

LAWS
OF THE
STATE OF DELAWARE

ONE HUNDRED AND EIGHTEENTH
SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 4, A. D.
1955

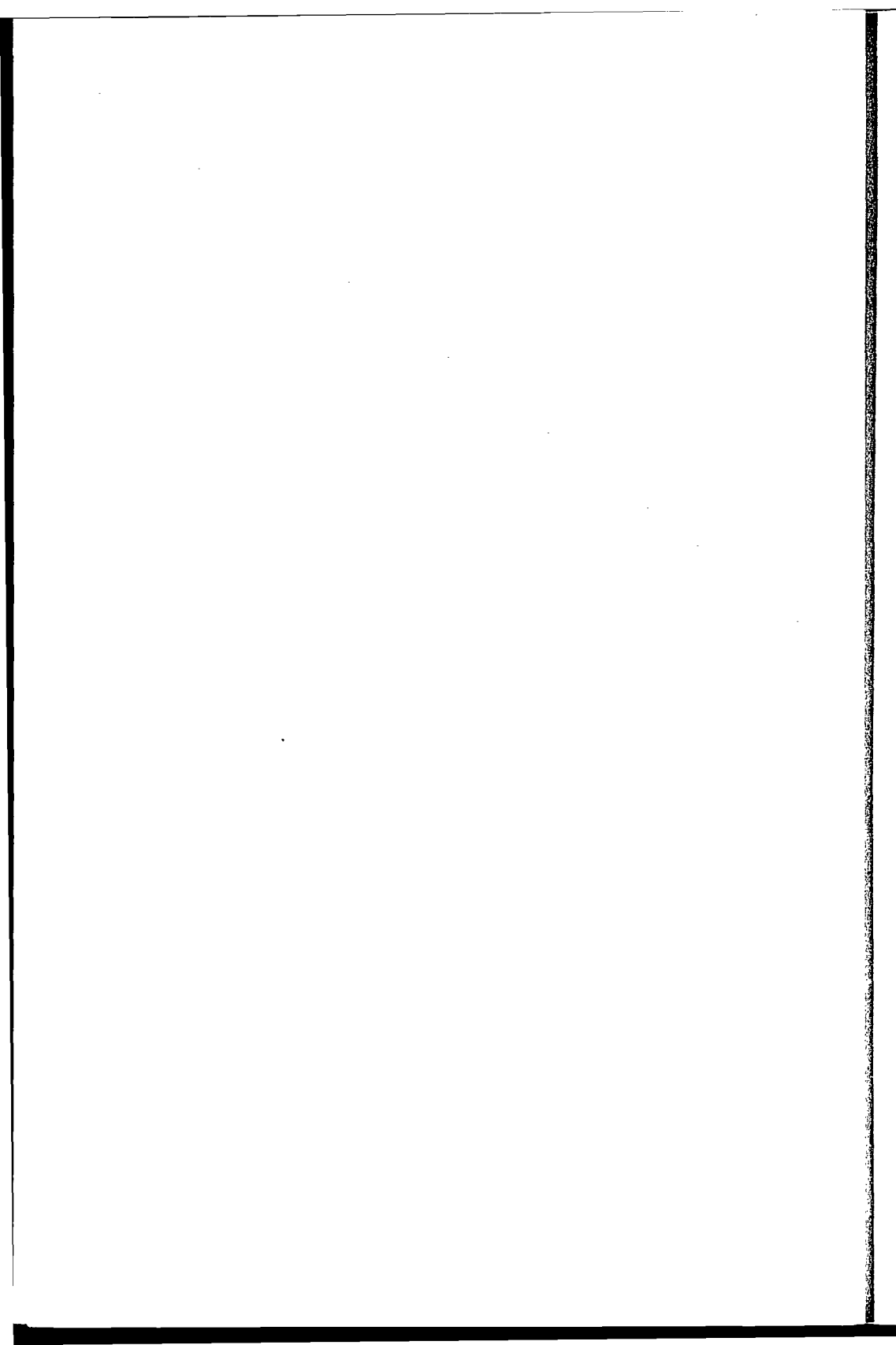
AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
OF AMERICA, THE ONE HUNDRED AND SEVENTY-NINTH

VOLUME L

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PART II



EXPLANATORY NOTE

Joint Resolutions—Concurrent Resolutions

Under provisions of Section 907, Title 29, Delaware Code, the Secretary of State is authorized and directed to arrange for the printing of the Session Laws. He is directed to include therein only "bills, resolutions, proclamations of the Governor, orders and votes of a public nature."

Senate Resolutions and House Resolutions have never been deemed to require action by the Governor and therefore had not been printed in previous volumes of the Session Laws because they were not construed as being "of a public nature". For purposes of compiling this volume, Concurrent Resolutions not requiring action by the Governor have been determined to be in the same category as House Resolutions and Senate Resolutions, and therefore not of a public nature.

This conclusion was reached primarily as a result of the enactment of Chapter 607 of this volume which became effective May 5, 1955. Chapter 607 completes the adoption of an amendment to the State Constitution which provides in effect that resolutions "on a question of adjournment and those matters dealing solely with the internal or administrative affairs of the General Assembly" became effective on adoption and do not require any action by the Governor.

Since the effective date of that constitutional amendment the term "Concurrent Resolution" has generally been used to designate resolutions which do not require action by the Governor; the term "Joint Resolution" has generally been used to designate resolutions which do require action by the Governor.

In the compilation of this volume all "Joint Resolutions" have been included without any attempt to exclude any such resolutions which may have been improperly designated. "Concurrent Resolutions" have been omitted except those which, under the amended Constitutional provision, are believed to require action by the Governor. This system of classification has been followed as to all resolutions passed by the 118th General Assembly.

The classification of resolutions outlined above makes possible the omission of approximately two hundred Concurrent Resolutions enacted by the 118th General Assembly.

JOHN N. McDOWELL
Secretary of State

CHAPTER 394

**RELATING TO PUBLIC ENTERTAINMENT ON SUNDAY
AN ACT TO AMEND CHAPTER 9, TITLE 28, DELAWARE
CODE, RELATING TO MISCELLANEOUS PROVISIONS
CONCERNING SPORTS AND AMUSEMENTS; REGULA-
TION OF PUBLIC ENTERTAINMENT ON SUNDAYS.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 906 (a), Chapter 9, Title 28, Delaware Code is amended to read as follows:

§ 906. Regulation of public entertainment on Sundays

(a) No person shall engage in, participate in, or attend, outside the corporate limits of any incorporated city or town of this State, any horse racing, public Auction, public dance, public theatrical performance or public performances of motion pictures on Sunday except that this prohibition shall not apply to public performances of motion pictures, with or without sound, between the hours of twelve noon and six P. M. and between the hours of eight P. M. and midnight in Kent County and Sussex County, and between the hours of 2 P. M. and midnight in New Castle County.

Approved July 7, 1955.

CHAPTER 395

EXAMINATION OF PERSON INVOLVED IN MOTOR
VEHICLE ACCIDENTS**AN ACT TO AMEND CHAPTER 27, TITLE 21, SECTION 2712,
DELAWARE CODE, RELATING TO THE SPECIAL EX-
AMINATION OF PERSONS INVOLVED IN MORE THAN
ONE ACCIDENT DURING ANY 24 MONTH PERIOD.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 2712, Chapter 27, Title 21, Delaware Code,
be and the same is hereby amended to read as follows:

§ 2712. Special examination

(a) The Department shall cause a special examination to be made of every person involved in a second accident resulting in personal injury, death or property damage to an apparent extent of Two Hundred and Fifty Dollars (\$250.00) within any twenty-four (24) month period when such person has been adjudged responsible for causing such accidents by a Court of competent jurisdiction, to determine whether such person suffers from a physical or mental impediment to the safe operation of a vehicle as a prerequisite to the continuation of the operator's right to drive on the highways.

(b) The Department shall also cause to be examined any person whom the State Police Superintendent or the Chief of Police of the City of Wilmington recommends for such examination.

Approved July 7, 1955.

CHAPTER 396

APPROPRIATION

STATE HIGHWAY DEPARTMENT

AN ACT DIRECTING THE STATE HIGHWAY DEPARTMENT TO CARRY OUT AN ACCURATE SURVEY AND PERMANENT MARKING OF STATE-OWNED LANDS IN SUSSEX COUNTY, ADJACENT TO THE ATLANTIC OCEAN; APPROPRIATIONS THEREFOR.

WHEREAS, the State of Delaware is owner of more than twenty-five hundred (2500) acres of State lands in Sussex County, adjacent to the Atlantic Ocean, and

WHEREAS, the boundaries of these lands are not clearly defined, corners and boundary markers having been lost, destroyed or removed, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Highway Department of the State of Delaware is directed to carry out an accurate survey and permanent marking of said State-owned lands, including a search of records, establishment of corners, complete surveys with descriptions, placing and referencing permanent markers and State land signs, and preparation of property plats.

