul R. Rinard
John J. Hartnett
Lammot duPont, Jr.

PROCLAMATION

George Ehinger
Dr. George L. Schuster
A. J. Kavanaugh
Dr. Wm. H. Speer
Emmett S. Hickman
R. W. Heim
J. Warren Marshall
Henry T. Claus
Henry T. Bush
W. A. Simonton
Gerrish Gassaway

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of this State to
(GREAT SEAL) be affixed this twelfth day of May, in the year of
our Lord one thousand nine hundred and forty-
one and of the Independence of the United States
of America, the one hundred and sixty-fifth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 245

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS this year marks the 75th anniversary of the National Board of Fire Underwriters, an event which must recall the contribution of fire insurance to the National Defense and the bulwark it has been in the development and progress of America; And

WHEREAS each year, notwithstanding the tendency to recognize the importance of fire prevention through educational activities and fire control through the vigilance of the fire companies of the various cities and towns, loss sustained by fire reaches staggering heights; And

WHEREAS, now, as never before, when all our man power, all of our resources, are needed for building a foolproof National Defense, it is imperative that the citizens of our nation become cognizant of the activities in all fields of fire preevntion and fire control.

NOW THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate and set aside the week of

May 21-28, 1941

as

FIRE PREVENTION WEEK

and to the end that the devastation wrought by fire, not only in property values, but in the loss of lives as well, may be avoided and eliminated wherever possible, I call upon all civic bodies to sponsor a program in support of this vital subject, and request the citizens of Delaware to cooperate in a sincere effort to build a stronger national defense through a more alert fire defense.

PROCLAMATION

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand, and affixed the Great Seal of said State, at
(GREAT SEAL) Dover, this fourteenth day of May, in the year
of our Lord one thousand nine hundred and forty-
one, and of the Independence of the United States
of America, the one hundred and sixty-fifth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 246

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, The United States Flag Association has designated the period of June 8th-14th as **FLAG WEEK**, the purpose of which is to promote National Unity that will make this great Country of ours secure and invincible in a world that has gone mad with aggression and greed, strife and violence, and racial and religious intolerance; and—

WHEREAS, During **FLAG WEEK** it is planned to conduct throughout all the Land exercises and ceremonies whereby the American people will reaffirm their faith in the institutions symbolized by the American Flag, among which are Freedom of Speech, Freedom of the Press, Freedom of Religion, Personal Liberty and other blessings of life unknown today to the peoples of many other countries—

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby request the State Superintendent of Public Instruction to arrange through patriotic exercises and otherwise for the appropriate observance of **FLAG WEEK** in all the public schools; and direct the State officials concerned to display the United States Flag on all State buildings as well as in all State vehicles; and I do invite the people of the State of Delaware to fly the Stars and Stripes at their homes and other suitable places and on their cars, and in every community to hold special ceremonies at which they shall renew their allegiance to the ideals symbolized by the American Flag; reaffirm their faith in the institutions of American Democracy; and give grateful expression to their good fortune to be living under the protecting folds of "Old Glory" in the enjoyment of blessings of life unknown to the people of many other countries in these troubled times.

PROCLAMATION

IN WITNESS WHEREOF, I have hereunto set my hand
and caused to be affixed the Great Seal of the
State of Delaware, at Dover, this twenty-seventh
(GREAT SEAL) day of May, in the year of our Lord, Nineteen
Hundred and Forty-one.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 247

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS the President of the United States of America has by proclamation set aside July 1, 1941, as a second registration day under the Selective Training and Service Act;

WHEREAS it is the duty of every adult male citizen to maintain our free society by discharging his obligations of military training and service;

WHEREAS nearly eighteen hundred young men in the State of Delaware have reached the age of twenty-one since last October 16, the date of the first registration; and

WHEREAS the President has specifically called upon the governors of the several states and territories and all officers and agents of the states and territories, and political subdivisions thereof, and all local boards and agents thereof appointed under the provisions of the Selective Training and Service Act of 1940 to do and perform all acts and services necessary to accomplish effective and complete registration.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby PROCLAIM the following:

1. The second registration under the Selective Training and Service Act of 1940 shall take place in the State of Delaware on the first day of July, 1941, between the hours of 7 a. m. and 9 p. m.

2. Every male citizen of the United States and every male alien residing in the State of Delaware, except those exempted by the President's Proclamation, is hereby required to present himself for and submit to registration before a duly designated registration official or Selective Service board in the area in which he has his permanent home, or in which he may happen to be on that day;

PROCLAMATION

(a) If such person on or before July 1, 1941, and subsequent to October 16, 1940, has attained the age of twenty-one and has not heretofore been registered; or

(b) If such person on October 16, 1940, had attained his twenty-first birthday and had not attained his thirty-sixth birthday, and has not heretofore been registered under the Selective Training and Service Act of 1940.

3. I call upon the people of the State of Delaware and officers and agents of the State, and any of its political subdivisions, to give all necessary aid and assistance to the Selective Service local boards of the state in conducting a successful registration.

4. I shall deem it a discharge of a patriotic obligation if all newspapers, radio stations, and other disseminators of public information give full and complete publicity to the facts of registration on July 1, 1941 in order that all eligible males will place their names on the Selective Service lists.

5. In order that there may be complete cooperation, I urge all employers and governmental agencies of all kinds to give those under their charge sufficient time in which to fulfill the obligations of registration.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of the State of Delaware to be hereunto affixed, at Dover, this twenty-seventh day of June, in the year of our Lord
(GREAT SEAL) one thousand nine hundred and forty-one and of the Independence of the United States of America, the one hundred and sixty-fifth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 248

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Americans are today, more than ever before, perplexed by the problems confronting them, many of which are caused by the strife existing in the world and particularly the insidious boring of forces which would over-throw our Government and destroy the American way of life as established by our forebears and represented by the Constitution of the United States; and

WHEREAS, September 17, 1941, will mark the 154th anniversary of the adoption of the Constitution of the United States, by the Federal Convention of 1787; and

WHEREAS, all Delawareans are justly proud of the fact that their ancestors were the first to recognize the benefits of the Constitution and in securing those benefits for us, their descendants.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware do proclaim that September 17, 1941, shall be designated as Constitution Day, and request the citizens of the State of Delaware to participate in suitable ceremonies, and to display the American Flag from all public buildings, places of business and private homes.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand, and caused the Great Seal to be hereunto affixed, at Dover, this fifth day of September, in the year of our Lord one thousand nine hundred and forty-one, and of the Independence of the United States of America, the one hundred and sixty-sixth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 249

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the industrial, agricultural and economic resources of the entire nation are being mobilized at this time in a stupendous program for national defense, and

WHEREAS, destruction of the productive facilities of the nation are equally as serious at this time as in the event of actual warfare, and

WHEREAS, fire has annually destroyed a substantial percentage of the wealth of this nation, thus retarding the industrial development of many communities and inflicting a tremendous burden upon individuals and an even more serious loss of life, and

WHEREAS, it is hoped that by centering the attention of the general public upon the widespread losses incurred as a result of preventable fires, that it will be possible to materially reduce the cost in life, and property,

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate the week of October 5 to 11, as

FIRE PREVENTION WEEK

and call upon the citizens of Delaware to lend their best efforts to this worth-while campaign to reduce the losses by fire in this State.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Delaware, at Dover, this twenty-fifth day of September,

PROCLAMATION

(GREAT SEAL)

ber, in the year of our Lord, one thousand nine hundred and forty-one, and of the Independence of the United States of America, the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 250

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, by Act of the General Assembly of the State of Delaware, the Governor is directed to issue a proclamation on October 11 of each year, inviting the people of our State to observe this day in schools and churches with appropriate ceremonies, in commemoration of the death of a great American hero of the Revolutionary War—Brigadier General Casimir Pulaski;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, under and by virtue of the authority vested in me by the aforesaid Act of the General Assembly, do proclaim Saturday, October 11, 1941, as

GENERAL PULASKI'S MEMORIAL DAY

and request the citizens of the State of Delaware to honor the memory of this illustrious hero by the holding of such exercises and ceremonies in the schools and churches, as may be deemed appropriate; and I further request that the flag of the United States of America be displayed on public buildings and all other suitable places.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Delaware, at Dover, this first day of October, in the year of our Lord, one thousand nine hundred and forty-one, and of the Independence of the United States of America, the one hundred and sixty-sixth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 251

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, our National Government has inaugurated an unprecedented peacetime extension of our Navy, Army, Marine Corps and Coast Guard; and

WHEREAS, the Civilian Defense program is endeavoring to strengthen all those services so essential to the public health and welfare and,

WHEREAS, though the threat of natural catastrophe or disaster such as flood, hurricane, drought, fire, epidemic, is ever of major concern, world conditions continue to cause intense distress among innocent victims, making essential American aid to suffering humanity abroad; and

WHEREAS the American Red Cross always stands in readiness to assist in great emergencies and is equipped to serve not only the men of our armed forces and their loved ones at home, but to render protection and relief to stricken non-combatants and refugees abroad.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do proclaim the period of the 1941 AMERICAN RED CROSS ANNUAL ROLL CALL, from November 11 to November 30, as a time during which the public spirited people of this State, both men and women, boys and girls, should make every effort to support and strengthen the Red Cross by enrolling through our local chapters as members of the Red Cross, or by renewing their memberships in it; and I urge that all of us work to the end that enrollment in the Red Cross may be larger than ever before, in order to enable this great national organization to meet whatever demands may be made upon it. Our concerted

PROCLAMATION

efforts will not only demonstrate our confidence in the work of the Red Cross, but will help them in their endeavor to relieve suffering humanity.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of the said State to
be hereunto affixed at Dover, this fifteenth day
of October, in the year of our Lord one thousand
(GREAT SEAL) nine hundred and forty-one, and of the Independence of the United States of America, the
one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 252
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, in October, 1775, the Continental Congress first made provision for the construction of naval vessels which contributed to the successful outcome of the American Revolution, and

WHEREAS, October 27, marks the anniversary of the birthday of the late President, Theodore Roosevelt, who unsparingly gave of his indefatigable energy to the task of impressing the American people with the necessity of a modern and adequate Navy and thereby brought to fruition Congressional authorization for the upbuilding of the American Navy, and

WHEREAS, Navy Day will be observed on Monday, October 27, 1941, at the request of the United States Navy League and in accordance with approval given by the Secretary of the Navy, and the theme selected by the Navy League for Navy Day, 1941, will be—"The Nation Salutes the Navy", and

WHEREAS, Our American Navy has long been considered our first line of defense and in these days of quickening interest in all lines of defense, it is fitting that public interest be centered on the observance of Navy Day, on October 27, 1941, by sponsoring community celebrations in behalf of the Navy League purposes.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware do proclaim

MONDAY, OCTOBER 27, 1941, as NAVY DAY

Let all of the citizens of our State join in the National Salute to the Navy on this day, by displaying the American Flag in all public places, and wherever possible, to join in exercises being held in commemoration of this important anniversary.

PROCLAMATION

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand, and caused the Great Seal to be hereunto
affixed, at Dover, this sixteenth day of October,
(GREAT SEAL) in the year of our Lord one thousand nine hun-
dred and forty-one, and of the Independence of
the United States of America, the one hundred
and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 253

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, American Education Week grew out of the First World War. Twenty-five per cent of the men examined in the draft were illiterate; 20 per cent were physically unfit; many were foreign-born and had little understanding of American life. During the War, the schools were drained of teachers, especially men. In the fall of 1920 thousands of schools were closed for want of teachers. A campaign of public information was needed to correct this situation. A long range program for the extension of education was needed to reduce illiteracy and physical unfitness. Members of the American Legion consulted with educators and the first American Education Week was observed in 1921. And

WHEREAS, the broad purpose of American Education Week has become that of acquainting the people with the needs, aims and achievements of the schools. Statistics show that of the 132 million people in the United States, 30 million persons are enrolled in public schools and colleges; there are one million teachers in public schools; between July 1940 and July 1941, the vocational schools of the nation trained over a million defense workers in emergency programs, in addition to the regular enrollments in vocational schools; And

WHEREAS, the 21st annual observance of American Education Week will be held on November 9-15, 1941, and is a nationally recognized period set aside for special emphasis upon school public relations. It is an opportunity for the schools of the nation to cooperate in telling the people what the schools are doing, and it is an excellent opportunity for the people of the nation generally, and of our State in particular, to see for themselves what the schools are doing to help our youth build stronger bodies, develop special talents, work and play together, and to

PROCLAMATION

become good citizens of a Strong America, for the theme this year is Education for a Strong America, an especially timely topic in the present emergency.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in cooperation with the sponsors, do hereby proclaim

November 9-15

as

AMERICAN EDUCATION WEEK

The people of the State are invited to participate in the public school programs during this period. The radio and press are urged to give as much publicity as possible to the occasion. Let each and every one of us show his interest in Education—the Hope of Youth; in Youth—the Hope of Democracy and in Democracy—the Hope of the World.

IN WITNESS WHEREOF, I have hereunto set my hand,
and caused the Great Seal to be hereunto affixed,
at Dover, this first day of November, in the year
of our Lord one thousand nine hundred and forty-
(GREAT SEAL) one and of the Independence of the United States
of America, the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 254

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

The signs of Nature all about us bespeak the swift passage of another year. Already we have noted the southern flight of friendly songsters. Now the pictures made by shrub and trees on stream bank and in woodland change quickly from the varied hues of green to a riot of autumnal color. Soon chill northern blasts and white flurries of snow will send us to the fire-side when the tasks of the day are done. Then will be time for reflection. There, in fitful light or shadow, like scenes upon the screen, will flash before the vision: names and faces and pleasant memories of those whose recent passing has grieved us, some of prominent place and others who did their work in an area more restricted. We are haunted by the picture of the War Lord gone mad with violence; horror and death on every hand and people crushed and broken, their homes destroyed, the emblems of their nationality hauled down.

In the midst of all this, "we live, feel dawn, see sunset glow". Where want stalks abroad, we have abundance of food and of raiment. The flag floats over a free people whose elected representatives are meeting in the halls of legislation to carry out their functions as the Constitution prescribes. We have been spared great calamities. Productive and gainful work engages the brains and hands of our people. We deplore the absence of peace in the World, and hope that it may be preserved to us and soon restored to all the Nations now at war.

Surely for blessings and bounties received, we have abundant cause to be thankful and give praise. Truly our need for a guiding influence in the uncertainties of today, was seldom greater than now.

PROCLAMATION

For these reasons, Therefore, and in accordance with the custom long established, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate and set apart

THURSDAY, THE TWENTY-SEVENTH DAY
OF NOVEMBER, 1941

as

A DAY OF PUBLIC THANKSGIVING

On that day may the people of Delaware repair to the Houses of Worship, and there or in gatherings of friends, in homes or in solitude, render thanks to the Almighty Father of all, for life, and His tender mercies toward us. Let us seek His Guidance in the unknown crisis that nears, and let the flag of our Country be displayed as a symbol of a united people and in grateful appreciation that the Republic still survives.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand, and caused the Great Seal of said State to be hereunto affixed, at Dover, this thirteenth day of November, in the year of our Lord one thousand nine hundred and forty-one, and in the year of the Independence of the United States of America, the one hundred and sixty-sixth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 255

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, on December 7, 1787, Delaware became the first state to ratify the Federal Constitution; and

WHEREAS, The idea for official recognition of this day originated with E. Paul Burkholder in 1933 and the movement was immediately endorsed by the Rotary Clubs, the American Legion, the Daughters of the American Revolution, the Sons of Delaware, the Delaware State Education Association, the Delaware Citizens Association and the State Federation of Women's Clubs, other organizations, and many citizens, and

WHEREAS, by resolution of the General Assembly of the State of Delaware, the Governor is authorized and directed to issue a proclamation calling attention to the importance and significance of this historical event;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in accordance with the authority in me vested, do hereby designate Sunday, December 7, 1941, as

DELAWARE DAY

and ask the citizens of the State of Delaware, to pay tribute to Delaware's part in the adoption of our Constitution by the display of the flags of our State and Nation, and request that all schools, churches and civic organizations hold suitable exercises in commemoration of this important event.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed, at Dover, this twentieth

PROCLAMATION

(GREAT SEAL) day of November, in the year of our Lord one thousand nine hundred and forty-one and of the Independence of the United States of America, the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 256

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL
COME, GREETING:

WHEREAS by the laws of The State of Delaware the owners and operators of all aircraft flown or operated in The State of Delaware are required to conform with certain lawful rules and regulations of the United States Government; and

WHEREAS the Civil Aeronautics Administrator of the United States, being vested by law with the power to make and issue necessary rules and regulations governing the flight and operation of aircraft, has promulgated rules and regulations having the effect of law relating thereto and in particular relating to the flight and landing of the same from and on airports, landing areas, bases and other places; and

WHEREAS the flight or operation of aircraft in violation of such rules and regulations of the Civil Aeronautics Administrator renders all licenses heretofore issued with respect thereto and for the operation of the same, subject to revocation and cancellation; and

WHEREAS in the interest of effective national defense, for the prevention of sabotage, to insure the fullest cooperation between the state and the federal government in the prosecution of the war effort, and in order more fully to protect the vital defense area of The State of Delaware, it is necessary and the public interest requires that an immediate survey be made by the law enforcement officers and agencies of The State of Delaware to determine whether aircraft owned, operated and flown within The State of Delaware comply with the rules and regulations of

PROCLAMATION

the Civil Aeronautics Administrator and requires the strict enforcement by state as well as federal officers of such rules and regulations now in existence or hereafter to be adopted; and

WHEREAS proper enforcement of the laws of The State of Delaware and of the rules and regulations of the Civil Aeronautics Administrator can only be made effective through inspection, supervision and control of all airports, landing areas, bases or other places in the State of Delaware from or upon which aircraft are operated, flown or landed;

NOW, THEREFORE, I, Walter W. Bacon, Governor of The State of Delaware, do hereby order and direct (a) the closing of each airport, landing area, base and other place within The State of Delaware from or upon which "aircraft" as defined by law is or are operated, flown or landed, for the flight or landing therefrom or thereon of aircraft and (b) the grounding of all aircraft located thereon, from and after the thirty-first day of December, A. D. 1941, unless such airport, landing area, base or other place shall have and maintain a certificate issued by the Attorney General of The State of Delaware showing the compliance thereof with the rules and regulations of the Civil Aeronautics Administrator.

Each such Certificate of Compliance so issued shall be subject to revocation at any time by the Attorney General upon a showing of the violation by the owner or operator of any such airport, landing area, base or other place, or by any person using the facilities thereof, of any law, rule or regulation of the United States or of The State of Delaware relating to the flight operation or maintenance of aircraft.

The State Police, the State Detectives for the respective counties, and the police officers of all municipalities wherein any such airport, landing area, base or other place is or shall at any time be located, are charged with the enforcement of all existing laws with respect to the flight and operation of aircraft and of

PROCLAMATION

this proclamation and are hereby required to furnish all necessary assistance to the Attorney General in furtherance thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the said State to be affixed, at Dover, this twenty-sixth day of December, in the year of our Lord one thousand
(GREAT SEAL) nine hundred and forty-one, and of the Independence of the United State the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 257

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, James P. Truss, 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, Walter W. Bacon, 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:

A & A Milling Company, Inc., A. B. C. Vending Co., A'Nov'A Corporation, A-1 Development Co., The, Abe Rosenblum Corporation of Indiana, Ace Adhesive Products Corporation, Ace Manufacturing Co., Inc., Ace Realty Company, Inc., Acorn Gold Mines, Inc., Adam's Market, Inc., Adamson Coal Mining Corporation, Aerial Advertising Co., Inc., Aero Motors Corporation, Aerovel Aircraft Corporation, Agricultural Machinery Corporation, Air Delivered Products, Inc., Aircraft Corporation, The, Aircraft De-Icing and Equipment Co., Inc., Aircraft Design Corporation, The, Airolene Gasoline Corporation, Akay Electron Co., Aladdin Lubricator Company, Alamosa Refining Co., Inc., Albert Keller-mann & Son, Inc., Aldean Holding Company, All-American Reliance Association, Allen E. Beers Company, Allen Road Machinery Corporation, Allied Capital Corporation, Allison Dry Cleaning Company, Allwork Brush Co., Inc., Alpha Candy Company, Alphabeta Corporation, Alpine Mining Company, Alsco, Incorporated, Alwart Bros. Coal Co. of Delaware, Alwil Corporation, Amado Mines, Incorporated, Amat, Inc., American Benefit Association, American Bio Reduction Corporation, American Chris-

PROCLAMATION

tian Foundation, Inc., The, American Circus Corporation, American Commodities Trading Corporation, American Cottaphane Company, American Crudes, Inc., American Dwellings Corporation, American Exploration & Development Co., American Films Corporation, American Finance and Service Corporation, American and Foreign Finance Corporation, American Foreign Investors, Inc., American Fox Institute, Inc., American Frostomatic Corporation, American Fruit Products, Inc., American Gas Equipment Co., American Hot Water Systems, Inc., American International Shipping Co., American Marine Corporation, American Medical Preparations, Inc., American Medico-Legal Association, American Mercantile Corporation, American Motor Body Company, American Rheolaveur Corporation, American Rotor Plane Corporation, American Slate Mining Corporation, American Tostado Corporation, The, American Utilities & Investment Corporation, American Vichy Company, Amho Trading Company, Ancient Order Knights and Daughters of Jerusalem Hall Association, The, Andors Petroleum Corporation, Annex Lake Gold Mines, Ltd., Ansonia Shoe Corporation, Argo Investment Company, Inc., Arlington Public Market, Inc., Asbestos Industries, Inc., Associated Shoes, Inc., Associated Transit Company, Inc., Atlantic Fisheries Company, Atlantic Maid Products Co., Atlantic & Mediterranean Steamship Lines, Ltd., Atlas Display Products, Inc., Atlas Radio Corporation, Atmed Trading Corporation, Atoka Quicksilver Corporation, Auburn Park Hospital, Inc., Auto Service Station, Ltd., Autogen Corporation, Automatic Machine Manufacturing Co., Automatic Parcel Conveyors Corporation, Automatic Signal Acceptance Corporation, Automobile & Household Specialty Co., Inc., Automobile Safety Institute of America, Inc., Automotive Carburetor & Diesel Corporation, Avenue Cafeteria, Inc., Avenue Grill, Inc.

B. and B. Sea Food Company, Inc., B & B Transportation Company, B-Ettes Corporation, The, B & H Investment Corporation, B. K. Z. Corporation, Babbitt's Restaurant, Inc., Baber's 5c to \$1.00 Stores, Inc., Bac Corporation of Wilmington, Bach Liquidation Company, The, Baker Motor Company, Balick Realty

PROCLAMATION

Company, Ballets Russes, Inc., Balnagown Estates Company, Limited, Baltimore, Crisfield & Onancock Line, Inc., Bamaco Manufacturing Corporation, Bankers Acceptance Corporation, Bankers Auto Fund Corporation, Bankers Credit and Acceptance Corporation, Bankers Securities Company, Inc., Banning & Company, Barco Realty Company, Inc., Barr Poultry Company, Barry, Inc., Barton Auto Radio Corporation, Bayville Pines Development Co., Bear Wholesale Liquor Co., Inc., Beaver Investment Corporation, Beck Products Co., Inc., Beco, Inc., Bell Clothes Shop, Inc., The, Belmor, Inc., Benchrome, Inc., Bend Arch Producing Corporation, Benjamin Coal Co., Inc., Beryllium Mines Corporation, Besco Products Company, Bessemer Valve & Foundry Company, Bethlehem Engineering Export Corporation, Bevel Gear Grinding Company, Big Boy Cola Bottling Company, Big Dyke Gold Mine & Milling Company, Inc., Biltmore Buffet, Inc., Birdseye Electric Company, Biscuits P. A. M., Ltd., Bituminous Surface Treating Company, Black Duck Club, Inc., Black Nugget Fuels, Inc., Black, Sivalls & Bryson, Inc., Blackhill Oil and Gas Corporation, Blaisdell Filtration Company, The, Bleser Investment Company, Blue Hen Diner, Inc., Blue Hen Poultry Farm, Inc., Blue Hills Camp & Country Club, Inc., Blue Ribbon Noodle Company, Inc., Bond Coal Company, Inc., Bonne Mfg. Company, Bonner Railwagon System, Incorporated, Bonnet-Brown Corporation of Delaware, The, Bonox Generator Corporation, Boroloy Metallurgical Corporation, Boulder Creek Gold Mining Company, Inc., Bourbon Stave and Lumber Company, Bowman Motors, Inc., Brad-Field Oils, Inc., Brazos River Oil & Gas Company, Inc., Brennan Steamship Corporation, The, Bridgeville Paper Company, Brierhurst Realty Corporation, Briggs Group No. 1 Oil Corporation, British-American Corporation, Broadmoor Corporation, The, Broadmoor Operating Company, Brolyme Corporation, Broncho, Incorporated, Brooklyn Publishing Corporation, Brooks Seafood Corporation, Brown and Lyons, Inc., Budget Loan Co., Buflovak Sales Corporation, Building Products Corporation, Bureau of Commercial Economics, Inc., Burton Beauty Shops, Inc., Busta-Cold Company, The, Butler Ore Company, Butler Products Corporation.

PROCLAMATION

C. C. Moore Coal Company, C. F. Blanke Coffee & Products Corporation, C. H. Galliher Company, C. H. Graves & Sons Distillers, Inc., C. H. Q. Securities Corp., C. L. Y. Corporation, C-Lect Flavors, Inc., C. Simmler's Sons, Inc., C. W. Young Management Corporation, Cabana, Inc., Calhoun & Sharp, Inc., California Placer Properties, Inc., California Morning Star Gold Mines Corporation, Calvert Investment Company, Cameo Petroleum Corporation, Camp Company, The, Campo de Oro, Incorporated, Capiens Corporation, The, Capital Seating Co., Inc., Capitol Contracting Corporation, Capitol Concrete Corporation, Capitol Liquid Coffee Company, Capitol Plaza Hotel Corporation, Capitol Yellow Cab Company, Captive Closures, Inc., Caras Recreation Center, Inc., Carbon Glow Mining Company, Carbonil Corporation, The, Cardinal Cafe, Inc., Carmen Industries, Incorporated, No. 1, Carolina Packing Corporation, Carpenter Drilling Company, Cashay Corporation, Castle Creek Mining Company, Inc., The, Cavalry Riding School, Inc., Cecelia Company, The, Cellulaire Insulation Company, The, Cement Shingle Corporation, Cemetery Exchange Incorporated, The, Central Aircraft Manufacturing Company, Central College of Chiropractic, Inc., Central Laboratories Distributors, Inc., Central Park Mines Company, Century Group, Inc., Century Oil & Gas Corporation, Ceramic Tile Institute, Inc., Certified Health Laboratories, Inc., Ceuta City Industrial Building Co., Ltd., Chambers & Chambers, Ltd., Charles Jordan & Co., Inc., Chas. R. McCormick Lumber Co. of Delaware, Charles T. Webb Company, Cheerwagon, Inc., Chemical Binding Corporation, Chemical Oil and Gas Company, Chemical & Scientific Gardening Corporation, Chicago Art Marble Company, Chicago Teemsters, Chauffeurs and Helpers Union of Chicago and Vicinity, Inc., Chickamauga Construction Company, Chicora Realty Co., Chilkat Oil Company, China Commercial Corporation, Inc., Chris F. West Co., Inc., Church of Humanism, Inc., The, Cindecrete Corporation, Cities Finance Plan, Inc., Citrus Products Company, Civic Grand Opera Company of Philadelphia, Clarkson Securities Company, Clausen Engineering and Research, Inc., Clayton D. Bullock Company, Cleaning Corporation of America, Cleto Realty Company, Clevedon Consolidated Gold Fields, Inc.,

PROCLAMATION

Clifford Foundation, Inc., Co-Operative Association of America, Co-Operative Booking Offices, Inc., Cobol Mines, Inc., Coburn Management, Inc., Coco-Vite Company, Coinmaster Management Corporation, Coleman Corporation, College Heights Realty Company, Colo-Mex Gold Mines, Inc., Colonial Bond & Share Corporation, Colonial Corporation of America, The, Colonial Productions, Inc., Colonial Securities Company, Inc., Colorado Realty Co., Inc., Colorado Smelting & Refining Co., Colourgravure, Incorporated, Columbia Plumbing & Heating Co., Inc., Comar Company, Commercial Building Corporation of Pennsylvania, Commercial Insurance Services, Inc., Commercial Patent Development Company, Inc., Commercial Research Corporation, Commercial Uniform Company, Commodity Distributors, Inc., Commonwealth Company, The, Commonwealth Oil Company, Community Buyers Service, Inc., Community Investment & Housing Corporation, Compressed Air Equipment Co., Inc., Comstock Trail Gold Mining Company, Conditionaire Company of America, Consolidated Annex Co., Inc., Construction Corporation, The, Consumers Commission Company, Consumers Discount Corporation, Continental Casket Corporation, Continental Housing Corporation, Continental Smelting and Refining Company, Inc., Continental Specialties Company, Continental Tin Company, Inc., Contracting Engineers, Inc., Contractors Investment Corporation, Cooperative Advertising Service, Inc., Copeland Sulphur Institute, Inc., Cornelius Carburetion, Inc., Corning Royalties Corporation, The, Corporate Investors Corporation, Cosa Corporation, Cosmic Sales Co., The, Cosmograph Pictures Corporation, Cotton Estates Company, Coyote Oil Corporation, Crafts Shoes, Limited, Credex Corporation of Oklahoma, Crewgosol, Inc., Crop Protection Products Corporation, Crosby Newspaper Syndicate, Cross Realty Company, Inc., Crown-Craft Corporation, Crown Metals Co., Curtis E. Blin-Singer, Inc.

D. A. Aeblmhi Paint Mfrs., Inc., D. E. Myers, Inc., D. H. Grant Manufacturing Company, Inc., D. M. Publishing Corporation, D. W. Lynch Company, Dalco, Inc., Dale Transportation Lines, Inc., Dallas Supply House, Inc., Dalymaid Products, Inc.,

PROCLAMATION

Damascus Manufacturing Corporation, Daniels & Schuck, Inc., Darien Body Company, Dauphin Development Corporation, Davis Sunshine Gold Corporation, De Haven Razor Corporation, De May Brothers Co., De Witt-Johnson Film Corporation, Dee-Hy Products Co., Deems Corporation, Deep Sea Rescue & Salvage Corporation, Del-Mar-Va Construction and Supply Co., Del-Mar-Va Milling Company, Inc., The, Dela-Maid Dairy Products Corporation, Delaware Beef and Provision Co., Delaware Breweries, Inc., Delaware Cement Products Corporation, Delaware Cooperative Cleaning and Dyeing Plant, Inc., Delaware Florida Holding Corporation, Delaware Hairdressers Association, Delaware Hat Company, Delaware Kid Mfg. Co., Delaware Paddock Club, Inc., Delaware Refrigeration, Inc., Delaware State Music Teachers Association, Incorporated, Delgold Corporation, Delmonico's Inc., Delray Corporation, Delson & Co., Dennis & Tull, Inc., Departmental Finance Associates, Inc., Derby Night Films, Inc., Devices, Incorporated, Devotional Observance, Inc., Dewey-Douglas Corporation, Diamond Quality Homes, Inc., Diamond State Brewery, Inc., Diamond Taxi Co., Dickey's, Inc., Diesel Economy Converters, Inc., Dietz Sales Company, Distributors, Inc., District Auto Signal Corporation, District Realty Corporation, Dixie Paint and Color Works, Inc., Dr. William Howard Hay Foundation, Inc., Dominican Industries, Inc., Donald E. Garner & Company, Inc., Donmac Products Corporation, Douglas Creek Mining Company, Drake-Jones Company, Dreka Company, The, Driggs Engineering & Ordnance Corporation, Driice Appliances, Incorporated, Du Baron Company, Inc., Du Pont Motors, Incorporated, Duff Publishing Company, Dukane Coffee Corporation, Duluth Cigar Company, Dunwick Village, Inc., Dyer Electric Cooler Corporation.