Section 2. The sum of Thirty Thousand Dollars (\$30,000.00) is appropriated to the said State Highway Department for the purpose specified in Section 1 of this Act, and the State Treasurer is directed to pay all or part of said sum upon a warrant or warrants approved by the proper officials of the State Highway Department.

The State Highway Department shall without delay proceed to carry into effect the purposes of this Act. Any of the funds hereby appropriated which have not been expended for the purposes of this Act shall revert to the General Fund as of June 30, 1957.

Section 3. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 7, 1955.

CHAPTER 397

APPROPRIATION

STATE BOARD FOR VOCATIONAL EDUCATION

**AN ACT MAKING AN APPROPRIATION TO THE STATE
BOARD OF VOCATIONAL EDUCATION FOR THE
TRAINING OF VOLUNTEER FIREMEN.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. There is hereby appropriated to the State Board of Vocational Education the sum of Twelve Hundred Dollars (\$1200.00) for the fiscal year beginning July 1, 1955, and a similar sum of Twelve Hundred Dollars (\$1200.00) for the fiscal year beginning July 1, 1956, to be expended by the said Board only for the training of volunteer firemen.

Section 2. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 7, 1955.

CHAPTER 398

CIVIL DEFENSE

AN ACT TO AMEND CHAPTER 31, TITLE 20, DELAWARE CODE, RELATING TO CIVIL DEFENSE; POWERS OF THE GOVERNOR.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 3105 (b), Chapter 31, Title 20, Delaware Code, is amended by striking out paragraph (9) and substituting in lieu thereof the following paragraph:

(9) Utilize the services and facilities of existing officers, and agencies of the State and of the political sub-divisions thereof; and all such officers and agencies shall perform such services and supply such facilities as the Governor may request.

Approved July 7, 1955.

CHAPTER 399

CREATING A DEPARTMENT OF MOTOR VEHICLES
FOR WILMINGTON**AN ACT AUTHORIZING THE MAYOR AND COUNCIL OF
WILMINGTON TO CREATE A DEPARTMENT OF
MOTOR VEHICLES, OUTLINING THE POWERS AND
DUTIES THEREOF, AND PROVIDING PERSONNEL
THEREFOR.**

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members of each House thereof concurring therein):

Section 1. The Council of The Mayor and Council of Wilmington is hereby authorized, in its discretion, to create a Department of Motor Vehicles of The Mayor and Council of Wilmington. Said Department shall consist of three members. Such members shall be appointed by the Mayor, subject to confirmation by The Council, and shall serve without compensation. When the Department is first established, the members thereof shall be appointed or elected for terms of such length and so arranged that the term of at least one member shall expire each year and their successors shall be appointed for terms of three years each. Any member of said Department may be removed for cause, after a public hearing, by the Mayor with the approval of The Council. A vacancy occurring otherwise than by expiration of term, shall be filled for the unexpired term in the same manner as an original appointment. Such Department shall elect annually a chairman and secretary from its own number and may employ such personnel as it deems necessary to execute the powers and perform the duties hereinafter prescribed.

No person shall be eligible for appointment as a member of said Department who shall not be a citizen of the United States, a qualified voter of the State, and a resident of the City of Wilmington, for the last five years next preceding his appointment. Upon removal of the residence of any such member from the City of Wilmington, his said office shall be deemed to be vacated.

Section 2. Said Department shall operate a municipal garage or garages and shall maintain and provide for municipal uses of motor vehicles owned by The Mayor and Council of Wilmington. All maintenance and use of motor vehicles presently owned by The Mayor and Council of Wilmington shall, upon the creation of said Department, be transferred to said Department. All facilities and personnel for the maintenance, repair and storage of motor vehicles shall be under the supervision, direction and control of said Department. The Mayor and Council of Wilmington be and it is hereby authorized to prescribe in detail the further powers and duties of said Department in connection with said motor vehicles.

Section 3. The Council of The Mayor and Council of Wilmington shall, in its discretion, appropriate such funds to said Department as are necessary for the operation of said Department.

Section 4. The doing of all work and the furnishing of all materials, equipment and supplies required by said Department shall be let out by the members of said Department to the lowest and best bidder, except in cases where, in the opinion of said members, it is not practicable to do such work or furnish such materials, equipment and supplies by contract upon competitive bidding. The solicitation of bids by said Department shall be in the manner now prescribed for the Street and Sewer Department of The Mayor and Council of Wilmington.

Section 5. The City Auditor shall examine all bills against said Department and endorse them as correct before they are presented to said Department for payment; he shall also examine and countersign all drafts or orders and withhold his signature in case the draft or order is made without sanction of law, or with any circumstances of fraud actually or presumably attached thereto, in all of which cases he shall report his action and the grounds therefor to the members of said Department at their ensuing meeting; said members shall thereupon duly, carefully and publicly consider the case and shall sustain or overrule his action by a unanimous vote of all the members of said Department, whereupon it shall be the duty of the City Auditor in case he shall be overruled to countersign the said

draft or order, in which case he shall be exonerated from all responsibility in the premises. He shall also keep a book or books in which an exact and complete record of all accounts so paid shall be entered, keeping a debtor and a credit account with all persons doing work for or furnishing materials to the said Department in any manner.

Section 6. The moneys and revenue received by said Department shall be deposited to the credit of said Department in such bank in Wilmington as it shall determine upon, and all money to be disbursed therefrom on account of the duties and obligations by this act imposed, shall be drawn upon warrants signed by the Chairman of said Department and countersigned by the City Treasurer and City Auditor.

It shall be the duty of the City Auditor, during the first week of every month, to examine and audit the accounts of the said Department for the month last preceding; and he shall make duplicate certificates, showing the result of such examination and audit, one of which he shall deliver to the said Department and the other shall be by him transmitted to The Council.

Section 7. Each member of said Department shall, immediately after organization, enter into a bond with sureties to The Mayor and Council of Wilmington in the sum of Ten Thousand Dollars (\$10,000.00), said sureties to be approved of by the City Solicitor, the condition of which bond shall be as follows, viz: The condition of this obligation is such that if the above bounden....., one of the members of the Department of Motor Vehicles, shall in all things comply with the provisions of this act, and shall faithfully execute the trust confided to him, then the above obligation to be void, otherwise to remain in full force and virtue. To the said bond there shall be subjoined a warrant of attorney to confess judgment thereon, and the said bond and warrant shall be filed in the office of the City Treasurer, there to remain until in the judgment of the City Judge, the interest of the City demands that it be entered in the Superior Court of the State of Delaware in and for New Castle County.

Approved July 7, 1955.

CHAPTER 400

APPROPRIATION

STATE PARK COMMISSIONER

**AN ACT APPROPRIATING CERTAIN SUMS TO THE STATE
PARK COMMISSION FOR CONSTRUCTION AND RE-
PAIR OF CERTAIN FACILITIES AT FORT DELAWARE
STATE PARK.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. There is hereby appropriated to the State Park Commission the sum of Ten Thousand Dollars (\$10,000.00) for the fiscal year beginning July 1, 1955, for the construction of a boat landing at Fort Delaware State Park, and the sum of Ten Thousand Dollars (\$10,000.00) for the fiscal year beginning July 1, 1956, for repair of an existing building for use as a museum and related facilities at Fort Delaware State Park.

Section 2. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 7, 1955.

CHAPTER 401

APPROPRIATION

STATE HIGHWAY DEPARTMENT

AN ACT DIRECTING THE STATE HIGHWAY DEPARTMENT TO ERECT AND CONSTRUCT A SPILL DAM AT INGRAM POND, NEAR MILLSBORO, IN SUSSEX COUNTY; APPROPRIATION.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Highway Department is directed to erect, construct and install a spill dam at Ingram Pond near Millsboro, in Sussex County, to be of such type as shall maintain and hold the water in Ingram Pond at or near its original level.

Section 2. The sum of Ten Thousand Dollars (\$10,000.00) is appropriated to the State Highway Department to be used by said department for the purpose of constructing said dam.

Section 3. 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.

Approved July 7, 1955.

CHAPTER 402

FORT DELAWARE PARK

AN ACT TO AMEND CHAPTER 47, TITLE 7, DELAWARE CODE, BY ESTABLISHING FORT DELAWARE STATE PARK AND PROVIDING FOR FEES AND CHARGES TO MAKE THE SAME SELF-SUPPORTING.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 4723, Title 7, Delaware Code, is hereby amended to read as follows:

§ 4723. Fort Delaware State Park

(a) Pea Patch Island is declared to be a State Park under the name of Fort Delaware State Park.

(b) The State Park Commission shall repair Fort Delaware and shall thereafter maintain the same in a condition fit for visitation by the general public, and shall arrange and provide transportation facilities for such purpose.