E. B. Kay Corporation, E. L. Austin & Co., E. Q. V. Corporation, Earl's Dairy, Inc., East Star Mining, Milling and Royalty Corporation, The, Eastern Electric Supply Co., Eastern Improvement Company, Eastern Manifold Corporation, Eastern Motor Freight Company, Inc., Eastern Oil Corporation, Eastern Producing & Refining Co., Eastern Tackle Distributors, Inc., Easton-Pacific Gold Mining Company, Inc., Economy Decorating Com-

PROCLAMATION

pany, Economy Smelting & Refining Company, Eden Mining Company, Edgewater Gulf Management Company, Edmonton Mining & Exploration Co., Limited, Educational Pictures, Inc., Edwin Farnham Greene, Incorporated, Eighth Street Realty Co., Electra Holding Company, Electric Automatic Parking, Inc., Electric Stores Corporation, Electro-Converter Co., Electromist Company, Elparsa Corporation, Elsmere Construction Corporation, Elsmere Sportsmens' Club, Emanuel Baumgarten, Inc., Empire Benefit Association of America, Empire City Products & Equipment Corporation, Empire Hotel Corporation of Delaware, Empire Petroleum & Lease Associates, Inc., Emporium Mercantile Co., Inc., Endura of Hollywood, Inc., Engineering Enterprises, Inc., Englert Tire & Rubber Company-Akron, Ohio, U. S. A., Enos & Company, Ensor's Company, Ervilla P. M. Corporation, Essgar, Inc., Etablissements H. Kamps Et Fils Ltd., Ethel Ball Staniar, Inc., Etowah Gold Mines, Inc., Eureka Steam Engine Company, Inc., European Mining and Trading Co., Ltd., Euthenics Products Corporation, Excellent Food Shoppe, Inc., Exeter Coal Company, Expansion Rim & Wheel Co.

F. G. Wilcox, Incorporated, F. & S. Laboratories, Inc., Fa-Mus Bakery Stores, Inc., Fairfax Corporation, The, Fairmount Petroleum Company, Inc., Falcor Chemical Company, Inc., Fallon Oil Corporation, Famous Wire Works, Inc., The, Farm Equipment & Supply Co., Farmers' Co-Operative Production and Manufacturing Association, Farmers Livestock Marketing Association, Farmers Westcentral Grain Co., Fashion Features, Inc., Faultless Range & Manufacturing Company, Federal Construction Co. Inc., Federal International Corporation, Federal Life Extension Institute, Ltd., Federal Pressed Steel Corporation, Federal Trading Corporation, Feldman's, Inc., Fenwick Corporation, Fiber Plastic Corporation, Fidelity Finance Corporation, Fidelity Securities Company, Fidelwood, Inc., Fin Tube Heaters Company, Inc., Financial Distributors Corporation, Financial Holding Company, Financial Shares Corporation, Fine Arts Studio, Inc., Fine-Tex Whole Wheat Flour Co., Inc., Finger-Dent, Inc., First Common Mutual Fund, Incorporated, First International Pictures, Inc., First Runs, Inc., First Ward Social Club, Flash Publishing Com-

PROCLAMATION

pany, Incorporated, Flexwood Company, The, Flint Detroit Company, Floating Flame Automatic Coal Burner Corporation, The, Florida Farms, Inc., Food Storage Service, Inc., Ford Real Estate & Investment Co., Forde Printing, Incorporated, Forster Institute, Ltd., The, Fortnum & Mason Corporation, Forty-Fifth Street Developing Corporation, Foster's Hydraulic Transmission Clutch Company, Fox System Hair Restorer, Inc., Frank's Fishing Excursions, Inc., Frank L. Cates Co., Frankford Poultry, Incorporated, Franklin Tunnel Development Company, Fred J. Crovato, Inc., Fruit Flavors, Inc., Fuelizer Corporation, The, Fulton Fuel Gas Co.

G. A. X. Corporation, G. G. Brockway Company, G. M. Electric Corporation, G. W. Birchall & Son, Inc., Gaines-Noell-Gentry, Inc., Gape System, Inc., The, Garcia Sugars Corporation, Garrett Supply Company, Garvin Corporation, The, Gas-It Corporation, Gast Bottling Corporation, Gay Book, Incorporated, Gene Stratton-Porter, Inc., General Balso Wood Corporation, General Beverage Corporation of Delaware, General Business Company, Inc., General Devices, Inc., General Economic Council, Inc., General Housing Corporation, General Income Shares, Inc., General Mosaic Company, General Osmose Corporation, General Reserves Corporation, General Unit Housing Corporation, George E. Pelton Company, The, Geo. F. Pratt Company, Inc., The, George Oakley Totten, Inc., Georgia-Carolina Mining Company, Gerotor Corporation, Gerotor Licensing Co., Giant Jumbo Mining Corporation, Giant Ledge Mining Company, Giant Mining Corporation, Giant Shopping Food Center, Inc., Gilbert-Varker, Inc., Gilmour Steel Products Company, Inc., Gimil Oil & Gas Corporation, Ginns Theatre Company, Girard Mortgage Company, Givens Investment Company, Glamour Dress Co., Gland Estimeter Company, Incorporated, Glass Bayou Petroleum Co., Inc. (Vicksburg, Miss.), Gelason Products Corporation, Glen Arbor Distilling Company, Inc., Globe Distributing Company, The, Globe Petroleum Co., Globe Phone Manufacturing Corporation, Go Publishing Co., Incorporated, Gold Butte Mining Corporation, Golden Rule Corporation, Golden Watch Corporation, Gooch & Company, Graburn Foundation, Inc., Graham Oil & Gas Company, Granada Proper-

PROCLAMATION

ties Corporation, Grand National Films, Inc., Granite Springs Corporation, Granite State Accessories Corporation, Graphite Lubricants Corporation, Great Bear Lake Radium Company, Great Lakes Building Materials, Inc., Great Leopard Mart Corporation, Great Northern Industries, Inc., Great West Oil & Gas Corporation, Greek-American Transatlantic Steamship Company, Green Hill Corporation, Greenhorns Inc., The, Grocery Guild of America, Inc., Group Life Associates, Inc., Guantanamo Water Corporation, Guardian Laboratories, Inc., Gulf-Tung Industries, Inc., Guy R. Ford, Inc.

H. C. Fenno & Co., Inc., H. G. Realty Corporation, H. N. S. Dental Laboratory, Inc., H. R. and L. Theatre Corporation, Haddonfield National Corporation, Haderer Company, The, Hammer-Weld, Inc., Hank Oil Company, Harlan Logan Associates, Inc., Harold V. N. Booraem & Co., Harris Amusement Company of Butler, Harris Oil and Gas Company, Harry Cooling & Equipment Company, Harry R. Loose, Incorporated, Harry W. Smith Company, Harry Williamson Research Corporation, Havana Realty Corporation, Hawthorne Realty Corporation, Haymon Krupp Oil & Land Company, Hebron Home Institute and Missionary Association, Hedges Motor Sales Corporation, Helpy-Selfy Laundry, Inc., Henal Company, Henderson-Johnson, Inc., Herbert H. Conway, Inc., Hermitage Finance Company, Hickling's Tasty Cream Donut Company, Hickory Oil & Gas Corporation, Highway Construction Corporation, Hillcrest Athletic Association, Historical Pictures Syndicate, Hix Royalty Co., Ho-Mo Company, Inc., Hoff Vending Corporation of America, Hogan Paper and Manufacturing Corporation, Holbrook Farms Dairy, Inc., Holland Mining Corporation, Hollywood Holding and Development Corp., Hollywood Park Corporation, Hollywood Pictures Corporation, Holton-Arms School, Inc., The, Home Appliance Dealers Association, Home Building Company, The, Hookees, Inc., Horticultural Products Co., The, Hospital Service, Incorporated, Hostess Coffee Products Corporation, Hotel Store, Inc., The, Household Corporation of Utica, Household Laundry, Inc., Housing Commission, Inc., The, Hudson & Housner, Inc., Hudson Shoe Company, Hudson University Including Emerson College, Inc., Hughes Drilling

PROCLAMATION

Corporation, Hunter Realty Co., Huntington School for Boys and Girls, Inc., Hurlock Motor Company, Hurlock's, Inc., Hydro-Therapy Equipment Co.

I. P. Company, Inc., I and U Corporation, Iceland Recreation, Inc., Idaho Natural Gas Corporation, Illinois Shoe Manufacturing Corporation, The, Imperial Bronze Corporation, Imperial Protective Union, Ina Ray Hutton, Inc., Independent Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware, Inc., Independent Rayon Workers of Delaware, Inc., Industrial Credit Corporation of Wilmington, Delaware, Industrial Properties, Incorporated, International Unit Housing Corporation, Inter-Ocean Development Corporation, International Chromium Process Corporation, International Company of St. Louis, International Union of Automobile Mechanics, Helpers and Attendants, Ingleside, Inc., Ingot Oil Corporation, Institute of Labor Relations, Inc., The, Institute of Medicine Manufacturers, Inc., International Bitumenoil Corporation, International Dirigible Airship Company, International Earth Boring Machine Corp., International Grain Corporation of Delaware, International Housing Corporation, International Mining Machinery Corporation, International Petroleum Trading Corporation, International Plastic Corporation, International Supply Company, International Union of Sand, Gravel & Crushed Stone Workers, Interno-Antiseptic Corporation, Interstate Foundries, Inc., Interstate Oil Cruising Company, Investment and Transportation Corporation, Irish American Hotels, Inc., Isaac Rapoport & Sons, Inc., Italmerica Cheese Corporation.

J. A. Connelly, Jr., Co., J. Allen Heany Corporation, J. D. Walker Coal Yards, Inc., J. D. Young Co., Inc., J. Edward Jones Publishing Corporation, J. G. Auth Co., Inc., J. H. De Sibour, Inc., J. H. Hoffercker Canning Company, J. L. Beauchamp & Sons, Inc., J. M. Lupton & Sons, Inc., J. P. Smith Shoe Company, Inc., Jack Dawn, Inc., Jackpot Advertising Corporation, Jackson Construction Company, Jackson-Shaw Company, Jaffe-Dove Construction, Inc., James Brand, Inc., James H. Hollingsworth, Inc., James Manufacturing Company, Jarmo, Inc., Jay Cee Music Corpora-

PROCLAMATION

tion, Jay J. White, Inc., Jean's Gowns, Inc., Jeff Davis Mining Company, The, Jerman-Chapin Motors, Inc., John A. Carlson, Inc., John Arthur Wilson, Incorporated, John C. Roberts Company, Incorporated, John H. Oler & Son, Inc., John R. Cadle, Inc., John R. Erbe, Inc., John W. Gainor, Inc., Joint Control Committee, Inc., Joseph E. Wilhelm Company, Joseph M. O'Connor, Inc., Jos. Phillips Co., Joseph W. Young, Inc., July Trading Corporation.

K & S Mining Corporation, Kalif Corporation, Kane & Co., Inc., Kansas-Nebraska Oil and Gas Co., Katadyn, Inc., Kay Jewelry Co., Inc., of Lockport, N. Y., Kay Laboratories, Incorporated, Keeler & Company, Keller-Dorian Colorfilm Corporation, Kelsey Mining Corporation, Kennel Club Packing Company, Kenora Fur & Squab Farms, Inc., Kent Equipment Company, Keplinger's, Inc., Keystone Park-O-Meter Company, King Investment Company, Kismet Steamship Corporation, Kiwanis Boys' Club, Wilmington, Delaware, Inc., Knight Securities Corporation, Knox-James Co., Incorporated, Kolor-Kraft Corporation, Kraft Products Corporation, Kravan Company, Inc., The, Krupp Group No. 1 Oil Corporation, Ky-Bourbon Stave & Lumber Co., Kretol Company, The.

L. C. Kimsey, Inc., L. G. S. Tools, Inc., L. Weiner, Inc., La Forest Laboratories Company, La Grange Placers, Inc., Lacopord Smelting & Reduction Corporation, The, Ladybug Mine Corporation, Lake Amusement Co., Inc., Lake St. Clair Restorium, Inc., Lane Duck Oil Company, Lamton Products Co., Inc., Land Estates, Inc., Larry Telephone Company, Inc., The, Laskaris Realty Company, Laurel Medicine Company, Inc., Law Library Association of New Castle County, The, Leasing Corporation, The, Lebanon Mill Company, Inc., Leeds Clothes, Inc., Leeper Oil Co., The, Leighter Plate Corporation, Leland Road Petroleum Co., Inc. (Greenville, Miss.), Lenders Coordinate Corporation, Lennig Brothers Company, Leon C. Bulow, Incorporated, Les Amortisseurs Ch. Lacroix Co., Ltd., Leue Oil Company, The, Lewes Service Centre, Incorporated, Lewis J. Smith & Co., Inc., Lexington Company of America, Liberty Gold Mines, Inc., Library Service, Inc.,

PROCLAMATION

Lincoln Capital Corporation, Lincoln Land & Oil Company, Lincoln Realty Co. of Philadelphia, Inc., Lindell Investment, Inc., Linke Automotive Engineering Corporation, Logan Valley Store Company, The, Loid Company, Inc., The, London Dry Ginger Ale Co., Lookout Mining & Development Corporation, Lottie Herman, Incorporated, Lou Fisher & Associates, Inc., Louis A. Sowda Food Stores, Inc., Louis Davis, Inc., Louisiana Dairy Products Corporation, Louvenia, Inc., Lucerne Valley Smelter, Inc., Lucky Break Mining & Development Company, Lumasyne, Inc., Lynchburg Madison Co., Lyons Apparel Corporation,

M. Arnold Hemp, Inc., M. H. Moody Petroleum Corporation, M. J. Mingo Corporation, M. L. Johnstone, Inc., M. & M. Alhambra Co., Inc., Mabro Laboratories, Inc., MacIntosh Construction Co., Mackay-Spaulding Co., Inc., Madison Products Company, The, Madson, Cool and Lee Patents Company, Magazine Distributing Corporation, Magic Hearaid Company, Magnolia Springs Health Resort, Inc., Maier Chemical Spray, Inc., Maincon Specialties, Inc., Maitland Oil & Gas Company, Inc., Mammoth Mining Corporation, Managing Agency Corporation, Ltd., Marcellus Construction Company, Marco, Inc., Mardela Oil Corporation, Marginal Color Advertising Company, Marketing Associates, Inc., Marlene Company of Washington, The, Marlo Co., Inc., Maryland-Delaware Stages, Inc., Maska Corporation, Massey & Jarvis Drilling Co., Inc., Master Calendar Company, Inc., Master Cleaners and Tailors, Inc., Matador Operating Co., Mataso Products, Inc., Matzka Corporation, The, Mavis Company of Maryland, Mayflower Motion Picture Service, Inc., McCann School of Business, Inc., McClaren Rubber Company, Inc., McKenzie Mortar Company, McMurdo Silver Corporation, McNeil & Haddaway, Inc., Meador, Young and Holt Company, Meadowmoor Dairies, Inc., Meatipats, Incorporated, Memorial Park Sales Co., Merchandising Consultants, Inc., Merchants Discount and Acceptance Corporation, Merchants Finance Corporation of Cumberland, Merchants National Realty Company of Wadena, Meridian Housing Corporation, Merit Gold Mines Corporation, Merit Mines Holding Company of Canada, Inc., Merit Manufacturing Company, Met-Alloy Mining & Developing Co., Inc., Metalmatch Corporation, Metal-

PROCLAMATION

tron Corporation, Metco, Inc., Metropolitan Import & Export Corporation, Metropolitan Transportation Corporation, Mexican Mining & Smelting Company, Michigan Mutual Fund, Inc., Mid-American Oil Company, The, Mid-West Gun Perforating Company, Middle-Atlantic Investment Company, Midget Raceway, Inc., Midland Oil Development Corporation, Midland United Company, Midtown Service Corporation, Millard Mining Co., Millinery Affiliates, Inc., Mines of America, Inc., Minnesota Corporation, The, Mintrated Products Corporation, Mintsodent Corporation, Miracle Homes, Inc., Missouri Li-Mint Corporation, Missouri River Bridge Company, Missouri Valley Bee and Honey Enterprise, Inc., Model Construction Company, The, Modern Automotive Products, Inc., Modern Decorators, Incorporated, The, Molander Mines, Limited, Molnick's Funeral Parlors, Inc., Monirv Mines, Incorporated, Moo-Vee-Vents Publishing Co., Mormon Mining Company, Morning Star Development Mining and Milling Corporation, The, Morris Levy Shoe Company, Moulding-Brownell Corporation, Mountain Park Operating Corporation, Mounton-Naire, Inc., Mourar Machine Corporation, MPLS Investment Co., Mulliken & Company, Inc., Mumby Ice Company, Inc., Municipal Capital and Acceptance Corporation, Mureco Production Union, Inc., Mutual Company of America, The, Mutual Interests, Inc.

Nadeau Mining Company, Nation's Smaller Business Council, Inc., National Associated Registries, Inc., National Benefit Association, National Brewing Company, National Capital Club, Inc., National Card-Holder, Incorporated, National Circus Company, National Co-Operative Products, Inc., National Coil Piston Ring Sales Corporation, National Construction Co., Inc., National Consumers Savings Stamp Corporation, National Council of Independent Business Associations, Inc., The, National Cutting Die Manufacturers Association, National Foods, Incorporated, National Home Building Corporation of New York, National Home Products, Incorporated, National Institute of Industrial Relations, Inc., National Invested Savings Corporation, National Lumber & Building Materials, Inc., National Paymaster System, Inc., National Policyholders Association, National Realty & Development Corporation, National Retail Druggists Display Asso-

PROCLAMATION

ciation, Inc., National Soya Products Co., National Tax Service Corporation, National Theatres and Concerts, Inc., National Utilities Investment Company, National Utilities Management & Engineering Corporation, Natrona Tobacco Company, Natural Gas Reserve Corporation, Natural Gas Service Corporation, Nelson Mining Company, Ltd., New Castle Development Company, New Castle Terminal Co., New Deal Erecting Company, New England Amusement Company, New Ideas Manufacturing Co., Inc., New Way Co., Inc., New York Book Distributors, Inc., Nicholson, Limited, Inc., Nimar Realty Corporation, 19th Ward Independent Political Club, Nittany Meadows, Inc., No-Mix Utility Trays, Inc., Noble Metals, Limited, Nofume Co., Inc., Nolan Bros. and Erler, Incorporated, Norcel Corporation, North American Associated Companies, North American Insecticide Co., Inc., North American Refining Co., Ltd., North American Utilities Company, North Americas Trading Company, North Kent Ditch Co., North Washington Realty Company, Northwest Forest Products Corporation, Nu-Era Flash Sign Corporation.

O. E. Lee, Incorporated, O-Hara Land & Development Co., O'Keefe, Inc., Ocean Products Co., Inc., Offset Gravure Corporation, Ohio Exploration Company, Inc., Oil Finance Corporation, Oil-Rite Corporation, One Hundred Fathom, Inc., 1800 K. Street, Inc., Oneida Petroleum Company, Ortep Petroleum Corporation, Ortho-Trophic Foods, Incorporated, Osborn-Lange Corporation, The, Osceola Crate Mills, Inc., Otologist Service Institute, Inc., Ouled Brahim's Copper Mines Corporation, Over-Coming Church of God in Christ, Inc., Overbrook Carpet Mills, Inc., Overbrook Towing Company, The, Overlook Sewer Corporation, Owl Brand Products Co., Oyster Shell Products Company.

P. Kelleher Motor Company, The, P. L. S. Corporation, Paine Lumber Company of Delaware, Palais De Glace Corporation, Palmer Broadcasting Syndicate, Inc., Palustrepine, Inc., Pan-American Pictures, Inc., Panama Development Corporation, Paradise Mines, Inc., Paragon Oil Corporation, Paramount, Inc., Paramount Oil Company, Paramount Royalty Syndicate, Parcionera Mining Company, Park Dental Manufacturing Company, Park

PROCLAMATION

Products Co., Inc., Park View Homes, Inc., Parker Gold Recovery Process Corporation, Parking Service Stations, Inc., Patented Utilities, Inc., Paul C. Norris Products, Inc., Payne & Waechter, Inc., Peebeegee Production Company, Peerless Products Corporation, Peerless Weighing Machine Company, Peirce-Smith Converter Company, Pen-Rad Electric Sales Co., Peninsula Development Corporation, Penn-Brad Petroleum Corporation, Penn Produce Company, Pennsylvania Neon Corporation, Peoples Coal and Ice Company of St. Paul, Minnesota, Peoples Industrial Finance Corporation, Peoples Patriotic Union, The, Perfection Refrigeration and Air Conditioning Corporation, Inc., Perpetual Self Winding Watch Corporation, Personal Finance Company of Carbondale, Personal Finance Company of Chattanooga, Personal Finance Company of Keene, Personal Finance Company of Manchester, N. H., Personal Finance Company of Morrisville, Personal Finance Company of Nashua, Peruvian Mining Corporation, The, Pet-Haven Park, Inc., Petroleum Allied Production Corporation, Petrotrade, Inc., Philadelphia Investment Association, Philadelphia Produce Jobbers League, Inc., Philadelphia and Reading Coal and Iron Corporation, Philippine Exploration and Development, Inc., Phoenix Metals Corporation, Phoenix Oil Engineering Company, Photo-Markets, Inc., Physical Charm Studies, Inc., Pictures Corporation of America, Pilocura Company, Pilot Realty Co., Pinson D'Argenteuil Company, Limited, Pioneer Finance Corporation, Pioneer Publishing Company, Pittsburg Alloy and Metal Corporation, Plant Protectors, Inc., Planta Development Corporation, Pleasure Publishing Co., Polish Republican Club, Portage Construction Company, Inc., Porter Gildersleeve Corporation, Portoflex, Inc., Potomac Gold Mining Company, Potter-Deem, Inc., Power Battery Corporation of America, Powhatan Realty Co., Precision Instrument Co., Inc., Presto Lunch, Inc., Pro-Art Films, Inc., Professional Acceptance Company, Professional & Business Men's Credit Corporation, Inc., Professional Industries, Inc., Progressive Housing Corporation, Progressive Realty Company, Public Chauffeurs Service, Inc., Public Service Holding Corporation, Public Utilities Kansas Corporation, Public Utilities Securities Corporation, Public Utility Consultants, Inc.,

PROCLAMATION

Publicated Memorials Incorporated, Pullman Housing Corporation, Pulp Products Company, Incorporated, Pumphrey Hair Grower Co., Pure Ice Company, Pyramid Pictures, Inc.

Quaker City Hotel Company, Quality Laundry and Dry Cleaning Co.

R. B. Davis Company, Inc., R. G. Ellegood Estate, Inc., R. & P. Cafeterias, Inc., Raceways, Incorporated, Radio Systems, Inc., Rainbow Realty Company, Ramapo Exploration & Development Company, Ranger Gold Mines Limited, Rannells, Incorporated, Rash, Incorporated, Ray-McVean Corporation, Ready Cash Mining Co., Inc., Real Estate Incorporated, Realtors Holding Co., Red River Gold Mines, Inc., Red Star Trading Post, Inc., Red Top Corporation, Reesdale Dairy Company, Reeve Coal Company, Regal Acceptance Corporation, Regal Necropolis Builders, Inc., Rehoboth Air Service, Inc., Reinecke Coal Mining Company, The, Reisig Packing & Export Company, Ltd., Reliable Linen Supply Company, Reliance Cotton Weaving and Dyeing Corporation, Relief Commission, Inc., Renotex, Inc., Research Engineering Co., Inc., Research and Manufacturing Corporation, Research Products Development Corporation, Resources Development Corporation, Rest-A-Night Tourist Homes, Inc., Retail Druggists Display Corporation, The, Retail Gasoline Dealers Association, Reynolds Asbestos Products Company, Richardson Hotel. Inc., Richland Realty Company, Rigid Equipment Co., The, Rimini Gold Corporation, River Inn Company, Road Fork Oil and Gas Company, Robt. B. Cason Co., Inc., Rockland Lake Corporation, Rockland Paper Company, Rockland Paper Mills, Inc., Roentgen Ray Corporation, Rolle Casting Co., Rotary Motors Company, Roth's, Incorporated, Royal American Corporation, Royal Corporation, The, Rubenstein Cleaning & Dyeing Co., Inc., Ruboleum Corporation, Rudson Corporation, Ryan & Sugrue, Inc.

S and D Company, Inc., S & E Waterproofing Corporation, S. Irvin, Inc., S. M. M. H. Corporation, The, Sablon's Alloys Company, Inc., Saffian Engineering Corporation, St. Louis Structural Steel Company, Sam Baldengreen & Co., Samaritan Army, Inc.,

PROCLAMATION

The, San Fernando Valley Oil Company, Ltd., San Juan Petroleum Corporation, San Roman Oil Company, Sanedad Corporation, The, Sanitizer Corporation, Sansom Diamond Jewelry Co., Santa Fe Dioxide Co., Sautter's, Inc., Scattergood Motors, Inc., Schimberg, Trahan & Co., Inc., Schwieger Chemical Co., Scott and Company, Scott Dairy Products, Inc., Scullin Steel Co., Seaboard Land Title Company, Seaboard Navigation Company, Seabury, Inc., Second Mortgage Finance Company, Seismographic Supply Company, Selected Lands Company, Semoco Corporation, The, Senate Distributing Co., Inc., Separator Corporation, The, Service Invention and Development Company, Servus-Kabs, Inc., Seventh Avenue Hotel Co., Sewdette Company, Shamokin Hotel Corporation, Shapiro Brothers, Incorporated, Shelbourne Company, Incorporated, Sherry's, Inc., Sho-Scor Corporation, Shopping Center Building Company, Shore Productions, Inc., Shuman and Company, Inc., Siegel & Fried, Inc., Sierra Gold Placer Mining Company, Sierrite Minerals Corporation, Signaphone Sales Corporation, Silver King Mines, Inc., Simons & Eichhorn, Inc., Sioux Gold Silver Mining Co., Inc., Sixth Vein Coal Corporation, Smith Multiplex Pressure Device Company, The, Society for the Scientific Study of Success, Sofis & Company, Soledad Petroleum Company, Solo Bridge Company, Solvents Process Corporation, Solvents Service System, Incorporated, Southeastern Development Corporation, Southeastern Mining Corporation, Southern Holding Corporation, Southern Maryland Mortgage Company, Incorporated, Southern Sugar Company, The, Southern Trees Lumber Company, Southern Tungsten Mining and Milling Company, Southwest Iowa Farms Company, Inc., Southwestern Explosives Corporation, Spartan Petroleum Company, Special Silex Coffee, Incorporated, Spread Eagle Gold & Silver Mining Co., Spring Stopper Company of Delaware, Sprouts Products Corporation, Sprucolite Corporation, Square Hardware Co., Sta Strate Expansion Joint Anchor Corporation, Standard Chi-Fox Fur Corporation, Standard Corporation, Standard Equipment Products, Inc., Standard Granite Co., Standard Securities Corporation, Stanley-Stiefel Company, Stanton Press Features, Incorporated, Stapled Fibres Products, Incorporated, Stapleford Chevrolet, Inc., Stapper Petroleum Corporation, Stark Industries, Inc., State Bottling

PROCLAMATION

Co., Inc., State Realty Investors, Inc., State Mutual Aid Association, Stein-Rosen Co., Inc., Sterling Casket Company, The, Steroplane Process Pictures Company, Stewart Men's Clothes Stores, Inc., Stirlen Corporation, The, Stocker Mining Company, Stoker Sales and Service Co., Inc., Stouffers Park N Dine, Incorporated, Strafford Publishing Company, Sugar Developments, Inc., Sugarland Amusement Corporation, Summit Gold Mining Corporation, Sun-Maid Chocolate Covered Raisins, Inc., Sunshine Premier Mining Company, Sunland Container Corporation, Sunomatic Products Corporation, Sunshine Food Stores Incorporated, Sunshine Oil Corporation of Delaware, Super-Silk Hosiery Company, Inc., Super-Tone, Inc., Superior Stone Company, Superior System Co., Surety Construction Company, Surf Oil Company, Susquehanna Capital Corporation, Swallow Airplane Company, Inc., Swann Porcelain Studios, Inc., Swincraft Realty Co.

T. Vernon Scarborough, Inc., T. W. Engles Lumber Company, Inc., Tabasso Homes, Inc., Tagmar Mines, Inc., Talleyville Lodge, No. 19 Knights of Pythias, Incorporated, Tarbox Safety Aircraft Company, Tassel Corn Foods, Incorporated, Tastyeast, Inc., Taylor Trunk Company, Tele-Service & Supply Company, Inc., Telemusic, Inc., Terminal Distributing Corporation, Texas Investors, Incorporated, Texas Land and Cattle Company, Texas Match & Printing Company, Inc., Texas Wheat Growers, Inc., Texol Corporation, Thermal-Mineral-Medicinal Baths of Ajacuba, Inc., Thermokept Corporation, Thomas L. Hume & Co., Incorporated, Thomas Mineral Cutting Machine Company, The, Thorn Tite Tops, Inc., Thurmond Investment Corporation, Tickner, Kirkpatrick & Company, Inc., Tide Coal Corporation, Tien Yih Dyeing Factory, Inc., Tiko Oil Company, Time Controlled Indicators Inc., Torefina Company, Ltd., Toselli Di Sabatino & Company, Tourelle, Inc., Townsend Cannery, Inc., Trade and General Corporation, Tradewald Corporation, Trans-Electra Corporation, Trans-Gulf Lines, Inc., Trans-Pesco Oil Co., Inc., Trans-Texas Oil Co., Transportation Investment Company, Treasure Hill Mines, Inc., Tres-Hermanas Mining Co., Tress-Roll Corporation, Tri-Chemical Cor-

PROCLAMATION

poration, Trinity Lumber Company, Trinity Oil Corporation, Triplewear Brake Linings Corporation, Triumph Railway Signal Corporation, Trumbull Metal Products Company, The, Trustee and Deposit Company, Tucson Petroleum Corporation, Tulsa Terminal Storage & Transfer Co., Tunky Transportation and Power Company, Tyrrell's Hygienic Institute, Inc.

U. S. Colloid Mill Corp., U. S. Corn Sugar & Syrup Refineries, Inc., U. S. Motor Plan Hotel, Incorporated, The, U and S Mining & Development Company, Union Homes, Inc., Union Investment Company of Wash., D. C., United Development Corporation, United Eastern Oil Company, United Furniture Factories, Inc., United Gold Properties, Inc., United Industries Corporation, United Patents, Incorporated, United Plumas Mines, Inc., United States Broadcasting Company, United States Detinning Corporation, United States Distillers Incorporated, United States Fashion Company, Universal Editions Company, Ltd., Universal Enterprises, Inc., Universal Lubricating Systems, Inc., Universal Sales Corporation, Universal Sound System, Inc., Uptown Hospital, Inc., Urban Realty Company.

Vac-U-Etts Laboratories, Inc., Vacuum, Inc., Vacuum Jar Corporation, Vacuum Seal Company, Inc., Vacuum Tite Company, Valdor, Inc., Valley View Gold Company, Van Vault Corporation, Vaness Company, The, Venango Corporation, Venbar Oil Lands Corporation, Vending Machines, Inc., Verefine Dairy Products Co., Inc., Vermiculube Corporation, Victor Investment Company, Victory Rubber Carbon Co., Inc., The, Views and Reviews, Inc., Vinton Schwerin Fuel Corporation, Virginia Peanut Co., Inc., Visual Education Enterprises, Inc., Vita Vegetables, Inc., Volunteers, Incorporated, Von Rosen, Incorporated, Von Rossen Products Corporation, Vulcan Alloy Corporation.

W. A. Bonesteel Co., Inc., W. A. K. Corporation, W. A. Wagner, Inc., W. B. Atkins Company, W. D. Breaker Corporation of Delaware, W. D. Eyre and Co., Inc., W. E. Kirby & Company, W. M. Anderson Motor Car Company, W. P. Squibb Corporation,

PROCLAMATION

W. T. Hughes Company, Waco Leasing & Mining Co., Walbridge Park Tobaggon Company, The, Wall Street Survey, Inc., Warfield, Inc., Warren Engine Company, Warren-Franklin Corporation, Warren Manufacturing Corporation, Washington Apartment Securities Corporation, Washington Capital Country Club, Washington Finance Service Corporation, Washington Guards Association, Washington Hotel Barber Shop & Beauty Parlor Corporation, Incorporated, Washington-Leary Company, Washington Lumbermen's Association, Incorporated, Washington Macaroni Company, Washington Mechanics Mortgage Company, Water Softeners, Incorporated, Water Type Spray Company, The, Weaver Automotive Corporation, Webb Cut Stone Company, Inc., Weetabix, Incorporated, Well Made Dress Company, Inc., West Park Apartments Corporation, West Penn Distributing & Sales Co., Inc., Western Citrus Fruit Incorporated, Western Engineering & Equipment Company, Westmont Mines, Inc., Westyde Investment Company, Wetter Pipe Company, The, Whitcomb Hotel Company, White Mountain Spring Water Corporation, Whynot Mining Corporation, Wieser Mineral Clay Products Corporation, Wildave Corporation, The, Willett Manufacturing Corporation, Wm. F. Lynn, Inc., Williams Flow Process, Inc., Wilmington Butter and Egg Co., Inc., Wilmington Civic Association, Incorporated, Wilmington Finance & Discount Corporation, Wilmington Floor Covering Company, Wilmington Granite Company, Wilmington Leather Company, Wilmington Market, Inc., Wilton Hat Company, Wilvor Realty Corporation, Windsor Construction Co., Wolf Hardware & Repairing Service Co., Inc., Wolters, Incorporated, Wood Moore Producing Co., Woodlawn Sales Company, Woodruff Hinge Company, Worth Spar, Inc., Wright, Bergen & Pistell, Incorporated, Wright Transfer & Supply Co., Wrigley Pharmaceutical Company.

York Oil Burner and Air Conditioning Company, Yosemite Oil Refining Co., Young Petroleum Corporation.

Zephyr Oil Company, Zorbit Incorporated, Zuni Sales Company, Inc.

PROCLAMATION

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal to be hereunto
(GREAT SEAL) affixed this fourteenth day of January, in the
year of our Lord one thousand nine hundred and
forty-two, and of the Independence of the United
States of America, the one hundred and sixty-
sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 258

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the President of the United States has by proclamation set aside February 16, 1942, as a third registration day under the Selective Training and Service Act of 1940, as amended;

WHEREAS, the President has specifically called upon the governors of the several states and territories and all officers and agents of the states and territories, and political subdivisions thereof, and all local boards and agents thereof appointed under the provisions of the Selective Training and Service Act of 1940, as amended, or the Selective Service Regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration:

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim the following:

1. The third registration under the Selective Training and Service Act of 1940, as amended, shall take place in the State of Delaware on the sixteenth day of February, 1942, between the hours of 7 a. m. and 9 p. m.

2. Every male citizen of the United States and every other male person, except those exempted by the President's proclamation, is hereby required to present himself for and submit to registration before a duly designated registration official or Selective Service local board in the area in which he has his permanent home, or in which he may happen to be on that day, if such male citizen or other male person on December 31, 1941, has attained the twentieth anniversary of the day of his birth, and on February 16, 1941, has not attained the forty-fifth anniversary of the day of his birth, and has not heretofore been regis-

PROCLAMATION

tered under the Selective Training and Service Act of 1940, and the regulations thereunder.

3. I call upon the people of the State of Delaware and officers and agents of the State, and any of its political subdivisions, to give all necessary aid and assistance to the Selective Service local boards of the State in conducting a successful registration.

4. I shall deem it a discharge of a patriotic obligation if all newspapers, radio stations, and other disseminators of public information give full and complete publicity to the facts of registration on February 16, 1942, in order that all eligible males will place their names on the Selective Service lists.

5. In order that there may be complete cooperation, I urge all employers and governmental agencies of all kinds to give those under their charge sufficient time in which to fulfill the obligations of registration.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware have hereunto set my
hand, and caused the Great Seal of the said State
to be hereunto affixed, at Dover, this sixteenth
(GREAT SEAL) day of January, in the year of our Lord one
thousand nine hundred and forty-two, and of the
Independence of the United States, the one hun-
dred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 259

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, by Resolution approved March 17, 1939, the General Assembly of the State of Delaware authorized and directed the Governor of the State to proclaim March 29th of each year as "Delaware Swedish Colonial Day," and

WHEREAS, at about that day in the year 1638, men sent out from Sweden by a Company organized for trading and colonization, landed upon a ledge of rocks upon the banks of a stream which they named Christina, and

WHEREAS, out of this landing grew the first permanent settlement in what is now the State of Delaware and the City of Wilmington, and in the larger territory surrounding, and

WHEREAS, it is fitting that this beginning of government in our State be recalled each year upon its anniversary occasion, Now, Therefore

I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim Sunday, March 29, 1942, as DELAWARE SWEDISH COLONIAL DAY, and do request that proper exercises in observance thereof be arranged in churches, and schools, institutions, societies and organizations and that our officials both State and Local cause the Flag of the United States to be publicly displayed throughout the day, and that in addition the National Flag of Sweden be raised in Fort Christina State Park at or near the monument given by the People of Sweden to the People of the United States.

IN WITNESS WHEREOF, I, Walter W. Bacon, have hereunto set my hand, and caused the Great Seal to be affixed, at Dover, this twenty-fourth day of

PROCLAMATION

(GREAT SEAL)

March, in the year of our Lord one thousand nine hundred and forty-two and of the Independence of the United States of America, the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 260

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the necessity of preserving our wild flowers, forests and other natural landscape values, requires the utmost care; and

WHEREAS, the interest which has been displayed in the past should be retained in regard to creating beauty along our State Highways, and in the future development and beautification of our parks; and

WHEREAS, realizing that one of the best possible ways to accomplish this is by educating our young people in the public schools,

I, Walter W. Bacon, Governor of the State of Delaware, in compliance with Section 2895 of the Revised Code of Delaware, 1935, do hereby designate

FRIDAY, APRIL 10th

as

ARBOR AND BIRD DAY

and urge its observance by all public and private schools and institutions of learning, by the planting of trees, with appropriate exercises, and I ask that the study of Arbor culture and the desire to protect birds and trees be given serious consideration by all the citizens of the State of Delaware.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of said State

PROCLAMATION

(GREAT SEAL)

to be hereto affixed, at Dover, this third day of April, in the year of our Lord one thousand nine hundred and forty-two and of the Independence of the United States of America, the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 261

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS the President of the United States has by proclamation set aside April 27, 1942, as a fourth registration day under the Selective Training and Service Act of 1940, as amended;

WHEREAS the President has specifically called upon the governors of the several states and territories and all officers and agents of the states and territories, and political subdivisions thereof, and all local boards and agents thereof appointed under the provisions of the Selective Training and Service Act of 1940, as amended, or the Selective Service Regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration:

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim the following:

1. The fourth registration under the Selective Training and Service Act of 1940, as amended, shall take place in the State of Delaware on the twenty-seventh day of April, 1942, between the hours of 7:00 a. m. and 9:00 p. m.

2. Every male citizen of the United States and every other male person, except those exempted by the President's proclamation, is hereby required to present himself for and submit to registration before a duly designated registration official or Selective Service local board in the area in which he has his permanent home, or in which he may happen to be on that day, if such male citizen or other male person on February 16, 1942 has attained the forty-fifth anniversary of the day of his birth and on April 27, 1942, has not attained the sixty-fifth anniversary of the day of his birth, and has not heretofore been regis-

PROCLAMATION

tered under the Selective Training and Service Act of 1940, and the regulations thereunder.

3. I call upon the people of the State of Delaware and officers and agents of the State, and any of its political subdivisions, to give all necessary aid and assistance to the Selective Service local boards of the State in conducting a successful registration.

4. I shall deem it a discharge of a patriotic obligation if all newspapers, radio stations, and other disseminators of public information give full and complete publicity to the facts of registration on April 27, 1942, in order that all eligible males will place their names on the Selective Service lists.

5. In order that there may be complete cooperation, I urge all employers and governmental agencies of all kinds to give those under their charge sufficient time in which to fulfill the obligations of registration.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed, at Dover, this eighth day of April, in the year of our Lord, one thousand nine hundred and forty-two, and of the Independence of the United States of America, the one hundred and sixty-sixth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 262
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the National Music Week observance, this year, is closely linked with the Defense Program, the disturbing developments in war conditions and our actual entrance into the war, calling loudly for the utilizing of music week and its far flung volunteer organization to serve a national and international purpose; and

WHEREAS, nothing could be more appropriate than to foster through music week, American unity and the cooperative spirit in this country, throughout the Western Hemisphere and among our allies;

NOW, THEREFORE, in compliance with the request of the National and Inter-American Music Week Committee, I do proclaim the week of

MAY 3-10, 1942

as

NATIONAL AND INTER-AMERICAN MUSIC WEEK

Let us use this week as an occasion on which to emphasize the harmonizing qualities of music and the atmosphere it creates of sympathetic understanding, comradeship, accord and common interests; let us promote community music activities in cooperation with all local organizations and institutions and thus aid in developing public morale. The schools, churches, civic organizations and clubs all have a part to play, collectively and individually in music week and the citizens of Delaware can jointly make the 1942 Music Week a greater contribution to the national cooperative spirit than ever before.

PROCLAMATION

(GREAT SEAL) IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand, and caused the Great Seal of the said State
to be hereunto affixed, at Dover, this first day of
May, in the year of our Lord one thousand nine
hundred and forty-two and of the Independence
of the United States of America, the one hundred
and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 263
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the President of the United States has designated the third Sunday in May as,

I AM AN AMERICAN DAY

and urges that it be observed in a manner to impress on our citizens the duties and opportunities of citizenship and its special responsibilities in a nation at war, and

WHEREAS, the National observance of "I AM AN AMERICAN" DAY will honor native born citizens who have reached the voting age, and aliens who have received their final naturalization papers within the present year, impressing them with the seriousness of their responsibilities as full fledged American citizens.

NOW THEREFORE, to re-awaken patriotism and love of country in defense of liberty; to re-dedicate ourselves to service in defending our ideals of a free democracy; to encourage new citizens to honor the status of full citizenship with a determination to assume indefinite responsibilities in holding aloft the torch of freedom under the Constitution

I, Walter W. Bacon, Governor of the State of Delaware, do proclaim

MAY 17 1942

as

I AM AN AMERICAN DAY

and urge the leaders in all walks of life—from church, school, industry, labor, patriotic, civic, official and military groups—to join together and to plan programs suitable to the occasion: to

PROCLAMATION

honor new citizens, to salute the Flag, to extol the spirit of liberty and justice, to sing patriotic songs and in every way possible to enthusiastically express their appreciation of the privilege of being "An American" and a part of the greatest democracy on earth.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand, and affixed the Great Seal of the said State,
(GREAT SEAL) at Dover, this fourth day of May, in the year of
our Lord one thousand nine hundred and forty-
two, and of the Independence of the United States
of America, the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 264

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, after years of peace and after we had hoped that our country would not again need to participate in war, nevertheless, we have been obliged to accept the gage of battle, the outcome of which will decide the future of our institutions, and

WHEREAS, never before in the history of our nation have we faced, together with our allies, such a combination of power that is seeking to overcome us and thereby to change our way of life and the system of government under which we live, and

WHEREAS, as never before we need as a people to center our thoughts upon national unity, and the symbolism of our Flag to the end that all our resources and strength shall be devoted to the defense of our country and to the overthrow of the determined forces which on many battlefronts today are seeking our destruction; and

WHEREAS, the period of JUNE 8-14 has been designated as FLAG WEEK by the United States Flag Association, during which suitable patriotic exercises are to be conducted to pay homage to our National Emblem as one more evidence of the courage and patriotism, love and loyalty of the American People; and

WHEREAS, it is also appropriate at this season of the year nearing the day designated as Memorial Day, to center our thoughts upon our National Flag and the men of our Armed Forces whose sacrifices in all our wars and on many fields of conflict have upheld it throughout all our history as a Nation, and by our devotion to the flag and all that it symbolizes to keep the faith with all our soldiers, many of whom have given in its defense, the last full measure of devotion;

PROCLAMATION

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do proclaim JUNE 8-14 as FLAG WEEK and direct that during this period the Flag of the United States be displayed on all of our State buildings. Furthermore, I do urge the people of Delaware to display the Stars and Stripes at their homes, schools, places of business and elsewhere, and to conduct patriotic ceremonies as a public expression of our love of Country, national unity, and allegiance to our National Emblem, the symbol of our civic faith, the beacon of hope to liberty-loving people throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused to be affixed the Great Seal of the
State of Delaware, at Dover, this twenty-fifth
(GREAT SEAL) day of May, in the year of our Lord, Nineteen
Hundred and Forty-two.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 265

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, a state of war exists, and an unhampered flow of commerce throughout the United States is of vital importance to the effective prosecution of the war effort in our determined drive for Victory; and

WHEREAS, the agencies of the Federal Government engaged in the conduct of the war effort have brought to the attention of the governments of the respective States of the Union the extreme importance of such an unhampered flow of commerce and the difficulties of certain obstructions to transportation in motor vehicles; and

WHEREAS, the President of the United States has recognized the situation and has appointed a special committee to act in the matter; and

WHEREAS, the unusual and emergency transportation requirements make it essential that motor vehicles be used on the highways of states in which they do not customarily travel and in which they are not licensed, and that certain minimum restrictions have been recommended;

NOW, THEREFORE, I do hereby request that for the duration of the war all state, county and city officials shall permit the operation within this state of any motor vehicle engaged in the transportation of freight, or being used by a worker in a war industry, even though said vehicle is not licensed under the laws of this state, provided only that said vehicle is properly licensed under the laws of the state of its origin, and that the governor of said state has issued a similar proclamation to this one to which we give full reciprocity for the duration of the war, and I do further request that for the duration of the war all state,

PROCLAMATION

city and county officials shall permit the transportation of freight within the state, or through the state, carried in motor vehicles of:

- (1) permissible width—96 inches
- (2) permissible height—12½ feet
- (3) permissible length of a single vehicle—35 feet
- (4) permissible length of a combination—45 feet
- (5) permissible weight per inch width of tire—600 pounds
- (6) permissible weight on single axle—18,000 pounds
- (7) permissible weight on two axles—30,000 pounds
- (8) permissible weight on three axles—40,000 pounds
- (9) permissible weight of semi-trailers—40,000 pounds
- (10) permissible weight of other combinations—40,000 pounds

notwithstanding any state or local regulations to the contrary.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Delaware, at Dover, this twenty-fifth day of May, in the year of our Lord, Nineteen Hundred and Forty-two.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 266

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Commanding General, Eastern Defense Command, has established the following rules and regulations for the control of artificial lighting within the zone hereinafter defined, effective immediately, from one hour after sundown each night until sunrise the following morning, for the duration of the war or until such time as these orders may be rescinded or amended.

1. The term "coast line" as used hereinafter for the Second Corps Area is declared to mean the coast line beginning at Rocky Point, Long Island; thence easterly and around the southern shore line of Long Island to Fort Hamilton; thence to Fort Wadsworth, Staten Island; thence along the southern shore of Staten Island to the mouth of the Raritan River; thence along the northern and eastern shore of New Jersey to Cape May; thence north and westward along the shore line of New Jersey to Ben Davis point; thence southwest to Deep Water Point, Delaware; thence southward along the coast line of Delaware to the Delaware-Maryland State boundary.

2. These regulations apply to a zone to include specifically within each state, the counties or portions thereof as set forth below:

- a. In the State of New York:
- b. In the State of New Jersey:
- c. In the State of Delaware, the Counties of Kent and Sussex.

3. These regulations do not apply to official maritime or aerial navigation lights.

PROCLAMATION

4. All lights normally visible from the sea shall be dimmed or shaded in such a manner that they will not be visible under any conditions at a distance of more than one mile from the shore. If they cannot be so dimmed or shaded, they shall be extinguished.

5. All exterior lights used for illumination or guidance of traffic (such as street lights) and all lights used for security measures or necessary outdoor protection, outdoor manufacture, storage or shipping of war materials (such as floodlights or artificial illumination in freight yards, docks or shipyards), shall be reduced in volume, number or wattage to a minimum consistent with their purpose and shaded so as to prevent their direct rays shining at an angle above the horizontal.

6. All other exterior lights used for illumination of open areas, such as parking lots, playgrounds, places of amusement or entertainment, sidewalk cafes, marquees, open-air gardens or terraces, etc., must be so shaded as to prevent their lights shining at an angle above the horizontal and the combined lighting of such areas may not exceed the average of one-quarter watt per square foot, and no individual light used for such purposes shall be in excess of one hundred watts at the rated voltage.

7. All lights within display windows, shop windows, open lobbies and other places of business shall be so shaded by opaque material as to prevent their direct rays being visible from any point on the exterior of the window or opening and the total lighting of such display windows shall not exceed the average of one-half watt per square foot of vertical window or opening. Where the lights of the interior of such shops, stores or other places of business are normally visible from the exterior thereof, they shall be so shaded by opaque material as to prevent the direct rays being visible from any point outside of the building. Lights reflected outward by mirrors or other polished surfaces are subject to these provisions. Where the display window or opening is not protected from the main portion of the store, shop or place of business by a protective back drop or partition,

PROCLAMATION

the wattage for lighting of the interior of such store, shop or place of business shall not exceed the average of one-quarter watt per square foot of floor space.

8. All other windows, openings and skylights that open either on the street or courtyard or roof, shall be so screened or shaded as to prevent direct rays of light escaping therefrom. In lieu of complete screening or shading of such windows, the interior lights of the rooms concerned shall be individually shaded to prevent the shining or reflection of lights out of such windows.

9. All exterior advertising signs illuminated by floodlights, incandescent bulbs, neon, fluorescent, or other lighting, shall be extinguished.

10. Automobiles, parked or moving, where their headlights would normally be visible from seaward, shall extinguish their bright lights. If in motion, they shall proceed with due caution using only parking lights.

11. Bonfires, brush fires, burning fields, etc., specifically come under the same regulations concerning other lighting. Where brush, rubbish, fields, etc. are burned, it shall be so arranged that these fires will be extinguished completely by one hour after sundown.

12. Pursuant to authority contained in Paragraph 6 Public Proclamation No. 1, Headquarters Eastern Defense Command, dated May 16, 1942, the agencies designated to enforce the provisions of those regulations are as follows:

a. State and/or local authorities are charged with the enforcement of such of these regulations as pertain to private and public lighting (except military establishments and war plants operating under War Department supervision).

b. The military authorities are charged with the enforcement of such of these regulations as pertain to military establishments and war plants operating under the supervision of the War Department.

PROCLAMATION

13. These regulations supersede all previous regulations concerning the control of artificial lighting issued by this Headquarters.

T. A. TERRY

Major General, U. S. Army, Commanding

June 1, 1942

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in compliance with the request of the Commanding General, issue this Proclamation, calling the above rules and regulations to the attention of the people of Delaware and urge their complete cooperation in carrying the provisions of this executive order into effect.

(GREAT SEAL) IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed, at Dover, this fifth day of June, in the year of our Lord one thousand nine hundred and forty-two, and of the Independence of the United States of America, the one hundred and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 267

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the President of the United States has by proclamation set aside June 30th, 1942, as a fifth registration day under the Selective Training and Service Act of 1940, as amended;

WHEREAS the President has specifically called upon the Governors of the several states and territories and all officers and agents of the states and territories, and political subdivisions thereof, and all local boards and agents thereof appointed under the provisions of the Selective Training and Service Act of 1940, as amended, or the Selective Service Regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration:

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim the following:

1. The fifth registration under the Selective Training and Service Act of 1940, as amended, shall take place in the State of Delaware on the thirtieth day of June, 1942, between the hours of 7:00 a. m. and 9:00 p. m.

2. Every male citizen of the United States and every other male person, except those exempted by the President's proclamation, is hereby required to present himself for and submit to registration before a duly designated registration official or Selective Service local board in the area in which he has his permanent home, or in which he may happen to be on that day, if such male citizen or other male person has attained the eighteenth or the nineteenth anniversary of the day of his birth on or before June 30, 1942, or the twentieth anniversary of the day of his birth after December 31, 1941, and on or before June 30, 1942,

PROCLAMATION

and has not heretofore been registered under the Selective Training and Service Act of 1940, as amended, and the regulations prescribed thereunder.

3. I call upon the people of the State of Delaware and officers and agents of the State, and any of its political subdivisions, to give all necessary aid and assistance to the Selective Service local boards of the State in conducting a successful registration.

4. I shall deem it a discharge of a patriotic obligation if all newspapers, radio stations, and other disseminators of public information give full and complete publicity to the facts of registration on June 30, 1942, in order that all eligible males will place their names on the Selective Service lists.

5. In order that there may be complete cooperation, I urge all employers and governmental agencies of all kinds to give those under their charge sufficient time in which to fulfill the obligations of registration.

IN WITNESS WHEREOF, I have hereunto set my hand,
and caused the Great Seal of the said State to
be hereunto affixed, this tenth day of June, in
the year of our Lord one thousand nine hundred
(GREAT SEAL) and forty-two, and the year of the Independence
of the United States of America, the one hundred
and sixty-sixth.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 268

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, our nation is now engaged in fighting the worst war in its history, when all the resources of our Country are vital to assure final victory, and

WHEREAS, fire annually destroys an unnecessarily large part of our nation's wealth, whether it be of an industrial, agricultural or economic nature, and

WHEREAS, it is hoped that by centering the attention of the general public upon sound fire prevention precautions needed to combat both enemy action and carelessness or ignorance of our own citizens, that it will be possible to materially reduce the destruction of life and property,

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate the week of October 4 to 10 to be

FIRE PREVENTION WEEK

and urge the citizens of Delaware to lend their best efforts to this worth-while campaign to reduce fire losses in this State.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Delaware, at Dover, this twenty-second day of September, in the year of our Lord, one thousand
(GREAT SEAL) nine hundred and forty-two, and of the Independence of the United States of America, the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 269

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, military conquests of aggressor nations have taken away property and suppressed rights and liberties throughout several continents, and

WHEREAS, the loss of liberty by one people after another has centered our attention more than ever before upon that priceless possession for which the races of men have struggled through all the years of the World's history, and

WHEREAS, the anniversary of the death of General Casimir Pulaski is near at hand and thus is recalled to us the devotion of that Polish patriot to the cause of liberty in our own land and the inspiring service which he rendered to our young Country at a time when it was so greatly needed,

NOW THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, not only under and by virtue of the authority vested in me by an Act of the General Assembly of the State of Delaware directing that a proclamation be issued each year commemorating the services of General Pulaski, but also out of a sense of privilege at a time when our own liberties are endangered, do call upon the people of this State to honor the memory of General Pulaski on October 11, A. D. 1942, by the proper display of the Flag of the United States and by appropriate ceremonies to be held in churches and schools and other places that we may show due honor and respect to the memory of a great patriot and to the liberty-loving Polish people whose devotion to the cause of human freedom has not been weakened by centuries of foreign domination of their homeland nor by the appalling devastation which has been visited upon it in these recent years.

PROCLAMATION

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and affixed the Great Seal of the State of
Delaware this thirtieth day of September in the
(GREAT SEAL) year of our Lord one thousand nine hundred and
forty-two, and of the Independence of the United
States the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 270

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, October 27th marks the anniversary of the birth of the late President Theodore Roosevelt, who gave unsparingly of his energy to the task of impressing the American people with the necessity for a modern and adequate Navy and this date has been, since 1922, set aside each year as a day in which to pay tribute to our American Navy, and

WHEREAS, this year will mark the first wartime observance of Navy Day with our fighting fleet now actively engaged for the first time in our Country's history on all the seven seas, and

WHEREAS, the Navy League of the United States has, with the approval of the Secretary of the Navy, again designated October 27th for such national observance,

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do proclaim Tuesday, October 27, 1942 as

NAVY DAY

and request that all our citizens join in this tribute to the officers and men of our first line of attack. Let the American Flag be displayed in all public places and our people participate, wherever possible, in exercises recognizing this important observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed, this twentieth day of October, in the year of our Lord one thousand nine hundred and forty-two, and of the Independence of the United States of America, the one hundred and sixty-seventh.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 271

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, November 10, 1942 will mark the one hundred and sixty-seventh anniversary of the founding of the United States Marine Corps by resolution of the Continental Congress, and

WHEREAS, this Branch of our armed services has seen action against all our Nation's foes from the battle of Trenton to the critical struggle in the Solomons, and

WHEREAS, such has been its notable fidelity that the word Marine has come to signify all that is highest in military efficiency and soldierly virtue, and

WHEREAS, men of Delaware have always been represented in the Corps and we recall with especial pleasure that a Delawarean, Lieut. General Thomas Holcomb, is its present commanding officer, who by his brilliant career has added lustre to its fame and brought honor to the State of his nativity,

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do proclaim

TUESDAY, NOVEMBER 10, 1942

as

MARINE CORPS DAY

and urge that the people of Delaware observe this anniversary in grateful remembrance of their sacrifices and of their meritorious services to our Country, and I also request that our schools arrange some appropriate exercises so that the achievements of the U. S. Marines on many far-flung battle fronts may be brought to the attention of our younger generation, whose

PROCLAMATION

safety and hope for the future has been made secure in part, at least, by the gallant services of our Soldiers of the Sea. And let the Flag of our Country be displayed as a token of our respect.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of the State of Delaware to be hereunto affixed, this fourth day of November, in the year of our Lord one thousand
(GREAT SEAL) nine hundred and forty-two, and of the Independence of the United States of America, the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 272
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, for the first time in its history, American Education Week will be observed this year, with our Nation at war, and since American Education Week grew out of conditions revealed by the first World War, when twenty-five percent of the men examined in the draft were found to be illiterate and twenty-nine percent were physically unfit, it seems most appropriate that this Twenty-second Annual Observance should be devoted to the theme "Education for Free Men". And,

WHEREAS, while great educational progress has been made, much remains to be done before the ideal of free universal education is in fact available to all people of the United States. Our 1940 Census showed that 13.5 percent of the adult citizens over twenty-five years of age had not completed more than fourth grade education. As recently as May, 1942, it was announced from the White House that enough men to make fifteen army divisions, had been rejected in the draft because of functional illiteracy. These men were physically fit for service, but were not equipped mentally for the role of a modern soldier. And,

WHEREAS, when freedom is at stake, when the destiny of mankind hangs in the balance, when our flag and our men are at all fronts, those of us at home must do what is to be done. We must maintain the home front especially for our children. They are the future. We can put off many things for the duration of the war, but the education of our children will not wait.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in cooperation with the Public School Officials

PROCLAMATION

of the State of Delaware, and with the National Education Association, do hereby proclaim

NOVEMBER 8-14

as

AMERICAN EDUCATION WEEK

The broad purpose of American Education Week has become that of acquainting the people with the needs, aims and achievements of the schools. Therefore the radio and press can play a large part in reaching those people who cannot visit the schools. However, let every citizen of Delaware, who can do so, make a special effort to attend the open-house programs which are a universal feature of American Education Week observances. This is your opportunity to become acquainted with what the schools are doing to provide a program of education adequate to wipe out illiteracy and greatly reduce physical unfitness.

IN WITNESS WHEREOF, I have hereunto set my hand,
and caused the Great Seal to be hereunto affixed,
at Dover, this fifth day of November, in the year
of our Lord one thousand nine hundred and forty-
(GREAT SEAL) two, and of the Independence of the United States
of America, the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 273

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL
COME, GREETING:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 3rd day of November, in the year of our Lord one thousand nine hundred and forty-two that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State, in the Senate of the United States for the Constitutional term, to commence on the third day of January in the year of our Lord one thousand nine hundred and forty-three.

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

Clayton Douglass Buck	30,237
E. Ennalls Berl	25,215
Thomas J. Sard	519

KENT COUNTY

Clayton Douglass Buck	6,785
E. Ennalls Berl	5,328
Thomas J. Sard	112

PROCLAMATION

SUSSEX COUNTY

Clayton Douglass Buck	9,188
E. Ennalls Berl	7,779
Thomas J. Sard	145

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	
Clayton Douglass Buck	46,210
Whole number of votes for	
E. Ennalls Berl	38,322
Whole number of votes for	
Thomas J. Sard	776

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that Clayton Douglass Buck has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected Senator of and for the State of Delaware in the Senate of the United States for the Constitutional term to commence on the third day of January in the year of our Lord one thousand nine hundred and forty-three.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the tenth day of November in the year of our Lord one thousand nine hundred and 42 and of the Independence of the said State the one hundred and sixty-seventh.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 274

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL
COME, GREETING:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 3rd day of November, in the year of our Lord one thousand nine hundred and forty-two 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-eighth 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

Earle D. Willey	29,326
Philip A. Traynor	25,871
Charles A. Kirk	359

KENT COUNTY

Earle D. Willey	6,918
Philip A. Traynor	5,178
Charles A. Kirk	86

SUSSEX COUNTY

Earle D. Willey	9,132
Philip A. Traynor	7,742
Charles A. Kirk	114

PROCLAMATION

AND WHEREAS, The said returns of the election for the choice of a Representative of and for the said State in the Seventy-eighth 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	
Earle D. Willey	45,376
Whole number of votes for	
Philip A. Traynor	38,791
Whole number of votes for	
Charles A. Kirk	559

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that Earle D. Willey 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-eighth Congress of the United States.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the tenth day of November in the year of our Lord one thousand nine hundred and forty-two and of the Independence of the said State the one hundred and sixty-seventh.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 275

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL
COME, GREETING:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 3rd day of November, in the year of our Lord one thousand nine hundred and forty-two that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Treasurer of the State of Delaware.