(c) The State Park Commission shall establish and collect reasonable fees and charges for transportation to the said park and visitation therein; all such fees and charges received by the said Commission and any other funds received by it, except State appropriations, for the support of Fort Delaware State Park shall be paid to the State Treasurer, who shall retain the same in a special fund, to be expended upon proper vouchers of the Commission only for the purpose of carrying out the provisions of this Section.

(d) The officers of the Fort Delaware Society are named as an advisory board to the State Park Commission to make such recommendations for the care and maintenance of Fort Delaware State Park as they see fit.

Approved July 7, 1955.

CHAPTER 403

PERTAINING TO INDICTMENT TO DEFRAUD

AN ACT TO AMEND CHAPTER 31, TITLE 11, DELAWARE CODE, BY PROVIDING THAT IN ANY INDICTMENT OR INFORMATION WHERE IT IS NECESSARY TO ALLEGE AN INTENT TO DEFRAUD IT SHALL BE UNNECESSARY TO NAME THE PERSON INTENDED TO BE DEFRAUDED AND THAT IT SHALL NOT BE A VARIANCE AND SHALL BE SUFFICIENT IF INTENT TO DEFRAUD ANY PERSON OR GROUP OF PERSONS OR LEGAL ENTITY IS PROVED.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 31, Title 11, Delaware Code, be and the same hereby is amended by adding the following new section thereto to be known as Section 3107:

§ 3107. Allegation of intent to defraud

Whenever it may be necessary, in any indictment or information, to allege an intent to injure or defraud, it shall be sufficient to allege an intent to injure or defraud without naming the particular person or body corporate intended to be injured or defrauded, and on the trial of the action it shall not be deemed a variance, but be deemed sufficient, if there appear to be an intent to injure or defraud the United States, or any state, territory, county, town, or other municipal or public corporation, or any public officer in his official capacity, or any private corporation, co-partnership, or member thereof, or any particular person or persons.

Section 2. No criminal proceeding commenced prior to 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 July 7, 1955.

CHAPTER 404

APPROPRIATION

STATE BOARD OF HEALTH

AN ACT APPROPRIATING MONEY TO THE STATE BOARD OF HEALTH FOR SERVICES TO CRIPPLED CHILDREN.

WHEREAS, Section 165, Chapter 1, Title 16, Delaware Code of 1953, designates the State Board of Health as the agency in Delaware to administer a program of services for indigent crippled children, the purpose of such program being to develop, extend and improve services for locating such children and for providing for medical, surgical, corrective and for such other services and care, and for facilities for diagnosis, hospitalization and after-care; and

WHEREAS, a tremendous increase in the preschool and school population in Delaware has resulted also in increased demands for crippled children's services; and

WHEREAS, the cost of services to crippled children (i. e. hospital per diem, appliances and prosthesis) has been constantly rising; and

WHEREAS, in view of the foregoing, it is evident that the recommended current budget is inadequate for administering the crippled children's program as specified in paragraph 1, above, but rather would result in the sharp curtailment of such services and the lowering of existent standards; NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of twenty-two thousand dollars (\$22,000.00) be and the same is hereby appropriated to the State Board of Health for the fiscal year beginning July 1, 1955, and that the sum of twenty-six thousand dollars (\$26,000.00) be and the same is hereby appropriated for the fiscal year be-

ginning July 1, 1956, to be used for services to the crippled children of the State of Delaware for case-finding, medical, surgical and medical social services, hospitalization, rehabilitation and follow-up; and to provide for salary increments.

Section 2. This bill shall be known as a Supplementary Appropriation Act, and the money hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 7, 1955.

CHAPTER 405

PROVIDING FOR A TAX RATE TO MAINTAIN PARKS

AN ACT TO AMEND CHAPTER 6, TITLE 9, DELAWARE CODE, BY PROVIDING FOR A MAXIMUM ANNUAL TAX RATE FOR THE COST OF MAINTAINING A PARK OR RECREATION AREA.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 654, Chapter 6, Title 9, Delaware Code, be and it hereby is amended by adding the following paragraph to be designated 654 (c) :

(c) The estimated maximum annual tax rate for the cost of maintaining any park or recreation area, including all costs of supervision and recreational promotion, shall be computed and shall be stated on the ballot at the time of the election as provided in section 632 in terms of a certain rate on every hundred dollars of assessed valuation. The annual tax levied to provide funds for maintaining the park, including all costs of supervision and recreational promotion, for any fiscal year prior to the maturity of the bonds shall not exceed the estimated maximum annual tax rate for such maintenance as stated on the ballot at the time of the election by the residents of the suburban park community.

Approved July 7, 1955.

CHAPTER 406

DELAWARE STATE COLLEGE

**AN ACT TO PERMIT THE USE OF CERTAIN FUNDS FOR
CAPITAL IMPROVEMENTS AT DELAWARE STATE
COLLEGE.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 6102 (b), Title 29, Delaware Code, is amended by inserting the words "or Delaware State College" after the words "University of Delaware" therein.

Section 2. § 6505, Title 14, Delaware Code, is hereby amended by adding thereto the following paragraph:

The Board of Trustees shall also have the power to expend funds accumulated by the College, over normal operating expenses, from the proceeds of College functions and activities for the erection, equipping and furnishing of a men's dormitory, a multiple purpose building, faculty-staff buildings or a classroom and laboratory building at Delaware State College, or for incidental expenses connected therewith.

Approved July 7, 1955.

CHAPTER 407

RELATING TO COMPENSATION OF ADJUTANT
GENERAL**AN ACT TO AMEND CHAPTER 1, TITLE 20, DELAWARE
CODE, RELATING TO THE COMPENSATION OF THE
ADJUTANT GENERAL.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 122 (f), Chapter 1, Title 20, Delaware Code,
is amended to read as follows:

(f) He shall receive an annual salary of \$6,000 and may
draw his warrant on the State Treasurer, who shall pay the
sum out of money appropriated for military purposes, in equal
monthly installments.

Approved July 7, 1955.

CHAPTER 408

RELATING TO ANNUAL SCHOOL ELECTIONS

AN ACT TO AMEND CHAPTER 3, TITLE 14, DELAWARE CODE, RELATIVE TO NOTICE OF ANNUAL SCHOOL ELECTIONS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 311, Title 14, Delaware Code, is amended to read as follows:

§ 311. Notice of election

(a) The Clerk of the Peace of each county shall give notice of the annual school elections as follows:

(1) By notices posted in at least 10 public places in each District and on the door of every school house in each District at least 20 days before the day of the election; and

(2) By notices published in 2 newspapers of the county at least once a week for 3 weeks before the election, the last such publication to be not less than 5 days before the day of the election.

(b) The notices so posted and published shall plainly set forth the offices to be filled, the date when nominations shall be filed, and the time and place of each election.

Approved July 7, 1955.

CHAPTER 409

DELMAR

AN ACT TO AMEND THE CHARTER OF THE TOWN OF DELMAR, CHAPTER 182, VOLUME 45, LAWS OF DELAWARE, RELATIVE TO THE COMPENSATION OF CERTAIN OFFICERS.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members of each House thereof concurring therein):

Section 1. Section 4, Chapter 182, Volume 45, Laws of Delaware, is amended by striking out the words and figures "Fifty (\$50.00) Dollars" in the fifth and sixth lines and inserting in lieu thereof the words and figures "One Hundred Dollars (\$100)" and by striking out the words and figures "Twelve (\$12.00) Dollars" in the seventh line and inserting in lieu thereof the words and figures "Sixty Dollars (\$60)".

Section 2. Section 6 (c), Chapter 182, Volume 45, Laws of Delaware, is amended by striking out the words and figures "Two (\$2.00) Dollars" in the last line and inserting in lieu thereof the words and figures "Six Dollars (\$6)".

Approved July 7, 1955.

CHAPTER 410

RELATING TO STATE SUPPORTED SALARY SCHEDULES

AN ACT TO PROVIDE FOR STATE SUPPORTED SALARY SCHEDULES FOR THE BIENNIUM BEGINNING JULY 1, 1955 AND ENDING JUNE 30, 1957, FOR EMPLOYEES OF THE STATE BOARD OF EDUCATION, THE STATE BOARD FOR VOCATIONAL EDUCATION, AND THE BOARD OF PUBLIC EDUCATION IN WILMINGTON WHO ARE NOT COVERED BY THE SALARY SCHEDULES IN TITLE 14, CHAPTER 13, DELAWARE CODE, AND TO PROVIDE APPROPRIATION THEREFOR.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is hereby provided a salary increase for the biennium beginning July 1, 1955, for employees of the State Board of Education, the State Board for Vocational Education, and the Board of Public Education in Wilmington, who are not covered by the salary schedules in Title 14, Chapter 13, Delaware Code. The increase shall be in the amount of Three Hundred Dollars (\$300.00) above the salary paid for the year ending June 30, 1955. This increase shall be paid to persons in these categories: Superintendent, Assistant Superintendent, Directors, Supervisors, and all other unclassified professional and clerical personnel.

Section 2. The sum of Twenty-Seven Thousand Five Hundred Dollars (\$27,500) is appropriated to the State Board of Education for the fiscal year beginning July 1, 1955, and ending June 30, 1956, and the further sum of Twenty-Seven Five Hundred Dollars (\$27,500) for the fiscal year beginning July 1, 1956, and ending June 30, 1957.

Section 3. The sums so appropriated shall be used only for the purpose of adjusting the said salaries and no other.

Section 4. This Act is a supplementary appropriation, and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 7, 1955.

CHAPTER 411

RELATING TO MOTOR VEHICLES

AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES", RELATING TO NOTICE BY COMMISSIONER OF REVOCATION OR SUSPENSION OF DRIVING PRIVILEGE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Amend Subchapter II, Chapter 27, Title 21, Delaware Code, by adding a new section thereto, as follows:

§ 2736. Notice

(a) Whenever a license is suspended or revoked under this subchapter notice shall be given to the holder of such license.

(b) Such notice shall be given either by personal delivery thereof to the person to be so notified or by deposit in the United States mail of such notice in an envelope with postage prepaid, addressed to such person at his address as shown by the records of the department. The giving of notice by mail is complete upon the expiration of four days after such deposit of such notice. Proof of the giving of notice in either such manner may be made by the certificate of any officer or employee of the department or affidavit of any person over twenty-one years of age, naming the person to whom such notice was given and specifying the time, place, and manner of the giving thereof.

Approved July 7, 1955.

CHAPTER 412

JUSTICES OF THE PEACE

AN ACT TO AMEND CHAPTER 59, TITLE 11, DELAWARE CODE, ENTITLED "JUSTICE OF THE PEACE" BY INCREASING THE MAXIMUM FINE FOR ASSAULTS AND BATTERIES AND BREACHES OF THE PEACE.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members of each Branch thereof concurring therein):

Section 1. § 5904, Chapter 59, Title 11, Delaware Code, is amended by striking "\$10.00" from the first sentence of said section and by substituting in lieu thereof "\$100.00".

Approved July 11, 1955.

CHAPTER 413

MILITARY AND CIVIL DEFENSE

AN ACT TO AMEND TITLE 20, DELAWARE CODE, ENTITLED, "MILITARY AND CIVIL DEFENSE" BY PROVIDING FOR LEAVE OF ABSENCE FROM WORK FOR EMPLOYEES WHO ARE MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES, WHILE ENGAGED IN TEMPORARY MILITARY TRAINING WITH THE ARMED FORCES OF THE UNITED STATES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 9, Title 20, Delaware Code, is amended by adding a new section thereto as follows:

§ 905. Leaves of absence for members of reserve on temporary active duty

(a) Any person who is a duly qualified member of the reserve components of the armed forces, who is a member of the Ready Reserve, who is a member of an Organized Unit, and who, in order to receive military training with the armed forces of the United States not to exceed fifteen days in any one calendar year, leaves a position other than a temporary position in the employ of any employer, and who shall give evidence defining date of departure and date of return for purposes of military training ninety days prior to the date of departure and who shall further give evidence of the satisfactory completion of such training immediately thereafter, and, who is still qualified to perform the duties of such position, shall be entitled to be restored to his previous or a similar position with the same status, pay, and seniority, and such period of absence for military training shall be construed as an absence with leave and within the discretion of the employer said leave may be with or without pay.

(b) Such absence for military training shall not affect the employee's right to receive normal vacation, sick leave,

bonus, advancement and other advantages of his employment normally to be anticipated in his particular position.

(c) If any employer fails to comply with any of the provisions of this section, the employee may, at his election, bring an action at law for damages for such non-compliance, or apply to the Superior Court for such equitable relief as may be just and proper under the circumstances.

Approved July 11, 1955.

CHAPTER 414

MOTOR VEHICLES

AN ACT TO AMEND CHAPTER 7, TITLE 21, DELAWARE CODE, RELATING TO MOTOR VEHICLES GIVING RIGHT TO PERSON ARRESTED TO BE TRIED IN THE MUNICIPAL COURT FOR THE CITY OF WILMINGTON OR BY THE NEAREST AVAILABLE JUSTICE OF THE PEACE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 704, Chapter 7, Title 21, Delaware Code, is amended to read as follows:

§ 704. Jurisdiction of offenses

A person arrested without a warrant in the City of Wilmington for a violation of any section of this title shall be taken before a Judge of the Municipal Court for the City of Wilmington. A person arrested without a warrant outside of the City of Wilmington for a violation of any section of this title shall have the right to have his case heard and determined by the nearest available Justice of the Peace. It shall be a sufficient defense for a person arrested outside of the City of Wilmington to show by one competent witness that there was, at the time of his arrest, an available Justice of the Peace whose regular office was nearer to the place where such person was arrested than the Justice of the Peace before whom the case is being tried.

For the purpose of this section, Justice of the Peace is available when he is at his office, or court, or at his residence.

Approved July 11, 1955.

CHAPTER 415

ESCHEATOR

AN ACT TO AMEND TITLE 12, DELAWARE CODE, IN RESPECT TO THE ESCHEATOR.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 1122 (b), Title 12, Delaware Code, is repealed.

Approved July 11, 1955.

CHAPTER 416

NEWARK

AN ACT AMENDING CHAPTER 152, VOLUME 48, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT CHANGING THE NAME OF THE 'TOWN OF NEWARK' TO THE 'CITY OF NEWARK' AND ESTABLISHING A CHARTER THEREFOR" BY AMENDING THE PROVISIONS PERTAINING TO THE FISCAL YEAR, BUDGET, AUDIT, AND FINANCIAL STATEMENT, AND BY PROVIDING A DEADLINE FOR THE ESTABLISHMENT OF THE TAX RATE AND ADOPTION OF THE BUDGET IN EACH YEAR.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected to each House concurring herein):

Section 1. Section 30, Chapter 152, Volume 48, Laws of Delaware, is amended by striking out in the second line thereof the word "March", by inserting in lieu thereof the word "January", by striking out in the third line thereof the word "February" and by inserting in lieu thereof the word "December".

Section 2. That Section 31 of Chapter 152, Volume 48, Laws of Delaware, is amended by striking out all of the first paragraph thereof, and by inserting in lieu thereof a new paragraph to read as follows:

§ 31. Budget

Annually each year, and not later than the first Tuesday in December, the Council shall begin consideration of a proposed budget containing the financial plan for conducting the affairs of the City for the ensuing fiscal year.

Section 3. Section 31, Chapter 152, Volume 48, Laws of Delaware, is further amended by striking out all of the last paragraph thereof and by inserting in lieu thereof a new paragraph as follows:

The budget and the tax rate for the ensuing fiscal year shall be established and adopted by the Council not later than February 28 of each year.

Section 4. Section 32, Chapter 152, Volume 48, Laws of Delaware, is amended by striking out in the second line thereof the word "February" and by inserting in lieu thereof the word "December".

Section 5. Section 33, Chapter 152, Volume 48, Laws of Delaware, is amended by striking out in the second line the word "March" and by inserting in lieu thereof the word "January".

Approved July 11, 1955.

CHAPTER 417

RELATING TO SALE OF BEER

AN ACT TO AMEND TITLE 4, DELAWARE CODE, RELATING TO THE QUANTITY OF BEER THAT MAY BE SOLD TO BE KEPT IN STOCK FOR PERSONAL USE WITHOUT THE NECESSITY OF AN INDIVIDUAL LICENSE TO PURCHASE THE SAME: PERMITTING PURCHASE AND TRANSPORTATION OF GREATER QUANTITY OF BEER.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 531, Chapter 5, Title 4, Delaware Code, is amended by striking out the figures and words "twelve (12) bottles or twenty-four (24) half-bottles of beer," appearing in the fourth line thereof and by inserting in lieu thereof the figures and words "twenty-four (24) bottles or forty-eight (48) half-bottles of beer".

Section 2. § 714, Chapter 7, Title 4, Delaware Code, is amended by striking out the figures and words "twelve (12) bottles or twenty-four (24) half-bottles of beer" appearing in the sixth and seventh lines thereof and by inserting in lieu thereof the figures and words "twenty-four (24) bottles or forty-eight (48) half-bottles of beer".

Section 3. § 724 (4), Chapter 7, Title 4, Delaware Code, is amended by striking out the figures and words "twelve (12) bottles or twenty-four (24) half-bottles of beer" appearing in the fifth and sixth lines of said subsection (4) and by inserting in lieu thereof the figures and words "twenty-four (24) bottles or forty-eight (48) half-bottles of beer".