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Treasurer were cast as follows, to wit:

NEW CASTLE COUNTY

John S. Isaacs	30,156
Peter S. Collins	24,991

KENT COUNTY

John S. Isaacs	6,198
Peter S. Collins	5,906

SUSSEX COUNTY

John S. Isaacs	8,664
Peter S. Collins	8,176

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

PROCLAMATION

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

John S. Isaacs 45,018

Whole number of votes for

Peter S. Collins 39,073

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that John S. Isaacs 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 tenth day of November in the year of our Lord one thousand nine hundred and 42 and of the Independence of the said State the one hundred and sixty-seventh.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 276

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL
COME, GREETING:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 3rd day of November, in the year of our Lord one thousand nine hundred and forty-two 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 said county respectively for such Insurance Commissioner were cast as follows, to wit:

NEW CASTLE COUNTY

William J. Swain	30,056
William W. Conwell	24,737
Harold H. Vigneulle	464

KENT COUNTY

William J. Swain	6,374
William W. Conwell	5,653
Harold H. Vigneulle	90

SUSSEX COUNTY

William J. Swain	8,627
William W. Conwell	8,138
Harold H. Vigneulle	142

PROCLAMATION

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	
William J. Swain	45,057
Whole number of votes for	
William W. Conwell	38,528
Whole number of votes for	
Harold H. Vigneulle	696

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that William J. Swain has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Insurance Commissioner of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the tenth day of November in the year of our Lord one thousand nine hundred and 42 and of the Independence of the said State the one hundred and sixty-seventh.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 277

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL
COME, GREETING:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 3rd day of November, in the year of our Lord one thousand nine hundred and forty-two that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an Attorney General of the State of Delaware.

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Attorney General were cast as follows, to wit:

NEW CASTLE COUNTY

Clair J. Killoran	30,577
Houston Wilson	24,611

KENT COUNTY

Clair J. Killoran	6,414
Houston Wilson	5,687

SUSSEX COUNTY

Clair J. Killoran	8,731
Houston Wilson	8,169

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

PROCLAMATION

enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Attorney General the result appears as follows, to wit:

Whole number of votes for	
Clair J. Killoran	45,722
Whole number of votes for	
Houston Wilson	38,467

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that Clair J. Killoran has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Attorney General of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the tenth day of November in the year of our Lord one thousand nine hundred and 42 and of the Independence of the said State the one hundred and sixty-seventh.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 278

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL
COME, GREETING:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 3rd day of November, in the year of our Lord one thousand nine hundred and forty-two that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an Auditor of Accounts of the State of Delaware.

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Auditor of Accounts were cast as follows, to wit:

NEW CASTLE COUNTY

Joseph Morris Harrington	30,170
Thomas N. Stayton	24,192

KENT COUNTY

Joseph Morris Harrington	6,427
Thomas N. Stayton	5,663

SUSSEX COUNTY

Joseph Morris Harrington	8,980
Thomas N. Stayton	7,880

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

PROCLAMATION

enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Auditor of Accounts the result appears as follows, to wit:

Whole number of votes for

Joseph Morris Harrington 45,577

Whole number of votes for

Thomas N. Stayton 38,455

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that Joseph Morris Harrington 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.

(GREAT SEAL) GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the tenth day of November in the year of our Lord one thousand nine hundred and 42 and of the Independence of the said State the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 279
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

Anxious and unhappy, yet determined and united, we of America find the last Thursday of November near at hand again.

Each hour brings news of distant battles. Thoughts of those who fight them or who prepare with feverish haste, fill each pulsing moment for us all.

If the sacrifices seem too great, the restrictions too heavy a burden, and we doubt our cause for thanks, let us remember:

That the centuries have molded us into a great nation, strong in resources, in lands and in courage;

That the steadfastness of others has given us time to forge our weapons out of the tumult of industry and the labor of many hands;

That no devastation has rained out of the sky above us to lay our shops and homes in waste;

That freedom remains—freedom to live and speak and worship as we choose—freedom to elect our own leaders, and be governed by laws of our own making—freedom to contend by the side of allies in the cause of humanity and brotherhood and against the forces of plunder and enslavement.

Nor can we forget the bulging granaries that insure us against the fear of want and help to banish the specter of starvation that stalks in many lands abroad.

With our people resolved that liberty shall not perish, and that men now slaves shall once again be free, with the knowledge that history has given to but few generations the privilege of fighting in so great a cause, surely we can know that a kindly

PROCLAMATION

Providence has bestowed upon us, blessings so overflowing that they cannot well be measured, and gifts so great they cannot be appraised.

In a spirit of humble gratitude, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, do designate and proclaim

THURSDAY

THE TWENTY-SIXTH DAY OF NOVEMBER
NINETEEN HUNDRED AND FORTY-TWO

as a day of

THANKSGIVING AND PRAYER

On that day whatever our anxieties may be, and no matter what has been the measure of our experience during the year that nears its close, let us join with countless tongues and voices in fervent prayer to Our Almighty Father, for the safety of our kinsmen everywhere who bear the brunt of the struggle, for our own fidelity through all the stress and strain we may be called upon to pass, and for the final triumph of the spirit of good will over an evil and brutal force.

Let us rejoice that we are privileged to live in America. And as a token of our faith let our Country's Flag be displayed throughout all of this Thanksgiving Day.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of the said State to be
hereunto affixed, at Dover, this seventeenth day
of November, in the year of our Lord one thousand
(GREAT SEAL) nine hundred and forty-two, and of the
Independence of the United States of America,
the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 280
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, on December 7, 1787, Delaware became the first state to ratify the Federal Constitution; and

WHEREAS, the General Assembly of the State of Delaware by Resolution duly approved on the twenty-ninth day of November, A. D. 1933, authorized and directed the Governor to issue a proclamation calling attention to the significance of this historical event; and

WHEREAS, this march of freedom begun by Delaware was challenged by the totalitarian nations of the world one hundred and fifty-four years later to the day;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in accordance with the authority in me vested, do hereby designate Monday, December 7, 1942 as

DELAWARE DAY

and ask the citizens of the State of Delaware to pay tribute to our forefathers for the part they played in the founding of our country and to re-dedicate themselves anew in the struggle for the preservation of our nation and its way of life during these trying times. I further suggest that flags of our State and Nation be displayed and that suitable exercises in commemoration of this important event be staged in all schools, churches and civic organizations.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said

PROCLAMATION

(GREAT SEAL)

State to be hereunto affixed, at Dover, this twenty-third day of November, in the year of our Lord one thousand nine hundred and forty-two and of the Independence of the United States of America, the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

CHAPTER 281
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS the President of the United States has proclaimed a Sixth Registration under the Selective Training and Service Act of 1940, as amended;

WHEREAS the President has specifically called upon the governors of the several states and territories and all officers and agents of the states and territories, and political subdivisions thereof, and all local boards and agents thereof appointed under the provisions of the Selective Training and Service Act of 1940, as amended, or the Selective Service Regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration:

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim the following:

1. The registration of male citizens of the United States and other male persons, who shall have attained the eighteenth anniversary of the day of their birth during the periods indicated below, shall take place in the State of Delaware between the hours of 9:00 a. m. and 5:00 p. m. on the days hereinafter designated for their registration, as follows:

(a). Those who were born on or after July 1, 1924, but not after August 31, 1924, shall be registered on any day during the week commencing Friday, December 11, 1942, and ending Thursday, December 17, 1942;

(b). Those who were born on or after September 1, 1924, but not after October 31, 1924, shall be registered on any day during the week commencing Friday, December 18, 1942, and ending Thursday, December 24, 1942;

PROCLAMATION

(c). Those who were born on or after November 1, 1924, but not after December 31, 1924, shall be registered on any day during the period commencing Saturday, December 26, 1942, and ending Thursday, December 31, 1942;

(d). During the continuance of the present war, those who were born on or after January 1, 1925, shall be registered on the day they attain the eighteenth anniversary of the day of their birth; provided, that if such anniversary falls on a Sunday or a legal holiday, their registration shall take place on the day following that is not a Sunday or a legal holiday.

2. (a) Every male citizen of the United States and every other male person, except those exempted by the President's proclamation, is required to and shall during the time or on the day fixed herein for his registration present himself for and submit to registration before the selective service local board having jurisdiction in the area in which he has his permanent home or in which he may happen to be during that time or on that day if such male citizen or other male person has not heretofore been registered under the Selective Training and Service Act of 1940, as amended, and the regulation prescribed thereunder.

(b). Th duty of any person to present himself for and submit to registration in accordance with any previous proclamation issued under said Act shall not be affected by this proclamation.

(c). A person subject to registration may be registered after the time or day fixed for his registration in case he is prevented from registering during that time or on that day by circumstances beyond his control. If he is unable to present himself for and submit to registration during the time or on the day fixed for his registration, he shall do so as soon as possible after the cause for such inability ceases to exist.

3. The registration under this proclamation shall be in accordance with the Selective Service Regulations governing registration. Every person subject to registration is required to

PROCLAMATION

familiarize himself with such regulations and to comply therewith.

4. I call upon the people of the State of Delaware and officers and agents of the State, and any of its political subdivisions, to give all necessary aid and assistance to the Selective Service local boards of the State in conducting a successful registration.

5. I shall deem it a discharge of a patriotic obligation if all newspapers, radio stations, and other disseminators of public information give full and complete publicity to the facts of registration in order that all eligible males will place their names on the Selective Service lists.

6. In order that there may be complete cooperation, I urge all employers and governmental agencies of all kinds to give those under their charge sufficient time in which to fulfill the obligations of registration.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of the State of Delaware to be hereunto affixed, at Dover, this fifth day of December, in the year of our Lord one thousand nine hundred and forty-two and of the Independence of the United States of America, the one hundred and sixty-seventh.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

EARLE D. WILLEY, Secretary of State.

SECRETARY OF STATE'S OFFICE

Dover, Delaware

August 31, 1943

In obedience to the provisions and directions of Section 2, Chapter 10, of the Revised Code of Delaware, 1935, 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 fifth day of January, A. D. 1943 and ended on Friday, the ninth day of April, A. D. 1943, and approved by the Governor.

WILLIAM J. STOREY

Secretary of State

**ACTS AMENDING REVISED STATUTES OF 1935,
FOUND IN VOLUME XLIV, LAWS OF DELAWARE**

R.C.19—S4—C4	5	R.C.787—S44—C25	282
R.C.63—S29—C6	433	R.C.788—S45—C25	284
R.C.64—S30—C6	434	R.C.789—S46—C25	284
R.C.65—S31—C6	434	R.C.790—S47—C25	284
R.C.67—S33—C6	434	R.C.791—S48—C25	285
R.C.69—S35—C6	435	R.C.792—S49—C25	285
R.C.73—S39—C6	436	R.C.793—S50—C25	286
R.C.75—S41—C6	436	R.C.794—S51—C25	287
R.C.98—S64—C6	6	R.C.795—S52—C25	288
R.C.105—S71—C6	7	R.C.796—S53—C25	288
R.C.142—S108—C6	9	R.C.797—S54—C25	288
R.C.156—S122—C6	11	R.C.798—S55—C25	289
R.C.158—S124—C6	11	R.C.799—S56—C25	289
R.C.174—S140—C6	13	R.C.800—S57—C25	289
R.C.246—S212—C6	14	R.C.801—S58—C25	290
R.C.260—S5—C8	234	R.C.802—S59—C25	292
R.C.304—S49—C8	235	R.C.803—S60—C25	292
R.C.306—S51—C8	236	R.C.804—S61—C25	292
R.C.493—S32—C20	242	R.C.805—S62—C25	293
R.C.496—S35—C20 (in part)....	248	R.C.806—S63—C25	293
R.C.625—S58—C21	258	R.C.807—S64—C25	293
R.C.655—S88—C21	268	R.C.957—S1—C29	299
R.C.656—S89—C21	268	R.C.964—S9—C29	300
R.C.657—S90—C21	268	R.C.1104—S1—C39	303
R.C.658—S91—C21	268	R.C.1115—S1—C41	304
R.C.659—S92—C21	268	R.C.1118—S4—C41	306
R.C.660—S93—C21	268	R.C.1119—S5—C41	305
R.C.661—S94—C21	268	R.C.1121—S7—C41	306
R.C.662—S95—C21	268	R.C.1152—S6—C43	308
R.C.663—S96—C21	268	R.C.1184—S38—C43	322
R.C.664—S97—C21	268	R.C.1191—S45—C43	342
R.C.665—S98—C21	268	R.C.1206—S60—C43	324
R.C.767—S24—C25	279	R.C.1258—S1—C44	326
R.C.782—S39—C25	280	R.C.1267—S10—C44	327
R.C.783—S40—C25	280	R.C.1302—S45—C44	329
R.C.784—S41—C25	281	R.C.1304—S47—C44	330
R.C.785—S42—C25	281	R.C.1372—S32—C45 (Par. 2)...	331
R.C.786—S43—C25	282	R.C.1440—S100—C45 (Par. 2)..	332

R.C.—Revised Code

S—Section

C—Chapter

R.C.1478—S3—C46 (Par. 3)....	337	R.C.1956—S147—C60	400
R.C.1478—S3—C46 (Par. 5)....	338	R.C.1957—S148—C60	400
R.C.1597—S3—C53 (Par. 1)....	339	R.C.1958—S149—C60	400
R.C.1598—S7—C53 (Par. 2)....	340	R.C.1959—S150—C60	400
R.C.1598—S7—C53 (Par. 6&7)..	342	R.C.2034—S2—C65	422
R.C.1598—S7—C53 (Par. 8)....	344	R.C.2041—S9—C65	423
R.C.1607—S4—C54	345	R.C.2042—S10—C65	423
R.C.1632—S29—C54	345	R.C.2071—S39—C65	423
R.C.1673—S29—C55	347	R.C.2091—S59—C65	425
R.C.1706G—S2G—C56	372	R.C.2093—S61—C65	425
R.C.1711—S6—C56	371	R.C.2109A—S77A—C65	429
R.C.1712—S7—C56	348	R.C.2112—S80—C65	430
R.C.1712—S7—C56	370	R.C.2113—S81—C65	431
R.C.1714—S9—C56	350	R.C.2251—S219—C65	431
R.C.1717—S12—C56	354	R.C.2293—S36—C66	438
R.C.1718—S13—C56	361	R.C.2298—S41—C66	439
R.C.1724—S19—C56 (Par. 3)...	366	R.C.2300—S43—C66	442
R.C.1724—S19—C56	367	R.C.2306—S49—C66	442
R.C.1743—S38—C56 (Par. 1)...	369	R.C.2317—S60—C66 (Par. 2)...	444
R.C.1744—S39—C56	373	R.C.2317—S60—C66 (Par. 1)...	446
R.C.1759—S15—C57	374	R.C.2318—S61—C66	444
R.C.1760—S16—C57	375	R.C.2320—S63—C66	444
R.C.1761—S17—C57	378	R.C.2322—S65—C66	445
R.C.1765B—S21B—C57	375	R.C.2328—S71—C66 (Par. 1)...	447
R.C.1776—S8—C58	381	R.C.2329—S72—C66	447
R.C.1809—S5—C59	388	R.C.2351—S94—C66	449
R.C.1811—S2—C60	401	R.C.2399—S142—C66 (Par. 1)...	450
R.C.1813—S4—C60	405	R.C.2501—S3—C70	456
R.C.1814—S5—C60	406	R.C.2505—S7—C70	456
R.C.1824—S15—C60	411	R.C.2514—S16—C70	455
R.C.1826—S17—C60 (Par. S10)...	412	R.C.2527—S29—C70	453
R.C.1827—S18—C60	415	R.C.2531—S33—C70	453
R.C.1831—S22—C60	419	R.C.2623—S1—C71	458
R.C.1845—S36—C60	421	R.C.2635—S13—C71 (in part)...	467
R.C.1859—S50—C60	416	R.C.2643—S21—C71 (in part)...	459
R.C.1945—S136—C60	400	R.C.2655—S33—C71 (in part)...	463
R.C.1946—S137—C60	400	R.C.2656—S34—C71 (in part)...	466
R.C.1947—S138—C60	400	R.C.2767—S145—C71	469
R.C.1948—S139—C60	400	R.C.2821—S20—C74 (Par. 2)...	476
R.C.1949—S140—C60	400	R.C.2835—S34—C74	478
R.C.1950—S141—C60	400	R.C.2869—S68—C74	479
R.C.1951—S142—C60	400	R.C.2897—S96—C74	480
R.C.1952—S143—C60	400	R.C.2898—S97—C74	480
R.C.1953—S144—C60	400	R.C.2899—S98—C74	480
R.C.1954—S145—C60	400	R.C.2900—S99—C74	480
R.C.1955—S146—C60	400	R.C.2902—S101—C74	480

R.C.2903—S102—C74	480	R.C.3428—S10—C82	492
R.C.2904—S103—C74	480	R.C.3592—S2—C90	495
R.C.2905—S104—C74	480	R.C.3592—S2—C90	496
R.C.2906—S105—C74	480	R.C.3616—S26—C90	497
R.C.2907—S106—C74	480	R.C.3652—S62—C90	498
R.C.2908—S107—C74	480	R.C.3653—S63—C90	500
R.C.2909—S108—C74	480	R.C.3654—S64—C90	500
R.C.2911—S110—C74	480	R.C.3670—S13—C92	503
R.C.2912—S111—C74	480	R.C.4256—S2—C109	519
R.C.2913—S112—C74	480	R.C.4259—S5—C109	519
R.C.2921—S120—C74	480	R.C.4401—S35—C117	521
R.C.2922—S121—C74	480	R.C.4412—S46—C117	524
R.C.2923—S122—C74	480	R.C.4413—S47—C117	526
R.C.2924—S123—C74	480	R.C.4446—S1—C119	527
R.C.2925—S124—C74	480	R.C.4545—S3—C122	528
R.C.2926—S125—C74	480	R.C.4570—S14—C123	529
R.C.2927—S126—C74	480	R.C.4651—S9—C128	531
R.C.2935—S134—C74	480	R.C.4933—S1—C141	534
R.C.2940—S139—C74	480	R.C.4934—S2—C141	534
R.C.2941—S140—C74	480	R.C.4935—S3—C141	535
R.C.2942—S141—C74	480	R.C.5069—S84—C142	536
R.C.2943—S142—C74	480	R.C.5355—S12—C156	538
R.C.2944—S143—C74	480	R.C.5357—S14—C156	539
R.C.2946—S145—C74	480	R.C.5361—S18—C156	541
R.C.2947—S146—C74	480	R.C.5539—S1—C165	558
R.C.2948—S147—C74	480	R.C.5553—S15—C165	550
R.C.2949—S148—C74	480	R.C.5564—S26—C165	558
R.C.2952—S151—C74	480	R.C.5594—S56—C165	556
R.C.2953—S152—C74	480	R.C.5609—S71—C165	552
R.C.2955—S154—C74	480	R.C.5621—S83—C165	555
R.C.2956—S155—C74	480	R.C.5638—S100—C165	553
R.C.2957—S156—C74	480	R.C.5653—S115—C165	561
R.C.2958—S157—C74	480	R.C.5655—S117—C165	560
R.C.2964—S163—C74	480	R.C.5666—S128—C165	558
R.C.2965—S164—C74	480	R.C.5689—S151—C165	557
R.C.2966—S165—C74	480	R.C.5763—S44—C166	562
R.C.2967—S166—C74	480	R.C.5787—S1—C168	563
R.C.2968—S167—C74	480	R.C.5788—S2—C168	564
R.C.2969—S168—C74	480	R.C.5791—S5—C168	564
R.C.2975—S174—C74	480	R.C.5793—S7—C168	566
R.C.2976—S175—C74	480	R.C.5794—S8—C168	566
R.C.2977—S176—C74	480	R.C.5795—S9—C168	567
R.C.2978—S177—C74	480	R.C.5796—S10—C168	567
R.C.2987—S186—C74	488	R.C.5797—S11—C168	568
R.C.2994—S193—C74	489	R.C.5798—S12—C168	568
R.C.3423—S5—C82	492	R.C.5799—S13—C168	568

R.C.—Revised Code

S—Section

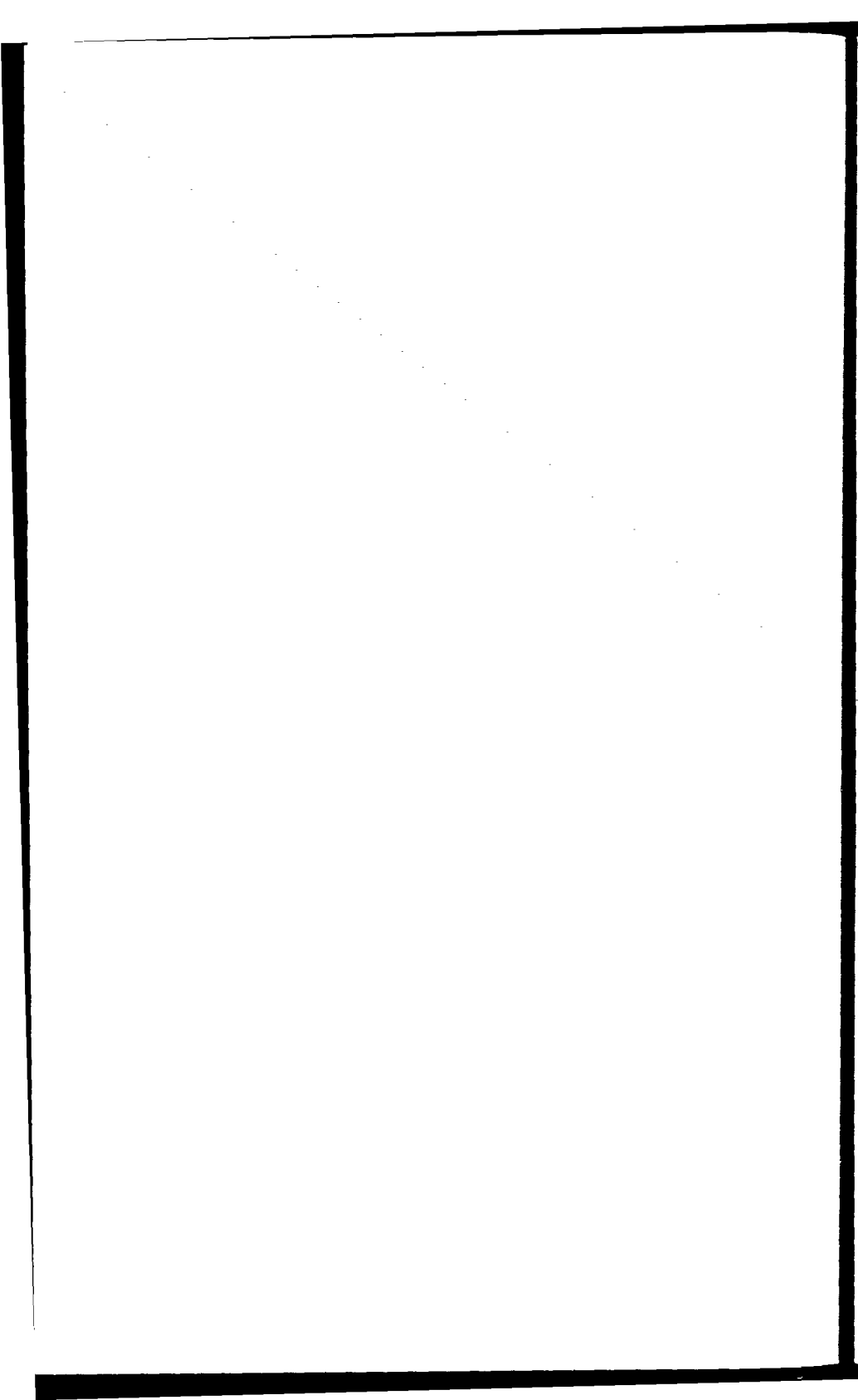
C—Chapter

R.C.5800—S14—C168	568	R.C.6145—S16—C176	576
R.C.5801—S15—C168	568	R.C.6146—S17—C176	576
R.C.5802—S16—C168	569	R.C.6147—S18—C176	579
R.C.5808—S2—C169	570	R.C.6148—S19—C176	577
R.C.5819—S13—C169 (Par. 1)..	572	R.C.6149—S20—C176	577
R.C.6078—S8—C175	573	R.C.6158—S29—C176	580
R.C.6079—S9—C175	574	R.C.6159—S30—C156	578
R.C.6080—S10—C175	574	R.C.6159—S30—C176	581
R.C.6080—S10—C175	575	R.C.6165—S36—C176	578
R.C.6118—S48—C175	575	R.C.6275—S2—C183	302

R.C.—Revised Code

S—Section

C—Chapter



GENERAL INDEX

Acts Amended (Revised Code of 1935)

Chap. 4, relating to the salary of the custodian of the State House	5
Chap. 6, relating to franchise taxes	6
Chap. 6, relating to Inheritance Tax	9
Chap. 6, relating to Income Tax	11
Chap. 6, relating to exemption of dealers in feed bags from certain tax provisions	13
Chap. 6, relating to War Emergency Tax on gross income.....	14
Chap. 6, relating to War Emergency Tax on gross incomes.....	21
Chap. 6, relating to assessment and taxation of shares of capital stock of banks and trust companies	433
Chap. 6, relating to assessment and taxation of capital stock of banks and trust companies	434
Chap. 6, relating to assessment and taxation of savings banks and savings societies not having capital stock.....	436
Chap. 8, relating to the Adjutant General	234
Chap. 8, relating to lease of State Armories, Arsenal and Military Reservations by Adjutant General	235
Chap. 8, relating to the awarding of medals to persons in military or naval service	236
Chap. 20, relating to valuation and non-forfeiture benefits of life insurance policies	242
Chap. 21, relating to commercial feeding stuffs	258
Chap. 21, relating to sale of agricultural seeds	268
Chap. 25, relating to Department of Health by providing for appeals from Justices of the Peace in certain actions.....	279
Chap. 25, relating to State Board of Health	280
Chap. 27, relating to period of internship required during war emergency	296
Chap. 29, relating to State Board of Examiners of Graduate Nurses	299
Chap. 41, changing name of State Board of Charities to State Board of Welfare	304
Chap. 41, relating to licensing of homes and agencies caring for children	305
Chap. 41, relating to State Board of Charities	306
Chap. 43, relating to salaries of members of Levy Court of New Castle County	308
Chap. 43, relating to boundaries of Levy Court districts of Kent County	322

Acts Amended (Revised Code of 1935) (Continued)

Chap. 43, relating to fire companies in Sussex County	324
Chap. 44, relating to exemption from taxation of property of Polish Army Veterans of Delaware	326
Chap. 44, relating to New Castle County assessments and ap- peals	327
Chap. 44, relating to Kent County assessments	329
Chap. 45, relating to salaries of deputies, clerks, investigators, bookkeepers and stenographers of Receiver of Taxes and County Treasurer of New Castle County	331
Chap. 45, relating to salary of deputy and clerical assistance of Receiver of Taxes and County Treasurer of Sussex County..	332
Chap. 46, relating to salaries of Comptroller and Deputy Com- ptroller of New Castle County	337
Chap. 46, relating to salary of Deputy Comptroller of Sussex County	338
Chap. 53, relating to salaries of certain county officers of New Castle County	339
Chap. 53, relating to salaries of deputies and clerks of certain offices of New Castle County	340
Chap. 53, relating to salaries of deputies and clerks in certain county offices of Sussex County	344
Chap. 54, relating to State Welfare Commission	345
Chap. 55, relating to notice required in proceedings to vacate public roads and bridges	347
Chap. 56, relating to supplementary registration of voters.....	348
Chap. 56, relating to registration officers	350
Chap. 56, relating to permanent registration of voters.....	354
Chap. 56, relating to striking names from registrations of voters.	361
Chap. 56, relating to Registration of voters by changing time re- quired for notice of appeals	366
Chap. 56, relating to a permanent record of election appeals and effect of determination of an appeal upon subsequent appeals.	367
Chap. 56, relating to registration of voters	369
Chap. 57, relating to Department of Elections for New Castle County	374
Chap. 58, relating to voting books of qualified voters for primary elections	381
Chap. 59, relating to inspectors of elections	388
Chap. 60, relating to general elections and providing for two separate ballots	401
Chap. 60, relating to duty of Department of Elections as to ballot boxes and tally lists and compensation of Inspector for de- livery thereof	411
Chap. 60, relating to the boundaries of the fourth representative district of Sussex County	412
Chap. 60, relating to place for holding general elections and counting and disposing of ballots	415

GENERAL INDEX

iii

Acts Amended (Revised Code of 1935) (Continued)

Chap. 60, relating to delivery of ballot boxes by Department of Elections	419
Chap. 60, relating to time of opening general elections	421
Chap. 65, relating to corporations	422
Chap. 66, relating to examination by State Bank Commissioner..	438
Chap. 66, relating to reserves of banks, savings societies and trust companies	439
Chap. 66, relating to restrictions upon borrowing and lending of money by banks, savings societies and trust companies.....	442
Chap. 66, relating to assessment and taxation of capital stock of banks and trust companies	444
Chap. 66, relating to assessment and taxation of shares of capital stock of banks and trust companies	446
Chap. 66, relating to assessment and taxation of savings banks and savings societies not having capital stock.....	447
Chap. 66, relating to receiver for unsound Building and Loan Associations	449
Chap. 66, relating to increases in capital stock of trust companies	450
Chap. 70, relating to Industrial School for Colored Girls.....	453
Chap. 70, relating to Ferris Industrial School	456
Chap. 71, relating to free public schools by making President of University of Delaware a member of State Board of Education	458
Chap. 71, relating to election of school boards in Kent and Sussex Counties	459
Chap. 71, relating to school attendance	469
Chap. 74, relating to the catching of muskrats on embanked meadow or marsh in New Castle County	476
Chap. 74, relating to the sale of bull frogs	478
Chap. 74, relating to training or breaking of dogs	479
Chap. 74, relating to closed season for catching of fish.....	488
Chap. 74, relating to the closed season for the catching of fish..	489
Chap. 74, relating to taking striped bass or rock fish from the Nanticoke River with nets	490
Chap. 82, relating to powers of Regulators of Weights and Measures, and to violations of Weights and Measures law.....	492
Chap. 90, relating to hours of labor of female employees.....	495
Chap. 90, relating to hours of work for female employees.....	496
Chap. 90, relating to the hours of labor of children.....	497
Chap. 90, relating to use of moneys received by architects, engineers, contractors or sub-contractors before first paying laborers and material men	498
Chap. 92, relating to acknowledgments of deeds and other instruments	503
Chap. 109, relating to Judicial Reports	519

Acts Amended (Revised Code of 1935) (Continued)