Approved July 11, 1955.

CHAPTER 418

SPECIAL CONSTABLES

AN ACT TO AMEND TITLE 10, DELAWARE CODE, ENTITLED "COURTS AND JUDICIAL PROCEDURE" BY ESTABLISHING QUALIFICATIONS FOR CERTAIN SPECIAL CONSTABLES AND BY PROVIDING FOR TWO YEAR APPOINTMENTS AT INCREASED FEES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 27, Title 10, Delaware Code, is amended by adding thereto the following section:

§ 2717. Qualifications of special constables appointed under sections 2715-2716; term of office; fees

(a) Any individual, firm or corporation applying for the appointment of a special constable under section 2715 or 2716 of this title shall provide such evidence as the Governor may require to show that the proposed special constable is at least 21 years of age and of good character and reputation.

(b) Commissions for special constables appointed under section 2715 or 2716 of this title shall be for two years subject to the right of revocation by the Governor or by the individual, firm or corporation at whose instance such constable was appointed.

(c) A fee of \$20 shall be charged for each constable's commission issued under section 2715 or 2716 of this title.

Section 2. The provisions of this Act shall not be so applied as to require any present special constable to give up his commission, and any constable now commissioned shall be eligible upon proper application and payment of the proper fee for a renewal of his commission any provision of this Act to the contrary notwithstanding.

Section 3. The Act shall become effective 30 days after approval by the Governor.

Approved July 11, 1955.

CHAPTER 419

SALARY OF KENT COUNTY PROTHONOTARY

AN ACT TO AMEND CHAPTER 23, TITLE 10 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE PROTHONOTARY OF KENT COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2301 (2), Title 10 of the Delaware Code is amended by striking out the figures "\$3000" as they appear therein and by inserting in lieu thereof the figures "\$3600".

Approved July 11, 1955.

CHAPTER 420

SALARY OF KENT COUNTY CORONER

AN ACT TO AMEND CHAPTER 95, TITLE 9 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE CORONER OF KENT COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 9501 (2), Title 9 of the Delaware Code is amended by striking out the figures "\$2000" as they appear therein and by inserting in lieu thereof the figures "\$2400".

Approved July 11, 1955.

CHAPTER 421

SALARIES OF KENT AND SUSSEX COUNTY LEVY
COURT COMMISSIONERS**AN ACT TO AMEND CHAPTER 3, TITLE 9 OF THE DELA-
WARE CODE RELATING TO THE SALARY OF THE
COMMISSIONERS OF THE LEVY COURT OF KENT
COUNTY AND SUSSEX COUNTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 309 (b), Title 9 of the Delaware Code is amended by striking out said subsection as it now appears and inserting in lieu thereof a new § 309 (b) to read as follows:

(b) In Kent County each of the Levy Court Commissioners shall receive a salary of \$3200 per year and in Sussex County each of the Levy Court Commissioners shall receive a salary of \$2800 per year.

Approved July 11, 1955.

CHAPTER 422

SALARY OF KENT COUNTY REGISTER IN CHANCERY
AND CLERK OF THE ORPHANS' COURT

AN ACT TO AMEND CHAPTER 25, TITLE 10 OF THE DELA-
WARE CODE RELATING TO THE SALARY OF THE
REGISTER IN CHANCERY AND CLERK OF THE
ORPHANS' COURT OF KENT COUNTY.

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 2502 (2), Title 10 of the Delaware Code is amended by striking out the figures "\$3000" as they appear therein and by inserting in lieu thereof the figures "\$3600".

Approved July 11, 1955.

CHAPTER 423

SALARIES OF COUNTY COMPTROLLERS

AN ACT TO AMEND CHAPTER 93, TITLE 9 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE COUNTY COMPTROLLER OF ALL COUNTIES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 9306, Title 9 of the Delaware Code is amended by striking out the first paragraph thereof and inserting a new first paragraph to read as follows:

The salary of the Comptroller of New Castle County shall be \$5400 per year; the salary of the Comptroller of Kent County shall be \$3600 per year; and the salary of the Comptroller of Sussex County shall be \$3000 per year”.

Approved July 11, 1955.

CHAPTER 424

SALE OF ALCOHOLIC LIQUORS

AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSE FEES FOR SALE OF ALCOHOLIC LIQUORS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 555 (o), Title 4 of the Delaware Code is amended by striking out said subsection as it nows appears and inserting a new § 555 (o) to read as follows:

(o) For a license to import or to ship alcoholic liquor, other than beer and wine, into this State and to sell and deliver such alcoholic liquor as provided in this chapter the license fee shall be \$2500; but a sale and delivery of alcoholic liquor to pharmacists, physicians, dentists, veterinarians, wholesale druggists, manufacturing plants where the alcohol is used in scientific work, or for the manufacture of pharmaceutical products shall not be subject to the license fee of \$2500.

Section 2. § 555 (p), Title 4 of the Delaware Code is amended by striking out said subsection as it now appears and inserting a new § 555 (p) to read as follows:

(p) For a license to import or to ship beer into this State and to sell and deliver such beer the license fee shall be \$750, and for a license to import or to ship wine into this State and to sell and deliver such wine the license fee shall be \$750.

Approved July 11, 1955.

CHAPTER 425

PREFERENCE OF CLAIMS AGAINST ESTATES

AN ACT TO AMEND CHAPTER 21, TITLE 12 OF THE DELAWARE CODE, RELATING TO ORDER OF PREFERENCE OF CLAIMS AGAINST ESTATES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2105, Title 12, Delaware Code is amended to read as follows:

§ 2105. Order of preference of claims against estate

Executors and administrators shall pay claims against the decedent in the following order—

- (1) Widow's allowance as provided in Section 2307 of this title;
- (2) Funeral expenses;
- (3) The reasonable bills for medicine and medical attendance during the last sickness and for nursing and necessities for the last sickness of the decedent;
- (4) Wages of servants and laborers employed in household affairs or in the cultivation of a farm; but no servant or laborer shall be allowed this preference for more than one year's wages;
- (5) Taxes imposed by the State of Delaware;
- (6) Rent for not exceeding one year; and this, at the election of the party entitled, may be of rent in arrear or rent growing due;
- (7) Judgments against the decedent, which shall include judgments before justices of the peace and decrees of a court of equity against him for the payment of money;

(8) Recognizances, mortgages, and other obligations of record, for the payment of money;

(9) Obligations and contracts under seal;

(10) Contracts under hand for the payment of money, or delivery of goods, wares, or merchandise;

(11) Other demands.

Approved July 11, 1955.

CHAPTER 426

PRIMARY ELECTIONS

AN ACT TO AMEND CHAPTER 31, TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS AND NOMINATIONS OF CANDIDATES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 3102, Title 15 of the Delaware Code is amended by striking out and repealing said section and by inserting and enacting in lieu thereof a new § 3102 to read as follows:

§ 3102. Dates for holding primary elections

The time for holding any primary election, except primary elections to nominate candidates for municipal elections, shall be the third Saturday in August in the year in which such primary election is held.

Section 2. § 3111, Title 15 of the Delaware Code is amended by striking out and repealing said section and by inserting and enacting in lieu thereof a new § 3111 to read as follows:

§ 3111. Qualifications of voters

An Elector may vote in the primary election of a political party only if he is a duly registered voter and if it appears upon his original permanent registration record that his party affiliation is the same as the party which is holding the primary election.

Section 3. § 3112, Title 15 of the Delaware Code is repealed.

Section 4. § 3121, § 3122, § 3164 and § 3170 are amended by striking out and repealing the words "Books of Registered Voters" and "two Books of Registered Voters" wherever those words appear in said sections, and inserting and enacting in lieu thereof the words "registration records".

Section 5. § 3161, Title 15 of the Delaware Code is amended by striking out and repealing said section and by inserting and enacting in lieu thereof a new § 3161 to read as follows:

§ 3161. Voting procedure

The voting procedure at any primary election shall be the same as at any general election, except that the officers shall first determine from the voter's original permanent registration record whether the voter's party affiliation is the same as the party holding the primary election, and if they are not the same, the voter shall not be permitted to vote in the primary election. The officers shall make no entries upon the Election District Record. The Department shall use the Voter Signature Cards which are returned to the Department at the conclusion of the election to determine whether or not a voter has voted in the primary election, and the Department shall make the appropriate notation of the fact that the voter has voted in the primary election upon the voter's original permanent registration record in the Election District Record. The Department shall notify the Commissioner of the names of the persons who voted in the primary election, and the Commissioner shall cause the punch-cards of such persons to be punched to indicate that fact.

Section 6. § 3164, Title 15 of the Delaware Code is further amended by striking out and repealing the words "within two days after the day of" and by inserting and enacting in lieu thereof the words "immediately after the close of".

Section 7. § 3103, Title 15 of the Delaware Code, is amended by striking out and repealing all of said section and substituting in lieu thereof a new § 3103 to read as follows:

§ 3103. Primary in all hundreds or districts to be on the same day

The primary election for all political parties shall be held in the several hundreds or districts on the third Saturday in August of a general election year.

Section 8. § 3105, Title 15 of the Delaware Code, is amended by striking out and repealing all of said section and substituting therefor a new § 3105 to read as follows:

§ 3105. Hours at polling places

The time for opening the polls for the purpose of conducting a primary election shall be seven o'clock in the morning and the time for closing the polls at such primary election shall be eight o'clock in the evening.

Section 9. § 3106, Title 15 of the Delaware Code is amended by striking out and repealing said section and by inserting a new § 3106 to read as follows:

§ 3106. Procedure when no contest

In case there be no contest for any office in any particular election district or districts, the Department shall be governed accordingly and shall not hold a primary election in any such election district or districts.

Section 10. § 3108, Title 15 of the Delaware Code is amended by striking out said section and by inserting a new section in lieu thereof to read as follows:

§ 3108. Notices by party authorities to governmental bodies in regard to primary elections

Whenever a political party desires to hold a primary election, the Chairman or Secretary of the regularly organized and constituted County or City Committee of such political party shall notify in writing the Department of Elections in their county of their desire to hold a primary election which notification shall be made by the first Saturday in August of a general election year.

Section 11. § 3109, Title 15 of the Delaware Code is amended by striking out all of said section and substituting therefor a new § 3109 to read as follows:

§ 3109. Conduct of primary elections

The county Departments of Elections and election officers shall conduct the primary elections in every respect in the same way that general elections are conducted and in accordance with the applicable provisions of this title except that the voting machines shall be operated so that the only levers open to each voter shall be the levers for candidates of the party of the voter's party affiliation as shown by the voter's original permanent registration record.

In the event that there is a contest in only one party in an election district all of the primary election officers and clerks for that district shall be of the same party affiliation as the party in which there is a contest, and they shall be selected by that party's district committee and the Department shall be notified of the names selected at least one week before the date of the primary election. Vacancies for any reason shall be filled by the district committee as they occur. Where there is a contest in more than one party in an election district the primary election officers and clerks shall be the same as the election officers and clerks selected for that district for the purposes of the general election.

Section 12. § 3122, Title 15 of the Delaware Code is amended by striking out the words "twelve o'clock" and "twelve o'clock noon" wherever they appear and by inserting in lieu thereof the words "seven o'clock A. M."

Section 13. § 3127, Title 15 of the Delaware Code is further amended by striking out and repealing the words "County Committee of the political party holding any primary election" and by inserting in lieu thereof the word "Department".

Section 14. § 3127, Title 15 of the Delaware Code is further amended by striking out and repealing the words "They" and "committee" as they appear in the second sentence thereof and by inserting in lieu thereof the words "The Department" and "Department" respectively.

Section 15. § 3128, Title 15 of the Delaware Code is amended by striking out and repealing said section and by inserting in lieu thereof a new § 3128 to read as follows:

§ 3128. Designation of polling places

The Department shall designate the place for holding a primary election in each election district in the same manner as it designates polling places for a general election.

Section 16. § 3166 (b), Title 15 of the Delaware Code is amended by striking out and repealing said subsection and by inserting in lieu thereof a new subsection to read as follows:

(b) If any person appointed watcher so conducts himself as to interfere with the progress of the election he may, upon complaint made by the election officers to the Department, at the direction of the Department be removed from the room where such election is being held, and the candidate whose representative the watcher so removed was, shall be without representation during the continuance of the election.

Section 17. § 3173 (d), Title 15 of the Delaware Code is amended by striking out and repealing said subsection and by inserting in lieu thereof a new subsection to read as follows:

(d) In primary election districts where voting machines are used, the total vote cast for each candidate, as recorded on the voting machine, shall be entered by the judges holding such primary election for such primary district on the certificates furnished for such purpose; each certificate shall be signed by the Inspector, Judges and Poll Clerks, one of said certificates together with one poll list shall be delivered by the Inspector of the first secular day following such primary election to the Chairman of the regularly organized County or City Committee, as the case may be, of a political party holding such primary election; a certificate and all keys to the voting machines, and one poll list shall be delivered to the Department of Elections in an envelope furnished for that purpose; said envelope shall be sealed and each officer shall sign his name across the seal of said envelope.

Section 18. § 3104, § 3141, § 3142, § 3144, § 3145 and § 3146, Title 15 of the Delaware Code are repealed.

Section 19. Only persons who register in the year 1956 under the permanent registration system enacted into law during the session of the 118th General Assembly of the State of Delaware shall be eligible to vote in any primary election held prior to the general election in the year 1956 and the provisions of this Act shall apply to any primary election held during the year 1956 any provision of § 1102 (c), Title 15, Delaware Code to the contrary notwithstanding.

Section 20. Any act or parts of an act inconsistent with this act are repealed to the extent of any such inconsistency.

Approved July 11, 1955.

CHAPTER 427

ALCOHOLIC LIQUORS

AN ACT TO AMEND CHAPTER 11, TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 1103, Title 4, Delaware Code is amended to read as follows:

§ 1103. Manufacture on unauthorized premises; seizure or destruction of liquor, apparatus and materials

All alcoholic liquor, stills and other apparatus, tubs, barrels, containers and paraphernalia of any character, and all mash, wort or wash, used or useful in connection with the manufacture of alcoholic liquor which are upon the premises wherein or whereon are committed any offense defined in section 905 of this Title, shall be seized by the officers apprehending the same and disposed of as provided in this section. The officers finding the same may forthwith destroy any or all mash, wort or wash upon the premises, and any or all stills or other apparatus, tubs, barrels, containers and paraphernalia so found. The officer or officers destroying any property shall forthwith report the same to the Commission and in such report shall itemize all property destroyed and the estimated value thereof and shall state the names of the persons in whose presence such act or acts of destruction were performed. The report shall be witnessed by at least two responsible persons other than the officer or officers performing such act or acts of destruction. The Commission may sell any property of value so seized to any person or persons desiring to purchase same, who in the opinion of the Commission will not utilize same in connection with any violation of this chapter. The proceeds from such sale shall be deposited in the General Fund of the State of Delaware.

Approved July 11, 1955.

CHAPTER 428

ELSMERE

AN ACT TO RE-INCORPORATE THE TOWN OF ELSMERE,
NEW CASTLE COUNTY.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected to each House concurring therein):

Section 1. INCORPORATION

The municipal corporation of the State of Delaware now known as "The Commissioners of Elsmere" shall hereafter be known as "The Town of Elsmere" and the inhabitants thereof within the corporate limits as defined in Section 2 of this Act or subsequently altered by annexation procedures shall, under the name of "The Town of Elsmere", continue to be a municipal body politic in perpetuity.

Section 2. BOUNDARIES

The boundaries of the Town of Elsmere shall continue as heretofore existing under the Charter of "The Commissioners of Elsmere" immediately prior to the enactment of this charter.

The Council of the Town of Elsmere may at any time hereafter cause a survey and plot to be made of said Town and the said plot, when made and approved by the Council, shall be recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware, and the same or the record thereof, or a duly certified copy of the said record shall be evidence in all courts of law and equity in this State.

Section 3. ANNEXATION

If and when a majority of the property owners in territory contiguous to the Town of Elsmere shall sign a petition seeking to have the areas in which said property owners reside annexed to the Town of Elsmere and submit the petition together with a

survey of the areas proposed for annexation to the Council of the Town of Elsmere, the said Council shall submit the question of annexation to the voters of the Town of Elsmere. If a majority of the said voters, at a special election held for that purpose, shall vote in favor of the proposed annexation, then the said area, as shown on the said survey, shall become and be a part of the Town of Elsmere. The annexed area shall become and be a part of the district to which said area is contiguous. If the annexed area is contiguous to more than one district, the annexed area shall become a part of the district with which it has the longest common boundary.

Section 4. DISTRICTS

The Town of Elsmere shall be divided into six districts as follows:

(1) BEGINNING at a point in the center of New Road and the intersection of Ohio Avenue; thence in a southerly direction along the center line of Ohio Avenue and Ohio Avenue extended to its junction with Mill Creek; thence in a northeasterly direction along Mill Creek to its junction with Silverbrook; thence in a northerly direction along the center of Silverbrook, by its several courses, to a point in the division line between lands now or lately of the estate of Dr. J. P. Stidham and the northerly side or the right of way of the old Delaware & Western Railroad; thence northwesterly along the right of way of the said Railroad to its junction with the boundary of the City of Wilmington; thence in a northwesterly and northeasterly direction to a point at the junction of the northerly boundary of the Town of Elsmere; thence in a northwesterly direction along the northern boundary line of the Town of Elsmere to its intersection with N. duPont Road; thence in a southerly direction along the center line of N. duPont Road to its intersection to New Road; thence in a westerly direction along the center line of New Road to its intersection with Ohio Avenue, the point of beginning.