Chap. 117, relating to investments of trustees, guardians and other fiduciaries	521
Chap. 117, relating to stenographers for Court of Chancery.....	524
Chap. 119, relating to Justices of the Peace	527
Chap. 122, relating to Justices Jurisdiction in trespass, replevin and detinue cases	528
Chap. 123, relating to Justices Jurisdiction in Forcible Entry, Detainer and Holding over	529
Chap. 128, relating to actions for damages arising out of operation of vehicles	531
Chap. 141, relating to action of ejectment	534
Chap. 142, relating to landlord and tenant	536
Chap. 156, relating to fees of Register of Wills in New Castle County	538
Chap. 156, relating to fees to be charged by Recorder of Deeds of New Castle County	539
Chap. 156, relating to salaries of bailiffs in New Castle County ..	540
Chap. 160, relating to powers of Housing Authorities	542
Chap. 160, relating to Housing Authorities	543
Chap. 165, relating to cancellation of title of motor vehicles.....	550
Chap. 165, relating to liability for negligence of a minor in operation of motor vehicles	552
Chap. 165, relating to blinker lights and stopping at certain highways	553
Chap. 165, relating to reckless driving of motor vehicles	555
Chap. 165, relating to instruction permits for persons under 20 years of age	556
Chap. 165, relating to traction engines and tractors	557
Chap. 165, relating to well drilling machines	558
Chap. 165, relating to permissible weight of motor vehicles.....	560
Chap. 165, relating to authorized length of motor vehicles.....	561
Chap. 166, relating to educational campaign on street and highway safety	562
Chap. 169, relating to Court of Common Pleas for New Castle County	570
Chap. 169, relating to salary of Clerk of Court of Common Pleas of New Castle County	572
Chap. 175, relating to Delaware Workmen's Compensation Law..	573
Chap. 175, relating to Workmen's Compensation Law	574
Chap. 176, relating to quantities of alcoholic liquors, wines and beer which may be sold and/or purchased	576
Chap. 176, relating to the cancellation or suspension of license for the sale of alcoholic liquor, wines and beer, and the disposition of alcoholic liquor, wines and beer by the Commission	580

GENERAL INDEX

v

Acts Amended (Revised Code of 1935) (Continued)

Chap. 176, relating to retaliatory taxation and regulation of the importation, sale and transportation of beer manufactured outside of this State	581
Chap. 183, relating to custodians of public records	302

Acts Amending State Constitution

Article 5, Section 4A, relating to elections	3
--	---

Acts Repealed (Revised Code of Delaware 1935)

R. C. 1118, Ch. 41, relating to State Board of Charities.....	306
R. C. 1598, S. 7, ch. 53 (as to Kent County), relating to deputies and clerical assistance for County officers	342
R. C. 1744, S. 39, ch. 56, relating to registration of voters.....	373
R. C. 1761, S. 17, ch. 57, relating to Department of Elections in New Castle County	378
R. C. 1945, S. 136, ch. 60, relating to absentee voting.....	390
R. C. 1946, S. 137, ch. 60, relating to absentee voting.....	390
R. C. 1947, S. 138, ch. 60, relating to absentee voting.....	390
R. C. 1948, S. 139, ch. 60, relating to absentee voting.....	390
R. C. 1949, S. 140, ch. 60, relating to absentee voting.....	390
R. C. 1950, S. 141, ch. 60, relating to absentee voting.....	390
R. C. 1951, S. 142, ch. 60, relating to absentee voting.....	390
R. C. 1952, S. 143, ch. 60, relating to absentee voting.....	390
R. C. 1953, S. 144, ch. 60, relating to absentee voting.....	390
R. C. 1954, S. 145, ch. 60, relating to absentee voting.....	390
R. C. 1955, S. 146, ch. 60, relating to absentee voting.....	390
R. C. 1956, S. 147, ch. 60, relating to absentee voting.....	390
R. C. 1957, S. 148, ch. 60, relating to absentee voting.....	390
R. C. 1958, S. 149, ch. 60, relating to absentee voting.....	390
R. C. 1959, S. 150, ch. 60, relating to absentee voting.....	390
R. C. 2879, S. 96, ch. 74, relating to fish, oysters and game.....	480
R. C. 2898, S. 97, ch. 74, relating to fish, oysters and game.....	480
R. C. 2899, S. 98, ch. 74, relating to fish, oysters and game.....	480
R. C. 2900, S. 99, ch. 74, relating to fish, oysters and game.....	480
R. C. 2902, S. 101, ch. 74, relating to fish, oysters and game.....	480
R. C. 2903, S. 102, ch. 74, relating to fish, oysters and game.....	480
R. C. 2904, S. 103, ch. 74, relating to fish, oysters and game.....	480
R. C. 2905, S. 104, ch. 74, relating to fish, oysters and game.....	480
R. C. 2906, S. 105, ch. 74, relating to fish, oysters and game.....	480
R. C. 2907, S. 106, ch. 74, relating to fish, oysters and game.....	480
R. C. 2908, S. 107, ch. 74, relating to fish, oysters and game.....	480
R. C. 2909, S. 108, ch. 74, relating to fish, oysters and game.....	480

Acts Repealed (Revised Code of Delaware 1935) (Continued)

R. C. 2911, S. 110, ch. 74, relating to fish, oysters and game.....	480
R. C. 2912, S. 111, ch. 74, relating to fish, oysters and game.....	480
R. C. 2913, S. 112, ch. 74, relating to fish, oysters and game.....	480
R. C. 2921, S. 120, ch. 74, relating to fish, oysters and game.....	480
R. C. 2922, S. 121, ch. 74, relating to fish, oysters and game.....	480
R. C. 2923, S. 122, ch. 74, relating to fish, oysters and game.....	480
R. C. 2924, S. 123, ch. 74, relating to fish, oysters and game.....	480
R. C. 2925, S. 124, ch. 74, relating to fish, oysters and game.....	480
R. C. 2926, S. 125, ch. 74, relating to fish, oysters and game.....	480
R. C. 2927, S. 126, ch. 74, relating to fish, oysters and game.....	480
R. C. 2935, S. 134, ch. 74, relating to fish, oysters and game.....	480
R. C. 2940, S. 139, ch. 74, relating to fish, oysters and game.....	480
R. C. 2941, S. 140, ch. 74, relating to fish, oysters and game.....	480
R. C. 2942, S. 141, ch. 74, relating to fish, oysters and game.....	480
R. C. 2943, S. 142, ch. 74, relating to fish, oysters and game.....	480
R. C. 2944, S. 143, ch. 74, relating to fish, oysters and game.....	480
R. C. 2946, S. 145, ch. 74, relating to fish, oysters and game.....	480
R. C. 2947, S. 146, ch. 74, relating to fish, oysters and game.....	480
R. C. 2948, S. 147, ch. 74, relating to fish, oysters and game.....	480
R. C. 2949, S. 148, ch. 74, relating to fish, oysters and game.....	480
R. C. 2952, S. 151, ch. 74, relating to fish, oysters and game.....	480
R. C. 2953, S. 152, ch. 74, relating to fish, oysters and game.....	480
R. C. 2955, S. 154, ch. 74, relating to fish, oysters and game.....	480
R. C. 2956, S. 155, ch. 74, relating to fish, oysters and game.....	480
R. C. 2957, S. 156, ch. 74, relating to fish, oysters and game.....	480
R. C. 2958, S. 157, ch. 74, relating to fish, oysters and game.....	480
R. C. 2964, S. 163, ch. 74, relating to fish, oysters and game.....	480
R. C. 2965, S. 164, ch. 74, relating to fish, oysters and game.....	480
R. C. 2966, S. 165, ch. 74, relating to fish, oysters and game.....	480
R. C. 2967, S. 166, ch. 74, relating to fish, oysters and game.....	480
R. C. 2968, S. 167, ch. 74, relating to fish, oysters and game.....	480
R. C. 2969, S. 168, ch. 74, relating to fish, oysters and game.....	480
R. C. 2975, S. 174, ch. 74, relating to fish, oysters and game.....	480
R. C. 2976, S. 175, ch. 74, relating to fish, oysters and game.....	480
R. C. 2977, S. 176, ch. 74, relating to fish, oysters and game.....	480
R. C. 2978, S. 177, ch. 74, relating to fish, oysters and game.....	480
R. C. 4413, S. 47, ch. 117, relating to incidental expenses of Court of Chancery	526

Acts Amended (Laws of Delaware)

Vol. 17, ch. 575, relating to Trustees of New Castle Common.....	617
Vol. 37, ch. 162, relating to the fiscal year of the City of Milford..	452
Vol. 40, ch. 104, relating to custodians of public records.....	302
Vol. 41, ch. 5 and 6, relating to franchise taxes.....	6
Vol. 41, ch. 96, relating to transfer of adult indigent persons from other States	307

GENERAL INDEX

vii

Acts Amended (Laws of Delaware) (Continued)

Vol. 41, ch. 111, relating to appropriations by New Castle County Levy Court	309
Vol. 41, ch. 131, relating to corporations.....	422
Vol. 41, ch. 230, relating to blinker lights and stopping at certain highways	553
Vol. 41, ch. 243, relating to Delaware Workmen's Compensation Law	574
Vol. 41, ch. 244, relating to Delaware Workmen's Compensation Law	574
Vol. 41, ch. 251, relating to quantities of alcoholic liquors, wines and beer which may be sold and/or purchased.....	576
Vol. 41, ch. 246, relating to the cancellation or suspension of license for the sale of alcoholic liquor, wines and beer, and the disposition of alcoholic liquor, wines and beer by the comission	580
Vol. 41, ch. 253, relating to Unemployment Compensation Law..	584-595
Vol. 42, ch. 65, relating to exemption of dealers in feed bags from certain tax provisions.....	13
Vol. 42, ch. 102, relating to appropriations by New Castle County Levy Court	309
Vol. 42, ch. 105, relating to plumbing code for rural New Castle County	310
Vol. 42, ch. 109, relating to Kent County assessments.....	329
Vol. 42, ch. 191, relating to quantities of alcoholic liquors, wines and beer which may be sold and/or purchased.....	576
Vol. 42, ch. 196, relating to Unemployment Compensation Law..	584
Vol. 42, ch. 197, relating to Unemployment Compensation Law..	584
Vol. 43, ch. 81, relating to term of enlistment in Delaware State Guard	238
Vol. 43, ch. 115, relating to salary of deputy comptroller of Sussex County	338
Vol. 43, ch. 120, relating to salaries of deputies and clerks of certain offices	340
Vol. 43, ch. 121, relating to registration of voters.....	369
Vol. 43, ch. 125, relating to term of office of clerks of election in Kent County	379
Vol. 43, ch. 126, relating to term of office of clerks of election in Sussex County	380
Vol. 43, ch. 129, relating to general elections and providing for two separate ballots	401
Vol. 43, ch. 132, relating to corporations.....	422
Vol. 43, ch. 139, relating to reserves of banks, savings societies and trust companies	439
Vol. 43, ch. 216, relating to Kent County Jail.....	511
Vol. 43, ch. 221, relating to use of certain funds to decorate Supreme Courtroom by Judges.....	168

Acts Amended (Laws of Delaware) (Continued)

Vol. 43, ch. 224, relating to investments of trustees, guardians and other fiduciaries	521
Vol. 43, ch. 226, relating to stenographers for Court of Chancery.	524
Vol. 43, ch. 244, relating to cancellation of titles of motor vehicles	550
Vol. 43, ch. 259, relating to traction engines and tractors.....	557
Vol. 43, ch. 266, relating to Regional Planning Commission of New Castle County	563
Vol. 43, ch. 267, relating to salary of Clerk of Court of Common Pleas of New Castle County	572
Vol. 43, ch. 269, relating to Delaware Workmen's Compensation Law	573-574
Vol. 43, ch. 275, relating to alcoholic liquor, wines and beer.....	579
Vol. 43, ch. 276, relating to retaliatory taxation and regulation of the importation, sale and transportation of beer manufactured outside of this state	581
Vol. 43, ch. 280, relating to Unemployment Compensation law....	584-595
Vol. 43, ch. 281, relating to Unemployment Compensation law..	584
Vol. 43, ch. 283, relating to Unemployment Compensation law..	584
Vol. 43, ch. 285, relating to State Council of Defense.....	599-600
Vol. 44, ch. 7, relating to War Emergency Tax on gross incomes..	21

Acts Repealed (Laws of Delaware)

Vol. 40, ch. 203, relating to fish, oysters and game.....	480
Vol. 40, ch. 205, relating to fish, oysters and game.....	480
Vol. 41, ch. 180, relating to fish, oysters and game.....	480
Vol. 41, ch. 181, relating to fish, oysters and game.....	480
Vol. 42, ch. 131, relating to fish, oysters and game.....	480
Vol. 43, ch. 120, (as to Kent County), relating to deputies and clerical assistance for County officers.....	342
Vol. 43, ch. 168, (in part) relating to Regional Planning Act....	563

A

Absentee Voters Law

See General Elections	390
-----------------------------	-----

Accident Board

See Industrial Accident Board.

Acknowledgments

By persons in military service in foreign country, how taken....	503
Validity of legal instruments lacking, properly executed.....	504

GENERAL INDEX

ix

Actions

Affidavit denying agency of operator of vehicle in damage cases, when required; effect of failure to file.....	531
Ejectment, procedure	534
Libel, liability of newspapers	533

Adjournment

See General Assembly.

Adjutant General

Appropriation	
Salaries and expenses	55
State Rifle Range	55
Veterans Government Claims	55
Armories, arsenals and military reservations, lease of, when....	235
Authorized to appoint Acting Adjutant General during absence or incapacity; powers of acting Adjutant General.....	234

Administrators

See Executors and Administrators.

Agriculture

See State Board of Agriculture.

Agricultural Seeds

See Delaware Seed Law.....	268
----------------------------	-----

Air Conditioning

Registration of all persons engaged in installing or repairing of, in rural New Castle County.....	311
---	-----

Airport

Governor's proclamation relating to closing of.....	678
Sussex County, removal of dead bodies from burial ground upon.	294

Alcoholic Liquor, Wines and Beer

Importation, sale and transportation of beer, retaliatory taxation and regulation of	581
Licenses, applications for, exceptions.....	579
License fees, refunds upon cancellation or surrender of license..	580
Quantities which may be bought and/or sold or transported.....	576
Sale and purchase of, quantities.....	576

GENERAL INDEX

Alcoholic Liquor, Wines and Beer (Continued)

Sale of, by Commission, upon cancellation or surrender of license	580
Seizure of, disposal	580

Alexis I. duPont Special School District

Appropriation to	135
Supplemental appropriation to	170

Alfred I. duPont No. 7 School District

Appropriation to	64
------------------------	----

Amendments to Constitution of Delaware

Article 5, Section 4A, relating to elections	3
--	---

American Education Week

Governor's proclamation relating to	672-730
---	---------

American Legion

David C. Harrison Post No. 14, appropriation for maintenance of ambulance	323
---	-----

American Legion, Department of Delaware

Appropriation to	201
------------------------	-----

American Red Cross

Governor's proclamation relating to	668
---	-----

Animals

Delaware Society for Prevention of Cruelty to	196
---	-----

Appeals

From decision of Liquor Commission to Court of General Sessions, when	581
From Unemployment Compensation Commission to Superior Court as to lien of contributions, when	598

Appropriation

Adjutant General	55
Alexis I. duPont School, instructional service and insurance....	170
American Legion, Department of Delaware	201
Arden School No. 3, salaries	170
Atlantic States Marine Fisheries Commission	52
Attorney General	48
Auditor of Accounts	44

GENERAL INDEX

xi

Appropriation (Continued)

Beebe Hospital	194
Board of Boiler Rules	54
Board of Examiners of Barbers	50
Board of Examiners in Optometry	51
Board of Examiners for Registered Nurses	51
Board of Managers of Detention Home	214
Board of Pardons	54
Board of Registration for Professional Engineers and Land Surveyors	53
Board of Veterinary Examiners	51
Boat Inspector	45
Bond Interest Account	48
Bond Redemption Account	49
Bridgeville Colored School No. 220C, Instructional Service.....	170
Bridgeville School No. 90, Instructional Service.....	170
Certificate of Origin Account	43
Claims Against State	
M. A. Hartnett, Inc.	211
Commission on Revision of the Banking Laws.....	620
Committee on Uniform Laws	41
Court of Chancery	46
Court of Common Pleas—Kent County	47
Custodian, State	56
Custodian, State, for balance of fiscal year ending June 30, 1943..	212
Deaf, Dumb, Blind and Crippled Children.....	157
Definitions of terms	163
Delaware Commission for the Blind	175
Delaware Commission for the Feeble-Minded	159
Delaware Commission for the Feeble-Minded, for detention building	184
Delaware Commission on Interstate Co-operation	42
Delaware Day Commission	161
Delaware Hospital, Wilmington	194
Delaware Industrial School for Girls	200
Delaware Liquor Commission	46
Delaware Real Estate Commission	52
Delaware Society for Prevention of Cruelty to Animals.....	196
Delaware State Hospital	159
Dehner Colored School No. 212½C, Instructional Service.....	170
Department of Justice	47
Dissolution Account	43
District Library Commissions	202
Emergency Fund	225
Ferris Industrial School	159
Fire Companies	56
Fire Companies, outside of Wilmington	223
Fleetwood, Lida	215

Appropriation (Continued)

Game and Fish Commission	156
G. A. R., Department of Delaware	197
Governor	42
Governor, salaries	171
Highway Improvement Bonds and State Aid Bonds, payment of..	177
Highway Improvement Bonds and State Aid Bonds, payment of interest on	179
Historical Society of Delaware	161
Homeopathic Hospital, Wilmington	194
Indigent soldiers, sailors and marines, burial of.....	182
Industrial Accident Board	54
Industrial School for Girls	160
Kent and Sussex County Fair	220
Kent General Hospital	194
Labor Commission of Delaware	53
Laurel, town of, reimbursement for building concrete streets....	224
Layton Home for Aged Colored People	193
Lewes Special School District, for Children's Beach House.....	204
Lewes Tercentenary Commission	161
Magistrate Bonds	43
Medical Council of Delaware	50
Milford Memorial Hospital	194
Milford Special School District, for establishments of tenth grade in colored junior high school	210
Milton Colored School No. 196C, Instructional service.....	170
Milton School No. 8, Instructional service	170
Mothers Pension Commission	158
National Guard	55
Old Age Welfare Commission	160
Old Age Welfare Commission—pensions	158
Oyster Revenue Collector	45
Palmer Home	195
Parole Board	53
Permanent Budget Commission	43
Portrait Commission of Delaware	57
Public Archives Commission	56-183
Registrars and Assistants	42
Regular School Districts	
No. 2 Mt. Pleasant	63
No. 3 Arden	64
No. 7 Alfred I. duPont	64
No. 20 Richardson Park	65
No. 21 Newport	65
No. 25 Walnut Green	66
No. 29 Hockessin	66
No. 32 Harmony	67
No. 34 Mt. Pleasant	67

GENERAL INDEX

xiii

Appropriation (Continued)

No. 37 Milford X Roads	68
No. 38 Stanton	68
No. 40 McClellandsville	69
No. 44 Christiana	69
No. 47 Rose Hill-Minquadale	70
No. 52 Delaware City	70
No. 53 Commodore MacDonough	71
No. 56 Glasgow	71
No. 60 Middletown	72
No. 61 Corbit	72
No. 63 Port Penn	73
No. 66 Taylor's Bridge	73
No. 69 Blackbird	74
No. 71½ Patterson	74
No. 77 Marshallton	75
No. 81 Townsend	75
No. 91 Yorklyn	76
No. 92 Pleasant Valley	76
No. 101 Eden	77
No. 130 Oak Grove	77
No. 131 Henry C. Conrad	78
No. 106C Newport	78
No. 107C Hockessin	79
No. 108C Marshallton	79
No. 111C Christiana	80
No. 112C Iron Hill	80
No. 113C Bethesda	81
No. 115C Kirkwood	81
No. 118C Delaware City	82
No. 119C Mt. Pleasant	82
No. 120C Middletown	83
No. 122C Port Penn	83
No. 124C Lee's Chapel	84
No. 125C Townsend	84
No. 126C Ebenezer	85
No. 9 Kenton	85
No. 11 Leipsic	86
No. 16 Mt. Willow	86
No. 20 Oak Point	87
No. 23 Sandtown	87
No. 29 Jump's	88
No. 32 Frederica	88
No. 33 Thomas	89
No. 39 Farmington	89
No. 50 Magnolia	90
No. 52 Willow Grove	90
No. 54 Felton	91

GENERAL INDEX

Appropriation (Continued)

No. 59 Pratt's	92
No. 69 Westville	92
No. 71 Woodside	93
No. 79 Rose Valley	93
No. 83 Cheswold	94
No. 85 Little Creek	94
No. 93 Wiley's	95
No. 96 Hartly	95
No. 112 Viola	96
No. 119 Clayton	96
No. 125 Houston	97
No. 136C Clayton	97
No. 140C Kenton	98
No. 142C Lockwood	98
No. 143C Cheswold	99
No. 145C Fork Branch	99
No. 146C White Oak	100
No. 149C St. Jones	100
No. 152C Willow Grove	101
No. 153C Parker's Chapel	101
No. 154C Woodside	102
No. 155C Mt. Olive	102
No. 156C Viola	103
No. 158C Union	103
No. 159C Reeves Crossing	104
No. 160C John Wesley	104
No. 1 Cedar Neck	105
No. 3 Lincoln	105
No. 7 Broadkill	106
No. 8 Milton	106
No. 23 Millsboro	107
No. 28 Lord Baltimore	107
No. 30 Williamsville	108
No. 31 Roxana	109
No. 32 Selbyville	109
No. 34 Stockley	110
No. 37 Gumboro	111
No. 43 Dorothy	111
No. 44 Sycamore	112
No. 45 Vaughn's	112
No. 50 Ellis Grove	113
No. 58 Concord	113
No. 62 Isaac's	114
No. 80 Lowe's X Roads	114
No. 82 Hollymount	115
No. 90 Bridgeville	115
No. 91 Greenwood	116

GENERAL INDEX

xv

Appropriation (Continued)

No. 97 John M. Clayton	117
No. 99 Bethel	117
No. 125 Ellendale	118
No. 163 Delmar	118
No. 172 Blades	119
No. 193C Slaughter Neck	119
No. 194C Lincoln	120
No. 195C Ellendale	120
No. 196C Milton	121
No. 197C Drawbridge	121
No. 198C Nassau	122
No. 200C Rehoboth	122
No. 201C Rabbit's Ferry	123
No. 202C Friendship	123
No. 203C Warwick	124
No. 204C Millsboro	124
No. 206C Frankford	125
No. 207C Blackwater	126
No. 210C Selbyville	126
No. 212½C Delmar	126
No. 213C Owens Corner	127
No. 214C Portsville	127
No. 215C Ross Point	128
No. 216C Concord	128
No. 218C Blocksom's	129
No. 219C Middleford	129
No. 220C Bridgeville	130
No. 221C Trinity	130
No. 222C Greenwood	131
No. 224C Hollyville	131
No. 225C Warwick	132
No. 226C Williamsville	133
Nanticoke Indian	133
Regulators of Weights and Measures	54
Richardson Park School, No. 20, Instructional service	170
Salaries of State Employees, for increases	190
Secretary of State	42
Special Fire Protection and Extinction	157
Special School Districts	
Claymont	134
Alexis I. duPont	135
Newark	136
New Castle	137
Smyrna	138
Dover	139
Caesar Rodney	140
Harrington	141

Appropriation (Continued)

Milford	142
Georgetown	143
Lewes	144
Seaford	145
Laurel	146
Rehoboth	147
Wilmington Board of Education	148
State Athletic Commission	52
State Auditor	44
State Bank Commissioner	46
State Board of Accountancy	51
State Board of Agriculture	
General Administration	152
Peninsula Horticultural Society	153
Plant Pathologist	155
Analyzing Fertilizers and Feeds	153
Bureau of Markets	153
Eggs, marketing of	154
Poultry Pathology	154
Cattle Tuberculosis Eradication	154
Corn Growers Association	154
Japanese Beetle Eradication	155
Apple Grading and Inspection	155
Canteloupe Inspection	156
State Board of Agriculture, for Anti-hog Cholera Serum	208
State Board of Architects	52
State Board of Charities	158
State Board of Dental Examiners	50
State Board of Education	60
State Board of Education, for payment of certain claims against Dover Special School District	205
State Board of Education, for education of handicapped children	213
State Board of Education, for services of Lida Fleetwood	215
State Board of Education, for athletic field and addition to build- ings at Delaware City Colored School	222
State Board of Health	151
General Administration	151
Corps of Oral Hygienists	152
Pathological Laboratory	152
State Board of Health	
Edgewood Sanatorium	160
Brandywine Sanatorium	160
State Board of Pharmacy	50
State Board of Undertakers	52
State Board of Vocational Education	60
State College for Colored Students	59

GENERAL INDEX

xvii

Appropriation (Continued)

State Forestry Department	156-157
State Forestry Department, salaries and wages	170
State Highway Department	150
State Highway Department, for protection of beach at Rehoboth Beach	185
State Highway Department, for protection of beach at Bethany Beach	186
State Highway Department, for protection of beach at Slaughter Beach	187
State Highway Department, for building roads after war.....	188
State Highway Department, appropriations, not to revert to General Fund	189
State Highway Department, for repairing damages to property of Crystal Fount Lodge I. O. O. F.	217
State Insurance Commissioner	44
State Insurance Commissioner, premiums	56
State Librarian	47
State Library Commission	56
State Revenue Collector	44
State Tax Department, administration of Cigarette Tax Law....	31
State Tax Department	45
State Treasurer	43
St. Francis Hospital	194
Teachers salary increments	172
United Spanish War Veterans, Department of Delaware.....	199
University of Delaware	57
University of Delaware—Sub-station	157
Veterans of Foreign Wars, Department of Delaware	198
Vocational Rehabilitation	62
Wilmington General Hospital	194

Arbor and Bird Day

Governor's proclamation relating to	650-706
---	---------

Architects, Engineers, Contractors and Sub-Contractors

Definitions	498
Failure to pay within 30 days prima facie evidence of misuse of funds	500
Misuse of funds, penalty	500
Moneys received for erecting building declared to be trust funds.	498

Arden No. 3 School District

Appropriation to	64
Supplemental appropriation to	170

Armories	
Lease of by Adjutant General, when	235
Arsenal Buildings	
Lease of by Adjutant General, when	235
Assessment and Valuation of Property	
Kent County Board of Assessment	
Appeals from, dates of hearing	330
Powers of, to raise and lower assessment	330
Posting notices of dates	330
Alterations in assessment lists	330
Capitation taxes, assessment of	329
General assessment to be made	329
New Castle County Board of Assessment	
Appeals from, procedure, limitation upon	327
Capitation tax, list of persons liable, reported	328
Corrections and additions, lists, procedure	327
Levy Court, assessed valuations to be reported to	328
Polish Army Veterans of Delaware, Exemption from taxation....	326
Associate Judge, Kent County	
Approval of rules pertaining to jail	513
Payment for reporting judicial opinions	519
Atlantic States Marine Fisheries Commission	
Appropriation to	52
Attorney General	
Absentee voters law—duties as to	393
Appropriation, salaries and expenses	48
Duty to prosecute violations of Delaware Seed Law	276
Explosives Act—powers and duties under	506
Soil Conservation Districts Act, duties under	608
Vital Statistics law, duties as to	290
Auditor of Accounts	
Appropriation, salaries and expenses	44
Court reporters and stenographers, Chancellor to certify names of to	525
Duties relating to salary increments for school teachers	173
Kent and Sussex County Fair prize committee to certify win- ners to	220
State Emergency Fund, duties as to	233

GENERAL INDEX

xix

Automobiles

Reckless driving defined	555
See Motor Vehicles.	

B

Bailiffs

Salary of, in New Castle County	540
---------------------------------------	-----

Bank Commissioner

See State Bank Commissioner.

Banks, Savings Societies and Trust Companies

Assessment and taxation of shares of capital stock.....	446
Assessment and taxation of, where no capital stock.....	447
Basis for computing tax on capital stock.....	434
Borrowing by, on collateral, restrictions.....	442
Building and Loan Association, receivers for; who; powers.....	449
Capital stock, assessment and taxation of, basis for.....	444
Capital stock, increase in	450
Examination of, when	438
Loans, limitations upon, security of guaranties of United States Government	442
Reserves must be maintained; of what to consist.....	439
Taxation of shares of capital stock	433
Taxation where no capital stock	436
Trust Companies, increase in capital stock.....	450
Trust securities designated	521

Banta, Elsie R.

Bill Clerk for the House of Representatives, appointment.....	619
---	-----

Beans

Grade or classification of, how and where determined.....	277
Penalties for violation of act.....	278
Weight or measure of, how and where taken.....	277

Beebe Hospital

Appropriation to	194
------------------------	-----

GENERAL INDEX

Beer	
Importation, sale and transportation of beer, retaliatory taxation and regulation of	581
Bethany Beach, Sussex County	
Appropriation to State Highway Department, for protection of beach at	186
Bethel No. 99 School District	
Appropriation to	116
Bethesda No. 113C School District	
Appropriation to	81
Beverages	
Alcoholic liquors, wines and beer, licenses for sale of.....	579
Blackbird No. 69 School District	
Appropriation to	74
Blackwater No. 207C School District	
Appropriation to	126
Blades No. 172 School District	
Appropriation to	119
Blind	
Delaware Commission for, appropriation to	175
Blinker Lights	
Rules pertaining to	553
Blocksom's No. 218C School District	
Appropriation to	129
Board of Assessment, Kent County	
Alterations in assessment lists	330
Appeals from, dates of hearing	330
Capitation taxes, assessment of	329
General Assessment to be made	329
Posting notices of, dates	330
Powers of, to raise and lower assessment	330

GENERAL INDEX

xxi

Board of Assessment, New Castle County

Appeals from, procedure, limitation upon	327
Capitation tax, list of persons liable, reported	328
Corrections and additions, lists, procedure	327
Levy Court, assessed valuations to be reported to.....	328

Board of Boiler Rules

Appropriation, salaries and expenses	54
--	----

Board of Examiners of Barbers

Appropriation, salaries and expenses	50
--	----

Board of Examiners in Optometry

Appropriation, salaries and expenses	51
--	----

Board of Examiners for Registered Nurses

Appropriation, salaries and expenses	51
--	----

Board of Managers of Detention Home

Appropriation to	214
------------------------	-----

Board of Pardons

Appropriation, salary and expenses	54
--	----

Board of Registration for Professional Engineers and Land Surveyors

Appropriation, salaries and expenses	53
--	----

Board of Education

Appropriation	172
Regular School Districts	
Election Board, how composed, duties of	461
Election of, procedure	459
Vacancies, how filled	462
Qualifications	459
Term of office	459
Effective date of Act	459
Nominations filed with Clerk of the Peace, when	461
Notices of election to be published	461
Ballots, form of, delivery of	461
Voters, qualifications	462
School year, minimum, authorized to reduce during emergency..	469

Board of Education (Continued)**Special School Districts**

Election Board, how composed, duties of	464
Election of, procedure	463
Vacancies, how filled	466
Qualifications	463
Term of office	463
Effective date of Act	463
Nominations filed with Clerk of the Peace, when	465
Notices of election to be published	465
Ballots, form of, delivery of	465
Voters, qualifications	466

See Boards of School Trustees.

Boards of Registration

Appeals from—time required for notice	366
Books of registered voters, preparation of	354
Duties as to Supplementary Registration	370
Furnishing of registration places, flags	371
Permanent record of appeals, to be kept by	367
Publication of notices	370
Striking names from books of registered voters	361
Supplementary registrations, duties as to	370
Supplementary registration of voters, notices of	348
Supplies, custody of	371
Voting books, how prepared	381

Board of Registration, New Castle County

List of officers given to Department of Elections	372
---	-----

Boards of School Trustees

School year, minimum, authorized to reduce during emergency..	469
Transfer of appropriations, when, limitations	37
Transfer of funds, when permitted	165
See Boards of Education.	