(2) BEGINNING at a point in the center of New Road at its intersection with Ohio Avenue; thence in a southerly direction along the center line of Ohio Avenue, extended, to its

junction with Mill Creek; thence in a southwesterly direction along the course of Mill Creek to its junction with Birch Avenue and Birch Avenue, extended; thence in a northerly direction along the center line of Birch Avenue, extended, crossing Wilmington Avenue, and continuing on Birch Avenue, extended, to its intersection with New Road; thence in an easterly direction along the center line of New Road to its intersection with Ohio Avenue, the place of beginning.

(3) BEGINNING at a point in the center of New Road at its intersection with Birch Avenue, extended; thence in a westerly direction along the center line of New Road to its intersection with Tamarack Avenue; thence in a southerly direction along the center line of Tamarack Avenue, extended, to its junction with the right-of-way of the Baltimore & Ohio Railroad; thence in a westerly direction along the center of the right-of-way of the Baltimore & Ohio Railroad to its junction with Mill Creek; thence southerly and southeasterly along the Course of Mill Creek to its junction with Birch Avenue, extended, crossing Dover Avenue, and continuing on Birch Avenue, extended, crossing Wilmington Avenue, to its intersection with New Road, the place of beginning.

(4) BEGINNING at a point in the center of New Road and its junction with Tamarack Avenue; thence southerly along the center of Tamarack Avenue and Tamarack Avenue, extended, to its intersection with the center of the right-of-way of the Baltimore & Ohio Railroad; thence in a southwesterly direction along the center of the right-of-way of the Baltimore & Ohio Railroad to its junction with Mill Creek; thence in a northerly direction along the center of Mill Creek to its junction with Chestnut Run (West Branch); thence along Chestnut Run, by its several meanderings, to its intersection with New Road; thence easterly along the center of New Road to its junction with Tamarack Avenue, the point of beginning.

(5) BEGINNING at a point in the center of New Road as its intersection with Chestnut Run (West Branch); thence in an easterly direction along the center line of New Road to its intersection with Sanders Road, extended, Vilone Village; thence in a northerly direction along the center line of Sanders Road,

crossing Olga Road, and continuing to its intersection with the Northerly boundary of the Town of Elsmere; thence in a westerly direction, along the meanderings of the Northerly boundary of the Town of Elsmere to its intersection, extended, with Chestnut Run (West Branch); thence in a southwesterly direction along the center line of Chestnut Run to its intersection with the center line of New Road, the place of beginning.

(6) BEGINNING at a point in the center of New Road at its intersection with the center line of Sanders Road, extended, Vilone Village; thence in a northerly direction along the center line of Sanders Road, crossing Olga Road, and continuing to its intersection with the Northerly boundary of the Town of Elsmere; thence in an easterly direction along the meanderings of the Northerly boundary of the Town of Elsmere to its intersection with the center line of North duPont Road; thence in a southerly direction along the center line of North duPont Road to its intersection with the center line of New Road; thence in a westerly direction along the center line of New Road to its intersection with Sanders Road, extended, Vilone Village, the place of beginning.

Section 5. STRUCTURE OF GOVERNMENT

The Government of the Town and the exercise of all powers conferred by this Charter, except as otherwise provided herein shall be vested in a Mayor and a Town Council. The Mayor shall be elected at large by the qualified voters of the Town. One member of the Town Council shall be elected by the qualified voters of each district.

The Mayor and Council under this Charter shall first be elected on the last Saturday in June, 1955, to serve until their respective successors have been elected and qualified. The next regular municipal election of Mayor and Council after June of 1955 shall be held on the last Saturday in April of 1957, and regular municipal elections of Mayor and Council shall be held on the last Saturday in April of odd-numbered years thereafter.

Section 6. POWERS OF THE TOWN

The Town of Elsmere shall have all the powers granted to municipal corporations by the Constitution and general laws of

the State of Delaware, together with all the implied powers expressly granted. The Town of Elsmere shall continue to enjoy all powers which have been granted to it by special Acts of the General Assembly of the State of Delaware, except insofar as they may be repealed by the enactment of this Charter. The Town of Elsmere as a body politic and corporate shall succeed to, own or possess all property, whether real, personal or mixed, and all rights, privileges, franchises, powers and immunities now belonging to, possessed by or enjoyed by the former corporation, known as "The Commissioners of Elsmere", without the necessity of any deeds or instruments of conveyance or transfer.

The Town of Elsmere may have and use a corporate seal, may sue and be sued, may acquire property within or without its corporate limits by purchase, gift, devise or lease for the purpose of providing sites for public buildings, parks, sewer systems, sewage treatment plants, water systems, water plants, or other municipal purposes except gas, telephone or electric systems; and may sell, lease, mortgage, hold manage and control such property or utility as its interests may require; and except as prohibited by the Constitution or laws of the State of Delaware or restricted by this charter the Town of Elsmere shall and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.

The enumeration of particular powers in this Charter shall not be held or deemed to be exclusive but, in addition to the powers enumerated herein, implied thereby, or appropriate to the exercise thereof, it is intended that the Town of Elsmere shall have and may exercise all powers which, under the Constitution of the State of Delaware, it would be competent for this Charter to specifically enumerate. All powers of the Town, whether express or implied shall be exercised in the manner prescribed by this Charter, or if not prescribed herein, then in a manner provided by ordinance or resolution of the Council.

Section 7. QUALIFICATIONS—MAYOR AND COUNCIL

Any qualified voter of the Town of Elsmere who has attained the age of twenty-one years in the case of councilman, and thirty years in the case of the Mayor, and who has not

been convicted of a felony or a crime involving moral turpitude and who has owned real property in the Town of Elsmere for at least one year next preceding his election and who has paid all Town taxes and special assessments theretofore assessed against him shall be eligible for the office of Mayor or Councilman; provided that any person elected to Council must at the time of his election reside in the district from which elected.

Loss of residence in the Town or in the district from which elected, or conviction of a crime, as above, during tenure of office shall create a vacancy. In case of vacancy for any cause, a special election, conducted in the same manner as a regular election, except that the nominating petitions shall be filed not later than ten days before the date of the special election, shall be held within 30 days after the occurrence of the vacancy, as may be proclaimed by the Council; provided, however, that if the vacancy occurs within 90 days of a regular election, the vacancy shall not be filled.

Section 8. COMPENSATION

The Mayor shall receive an annual salary of Three Hundred Dollars (\$300.00). Each Councilman shall receive an annual salary of Two Hundred Fifty Dollars (\$250.00) each. The said salary shall be paid in equal monthly installments.

Section 9. MEETINGS OF COUNCIL

The Council of the Town of Elsmere shall take office on the Monday following the regular municipal election, shall hold an organization meeting in the evening of the next Thursday at which a President Pro Tempore shall be elected by the Council from among the members of the Council, and shall meet regularly at least once a month thereafter. Special meetings may be called by the Mayor and shall be called upon the written request of any three members of the Council. At least two days' written notice of special meetings shall be given to each Councilman, provided that if all the Councilmen shall sign a waiver of notice of a particular special meeting, then the notice aforesaid shall not be a prerequisite to the validity of such special meeting. All meetings of the Council shall be open to the public.

Section 10. MAYOR'S RELATIONSHIP TO COUNCIL

The Mayor shall be the executive of the Town. He shall preside at meetings of the Council, but shall have no vote therein, except in case of ties. He shall execute on behalf of the Town, when authorized by Council, all agreements, contracts, bonds, deeds, leases, and other documents necessary to be executed. He shall appoint from among those residents of the Town who have resided in the Town for at least two years, and who are not members of the Council, by and with the consent of a majority of the Town Council, the Chief of Police, the members of the Zoning Commission, the members of the Park and Playground Committee, and all members of the Police force. He shall countersign all orders, checks or warrants authorized by Council and drawn on the Treasurer for payment of money; and shall have all and every power conferred and perform all duties imposed upon him by this Charter and the ordinances of the Town.

In case of the temporary absence or inability to act of the Mayor, the President Pro Tempore shall act during such temporary absence or inability of the Mayor. The President Pro Tempore, when lawfully acting as Mayor shall have all the powers conferred upon the Mayor by this Charter.

In the event that the Mayor becomes disqualified from holding office by reason of resignation, death, removal from the Town, conviction of a felony, or malfeasance in office, the President Pro Tempore shall succeed to the office of Mayor for the balance of the unexpired term. The succession of the President Pro Tempore to the office of Mayor shall create a vacancy in the Council.