Board of Trustees of New Castle County Workhouse

Transfer of prisoners to Sussex County Jail	517
---	-----

Board of Trustees of Sussex County

Transfer of prisoners from New Castle County Workhouse to custody of	517
--	-----

Board of Veterinary Examiners

Appropriation, salaries and expenses	51
--	----

GENERAL INDEX

xxiii

Boat Inspector

Appropriation, salary and expenses	45
--	----

Bonds

Highway Improvement and State Aid, payment of interest by State Treasurer	179
Highway Improvement and State Aid, purchase of from counties by State Treasurer	176
Rosehill-Minquadale School District No. 47 authorized to issue..	470
State Aid, payment of interest by State Treasurer	179
State Aid, purchase of by State Treasurer	176

Books of Registered Voters

Mutilation of	357
Preparation of	354
Striking names from, procedure	361

Boundaries

Fourth Representative District of Sussex County, divided and defined	412
Kent County Levy Court districts	322
School Districts, changing of, upon closing of a school.....	475

Bowling Alley

Hours of Work for minor children, exception to	497
--	-----

Bridges

See Roads and Bridges.

Bridgeville No. 90 School District

Appropriation to	115
Supplemental appropriation to	170

Bridgeville No. 220C School District

Appropriation to	130
Supplemental Appropriation to	170

Broadkill No. 7 School District

Appropriation to	106
------------------------	-----

Broadkill Creek

Muskrats, unlawful to catch along, without permission of land owners, penalty	477
---	-----

Broadkill River	
Oysters, catching of; size and quantity; when lawful; tax upon, penalty	485
Buck, Clayton Douglass	
United States Senator, election of	732
Building and Loan Association	
Receivers for; when; who; powers of	449
Building Code for Rural New Castle County	314
Building Inspector, Rural New Castle County	
Powers and duties	316
Bull-Frogs	
Sale of, when permitted	478
Burdick, C. Lalor	
Director, Farmers' Bank of the State of Delaware	646
Burkholder, E. Paul	
Appreciation expressed for Washington's Birthday address.....	632
Burton, Mary W.	
Bill Clerk for the Senate, appointment	619
<hr style="width: 20%; margin: 20px auto;"/> C <hr style="width: 20%; margin: 20px auto;"/>	
Caesar Rodney School Band	
Appreciation expressed for services on Lincoln's Birthday.....	630
Caesar Rodney Special School District	
Appropriation to	140
Cedar Neck No. 1 School District	
Appropriation to	105
Chancellor	
Duties relating to publication of equity decisions	519

GENERAL INDEX

xxv

Chandler, Ebe H.	
Member Unemployment Compensation Commission	595
Charters Repealed.	
Governor's proclamation relating to	681
Cheswold No. 83 School District	
Appropriation to	94
Cheswold No. 143C School District	
Appropriation to	99
Chief Justice	
Court of Common Pleas, New Castle County, to appoint Judge of, when	570
Court of Common Pleas, New Castle County, to certify salary of Judge ad litem to State Treasurer	570
Children	
Agencies and homes caring for, to be inspected by State Board of Charities	305
Christiana No. 44 School District	
Appropriation to	69
Christiana No. 111C School District	
Appropriation to	80
Christian Science	
Treatment of human ills, charge for services	298
Cigarette Tax	
Appropriation to State Tax Department for administration.....	31
Exemptions	28
Invoices to be carried, when	29
Penalties	29
Permit required for sale of; application for; fee; revocation....	24
Rate of tax	23
Records to be kept by licensees	28
Stamps required	26
State Tax Department, administration by	23

Cities and Towns

Bethany Beach, appropriation for jetties	186
Houston	
An Act providing for a Justice of the Peace in	527
Laurel, appropriation for reimbursement for building concrete streets	224
Milford	
Fiscal year changed	452
New Castle	
Trustees of Common authorized to invest proceeds of sale of real estate	617
Prisoners in Kent County, payment for board of, to Levy Court..	513
Rehoboth Beach, appropriation for jetties	185
Slaughter Beach, appropriation for jetties	187
Wilmington	
Employees granted leave of absence for military service....	451
Registration of voters for municipal elections.....	369

Civil Actions

Affidavit denying agency of operator of vehicle in action for damage, when required; effect of failure to file	531
Libel, damages for publication by newspaper	533
Notice required before bringing action for libel by newspapers..	533

Claims Against the State

Appropriation to pay	
Adams, Norris C.	641
Delaware State News	641
George, Joseph	641
Hammond, Anthony F.	641
Hayes, Oliver C.	641
Hugh A. George Co.	641
Legates, Gideon	641
M. A. Hartnett, Inc.	211
Reed, James	641
Satterfield, John	641
Teat, John H.	641

Claymont Special School District

Appropriation to	134
------------------------	-----

Clayton No. 119 School District

Appropriation to	96
------------------------	----

GENERAL INDEX

xxvii

Clayton No. 136C School District

Appropriation to	97
------------------------	----

Clerk of Orphans' Courts

Vital Statistics Law, duties as to	290
--	-----

Clerk of Orphans' Court, New Castle County

Deputy and clerks, salaries of	340
Salary of	339

Clerks of the Peace

Absentee voters law—duties as to	390
Felons—reports of, to registrar—act repealed	373
General Elections, printing of ballots, duties as to	403
General Elections, publication of nominations by	405

Clerks of the Peace—Kent and Sussex Counties

School elections—duties of, as to	462-465
---	---------

Clerk of the Peace, New Castle County

Deputy and clerks, salaries of	340
Salary of	339

Clerk of the Peace, Sussex County

Deputy, salary of	344
-------------------------	-----

Commercial Feeding Stuffs

Access to premises for inspection purposes to be afforded	262
Analysis of; method of making; publication of	262
Definition of	258
Inspection tax, exceptions	260-261
Interference with officers in enforcement of law pertaining to, penalty	264
Labels required for goods to be sold	258
Licenses of manufacturer or vendor, fees; term; cancellation of	264
Registration of goods to be sold; procedure; fee for	259-261
Regulations concerning, powers of State Board of Agriculture ..	265
Sales for mixing purposes only; exempt from fees, when	260
Samples may be required; method for obtaining	260
State Board of Agriculture, powers and duties as to	262-265
State Treasurer, to receive all monies collected from	265
Violations of laws pertaining to, penalty	264

Commission for Aid to Dependent Children	
Name of, changed from Mothers Pension Commission.....	303
Commission on Revision of Banking Laws	
Members, duties, appropriation to	620
Committee on Uniform Laws	
Appropriation to	41
Commodore MacDonough No. 53 School District	
Appropriation to	71
Comptroller, New Castle County	
Deputy, salary of	337
Salary of	337
Comptroller, Sussex County	
Deputy, salary of	338
Concord No. 58 School District	
Appropriation to	113
Concord No. 216C School District	
Appropriation to	128
Consolidation of Corporations	
Payment of stock of dissatisfied stockholder, proceeding for	425
Service of process after	425
Conspicuous Service Cross	
Awarding of, by Governor, to whom	236
Description of	236
Constitution Day	
Governor's proclamation relating to	664
Constitution of Delaware	
Article 5, Section 4A, relating to elections	3

GENERAL INDEX

xxix

Contractors

Moneys paid to for erecting building declared to be trust funds; penalty	498
---	-----

Corbit No. 61 School District

Appropriation to	72
------------------------	----

Coroner, New Castle County

Deputy, salary of	340
Salary of	339

Coroner, Sussex County

Clerk, salary of	344
------------------------	-----

Coroners

Vital Statistics law, duties as to	290
--	-----

Corporations

Agent for service of process, change of	431
Books and records of, directors may rely upon	423
Charters repealed	681
Consolidation of corporations, service of process after	425
Consolidation, payment for stock of dissatisfied stockholder, proceeding for	426
Directors, power of corporation to indemnify	422
Directors, reliance upon books, reports and records	423
Dissolution, proceedings for	423
Foreign corporations, agent for service of process, change of ...	431
Franchise taxes, certain corporations, relieved from paying during war emergency	7
Investment companies, franchise taxes, reports required	6
Merger of corporations, service of process after	425
Merger, payment for stock of dissatisfied stockholder, proceeding for	426
Notices, when not required; procedure	431
Offices, more than two held by one person, when	423
Power to indemnify directors	422
Principal office, change of location	430
Reorganization under laws of United States	429
Resident agent, change of	430
Resident agent for service of process, resignation of, procedure..	431

GENERAL INDEX

County

Clerk of Peace, New Castle County, deputy and clerks, salaries of	340
Coroner, New Castle County, deputy, salary of	341
Deputy Comptroller, Sussex County, salary of	338
Officers in Kent County, appointment and salaries of deputies and clerks	342
Prothonotary, New Castle County, deputy and clerks, salaries of.	340
Recorder of Deeds, New Castle County, deputies and clerks, salaries of	340
Register in Chancery and Clerk of Orphans' Court, New Castle County, salaries of, deputies and clerks	340
Register of Wills, New Castle County, deputies and clerks, salaries of	340
Sheriff, New Castle County, deputies, salaries of	340
Treasurer's account of Sussex County, transfer to General fund.	333
Treasurer's account of Sussex County, transfer to General fund.	336

Court of Chancery

An Act providing Court Reporters and Stenographers for, appointment of, duties, salaries	524
Appropriation, salaries and expenses	46
Chancellor-powers to employ and remove Court Reporters and office stenographers	524
Consolidation or merger of corporations, payment for stock of dissatisfied stockholder, proceedings for	426
Purchase of supplies	525
Trust Securities, bonds and obligations of Public Housing Authority declared to be, when	545
Trust securities, investments in, by trustees, guardians and other fiduciaries	521

Court of Common Pleas—Kent County

Appropriation, salary	47
-----------------------------	----

Court of Common Pleas—New Castle County

Clerk, salary of	572
Court, how composed	570
Judge, appointment of, disability of, qualifications, term, salary..	570
Judge ad litem, appointment, when	570
Judge ad litem, Chief Justice to certify salary of to State Treasurer	570
Judge ad litem, Governor to appoint, when	570
Judge ad litem, salary of, by whom and how paid	570

GENERAL INDEX

xxxi

Court of General Sessions

Appeals from finding of Liquor Commission	581
Appeals from Justice of the Peace in certain cases relating to State Board of Health	279
Vacation of roads or bridges, notices required	347

Court of General Sessions—Kent County

Appeal from discharge of deputy Wardens	516
Appeal from discharge of warden	516
Appointment of warden, when authorized to make	515

Court of General Sessions—Sussex County

Transfer of prisoners from New Castle County Workhouse to Sussex County Jail, procedure	517
--	-----

Court of Oyer and Terminer, Sussex County

Transfer of prisoners from New Castle County Workhouse to Sussex County Jail, procedure	517
--	-----

Court Reporters

Chancery, appointment, duties, removal, salaries	524
--	-----

Courts

Appeals from Boards of Registration, permanent record of, du- ties as to	367
Judges of Supreme Court authorized to decorate courtroom	168

Court Stenographers

Chancery, appointment, duties, removal, salaries	524
--	-----

Crabs

Catching, possession or sale of unlawful, when, penalty	491
---	-----

Crimes and Punishments

Absentee voters law, violation of, penalty	398
Building code for rural New Castle County, violations of, penalty	321
Cigarette Tax Law	29
Commercial feeding stuffs, violation of laws pertaining to, pen- alty	264
Crabs—catching, possession or sale of, unlawful, when, penalty.	491
Delaware Seed Law, violations of, penalty	275-276

Crimes and Punishment (Continued)

Dogs—training or breaking for hunting, when lawful, penalty ..	479
Election officers, New Castle County, failure to attend; penalty..	375
Explosives Act—penalties	509
Highway Emergency Act of 1943, penalties	547
Libel, publication of, by newspapers	533
Lobsters—unlawful to catch, possess or sell, when	487
Muskrats, along Broadkill Creek, unlawful to catch without permission of land owner, penalty	477
Muskrats, when lawful to catch, on embanked meadows or marshes in New Castle County	476
Notice required before instituting action against newspapers for libel	533
Oysters, catching of, in Broadkill River, when unlawful; penalty.	485
Purchase and sale of lima beans, peas, and vegetables, violation of act, penalty	278
Regional Planning Act, penalty for unlawful recording	568
Regulations and provision of acts relating to shell fisheries, penalties	484
Sale of merchandise received from relief unit, unlawful, penalty.	537
Striped Bass or rock fish, unlawful for non-residents to take from Nanticoke River with nets, penalty	490
Use of funds by contractors and engineers before paying laborers and materialmen, penalty	500
Violation of act requiring registration in rural New Castle County of all persons engaged in plumbing, and installation or re- pair of oil burners, water systems or sewers, penalty	313
Vital Statistics Law, violation of, penalties	292
War Emergency Tax Law, violation of, penalty	20
Weights and Measures Law—violation of, penalty, second offense	492

Crystal Fount Lodge No. 10, I. O. O. F.

State Highway to repair damages to property of	217
--	-----

Custodian

Advice from State Building and Ground Commission	603
Appropriation for balance of fiscal year ending June 30, 1943 ...	212
Appropriation, salaries and expenses	56
Salary of, increased	5

Custodians of Public Records

Quality of books, paper or ink used by, to be approved by Public Archives Commission	302
---	-----

GENERAL INDEX

xxxiii

D

Decedents Estates

See Executors and Administrators

Deeds

An Act to make valid the record of legal instruments which have not been properly acknowledged	504
Acknowledgments by persons in military service in foreign country, how taken	503

Definitions

Administrative Control—General appropriation act	164
Advertisement—Delaware Seed Law	269
Agricultural seeds—Delaware Seed Law	268
Area—Soil Conservation District Act	606
Auxiliary Agencies—General Appropriation Act	164
Ballot—absentee voters law	390
Basic Salary—State Employees	191
Cigarette	22
Commercial feeding stuffs	268
Compensation for personal services—War Emergency Tax	16
Contractor	493
Dealer—cigarette tax law	23
Dealer—Explosives Act	506
District Supervisors—Soil Conservation Act	606
Dividends—War Emergency Tax	15
Employment office—Unemployment Compensation Law	585
Explosives	505
Fiduciaries—legal investments	521
Fiduciary—War Emergency Tax	15
General Control—General Appropriation Act	163
Gross income—War Emergency Tax	15
Labeling—Delaware Seed Law	269
Landowner—Soil Conservation Act	606
Licensing Authority—Explosives Act	506
Live Child	293
Manufacturer—Explosives Act	505
Military service—Unemployment Compensation Law	586
Moneys or funds—contractors' liability act	499
Operation and Maintenance—General Appropriation Act	164
Package—Cigarette Tax Law	23
Person—Cigarette Tax Law	22
Person—Delaware Seed Law	268
Person—Explosives Act	505
Primary noxious weed seeds—Delaware Seed Law	269

Definitions (Continued)

Reckless driving	555
Regional Planning Act, Words and Phrases construed	563
Retail Dealer—Cigarette Tax Law	23
Retail Sale—Cigarette Tax Law	23
Sale—Cigarette Tax Law	22
Seasonal employment—Unemployment Compensation Law	594
Secondary noxious weed seeds—Delaware Seed Law	269
Soil Conservation district	606
Soil District	606
State experience factor—Unemployment Compensation Law	590
Stillbirth	293
Supervisional Service and Instruction service—General Appropriation Act	164
Taxable—War Emergency Tax	14
Trainee—Unemployment Compensation Law	586
Vegetable seeds—Delaware Seed Law	268
Weed Seeds—Delaware Seed Law	268
Weekly benefits and amount—Unemployment Compensation Law	585
Well drilling machine—motor vehicles	558
Wholesale dealer—cigarette tax law	23
Withholding agent—War Emergency Tax	19

Delaware Association of Graduate Nurses

Nominations by, for appointment upon State Board of Examiners of Graduate Nurses	299
--	-----

Delaware Automobile Association

State Highway Department authorized to use facilities of	562
--	-----

Delaware City No. 52 School District

Appropriation to	70
------------------------	----

Delaware City No. 118C School District

Appropriation to	82
Appropriation for athletic field and addition to buildings	222

Delaware Commission for the Blind

Appropriation to	175
------------------------	-----

Delaware Commission for the Feeble-minded

Appropriation to	159
Construction and equipment of detention buildings, appropriation for	184

GENERAL INDEX

xxxv

Delaware Commission on Interstate Co-operation

Appropriation to	42
------------------------	----

Delaware Commission of Shell Fisheries

Collector of Oyster Revenue, duties under Act	480
Crabs and crabbing excepted from Act	484
Creation of	480
Duties and powers	481
Expenses of, how paid	483
Fees of	482
Meetings of	481
Members; qualifications; appointment; term; vacancies; officers	480
Regulations promulgated by; procedure	482
Subpoenas, power to issue	483
Violation of act, penalties	484

Delaware Day

Governor's proclamation relating to	676-746
---	---------

Delaware Day Commission

Appropriation	161
---------------------	-----

Delaware Hospital, Wilmington

Appropriation to	194
------------------------	-----

Delaware Industrial School for Girls

Appropriation to	200
Name of, changed to Woods Haven School for Girls	455

Delaware Liquor Commission

Appropriation, salaries and expenses	46
--	----

Delaware Real Estate Commission

Appropriation, salaries and expenses	52
--	----

Delaware Safety Council

State Highway Department authorized to use facilities of	562
--	-----

Delaware Seed Law

Appeals from orders of State Board of Agriculture	275
Attorney General, duty to prosecute violations	276
Definitions	268
Exceptions to law regulating sale of seeds	273
Fees for tests, disposition of	275
Label requirements	269
Penalties for violation of	275-276
Prohibitions as to	
Test within nine months prior to sale	272
False statements	272
Failure to label	272
Proportion of weed seeds	272
Alteration of labels	272
Failure to comply with "Stop sale" order	273
Publication of information as to Court actions	276
Sale of, when unlawful	272
Seizure of seed not sold in accordance with law, procedure	275
State Board of Agriculture, powers and duties as to	274

Delaware Society for Prevention of Cruelty to Animals

Appropriation to	196
------------------------	-----

Delaware State Guard

Term of enlistment; oath to be taken	238
--	-----

Delaware State Hospital

Appropriation	159
---------------------	-----

Delaware Swedish Colonial Day

Governor's proclamation relating to	648-704
---	---------

Delmar No. 163 School District

Appropriation to	118
------------------------	-----

Delmar No. 212½C School District

Appropriation to	126
Supplemental appropriation to	170

Denney, William D.

Director, Farmers' Bank of the State of Delaware	646
--	-----

GENERAL INDEX

xxxvii

Dentists

Temporary certificate to out-of-state	296
---	-----

Department of Elections—Kent County

Clerks of Elections, term of, qualification	379
---	-----

Department of Elections—New Castle County

Election officers; appointment; term; duties; vacancies; failure to attend, penalty	375
Inspectors and judges	375
Places of election	374
Supplies furnished by	375
Deaths, reporting of, act repealed	378

Department of Elections—Sussex County

Clerks of Elections, term of; qualification	380
Duties as to ballot boxes and tally lists	411

Department of Justice

Appropriation, salaries and expenses	47
--	----

Descent and Distribution

See Executors and Administrators

Detention Home

Appropriation to	214
------------------------	-----

Dimout Regulations

Governor's proclamation relating to	718
---	-----

Dissolution of Corporations

Corporation with capital stock, proceedings for	423
---	-----

District Library Commissioners

Appropriations to	202
-------------------------	-----

Dodd, William A. B.

Director, Farmers' Bank of the State of Delaware	646
--	-----

Dogs

- Training or breaking for hunting, when lawful, penalty 479

Dorothy No. 43 School District

- Appropriation to 111

Dover Special School District

- Appropriation to 139
Appropriation, for payment of certain claims against 205

Drawbridge No. 197C School District

- Appropriation to 121

E

Ebenezer No. 126C School District

- Appropriation to 85

Eden No. 101 School District

- Appropriation to 77

Ejectment

- Action of; may be used to try title to real estate, procedure..... 534

Elections

- Absentee ballots, constitutional provision for 3
Absentee voters law—See General Elections 390
Department of Elections—Kent County
 Clerks of elections, term of, qualification 379
Department of Elections—New Castle County
 Election officers; appointment; term; duties; vacancies;
 failure to attend, penalty 375
 Inspectors and judges 375
 Places of election 374
 Supplies furnished by 375
 Deaths, reporting of—act repealed 373
Department of Election—Sussex County
 Clerks of election, term of; qualification of 380
Fourth representative district of Sussex County, division and
 boundaries of 412

GENERAL INDEX

xxxix

Elections (Continued)

General Elections

Ballots	403
Ballots, when counted; disposition of, after counted	416
Ballot boxes, delivery of	419
Ballot Boxes—duty of Department of Elections as to	411
Board of Canvass, counting and certifying vote for electors..	408
Certificates of election, number and form of	408
Certificates of nominations and party devices	401
Clerk of the Peace, duties	401
Filing certificate of nominations	401
Hour of opening	421
Inspector—compensation of	411
Nominations, publication of	405
Places of; duty of Department of Elections to provide and furnish	415
Presidential and vice-presidential ballots, form of	405
Prothonotary, duty of	404
Secretary of State, duties	404
State, county and district ballots, form of, how counted	405
Tally lists—duty of Department of Elections as to	411
Inspectors of; selection of, vacancies, how filled; notice to Department of Elections	388
Primary Elections	
Voting books, how prepared; delivery of	381

Ellendale No. 125 School District

Appropriation to	118
------------------------	-----

Ellendale No. 195C School District

Appropriation to	120
------------------------	-----

Ellis Grove No. 50 School District

Appropriation to	113
------------------------	-----

Employers and Employees

Child employees—hours of work—exceptions	497
Female employees, hours of labor of	495
Female Employees, hours of work during war	496
Hours of work of female employees during war	496
Injured employee may designate own physician, when and how..	573
Liability of employer for negligence of minor employee in operating motor vehicle	552

Employers and Employees (Continued)

Statement of deductions from wages to be furnished by employer to employee	502
Workmen's Compensation Law, extending provisions for payments	574
See Unemployment Compensation	

Engineers

Moneys paid to for erecting building declared to be trust funds; penalty	498
--	-----

Estates

See Executors and Administrators

Evidence

Certificates of births, deaths and marriages	284
Copies of public records, when admissible	301
Failure of contractors and engineers to pay laborers and materialmen within 30 days to be prima facie evidence of misuse of funds	500
Legal Instruments not properly acknowledged, when received as	504

Executive Statutory Suspension Act

Determination of facts	239
Effect of orders	240
Expiration of Act	240
Governor authorized to suspend or modify statutes, when	239
Period of effectiveness	240
Reports to Legislature	240

Executors and Administrators

Duty to file schedule of deductions	10
---	----

Explosives

Appeals from licensing authority	508
Application for license, contents	506
Attorney-General, powers and duties of	506
Confiscation of, when	509
Duration of Act	510
Exceptions to provisions of act	509
Licensing authority, powers and duties of	506
License fees, schedule of	508
Licenses, when granted	506

GENERAL INDEX

xli

Explosives (Continued)

Licenses, when revoked	508
Penalties	509
Records to be kept by manufacturers and dealers	507
Report to State Tax Department	507
Sale of, unlawful, when	508
Unlawful to possess, manufacture or deal in, without license.....	506

F

Farmlington No. 39 School District

Appropriation to	89
------------------------	----

Farms

Outgoing tenant allowed to remove top fodder	536
--	-----

Farnhurst

See Delaware State Hospital

Father

Liability for support of minor children	494
---	-----

Fees of Public Officers

Balliff in New Castle County, Salary of	540
Recorder of Deeds of New Castle County	539
Register of Wills of New Castle County	538

Felton No. 54 School District

Appropriation	91
---------------------	----

Female Employees

Hours of labor	495
Hours of work during war emergency	496

Ferris Industrial School of Delaware

Appropriation	159
Board of, permitted to discharge boys under eighteen ..	456
Name changed to Ferris School for Boys	456

Ferris School for Boys

Board of, permitted to discharge boys under eighteen	456
Name of, changed from Ferris Industrial School of Delaware...	456

Fiduciaries

Investments by	521
----------------------	-----

Finger, Aaron

Director, Farmers' Bank of the State of Delaware	646
--	-----

Fire Companies

Appropriation to	56
Appropriation to	223

Fire Companies, Sussex County

Appropriation to, method of payment by Levy Court	324
---	-----

Fire Prevention Week

Governor's proclamation relating to	658-665-724
---	-------------

Fish

Catching of, when unlawful	488
Closed season for trout and weak fish	489
Striped Bass or rock fish, unlawful for non-residents to take from Nanticoke River with nets, penalty	490

Fishing

Crabs—catching, possession or sale of, unlawful, when	491
Lobsters—unlawful to catch, possess or sell, when	487
Striped Bass or rock fish, unlawful for non-residents to take from Nanticoke River with nets, penalty	490
Trout and weak fish, when unlawful to catch	489

Fish, Oysters and Game

Bull-frogs, sale of, when permitted	478
Crabs—catching, possession or sale of, unlawful, when	491
Dogs, training or breaking for hunting, when lawful, penalty ...	479
Fish, when unlawful to catch	488
Lobsters—unlawful to catch, possess or sell, when	487
Muskrats along Broadkill Creek, unlawful to catch without per- mission of land owner, penalty	477

GENERAL INDEX

xliii

Fish, Oysters and Game (Continued)

Muskkrats, when lawful to catch, on embanked meadows or marshes in New Castle County	476
Oysters, catching of, in Broadkill River; size and quantity; when lawful; tax upon, penalty	485
Striped bass or rock fish, unlawful for non-residents to take from Nanticoke River with nets, penalty	490
Trout and weak fish, when unlawful to catch	489
See Delaware Commission of Shell Fisheries	480

Flag Week

Governor's proclamation relating to	660-714
---	---------

Fleetwood, Lida

Payment for certain checks not presented within two years....	215
---	-----

Fork Branch No. 145C School District

Appropriation to	99
------------------------	----

Franchise Taxes

Certain corporations, relieved from paying during war emergency	7
Investment companies, rates	6

Frankford No. 206C School District

Appropriation to	125
------------------------	-----

Free Public Schools

See State Board of Education.

Frederica No. 32 School District

Appropriation to	88
------------------------	----

Friendship No. 202C School District

Appropriation to	123
------------------------	-----

G

Game and Fish Commission

Appropriation to	156
------------------------	-----

G. A. R., Department of Delaware

Appropriation to	197
------------------------	-----

General Assembly

Adjournment from March 25, 1943 until April 5, 1943	633
Adjournment Sine Die of the 109th General Assembly at close of 60th Legislative Day	634
Amendment to Constitution of United States relating to taxation, resolution recommending	627
Appointment of Directors for Farmers' Bank	646
Bill Clerk of House of Representatives, appointment of Elsie R. Banta	619
Bill Clerk of Senate, appointment of Mary W. Burton	619
Boys State, joint committee to arrange for visitation of	629
Commission on Revision of the banking laws, appointment, duties, appropriation for	620
Expenses paid to Wilmington Country Clubs	631
House concurrent resolution expressing sorrow for the death of Hon. Frank Hainsworth	642
House concurrent resolution expressing sorrow for the death of Harry B. Thaw	644
House joint resolution recommending establishment of National Cemetery in Delaware	647
House concurrent resolution urging State agencies to release all possible manpower to aid in War	643
Joint Committee to arrange for Lincoln's Birthday celebration...	639
Joint Committee to notify Governor of organization and readiness to receive any message	622
Joint Session to hear Governor of State and Governor of Boys State	635
Joint Session to hear message of Governor	623
New bills or joint resolutions, time after which none to be received	624
Restoration to calendar of House Bill No. 11 and House Bill No. 16	645
Secretary of State to return Senate Bill No. 93 to the House of Representatives	640
Senate concurrent resolution expressing appreciation to E. Paul Burkholder for Washington's Birthday address	632
Senate concurrent resolution expressing appreciation for Lin- coln's Birthday celebration	630
Senate concurrent resolution protesting atrocities committed by Nazis and calling for their punishment	637
Social Security Laws, recommendation that Congress permit State Employees to benefit under	636
Supreme Court, payment for supplies and services to	641
Washington's Birthday, joint committee to arrange program for.	625
Wilmington Chamber of Commerce, resolution expressing appre- ciation to	626

GENERAL INDEX

xlv

General Elections

Absentee Voting

Affidavits, before whom taken	399
Affidavits, form of	391
Attorney General, duties as to	393
Ballots, counting of	398
Ballot, definition of	390
Ballots, how obtained	390
Ballots to be returned to Clerks of Peace, when	392
Challenges	397
Clerks of Peace, duties as to	390
Conditions under which act applies	390
Declaration of intent	399
Delivery of ballots by Clerks of Peace to election officers, how and when	393
Defective ballots, disposition of	397
Election officers, duties as to	395
Envelopes, form of	393
Envelopes, how marked	391
Instructions to be given to voters	393
Marking ballots, how and where	392
Persons entitled to vote when not present at polling places.	390
Register of absentee voters, contents of	397
Violations, penalties	398
Ballots	403
Ballots, when counted; disposition of, after counted.....	416
Ballot boxes, delivery of	419
Ballot boxes—duty of Department of elections as to	411
Board of Canvass, counting and certifying vote for electors.....	408
Certificates of election, number and form of.....	408
Certificates of nominations and party devices	401
Clerk of the Peace, duties	401
Filing certificate of nominations	401
Fourth Representative District of Sussex County, division and boundaries of	412
Hour of opening	421
Inspector—compensation of	411
Nominations, publication of	405
Places of; duty of Department of Elections to provide and furnish	415
Presidential and vice-presidential ballots, form of	405
Prothonotary, duty of	404
Secretary of State, duties	404
State, county and district ballots, form of, how counted.....	405
Tally lists—duty of Department of Elections as to	411

General Fund

An Act authorizing transfer of certain balances of former State Treasurer to	32
Granite City Pig Iron Company stock, proceeds from sale of, to be paid into	39
Investment of certain sums belonging to State School Fund....	40
Payments Out of:	
Alexis I. duPont School, Instructional service and insurance.	170
American Legion, Department of Delaware	201
Arden School No. 3, salaries	170
Board of Managers of Detention Home	214
Bridgeville School No. 9, Instructional service	170
Bridgeville Colored School No. 220C, Instructional service..	170
Commission on Revision of the Banking Laws	620
Custodian, for balance of fiscal year ending June 30, 1943..	212
Delaware Commission for the Blind	175
Delaware Commission for the Feeble-Minded, for detention building	184
Delaware Industrial School for Girls	200
Delaware Society for Prevention of Cruelty to Animals.....	196
Delmar Colored School No. 212½C, Instructional service...	170
District Library Commissions	202
Emergency Fund	225
Fire Companies, appropriation to	223
G. A. R., Department of Delaware	197
Governor, salaries	171
Hospitals	194
Indigent soldiers, sailors and marines, burial of.....	182
Interest due on certain highway improvement and State Aid bonds	179
Kent and Sussex County Fair, for prizes	220
Laurel, town of, reimbursement for building concrete streets.	224
Layton Home for Aged Colored People	193
Lewes Special School District, for Children's Beach House..	204
M. A. Hartnett, Inc.	211
Milford Special School District, for establishment of tenth grade in colored junior high school	210
Milton School No. 8, Instructional service	170
Milton Colored School No. 196C, Instructional service.....	170
Palmer Home	195
Public Archives Commission	183
Publication of previously unreported opinions of late Josiah O. Wolcott	218
Purchase of Highway Improvement bonds and State Aid bonds	176
Richardson Park School, No. 20, Instructional service.....	170
State Board of Agriculture, for Anti-hog Cholera Serum....	208

GENERAL INDEX

xlvi

General Fund (Continued)

State Board of Education, for athletic fields and addition to building at Delaware City Colored School	222
State Board of Education, for education of handicapped children	213
State Board of Education, for payment of certain claims against Dover School District	205
State Forestry Department, salaries and wages	170
State Highway Department, for protection of beach at Bethany Beach	186
State Highway Department, for protection of beach at Slaughter Beach	187
State Highway Department, for protection of beach at Rehoboth Beach	185
Teachers salary increments	172
United Spanish War Veterans, Department of Delaware....	199
Veterans of Foreign Wars, Department of Delaware.....	198
Reversion to, of unexpended funds	41
State Highway appropriations not to revert	189

General Pulaski's Memorial Day

Governor's proclamation relating to	667-725
---	---------

General Sessions

See Courts.

Georgetown Special School District

Appropriation to	143
------------------------	-----

Glasgow No. 56 School District

Appropriation to	71
------------------------	----

Goslee, J. Edward

Director, Farmers' Bank of the State of Delaware	646
--	-----

Governor

Appointments

Delaware Commission of Shell Fisheries	480
Judge of Common Pleas, New Castle County	570
Kent and Sussex County Fair prize committee	220
State Board of Examiners of Graduate Nurses	299
State Building and Ground Commission	603
State Council of Defense	599
State Soil Conservation Commission	606

Governor (Continued)

Appropriation for deaf, dumb, blind and crippled children.....	157
Appropriation, salaries and wages	42
Certificates of indebtedness, duties as to	162
Conspicuous Service Cross, award by, when	236
Granite City Pig Iron Company stock, to sell and transfer.....	39
Judicial reports, duties as to payment for.....	519
Promulgation of rules and regulations of State Council of Defense	602
State Emergency Fund, duties as to.....	233
Supplemental appropriation to, salaries	171
Suspension of statutes interfering with war effort, when author- ized	239

Grand Army of the Republic

Appropriation to	197
------------------------	-----

Granite City Pig Iron Company

Stock of, to be sold by Governor and State Treasurer	39
--	----

Greenwood No. 91 School District

Appropriation to	116
------------------------	-----

Greenwood No. 222C School District

Appropriation to	131
------------------------	-----

Guardians

Investments by	521
Liability of, for negligence of ward in operating motor vehicle.	552

Gumboro No. 37 School District

Appropriation to	111
------------------------	-----

H

Hainsworth, Frank

Resolution respecting death of	642
--------------------------------------	-----

Harmony No. 32 School District

Appropriation to	67
------------------------	----

Harrington, Joseph Morris

Auditor of Accounts, election of	742
--	-----

GENERAL INDEX

xlix

Harrington Special School District

Appropriation to	141
Transfer of funds from debt service account to current fund,...	38

Hartly No. 96 School District

Appropriation to	95
------------------------	----

Health Officers

See State Board of Health.

Henry C. Conrad No. 131 School District

Appropriation to	78
------------------------	----

Highway Emergency Act of 1943

Front license plate may be eliminated, when	547
Inspections of motor vehicle may be waived, when	547
Penalties under	548
Rules and Regulations under, how promulgated.....	548
State Highway Department, powers and duties under	548

Highways

See Roads and Bridges.

See State Highway Department.

Historical Society of Delaware

Appropriation	161
---------------------	-----

Hockessin No. 29 School District

Appropriation to	66
------------------------	----

Hockessin No. 107C School District

Appropriation to	79
------------------------	----

Hollymount No. 82 School District

Appropriation to	115
------------------------	-----

Hollyville No. 224C School District

Appropriation to	131
------------------------	-----

Homeopathic Hospital Association

Appropriation to	194
------------------------	-----

GENERAL INDEX

Hospitals

Appropriation to	194
------------------------	-----

House Concurrent Resolutions

Number 1	639
Number 6	640
Number 7	641
Number 8	642
Number 9	643
Number 10	644
Number 11	645

House Joint Resolutions

Number 1	646
Number 2	647

House of Representatives

See General Assembly.

Housing Authorities

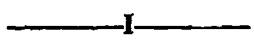
Acts heretofore performed declared legal	543
Authorized to act as agent of Federal Government during war, for certain purposes	542
Bonds and notes heretofore issued declared legal	543
Bonds and obligations to be legal investments, when	545
Powers of, during war	542

Houston, Kent County

An Act providing for a Justice of the Peace in	527
--	-----

Houston No. 125 School District

Appropriation to	97
------------------------	----



I Am An American Day

Governor's Proclamation relating to	654-712
---	---------

Ice Cream, Mixtures and Compounds

An Act regulating milk fat content of	267
---	-----

GENERAL INDEX

11

Income Tax

Time for filing returns; extension of	11
Time for payment	11

Indigent Persons

Return of, from other states	345
Transfer of, from other states	307

Industrial Accident Board

Appropriation, salaries and expenses	54
Workmen's Compensation Law, extending payments thereunder.	574

Industrial School for Girls

Appropriation to	200
------------------------	-----

Industrial School for Colored Girls

Appropriation	160
Board of, permitted to discharge girls under 18	453
Name changed to The Kruse School	453

Informer

Weights and Measures law, to receive one-half of fine	493
---	-----

Inheritance Tax

Extension of time for filing reports or paying tax, how obtained.	9
Interest upon, when charged	10
Limitation of time in assessing, when not applicable	9

Instruction Permits

Motor Vehicle operators under 20 years of age	556
---	-----

Insurance Commissioner

Valuation of life insurance policies; procedure	242
---	-----

Insurance Companies

Standard provisions in policies of; exceptions	250
Valuation of life insurance policies by Insurance Commissioner.	242

Inter American and National Music Week

Governor's Proclamation relating to	652-710
---	---------

Investment Companies

Franchise Taxes, rates of, reports required	6
---	---

Iron Hill No. 112C School District

Appropriation	80
---------------------	----

Isaac's No. 62 School District

Appropriation to	114
------------------------	-----

Isaacs, John S.

State Treasurer, election of	736
------------------------------------	-----

J

Jails and Workhouses

Kent County Jail, appointment of warden, duties, salary, removal	511
Warden of Kent County Jail authorized to work prisoners, when	514

John M. Clayton No. 97 School District

Appropriation to	117
------------------------	-----

John Wesley No. 160C School District

Appropriation to	104
------------------------	-----

Judges

Supreme Court, authorized to decorate Courtroom	168
---	-----

Judicial Reports

Compensation for, how paid	519
Equity decisions, by whom reported	519
Equity decisions, deposit of volumes with Secretary of State....	519
Equity decisions, size of volumes	519
Governor, duties as to payment for	519
Secretary of State, duties as to payment for.....	519
Secretary of State, volumes deposited with	519
Wolcott, Josiah O., late Chancellor, publication of previously un- reported opinions	218

Judiciary

Court of Chancery, reporters and stenographers, appointment, duties, salary	524
Superior Court—Explosives Act—jurisdiction over appeals from licensing authority	508

GENERAL INDEX

liii

Judiciary (Continued)

Supreme Courtroom, Judges authorized to decorate	168
Wolcott, Josiah O., late Chancellor, publication of previously unreported opinions	218

Jump's No. 29 School District

Appropriation to	88
------------------------	----

Justices Jurisdiction in Forceful Entry, Detainer and Holding Over

Demise, how laid	529
Holding over, unlawful, when	529
Notice to quit—holding over after, within provisions	529

Justices of the Peace

Affidavit denying agency in trespass cases, when required; effect of failure to file	528
An Act providing for, in Houston	528
Appeals from, in certain cases relating to State Board of Health.	279

Juvenile Delinquents

Appropriation to Board of Managers of Detention Home.....	214
---	-----

K

Kent and Sussex County Fair

Appropriation to, for prizes	220
Committee to award prizes, how appointed	220

Kent County

American Legion, appropriation for ambulance	323
Board of Assessment	
Appeals from, dates of hearing	330
Powers of, to raise and lower assessment	330
Posting notices of, dates	330
Alterations in assessment lists	330
Capitation taxes, assessment of	329
General Assessment to be made	329
Board of Education, election of, procedure	459
County officers, deputies and clerks, salaries, appointments....	342
Deputy County officers, appointment, salaries, powers.....	343
Levy Court Districts of, boundaries	322
Travel expenses of County officers	343

Kent General Hospital

Appropriation to	194
------------------------	-----

Kent County Jail

Deputy wardens, appointment, duties, salary, removal	512
Prisoners, when warden authorized to work	514
Warden, appointment, term, bond, duties, salary, removal, vacancy	511

Kenton No. 9 School District

Appropriation to	85
------------------------	----

Kenton No. 140C School District

Appropriation to	98
------------------------	----

Killoran, Clair J.

Attorney General, election of	740
-------------------------------------	-----

Kirkwood No. 115C School District

Appropriation to	81
------------------------	----

Kruse School, The

Board of, permitted to discharge girls under 18	453
Name of, changed from Industrial School for Colored Girls of Delaware	453

— L —

Labor

See Employer and Employee.
See Unemployment Compensation.

Labor Commission of Delaware

Appropriation, salaries and expenses	53
--	----

Landlord and Tenant

Ejectment, action of, tenant's liability in	535
Holding over after notice to quit, justices jurisdiction	529
Outgoing tenant farmer allowed to remove top fodder	536

GENERAL INDEX

lv

Laurel Special School District

Appropriation to 146

Laurel, Sussex County

Appropriation for reimbursement for building concrete streets.. 224

Layton Home for Aged Colored People

Appropriation to 193

Leave of Absence

Employees of Wilmington, when 451

Lee's Chapel No. 124C School District

Appropriation to 84

Legal Instruments

An Act to make valid the record of legal instruments which have
not been properly acknowledged 504

Legal Investments

Bonds and obligations of Public Housing Authority, when..... 545

Legislature

See General Assembly.

Leipsic No. 11 School District

Appropriation to 86

Length

Motor Vehicles 561

Levy Courts

Chairman ex officio member of Board of Soil District Super-
visors 611

Highway Improvement Bonds and State Aid Bonds, not to raise
funds to pay interest on 181

Highway Improvement Bonds and State Aid Bonds, not to raise
funds for payment of 178

Levy Court, Kent County

American Legion, appropriation for ambulance	323
County officers, deputies and clerks, appointed by, salaries.....	342
Districts of, boundaries	322
Payment for board of prisoners sentenced by Alderman of a City or Town	513
Payment of salaries of warden, deputy wardens and keepers....	512
Prisoners, board of, paid by	513-515
Travel expenses of County officers, paid by	343

Levy Court, New Castle County

An Act to regulate the construction, alteration, repair, removal, demolition, equipment, use and occupancy, location and main- tenance of buildings and structures in the County of New Castle outside the City of Wilmington for the protection of the public health and safety and for the prevention of fire hazards; to provide a code of building regulations; to create the office of building inspector and other helpers and assist- ants as may be required; and to provide penalties for vio- lations	314
Authorized to transfer funds collected for road taxes	309
Commissioners of, salaries	308
Court of Common Pleas, payment of salary of Judge	570
Regulation and control of the construction of water and sewer systems, building and house draining systems, and gas lines; the registration of persons engaged therein and in the con- struction and installation of oil burning equipment and air conditioning and providing for the supervision thereof in New Castle County outside of the City of Wilmington.....	310

Levy Court, Sussex County

Airport, removal of dead bodies from burial ground upon, pro- cedure	294
Appropriation for control of diseases of hogs	325
Appropriation to Fire Companies, method of payment	324
General Fund, transfer of surplus funds from certain Highway Improvement Refunding Bonds 1941	335
General Fund, transfer of surplus funds from certain Highway Improvement Refunding Bonds Second Series 1941.....	333
Receiver of Taxes and County Treasurer, employment of clerical assistance	332
Transfer of prisoners from New Castle County Workhouse, cost of to be paid by	518

Lewes Special School District

Appropriation to	144
Children's Beach House, appropriation for	204

GENERAL INDEX

lvii

Lewes Tercentenary Commission

Appropriation	161
---------------------	-----

Libel

Damages recoverable for	533
Liability of newspapers for publication	533
Notice required before instituting action against newspapers....	533

Licenses

Alcoholic Liquor, Wines and Beer	579
Dealers in feed bags	13

Life Insurance Policies

Standard provisions required; exceptions	250
Valuation of by Insurance Commissioner	242

Lima Beans, Sale of

Grade or classification of, how and where determined	277
Penalties for violation of act.....	278
Weight or measure of, how and where taken	277

Lincoln No. 3 School District

Appropriation to	105
------------------------	-----

Lincoln No. 194C School District

Appropriation to	120
------------------------	-----

Liquors

See Alcoholic Liquors, Wines and Beers.

Little Creek No. 85 School District

Appropriation to	94
------------------------	----

Lobsters

Catching, possession or sale of, unlawful, when, penalty.....	487
---	-----

Lockwood No. 142C School District

Appropriation to	98
------------------------	----

Lord Baltimore School District No. 28	
Appropriation to	107
Transfer of funds from debt service account to current fund....	33
Lowe's X Roads No. 80 School District	
Appropriation to	114
<hr style="width: 20%; margin: 10px auto;"/> M <hr style="width: 20%; margin: 10px auto;"/>	
Magnolia No. 50 School District	
Appropriation to	90
Manahan, Frank R.	
Director, Farmers' Bank of the State of Delaware.....	646
Marine Corps Day	
Governor's Proclamation relating to	728
Marshallton No. 77 School District	
Appropriation to	75
Marshallton No. 108C School District	
Appropriation to	79
McClellandsville No. 40 School District	
Appropriation to	69
Medical Council of Delaware	
Appropriation, salaries and expenses	50
Authorized to issue temporary certificates to physicians of other states	296
Internship required during war emergency	297
Merger of Corporations	
Payment for stock of dissatisfied stockholder, proceeding for...	425
Service of process after	425
Middleford No. 219C School District	
Appropriation to	129

GENERAL INDEX

lix

Middletown No. 60 School District

Appropriation to 72

Middletown No. 120C School District

Appropriation to 83

Milford

Fiscal year changed 452

Milford Memorial Hospital

Appropriation to 194

Milford Special School District

Appropriation to 142

Appropriation for establishment of tenth grade in colored junior
high school 210

Milford X Roads No. 37 School District

Appropriation to 68

Military Reservations

Lease of by Adjutant General, when 235

Military Service

Conspicuous Service Cross award, when 236

Persons in foreign country, acknowledgments of, how taken.... 503

United States Armed Services, not to interrupt continuous ser-
vice of employees of Wilmington 451

Milk Delivery

Hours of work for minor children, exception 497

Milk Fat

An act regulating content in ice cream 267

Millsboro No. 23 School District

Appropriation to 107

Millsboro No. 204C School District

Appropriation to 124

Milton No. 8 School District

Appropriation to	106
Supplemental appropriation to	170
Transfer of funds from debt service account to current fund ..	35

Milton No. 196C School District

Appropriation to	121
Supplemental appropriation to	170

Minor Children

Hours of work permitted, exceptions	497
Liability of parents for support of	494

Minquadale School

Bond issue authorized for additional facilities	470
---	-----

Misconduct

Directors of corporation; no right of indemnification for	422
---	-----

Misdemeanor

Election officers, New Castle County, failure to attend; penalty..	375
Weights and Measures Law, violation of, penalties	492
See Crimes and Punishments	

Mothers

Liability for support of minor children	494
---	-----

Mothers Pension Commission

Appropriation	158
Name changed to Commission for Aid to Dependent Children ..	303

Motor Vehicles

Actions for damages caused by, affidavit denying agency of operator, when required; effect of failure to file	531
Blinker lights, regulations pertaining to	553
Cancellation of title to, procedure	550
Employer: liability for negligence of minor	552
Flashing light signals, rules pertaining to	553
Front license plate may be eliminated, when	547
Governor's proclamation relating to emergency use of	716
Guardian: liability for negligence of minor	552
Inspections of, may be waived, when	547
Instruction permits for persons under 20 years of age, conditions	556

GENERAL INDEX

lxi

Motor Vehicles (Continued)

Length of	561
License plates, return of, if title canceled	550
Lights, blinker, rules pertaining to	553
Minors, liability of parent, guardian or employer, for negligence of	552
Parents: liability for negligence of minor	552
Reckless driving defined	555
Safety campaign, State Highway Department authorized to use facilities of Delaware Safety Council	562
Size of	561
Title to, cancellation of, procedure for	550
Tractors permitted to pull or haul farm machinery on highways during war emergency, when	557
Trespass actions, affidavit denying agency of operator, when required in actions before Justice of the Peace; effect of failure to file	528
Weight of	560
Well drilling machine defined; registration of; regulations pertaining to	558

Mt. Olive No. 155C School District

Appropriation to	102
------------------------	-----

Mt. Pleasant No. 2 School District

Appropriation to	63
------------------------	----

Mt. Pleasant No. 34 School District

Appropriation to	67
------------------------	----

Mt. Pleasant No. 119C School District

Appropriation to	82
------------------------	----

Mt. Willow No. 16 School District

Appropriation to	86
------------------------	----

Municipal Corporations

See Cities and Towns

Muskrats

Catching of, when lawful on embanked meadows or marshes in New Castle County	476
Trapping of, along Broadkill Creek, unlawful without permission of land owner; penalty	477

 N

Nanticoke Indian School District	
Appropriation to	133
Nanticoke River	
Striped Bass or rock fish, unlawful for non-residents to take from; penalty	490
Nassau No. 198C School District	
Appropriation to	122
National Bankruptcy Act	
Reorganization of corporations under	429
National Defense	
Conspicuous Service Cross award, when	236
Housing Authorities, authorized to act as agent of Federal Government during war for certain purposes	542
State Guard, term of enlistment	238
Suspension or modification of statutes interfering with war effort	239
Sussex County airport, removal of dead bodies from burial ground in	294
Temporary certificate authorized for physicians, dentists and veterinarians of other states during war	296
National Guard	
Appropriations	55
Naval Service	
Conspicuous Service Cross award, when	236
Navy Day	
Governor's proclamation relating to	670-727
Negligence	
Directors of corporation, no right of indemnification for	422
Newark Special School District	
Appropriation to	136

GENERAL INDEX

lxiii

New Castle Common

Application of income from investments	617
Trustees authorized to invest proceeds of sale of real estate	617

New Castle County

Bailiffs, salaries of	540
Board of Assessment	
Appeals from, procedure, limitation upon	327
Capitation tax, list of persons liable, reported	327
Corrections and additions, lists, procedure	327
Levy Court, assessed valuations to be reported to	328
Clerk of Court of Common Pleas, salary of	572
Clerk of Orphans Court, salary of	339
Clerk of the Peace, salary of	339
Clerk of the Peace, deputy and clerks, salaries	340
Comptroller, salary of	337
Comptroller, deputy, salary	337
Coroner, salary of	339
Coroner, deputy, salary	341
Fees of Recorder of Deeds	539
Fees of Register of Wills for filing inventory	538
Levy Court authorized to transfer funds collected for road taxes.	309
Levy Court Commissioners, salaries of	308
Prothonotary, salary of	339
Prothonotary, deputy and clerks, salaries	340
Receiver of Taxes and County Treasurer, salaries of deputies, clerks, investigators, bookkeepers and stenographers	331
Recorder of Deeds, salary of	339
Recorder of Deeds, deputies and clerks, salaries	340
Regional Planning Commission, duties, powers, penalties	563
Register in Chancery, salary of	339
Register in Chancery and Clerk of Orphans Court, deputies and clerks, salaries	340
Register of Wills, salary of	339
Register of Wills, deputies and clerks, salaries	340
Sheriff, salary of	339
Sheriff, deputies, salaries	340
Treasurer to receive one-half of fines for violation of Weights and Measures Law	493

New Castle Special School District

Appropriation to	137
------------------------	-----

Newport No. 21 School District

Appropriation to	65
------------------------	----

Newport No. 106C School District

Appropriation to	78
------------------------	----

Newspapers

Damages recoverable for libel by	533
Fines for publication of libel	533
Liability of, for publication of libel	533
Notice required before instituting action against, for libel	533

Non-residents

Striped Bass or rock fish, unlawful to take from Nanticoke River with nets; penalty	490
See Income Tax Law	

O

Oak Grove No. 130 School District

Appropriation to	77
------------------------	----

Oak Point No. 20 School District

Appropriation to	87
------------------------	----

Oil Burners

Registration of all persons engaged in installing or repairing of, in Rural New Castle County	311
--	-----

Old Age Welfare Commission

See State Old Age Welfare Commission.

Orphans Court

Court Reporter to attend	524
--------------------------------	-----

Owens Corner No. 213C School District

Appropriation to	127
------------------------	-----

Oysters

Catching of, in Broadkilln River; size and quantity; when law- ful; tax upon; penalty	485
--	-----

GENERAL INDEX

lxv

Oyster Revenue Collector

Appropriation, salaries and expenses	45
Duties as member of Delaware Commission for Shell Fisheries..	481
Tax upon oysters caught in Broadkill River	485

P

Palmer Home

Appropriation to	195
------------------------	-----

Parents and Children

Liability of parent for negligence of minor in operating motor vehicle	552
Liability of parent for support of minor	494

Parker's Chapel No. 159C School District

Appropriation to	101
------------------------	-----

Parole Board

Appropriation, salaries and expenses	53
--	----

Patterson No. 71½ School District

Appropriation to	74
------------------------	----

Peas

Grade or classification of, how and where determined	277
Penalties for violation of act	278
Weight or measure of, how and where taken	277

Penalties

See Crimes and Punishments

Permanent Budget Commission

Appropriation, salaries and expenses	43
Certificates of indebtedness, duties as to	162
State Emergency Fund, duties as to	225
Transfer of appropriation from one Board of School Trustees to another must be approved by	37
Transfers of funds appropriated to school districts, duties	165
Transportation of pupils, transfer of funds for, duties	165

Personal Property	
Sale of, when received from relief unit, unlawful; penalty	537
Physicians and Surgeons	
Internship period required during emergency	297
Temporary certificates to out-of-state	296
Pleading and Practice	
Affidavit denying agency in trespass actions before Justice of the Peace, when required; effect of failure to file	528
Affidavit denying agency of operator of vehicle in action for damages, when required; effect of failure to file	531
Appeals from Justice of the Peace to Court of General Sessions in certain cases relating to public health	279
Ejectment actions, procedure	534
Holding over after notice to quit, jurisdiction of Justice of the Peace	529
Process, service on corporation after consolidation or merger...	425
Unemployment Compensation contributions, entry of as judgments	598
Vacation of roads or bridges, notices required	347
Pleasant Valley No. 72 School District	
Appropriation to	76
Plumbing	
Registration of all persons engaged in installing or repairing of, in Rural New Castle County	311
Polish Army Veterans of Delaware, Post No. 48	
Property exempt from taxation; exception	326
Porter, John F.	
Director, Farmers' Bank of the State of Delaware	646
Port Penn No. 63 School District	
Appropriation to	73
Port Penn No. 122C School District	
Appropriation to	83
Portrait Commission of Delaware	
Appropriation, expenses	57

GENERAL INDEX

lxvii

Portsville No. 214C School District

Appropriation to	127
------------------------	-----

Pratt's No. 59 School District

Appropriation to	92
------------------------	----

Presidential Electors

Election of	401
-------------------	-----

Primary Elections

Voting Books, how prepared; delivery of	381
---	-----

Prisoners

Escape, aiding and abetting; penalty	515
Kent County, transferred from custody of Sheriff to Warden	514
Warden of Kent County Jail may engage employment for	514

Proclamations by the Governor

Airports, closing of	678
American Education Week	672-730
American Red Cross Annual Roll Call	668
Arbor and Bird Day	650-706
Charters repealed	681
Constitution Day	664
Delaware Day	676-746
Delaware Swedish Colonial Day	648-704
Dimout Regulations	713
Election of Hon. Clayton Douglass Buck to office of United States Senator	732
Election of Hon. Joseph Morris Harrington to office of Auditor of Accounts of and for the State of Delaware	742
Election of Hon. John S. Isaacs to office of Treasurer of and for the State of Delaware	736
Election of Hon. Clair J. Killoran to office of Attorney-General of and for the State of Delaware	740
Election of Hon. William J. Swain to office of Insurance Commis- sioner of and for the State of Delaware	738
Election of Hon. Earle D. Willey to office of United States Representative	734
Fifth registration day under Selective Training and Service Act of 1940	722
Fire Prevention Week	658-665-724
Flag Week	660-714
Fourth registration day under Selective Training and Service Act of 1940	708

Proclamations by the Governor (Continued)

General Pulaski's Memorial Day	667-725
I Am An American Day	654-712
Inter-American and National Music Week	652-710
Marine Corps Day	728
Motor vehicles, emergency use of; specifications	716
Navy Day	670-727
Second registration day under Selective Training and Service Act of 1940	662
Sixth registration day under Selective Training and Service Act of 1940	748
State Council of Defense, members appointed to	656
Thanksgiving Day	674-744
Third registration day under Selective Training and Service Act of 1940	702

Prothonotaries

Duties of, as to judgments of Unemployment Compensation Commission for contributions	598
Ejectment, action of, duties as to	534
Vital Statistics Law, duties as to	290

Prothonotary, New Castle County

Deputy and clerks, salaries of	340
Salary of	339

Public Archives Commission

Appropriation, salaries and expenses	56
Disposal of public records, when	301
Kent County calendar of probate records, appropriation for	183
Quality of books, paper and ink to be used for public records to be approved by	302

Public Arms and Defense

Adjutant-General authorized to appoint Acting Adjutant-General during absence or incapacity	234
Leases of Armories, Arsenals and Military Reservations, when..	235
Powers of Acting Adjutant-General	234

Public Buildings

Must be approved by State Buildings and Ground Commission as to architecture and location	604
---	-----

GENERAL INDEX

lxix

Public Housing Authorities

Bonds and obligations to be legal investments, when	545
See Housing Authorities	

Public Records

Copies of, when admissible in evidence	301
Disposal of, when	301

Q

Quillen, Robert J.

Member Unemployment Compensation Commission	595
---	-----

R

Rabbit's Ferry No. 201C School District

Appropriation	123
---------------------	-----

Real Estate

Polish Army Veterans of Delaware, exempt from taxation, exception	326
Record of legal instruments not properly acknowledged, made valid	504
Title to, may be tried by action of ejectment	534
Trustees of New Castle Common to invest proceeds of sale of...	617

Receivers

Building and Loan Associations, to be State Bank Commissioner, powers	449
---	-----

Receiver of Taxes and County Treasurer, New Castle County

Rosehill-Minquadale School District No. 47, payment of taxes to.	472
Salaries of deputies, clerks, investigators, bookkeepers and stenographers	331

Receiver of Taxes and County Treasurer, Sussex County

Clerical assistance, employment of	332
Clerks, salary of	332
Deputy, salary of	332

Recorder of Deeds**Corporations**

Change of location of principal office, recording of	430
Change of resident agent, recording of	430
Dissolution of, recording certificate with	425
Reorganization of, under laws of United States, recording certificate with	429

Recorder of Deeds, New Castle County

Deputies and clerks, salaries of	340
Fees to be charged by	539
Salary of	339

Recorder of Deeds, Sussex County

Clerks, salary	344
Deputy, salary of	344

Reeves Crossing No. 159C School District

Appropriation to	104
------------------------	-----

Regional Planning Commission of New Castle County

Amendment of Master Plan, approval	564
Authorization to go upon land	569
Master Plan	564
Official Maps of the District	564
Plats, recording	566
Portions of New Castle County affected	564
Public hearings, when	567
Purposes	564
Records, access to	569
Subdivision plats, recording	566
Violations and penalties	568

Register in Chancery, New Castle County

Deputy and clerks, salaries of	340
Salary of	339

Register in Chancery and Clerk of Orphans' Court, Sussex County

Deputy, salary of	344
-------------------------	-----

Register of Wills, New Castle County

Deputies and clerks, salaries of	340
Fees of, for filing inventory	538
Salary of	339

GENERAL INDEX

lxxi

Register of Wills, Sussex County

Deputy, salary of	344
-------------------------	-----

Registrar of Vital Statistics

Voters, death of, duty to report to Board of Registration	363
---	-----

Registrars and Assistants

Appropriation, salaries and wages	42
---	----

Registration of Births, Deaths and Marriages

Adoptions, registration of	287
Altered certificates, procedure	285
Attorney General, duties as to cremations	290
Birth certificates, duties of local registrars as to	281
Births, registration of	281
Burial permits, prerequisites	288
Certificates of birth, death and marriages, form of	284
Certificates of birth, death or marriage, evidential effect of	284
Certificates of divorce and annulments, by whom returned	289
Clergymen, registration of	281
Clerks of Orphans' Courts, duties as to registration of adoptions	287
Coroners, duties as to cremations	290
Coroners, duties as to death and still-birth certificates	283
Costs, how paid	285
Cremation of dead bodies, rules as to	290
Crematories, construction of, approval for	290
Death certificates, duties of local registrars as to	282
Deaths, registration of	282
Delayed certificates, procedure	285
Deputy local registrars, appointment, term, compensation, duties	280
Fees as to searches	285
Form of certificates of births, deaths and marriages	284
Foundlings, registration of	282
Inconsistent systems of, forbidden	293
Issuance of certified copies, rules as to	284
Legitimations, certificates of birth, altered	288
Local Registrars, appointment, term, compensation, duties	280
Marriage certificates, by whom returned	289
Marriage certificates, duties of local registrars as to	289
Midwives, duties as to birth certificates	281
Midwives, registration of	281
Penalties for violation of act	292
Permits for removal or burials of dead bodies, duties of local registrars	288
Physicians, duties as to birth certificates	281
Physicians, duties as to death and still-birth certificates	283

Registration of Births, Deaths and Marriages (Continued)

Physicians, registration of	281
Prothonotaries, duties to report divorces and annulments	289
Records, when may be disclosed	286
Removal permits for dead bodies	288
Registration districts, designation of	280
State Board of Health, duties as to	280-293
State Registrar, duties as to	292
Stillbirth defined	293
Stillbirths, registration of	282
Undertakers, duties as to death and stillbirth certificates	283
Undertakers, duty to notify coroner in certain cases	283
Undertakers, registration of	281
Violation of cremation law, penalty	292
Violations of registration laws, penalty	292
Wilmington to be a registration district	280
Wilmington City local registrar, who, term of office	280

Registration Officers

Duties relative to striking names from books of registered voters	361
---	-----

Registration of voters

Appeals, effect of determination upon subsequent appeals	368
Appeals from—time required for notice	366
Appeals, permanent record of, to be kept	367
Appeals, procedure	361
Deaths, duty of Registrar of Vital Statistics to report	363
Failure to vote, when reason for striking name	364
Felons—reports of, by Clerks of Peace—act repealed	373
Furnishing of registration places; flags	371
General registration of 1940—permanent	354
Notice of appeal—time required	366
Officers—duties of	350
Officers, duties as to supplementary registrations in Wilmington	370
Powers and duties of officers	350
Publication of notices	370
Qualifications of voters	362
Striking names from lists, procedure	361
Supplementary registrations, places for; hours of; notices of	348
Supplementary, when made; procedure	355
Supplies, custody of	371
Wilmington, municipal election years	369

Regulators of Weights and Measures

Appropriation, salaries and expenses	54
Power to arrest	492

GENERAL INDEX

lxxiii

Rehoboth Beach, Sussex County

Appropriation to State Highway Department, for protection of beach at	185
---	-----

Rehoboth No. 200C School District

Appropriation to	122
------------------------	-----

Rehoboth Special School District

Appropriation to	147
------------------------	-----

Relief Unit

Merchandise received from, unlawful to sell, penalty	537
--	-----

Reorganization of corporations

Plan of, under laws of United States	429
--	-----

Reserves

Banks, Savings Societies, Trust Companies	439
---	-----

Resident Judge

Appeals from Board of Registration, permanent record of, duties as to	367
---	-----

Resolutions

See General Assembly

Richardson Park No. 20 School District

Appropriation to	65
Supplemental appropriation to	170

Roads and Bridges

Appropriation for building of, after war	188
Vacation of, notices required	347

Rose Hill-Minquadale No. 47 School District

Appropriation to	70
Bond issue authorized for additional facilities	470

Rose Valley No. 79 School District

Appropriation to	93
------------------------	----

Ross Point No. 215C School District	
Appropriation to	128
Roxana No. 31 School District	
Appropriation to	109
<hr style="width: 20%; margin: 20px auto;"/> S <hr style="width: 20%; margin: 20px auto;"/>	
Sales	
Bull-frogs, when permitted	478
Merchandise received from relief unit, unlawful, penalty	537
Sandtown No. 23 School District	
Appropriation to	87
Savings Societies	
See Banks, Savings Societies and Trust Companies	
Schools	
See State Board of Education	
School Districts	
Boundaries of, change upon closing of a school	475
School Districts—Kent and Sussex Counties	
Board of Education, election of, procedure	459
Seaford Special School District	
Appropriation to	145
Secretary of State	
Appropriation, salaries, expenses, supplies	42
Certificates of indebtedness, duties as to	162
Certificate of Origin Account	43
Corporations, change of agents for service of process, certificate to be filed with	431
Corporations, change of location of principal office	430
Corporations, change of resident agent	430
Corporations, reorganization under laws of United States	429
Dissolution Account	43
Dissolution of corporations, with capital stock	423
General Elections, certificate of nominations, filed with	404

GENERAL INDEX

lxxv

Secretary of State (Continued)

General Elections, publication of nominations by	405
Investment companies, may investigate annual reports concern- ing franchise taxes	6
Judicial reports, duties as to payment for	519
Judicial reports, volumes deposited with	519
Magistrate bonds	43
Resident agents for service of process, resignation of, procedure	431
Service of process on, for consolidated or merged corporations..	425
State Emergency Fund, duties as to	233

Selbyville No. 32 School District

Appropriation to	109
------------------------	-----

Selbyville No. 210C School District

Appropriation to	126
------------------------	-----

Selective Training and Service Act of 1940

Governor's proclamation relating to	662
Governor's proclamation relating to	702
Governor's proclamation relating to	708
Governor's proclamation relating to	722
Governor's proclamation relating to	748

Senate Joint Resolutions

Number 1	619
Number 3	620

Senate Concurrent Resolutions

Number 1	622
Number 2	623
Number 3	624
Number 4	625
Number 5	626
Number 6	627
Number 7	629
Number 8	630
Number 9	631
Number 10	632
Number 11	633
Number 12	634
Number 13	635
Number 14	636
Number 15	637

Senator (United States)	
Election of Hon. Clayton Douglass Buck, Governor's proclamation relating to	723
Settle, Rev. Joseph C.	
Appreciation expressed for Lincoln's Birthday address	630
Settlement of Personal Estates	
See Register of Wills	538
Sewers	
Registration of all persons engaged in installing or repairing of, in Rural New Castle County	311
Shell Fisheries	
See Delaware Commission of Shell Fisheries	480
Sheriff	
Ejectment action, duties in	534
Sheriff, New Castle County	
Deputies, salaries of	340
Salary of	339
Sheriff, Sussex County	
Deputy, salary of	344
Short Titles	
Cigarette Tax Act	22
Delaware Seed Law	268
Executive Statutory Suspension Act	239
Explosives Act	505
Highway Emergency Act of 1943	547
Soil Conservation Districts Act	606
Slaughter Beach	
State Highway Department authorized to protect beach from erosion	187
Slaughter Neck No. 193C School District	
Appropriation to	119
Smyrna Special School District	
Appropriation to	138

GENERAL INDEX

lxxvii

Society for Prevention of Cruelty to Animals

Appropriation to 196

Soil Conservation District Act

Attorney-General, duties under 608

Board of Soil District Supervisors; members; election procedure; duties of; term; removal 611

Definitions 606

Soil Conservation District, establishment of, election, procedure. 610

Soil Conservation District, disestablishment of, procedure 614

Soil Conservation District to be a body corporate, powers of ... 613

State Soil Conservation Commission, powers and duties, members, appointment, term of office 606

Special School Districts

Appropriation for salary increments for School teachers 172

Special School Districts—Kent and Sussex Counties

Board of Education, election of, procedure 459

Stanton No. 38 School District

Appropriation to 68

State Aid Road Bonds

Payment of interest on 179

State Treasurer to purchase, when 176

State Athletic Commission

Appropriation, salaries and expenses 52

State Auditor

Appropriation, salaries and expenses 44

Court reporters and stenographers, Chancellor to certify names of to 525

Duties relating to salary increments for school teachers 173

Kent and Sussex County Fair prize committee to certify winners to 220

State Emergency Fund, duties as to 233

State Bank Commissioner

Appropriation, salaries and expenses 46

Building and Loan Association, duty to serve as receiver of 449

Duties as member of Commission on revision of Banking Laws.. 620

State Bank Commissioner (Continued)

Examinations of Banks, Savings Societies and Trust Companies, when made	438
Reserves of Banks, Savings Societies and Trust Companies	439

State Board of Accountancy

Appropriation, salaries and expenses	51
--	----

State Board of Agriculture

Anti-hog Cholera Serum, distribution of, conditions	208
Appropriation to	
Analyzing Fertilizers and feeds	153
Apple Grading and Inspection	155
Bureau of Markets	153
Cantaloupe Inspection	156
Cattle Tuberculosis Eradication	154
Corn Growers Association	154
Eggs, marketing of	154
General Administration	152
Japanese Beetle Eradication	155
Peninsula Horticultural Society	153
Plant Pathologist	155
Appropriation to, for Anti-Hog Cholera Serum	208
Assistance and advice to Levy Court of Sussex County in control of hog diseases	325
Commercial feeding stuffs, duties as to	262-265
Delaware Seed Law, duties as to	274
Secretary of, to be ex-officio member of State Soil Conservation Commission	607

State Board of Architects

Appropriation, salaries and expenses	52
--	----

State Archivist

Disposal of public records, consent of necessary to	301
---	-----

State Board of Charities

Agencies and homes caring for children, inspection by	305
Appropriation	158
Co-ordination of welfare programs	306
Inspection of agencies and homes caring for children	305
Inspection and visitation for purpose of co-ordinating welfare programs	306
Name of, changed to State Board of Welfare	304
Responsibility for transfer of adult indigents transferred to State Old Age Welfare Commission	307

GENERAL INDEX

lxxix

State Board of Dental Examiners

Appropriation, salaries and expenses	50
Authorized to issue temporary certificates to dentists of other states	296
Internship period required, during war emergency	297

State Board of Education

Appropriation to	
Adult education	62
Brandywine and Sunnybrook Sanatoriums	62
Salaries and expenses	60
Service Bureau	62
Transportation	62
Vocational Education	61
Vocational Rehabilitation	62
Appropriation for athletic field and addition to buildings at Delaware City Colored School	222
Appropriation for payment of certain claims against Dover Special School District	205
Appropriation for services of Lida Fleetwood	215
Appropriation for teachers for hard of hearing, and speech defectives and audiometer technician	213
Boundaries of School Districts, changed by, upon closing of a school	475
Employment of teachers for hard of hearing and speech defectives	213
Member of, President of University of Delaware, to be	458
Purchase of books	166
Salary increments for teachers	
Appropriation for	172
Allotments to be submitted to State Treasurer	172
Method of calculating allotments on basis of enrollments ...	172
To make allotment to Board of Public Education in Wilmington and Boards of Education in several Special School Districts	172
Excess of appropriation to be placed in Salary Turnover account	173
Use of Salary Turnover account	174
Permanent Budget Commission to approve use of Salary Turnover Account for any other purpose	174
Reports to State Treasurer and Auditor of Accounts	173
Transfer of appropriation from one Board of School Trustees to another, when; limitation upon amount	37
Transfer of funds, when permitted	165
Transfer of funds for transportation of pupils in cases of consolidation	468
Transportation of pupils, transfer of funds for, in case of consolidation	165

State Board of Examiners of Graduate Nurses	
Membership of, qualifications, vacancies, terms of office	299
Nurses to re-register every two years	300
State Board of Health	
Adoptions, registration of, duties as to	280
Appeals from Justice of the Peace, allowed in certain cases	279
Appropriation	
Brandywine Sanatorium	160
Corps of Dental Hygienists	152
Edgewood Sanatorium	160
Pathological Laboratory	152
Salary and expenses	151
Births, registration of, duties as to	280
Dead bodies, relaxation of rules for removal of, from Sussex	
County airport	295
Deaths, registration of, duties as to	280
Divorces, registration of, duties as to	280
Marriages, registration of, duties as to	280
State Board of Pharmacy	
Appropriation, salaries and expenses	50
State Board of Undertakers	
Appropriation, salaries and expenses	52
State Board of Veterinary Examiners	
Authorized to issue temporary certificates to veterinarians of other states	296
Internship period required, during war emergency	297
State Board of Vocational Education	
Appropriation to	60
Duties as to allocation of funds to match United States Govern- ment grants	164
State Board of Welfare	
Name of State Board of Charities changed to	304
State Building and Grounds Commission	
Architecture of State Building in City of Dover, approval by	604
Custodian of State House, advice to	603
Furnishing Governor's office, supervision of	603

GENERAL INDEX

lxxxix

State Building and Grounds Commission (Continued)

Members of, appointment, term, filling of vacancies.....	603
Organization of, officers	603
Powers and duties of	603

State College for Colored Students

Appropriation to	59
------------------------	----

State College Glee Club

Appreciation expressed for services on Lincoln's Birthday.....	630
--	-----

State Council of Defense

Governor's proclamation appointing members of	656
Members—number of—appointment—qualifications	599
Power to determine that statutes interfere with war effort.....	239
Powers and duties redefined	600

State Custodian

Advice from Building and Grounds Commission	603
Appropriation for balance of fiscal year ending June 30, 1943..	212
Appropriation, salaries and expenses	56
Salary of, increased	5

State Departments and Agencies

Buildings on State lands in City of Dover, architecture and loca- tion to be approved by State Buildings and Ground Commis- sion	604
--	-----

State Emergency Fund

Creation, availability	225
Emergency, defined	226

State Employees

Appropriation for	190
Board and lodging, value of	191
Schedule of	190
School employees to be included	192
Statements to be furnished to State Treasurer	192

State Forestry Department

Appropriation	156
Appropriation—Special Fire Protection	157
Supplemental Appropriation to	170

State Guard

Term of enlistment; oath to be taken	238
--	-----

State Highway Department

Appropriation to	150
Appropriation for protection of beach at Bethany Beach	186
Appropriation for building roads after war	188
Appropriation for protection of beach at Rehoboth Beach	185
Appropriation for protecting beach at Slaughter Beach	187
Appropriation for repairing property of Crystal Fount Lodge	217
Authorized to eliminate front license plate	547
Authorized to waive motor vehicle inspections	547
Budget appropriations not to revert to General Fund	189
Crystal Fount Lodge, property of, to be repaired by	217
Safety campaign, authorized to use facilities of other organizations	562
Vacation of roads or bridges, notice to	347

State House and State Offices

Custodian of, to be advised by State Buildings and Ground Commission	603
Furnishing of Governor's office, supervised by State Buildings and Ground Commission	603
Location of, approved by State Buildings and Ground Commission	603
Style of Architecture, approved by State Buildings and Ground Commission	603

State Insurance Commissioner

Appropriation, premiums	56
Appropriation, salaries and expenses	44
Valuation of Life Insurance policies; procedure	242

State Librarian

Appropriation, salaries and expenses	47
--	----

State Library Commission

Appropriation, salaries and expenses	56
--	----

State Liquor Commission

Duties upon cancellation or surrender of license	580
--	-----

GENERAL INDEX

lxxxlii

State Old Age Welfare Commission

Appropriation	160
Appropriation—Pensions	158
Non-resident indigent persons, investigation and return of.....	345
Responsibility for transfer of adult indigents transferred from State Board of Charities	307
Return of indigent persons from other states	345

State Revenue

Banks and Trust Companies, assessment and taxation of capital stock, basis for computing	434
Banks and Trust Companies—assessment and taxation of capital stock shares	433-446
Dealers in feed bags, exempt from provisions of Section 173 of Revised Code of 1935; licensing of	13
Income tax, time for payment	11
Income tax return, time for filing	11
Inheritance tax, time for filing	9
Savings banks and savings societies not having capital stock, assessment and taxation of	436-447
See War Emergency Tax on Gross Incomes	14
See Cigarette Tax.	

State Revenue Collector

Appropriation, salaries and expenses	44
--	----

State Soil Conservation Commission

Members, appointment, qualifications, term, duties	606
--	-----

State Tax Commissioner

Explosives Act—to act as licensing authority	506
--	-----

State Tax Department

Appropriation for administration of cigarette law	31
Appropriation, salaries and expenses	45
Cigarette Tax Law, administration of	23
Franchise taxes, certification of corporations relieved of paying during war emergency	7
Income Tax	
Time for filing returns and paying tax	11
Inheritance Tax	
Duty of executor or administrator relative to	10
Interest upon, when	10

State Tax Department (Continued)

Time for filing reports and paying tax extended, when.....	9
When assessed	9
License of dealers in feed bags	13
War Emergency Tax on Gross Incomes, duties as to	14

State Treasurer

Appropriation, interest and redemption	48-49
Appropriation, salaries and expenses	43
Authorized to invest certain sums belonging to State School Fund	40
Authorized to transfer certain balances in accounts of former State Treasurer to General Fund	32
Certificates of indebtedness, may issue, when procedure.....	162
Court of Common Pleas, New Castle County, to pay salary of Judge ad litem, when	570
Court reporters and stenographers, Chancellor to certify names to Duties relating to salary increments to school teachers.....	525 173
Fleetwood, Lida, payment of certain checks not presented within two years	215
Granite City Pig Iron Company stock, to sell and transfer.....	39
Harrington Special School District, transfer of debt service account	38
Highway Improvement Bonds and State Aid bonds, payment of interest on	179
Highway Improvement Bonds and State Aid Bonds, purchase of..	176
Kent and Sussex County Fair, to pay prizes for, how.....	220
Lists of employees to be furnished to, for purposes of salary in- creases	192
Lord Baltimore School District No. 28, transfer of debt service account	33
Milton School District No. 8, transfer of debt service account....	35
State School Fund, income from how used.....	165
State Emergency Fund, duties as to.....	233
State Highway Department, appropriation for building roads after war, when to be paid	188
State Highway Department, appropriations, not to revert to General Fund	189
Supreme Court Judges authorized to use certain funds to deco- rate courtroom	168

Stetser, Albert

Chairman Unemployment Compensation Commission.....	595
--	-----

St. Francis Hospital

Appropriation to	194
------------------------	-----

GENERAL INDEX

lxxxv

St. Jones No. 149C School District

Appropriation to	100
------------------------	-----

Stockley No. 34 School District

Appropriation to	110
------------------------	-----

Subpoena

Issuance by Delaware Commission for Shell Fisheries.....	483
--	-----

Superior Court

Appeals from Unemployment Compensation Commission, as to lien of contributions, when	598
Board of Canvass, duties as, in counting and certifying votes for electors	408
Ejectment actions, authority to make rules pertaining to.....	534
Explosives Act—jurisdiction over appeals from licensing authority	508

Supplemental Appropriation Acts

Alexis I. duPont School, instructional service and insurance....	170
American Legion, Department of Delaware	201
Arden School No. 3, salaries	170
Board of Managers of Detention Home	214
Bridgeville School No. 90, instructional service	170
Bridgeville Colored School No. 220C, instructional service.....	170
Custodian of State House	212
Delaware Commission for the Blind	175
Delaware Commission for the Feeble-Minded, for detention build- ing	184
Delaware Industrial School for Girls	200
Delaware Society for Prevention of Cruelty to Animals.....	196
Delmar Colored School No. 212½C, instructional service.....	170
District Library Commissions	202
Emergency Fund	225
Fire Companies, outside of Wilmington	223
G. A. R., Department of Delaware	197
Governor, salaries	171
Hospitals	194
Indigent soldiers, sailors and marines, burial of	182
Kent and Sussex County Fair, for prizes	220
Layton Home for Aged Colored People	193
Lewes Special School District, for Children's Beach House....	204
M. A. Hartnett, Inc.	211
Milton School No. 8, instructional service	170
Milton Colored School No. 196C, instructional service	170

Supplemental Appropriation Acts (Continued)

Palmer Home	195
Public Archives Commission	183
Richardson Park School, No. 20, Instructional service.....	170
State Board of Agriculture, for Anti-hog Cholera Serum.....	208
State Board of Education, for athletic field and addition to build- ings at Delaware City Colored School	222
State Board of Education, for education of handicapped children	213
State Board of Education, for payment of certain claims against Dover Special School District	205
State Forestry Department, salaries and wages	170
State Highway Department, for protection of beach at Bethany Beach	186
State Highway Department, for protection of beach at Rehoboth Beach	185
State Highway Department, for protection of beach at Slaughter Beach	187
State Highway Department, for repairing damages to property of Crystal Fount Lodge, I. O. O. F.	217
United Spanish War Veterans	199
Veterans of Foreign Wars, Department of Delaware.....	198

Supreme Court

Judges of, authorized to decorate courtroom	168
Payment of expenses	641

Sussex County

Airport, removal of dead bodies from burial ground upon, pro- cedure for	294
Boards of Education, election of, procedure	459
Clerk of Peace, deputy, salary of	344
Comptroller, deputy, salary of	338
Coroner, clerk, salary of	344
Fourth Representative District—divided and boundaries defined.	412
Highway Improvement Refunding Bonds, 1941, surplus transfer- red to General Fund	336
Highway Improvement Refunding Bonds, Second Series 1941, surplus transferred to General Fund	333
Hog diseases, Levy Court authorized to make appropriation for control of, conditions	325
Receiver of Taxes and County Treasurer, clerical assistance, em- ployment of	332
Receiver of Taxes and County Treasurer, Clerks, salary of.....	332
Receiver of Taxes and County Treasurer, deputy, salary of.....	332
Register in Chancery and Clerk of Orphans' Court, deputy, salary of	344

GENERAL INDEX

lxxxvii

Snssex County (Continued)

Register of Wills, deputy, salary of	344
Recorder of Deeds, clerks, salaries of	344
Recorder of Deeds, deputy, salary of	344
Sheriff, deputy, salary of	344

Snssex County Highway Improvement Refunding Bonds 1941

Transfer of surplus to General Fund	336
---	-----

Sussex Connty Highway Improvement Refunding Bonds Second Series 1941

Transfer of surplus to General Fund	333
---	-----

Swain, William J.

Insurance Commissioner, election of	738
---	-----

Sycamore No. 44 School District

Appropriation to	112
------------------------	-----

T

Taylor's Bridge No. 66 School District

Appropriation to	73
------------------------	----

Taxation

Beer, retaliatory taxation of	581
Cigarette tax, regulations pertaining thereto	22
Inheritance tax; when assessed, extension of time; interest upon; duty of executor or administrator relative to.....	9
Oysters caught in Broadkill River, tax upon	485
Polish Army Veterans of Delaware, exempt from, exception....	326
See Income Tax	11
See War Emergency Tax on Gross Incomes	14

Teachers Salary Increments

Appropriation for	172
-------------------------	-----

Tenant

Ejectment, action of, liability of	535
Outgoing farmer allowed to remove top fodder	536

Thanksgiving Day	
Governor's proclamation relating to	674-744
Thaw, Harry B.	
Resolution respecting death of	644
Thomas No. 23 School District	
Appropriation to	89
Towns	
See Cities and Towns.	
Townsend, John G., Jr.	
Director, Farmers' Bank of the State of Delaware	646
Townsend No. 81 School District	
Appropriation to	75
Townsend No. 125C School District	
Appropriation to	84
Tractors	
Permitted to pull or haul farm machinery over public highways during war emergency, when	557
Transportation of Pupils	
Transfers of funds for, in case of consolidation	165
Treasurer of Sussex Connty	
Transfer of certain funds to General Fund	333
Transfer of certain funds to General Fund	336
Trinity No. 221C School District	
Appropriation to	130
Trout	
Catching of, when unlawful	489
Trust Securities	
Bonds and obligations of Public Housing Authority	545
Investments in by fiduciaries	521

GENERAL INDEX

lxxxix

Trustees

Investments by 521

Trustees of New Castle Common

Investment of proceeds of sales of real estate by 617

Trustees of New Castle Connty Workhouse

Transfer of prisoners to Sussex County Jail 517

Trustees of Sussex County

Transfer of prisoners from New Castle County Workhouse to
custody of 517

Trusts

Moneys received by architect, engineer, contractor and sub-con-
tractor for erection of building declared to be trust fund,
penalty 498

U

Unemployment Compensation Commission

Chairman to be Executive Director and Approval Officer..... 596
Divisions of 596
Members, appointment, term, salary, qualifications, vacancies,
removal 595
Reports to Governor every odd year 593
Seasonal employment experience, duty to study 594

Unemployment Compensation Law

Benefits for seasonal employees, when payable 594
Benefits to persons receiving Federal Social Security payments. 589
Benefit wage ratio, credit for re-employment 592
Chairman of Commission to be Executive Director and Approval
Officer 596
Commission, duty to make reports to Governor every odd year.. 593
Commission to study seasonal employment experience..... 594
Conditions of eligibility for benefits 588
Contributions, minimum rate 590
Contributions, rate of, schedule 590
Contributions to be debt of employer 597
Disqualification for benefits; period of 558
Duration of benefits 585
Employment office, meaning of term 585

Unemployment Compensation Law (Continued)

False statements, penalty	589
Lien of contributions; procedure; when; appeal to Superior Court	598
Merger or consolidation of employing units, when deemed to be single unit	593
Military service, benefits after termination	587
Military Service, defined	586
Preliminary determination of liability of employing units may be made by employee of Commission	597
Seasonal employees, benefits, when payable	594
Seasonal employment, defined	594
State Employment Service	596
State experience factor, meaning of term	590
Trainee, defined	586
Weekly benefit amount	585

Uniform Transfer of Dependents Act

State Old Age Welfare Commission to administer	307
--	-----

Union No. 158C School District

Appropriation to	103
------------------------	-----

United Spanish War Veterans

Appropriation to	199
------------------------	-----

University of Delaware

Appropriation to	57
Appropriation—Sub-station	157
Dean of Agriculture to be ex-officio member of State Soil Conservation Commission	607
President of, to be member of State Board of Education.....	458

V

Valuation and Assessment of Property**Kent County Board of Assessment**

Alterations in assessment lists	330
Appeals from, date of hearing	330
Capitation taxes, assessment of	329
General Assessment to be made	329
Posting notice of, dates	330
Powers of, to raise and lower assessment	330

GENERAL INDEX

xci

Valuation and Assessment of Property (continued)

New Castle County Board of Assessment

Appeals from, procedure, limitation upon	327
Capitation tax, list of persons liable, reported	328
Corrections and additions, lists, procedure	327
Levy Court, assessed valuations to be reported to.....	328
Polish Army Veterans of Delaware, exemption from taxation....	326

Vaughn's No. 45 School District

Appropriation to	112
------------------------	-----

Vegetables

Grade or classification of, how and where determined.....	277
Penalties for violation of act	278
Weight or measure of, how and where taken	277

Veterans of Foreign Wars, Department of Delaware

Appropriation to	198
------------------------	-----

Veterinarians

Temporary certificate to out-of-state	296
---	-----

Viola No. 112 School District

Appropriation to	96
------------------------	----

Viola No. 156C School District

Appropriation to	103
------------------------	-----

Vital Statistics Law

See Registration of Births, deaths and marriages	280
--	-----

Volunteer Fire Companies

Election to be bound by Workmen's Compensation Law	575
--	-----

Volunteer Fire Companies, Sussex County

Appropriation to, to be paid by Levy Court	324
--	-----

Voters

Appeals from registration of	361
Deaths, duty of registrar of vital statistics to report	363
Failure to vote, when ground for striking name	364
Qualifications of	362

Voters (Continued)

Registration appeals—time required for notice	366
Registration of 1940 made permanent	354
Registration of, for municipal elections in Wilmington	369
Registration of, powers and duties of officers	350
Striking names from registration books	361
Supplementary registration of; places for; hours of; notices of.	348

W

Wages

Statement of deductions from, to be furnished by employer to employee	502
---	-----

Walnut Green No. 25 School District

Appropriation to	66
------------------------	----

Warden of Kent County Jail

Appointment	511
Authorized to work prisoners	514
Custody and control of prisoners	514
Deputy Warden and keepers to be appointed by	512
Duties	513
Qualifications	511
Removal of	516
Rules and regulations to be formulated by	513
Salary	511
Vacancy, how filled	515

War Emergency Tax on Gross Incomes

Administrative provisions	20
"Compensation for personal services"—meaning of term	16
Credit against gross income, amount of	14
Credits for taxes withheld	18
Deductions allowable in computing gross income.....	17
Deduction of tax by withholding agent	17
"Dividends"—meaning of term	15
Errors in return, allowance for	18
Exempted income	16
Expenses of enforcement	20
"Fiduciary"—meaning of term	15
"Gross Income"—meaning of term	15
Income exempt from tax	16
Liability of withholding agent	19-20
Non-residents, when liable for	21

GENERAL INDEX

xciii

War Emergency Tax on Gross Incomes (Continued)

Payable dates	18
Rate of tax	14
Returns, when filed	17
"Taxable"—meaning of term	14
Violation of act, penalty	20
"Withholding agent"—meaning of term ..	19

Warwick No. 203C School District

Appropriation to	124
------------------------	-----

Warwick No. 225C School District

Appropriation to	132
------------------------	-----

Water Systems

Registration of all persons engaged in installing or repairing of, in rural New Castle County	311
--	-----

Weak Fish

Catching of, when unlawful	489
----------------------------------	-----

Weight

Motor Vehicles	560
----------------------	-----

Weights and Measures

Deputy regulators, power to arrest	492
Fines, disposition of	493
Misrepresentations of quantity in New Castle County misdemea- nor, penalty	493
Regulators, powers of arrest	492
Using unregulated, in New Castle County, penalty	492
Violations of New Castle County regulations, penalty	492

Westville No. 69 School District

Appropriation to	92
------------------------	----

White Oak No. 146C School District

Appropriation to	100
------------------------	-----

Wiley's No. 93 School District

Appropriation to	95
------------------------	----

GENERAL INDEX

Willey, Earle D.	
United States Representative in Congress, election of	734
Willamsville No. 30 School District	
Appropriation to	108
Willamsville No. 226C School District	
Appropriation to	133
Willow Grove No. 52 School District	
Appropriation to	90
Willow Grove No. 152C School District	
Appropriation to	101
Wilmington Board of Education	
Appropriation to	148
Appropriation for salary increments for teachers	172
Definitions	166
Transfers of funds, when permitted	165
Wilmington, City of	
Board of Education, appropriation	148
Board of Education, appropriation for salary increments for school teachers	172
Board of Education—definitions	166
Board of Education, transfers of funds, when permitted	165
Employees granted leave of absence for military service	451
Registration of voters for municipal elections	369
Wilmington Country Club	
Payment to, for expenses of General Assembly	631
Wilmington General Hospital	
Appropriation to	194
Wilson, Henry V. P.	
Director, Farmers' Bank of the State of Delaware	646
Wines and Beer	
Licenses, applications for, exceptions	579

GENERAL INDEX

xcv

Witnesses

Delaware Commission for Shell Fisheries, subpoena of 483

Wolcott, Josiah O., Late Chancellor

Publication of previously unreported opinions 218

Woodford, J. Wallace

Member Unemployment Compensation Commission 595

Woods Haven School for Girls

Name changed from Delaware Industrial School for Girls..... 455

Woodside No. 71 School District

Appropriation to 93

Woodside No. 154C School District

Appropriation to 102

Words and Phrases

Administrative Control—General appropriation act 164

Advertisement—Delaware Seed Law 269

Agricultural Seeds—Delaware Seed Law 268

Area—Soil Conservation District Act 606

Auxiliary Agencies—General Appropriation Act 164

Ballot—absentee voters law 390

Basic Salary—State employees 191

Cigarette 22

Commercial feeding stuffs 258

Compensation for personal services—War Emergency Tax..... 16

Contractor 498

Dealer—Cigarette Tax Law 23

Dealer—Explosives Act 506

District Supervisors—Soil Conservation Act 606

Dividends—War Emergency Tax 15

Employment office—Unemployment Compensation Law 585

Explosives 505

Fiduciaries—legal investments 521

Fiduciary—War Emergency Tax 15

General Control—General Appropriation Act 163

Gross Income—War Emergency Tax 15

Labelling—Delaware Seed Law 269

Landowner—Soil Conservation Act 606

Licensing Authority—Explosives Act 506

Live Child 293

Manufacturer—Explosives Act 505

Words and Phrases (Continued)

Military service—Unemployment Compensation Law	586
Moneys or funds—contractors' liability act	499
Operation and Maintenance—General Appropriation Act	164
Package—Cigarette Tax Law	23
Person—Cigarette Tax Law	22
Person—Delaware Seed Law	268
Person—Explosives Act	506
Primary noxious weed seeds—Delaware Seed Law	269
Reckless driving	555
Regional Planning Act, Words and Phrases construed	563
Retail Dealer—Cigarette Tax Law	23
Retail Sale—Cigarette Tax Law	23
Sale—Cigarette Tax Law	22
Seasonal employment—Unemployment Compensation Law.....	594
Secondary noxious weed seeds—Delaware Seed Law	269
Soil Conservation District	606
Soil District	606
State Experience Factor—Unemployment Compensation Law....	590
Stillbirth	293
Supervisional Service and Instruction service—General Approp- riation Act	164
Taxable—War Emergency Tax	14
Trainee—Unemployment Compensation Law	586
Vegetable seed—Delaware Seed Law	268
Weed Seeds—Delaware Seed Law	268
Weekly benefits and amount—Unemployment Compensation Law.	585
Well drilling machine—motor vehicles	558
Wholesale dealer—Cigarette Tax Law	23
Withholding agent—War Emergency Tax	19

Workmen's Compensation Law

Burial, expenses of	574
Employees may designate own physician, when	573
Foot, loss of	574
Hand, loss of	575
Leg, loss of	574
Medical care, designation of own physician by employee, pro- cedure for	573
Volunteer Fire Companies, may elect to be bound by	575

—Y—

Yorklyn No. 81 School District

Appropriation to	76
------------------------	----

**END
OF
VOLUME**