Section 11. POWERS OF COUNCIL

The Council shall constitute the legislative body of the Town of Elsmere. It shall have power to adopt ordinances relating to the health of the population of the Town or to prevent the introduction or spread of communicable diseases or nuisances affecting the Town. The Council may also pass ordinances to ascertain and fix boundaries of streets, squares, lanes

and alleys; or repair and amend the same and provide for the paving thereof, or to alter, extend or widen any street, square, lane or alley, to open and lay out new ones subject to provisions in that behalf hereinafter contained; to regulate the ascent and descent of all streets, lanes and alleys; to fix the building lines on the same; to direct the paving of footways and to prescribe the width thereof; to direct the laying out of gutters and prescribe the depth thereof; to prescribe the extent of porches, cellar doors and other inlets to yards and buildings; to provide police and lighting of streets at the expense of the Town, and generally to prescribe and regulate the streets, lanes and alleys of the Town and to have and exercise control of the same; subject to the provisions in that behalf hereinafter contained; to provide for the regulation of auctions and auctioneers and public amusements; to provide for the safety of the citizens and for that purpose to prescribe the heights, thickness of walls of buildings and the mode of erecting same in said Town and to prescribe rules and regulations directed toward the prevention of fires and explosions, and make provisions for the enforcement of said regulations; to adopt municipal zoning regulations; to adopt traffic regulations, to regulate itinerant peddlers and canvassers within the Town; to provide for the repair and maintenance of sidewalks; to regulate the sale of goods, wares and merchandise on the streets and sidewalks within the Town and fix the license fee thereof and to license the conduct of business generally within the Town, charging therefor a license fee which shall be not less than one dollar nor more than twenty dollars per annum; to regulate signs and bill boards and to provide for permits for the erection and maintenance thereof; to provide for the measuring or weighing of coal, lime, grain or other matter sold in the said Town. They shall have the power to lay and collect fines on the owners of any horse, cow, dog, or animal which may be found at large in any of the streets, squares, lanes, alleys, aforesaid, and in general to have power to do all those matters and things for the well-being of said Town and the inhabitants thereof, which shall not be in contravention of any existing laws of this State or the Constitution thereof. Except as hereinafter provided, the Council shall not have the power to exempt any individual from the operation of any general ordinance or municipal regulation.

The Council shall have all other powers requisite to and appropriate for the government of the Town of Elsmere, its peace and order, its sanitation and beauty, and for the health, safety, convenience, comfort and well-being of its population and for the protection and preservation of public and private property.

Section 12. JUDGE OF THE QUALIFICATIONS OF MEMBERS

The Council shall be the judge of the election and qualification of its members and for such purpose shall have power to subpoena witnesses and require the production of records and, in the event that special proceedings may be necessary to determine or establish such qualifications, shall keep a record of such proceedings, which record shall be subject to review by the Superior Court of the State of Delaware in and for New Castle County.

Section 13. RULES OF PROCEDURE; RECORD

The Council shall determine its own rules of procedure and order of business. It shall keep a record of its proceedings and the record shall be open to public inspection. Elections for officers shall be by a majority vote of the members elected to Council and the results shall be entered on the record of Council.

Section 14. QUORUM AND MAJORITY REQUIREMENT

A majority of the members elected to the Council shall constitute a quorum to do business but a smaller number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. No ordinance shall be valid unless it shall have the affirmative vote of the majority of the members elected to the Council. Resolutions, orders and motions shall be valid upon the affirmative vote of a majority of the members of the Council present. No member shall be excused from voting on ordinances, resolutions, orders or motions.

In addition to such acts of the Council as are required by this Charter or by other State Law to be by ordinance, every

Section 15. ORDINANCES

act of the Council establishing a fine or other penalty shall be by ordinance. The enacting clause of all ordinances shall be "Be it ordained by the Council of the Town of Elsmere as follows".

Section 16. PROCEDURE FOR ENACTING ORDINANCES

Every ordinance shall be introduced in writing. No ordinance shall be passed unless it shall have the affirmative vote of a majority of the members elected to the Council and unless it shall have been considered at two regular stated meetings. Vote on any ordinance shall be by voice vote and shall be entered on the record of Council.

Section 17. ORGANIZATION CHANGES BY COUNCIL; VACANCIES

The enumeration of certain officials in the Charter to be appointed by the Council is not to be construed as a limitation on the power of the Council to create such new positions or offices as may be deemed essential to accomplish the objectives of the Town's government, and to provide for the selection of suitable persons to fill any positions or offices.

All vacancies in appointive offices shall be filled by a majority vote of the whole Council for the unexpired term.

Section 18. THE SECRETARY

The Secretary shall record or cause to be recorded all of the proceedings of the Council and keep a correct record of the same in a book to be provided for that purpose, and shall file and keep in a safe place the seal of the Town and all papers and documents relative to the affairs of the Town; and shall deliver the same to his successor in office. The Secretary shall attest the seal of the Town when authorized by Council and shall perform such duties and have such other powers as may be prescribed by Council. All records, books, papers and documents in the custody of the Secretary shall be always open for the inspection of the Council and the public under such regulations as Council may prescribe. The Secretary may be a member of the

Council. He shall be elected by a ballot or voice vote at the biennial organization meeting for a period of two years or until his successor is duly elected and qualified.

Section 19. THE SOLICITOR

At the biennial organization meeting the Council shall elect by ballot or voice vote a Town Solicitor for a term of six months or until his successor shall have been duly elected and qualified. The Town Solicitor shall be a member of the Bar of the State of Delaware; it shall be his duty to give legal advice to the Council and other officers of the Town, and to perform such other legal service as may be required of him by the Council. The manner and amount of his compensation shall be as determined by the Council.

Section 20. THE MAYOR

The Mayor shall have been a resident of the Town for three years and a property owner in the Town for one year, and not less than 30 years of age at the time of his election. He shall be elected at large at the biennial Town election and shall serve for a term of two years or until his successor shall be duly elected and qualified, but the first Mayor elected under this Charter shall serve from the date of his qualification until the qualification of his successor after the election of April, 1957. Before entering upon the duties of his office he shall be sworn or affirmed by a Justice of Peace, or by a notary public, to perform the duties thereof honestly, faithfully and diligently. The Mayor shall have and exercise, within the limits of the Town, all the powers, authorities, jurisdiction and cognizance of a Justice of the Peace of and over all breaches of the peace and other offenses within the said Town, with power to arrest and hold for bail, or fine and imprison all offenders, and of and over all fines, forfeitures and penalties which may be prescribed by any law of this state or by ordinances of the Town Council regularly passed and enacted for the government of the said Town; provided that he shall have no jurisdiction in any civil matter other than to carry out the provisions of this Act and of the rules and regulations that may be adopted for the government of said Town by the persons authorized to adopt the same under

this Act. The fees of said Mayor shall be the same as are allowed Justices of the Peace for similar services under the law of this State; provided that there shall be no Constables' fees. It shall be the duty of the Mayor to keep a book or docket to be called the "Mayor's Court Docket of Elsmere" to be provided by the Council, in which all his official acts shall be entered, which docket may be inspected from time to time by the Council, and he shall upon expiration of his term of office deliver over to his successor all the books, papers, etc., pertaining to his office within ten days after the election and qualification of such successor, and in default of so doing he shall forfeit and pay for the use of the Town the sum of twenty-five dollars (\$25.00) to be recovered before the succeeding Mayor or any Justice of the Peace residing in said Town or in Christiana Hundred.

The Mayor shall submit to the Council at each regular meeting thereof a report of all fines and costs collected by him during the ensuing period, and shall pay over to the Council all such fines as well as costs whereupon the Council, if it be satisfied with his report, shall pay to him the amount of said costs in the same manner as other disbursements are allowed and paid. Failure by the Mayor to pay over said fines and costs or failure to make a report to the Council as aforesaid shall constitute a misdemeanor, which shall be cognizable before any Justice of the Peace resident in New Castle County and shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

The conviction of the Mayor of any felony or of any misdemeanor relating to the conduct of his office shall result in an automatic forfeiture of his office, which shall thereupon be vacant.

Section 21. THE TREASURER

The Treasurer shall be elected at large for the same term as the Mayor, as provided in Sections 5 and 20. He shall be custodian of all funds of the Town of Elsmere and shall deposit them as received in such banking institutions as may be designated by the Council.

He shall not pay out any money except upon check or warrant countersigned by the Mayor and authorized by the Council. He shall attend all meetings of the Council.

The Treasurer shall, before entering upon the duties of his office, give bond to the Town of Elsmere with surety to be approved by the Council in the penal sum of double the amount of what may reasonably be expected to come into his hands, conditioned for the faithful discharge of the duties of his office and for the delivery to his successor in office all books, papers, etc., relating to his said office and all sums of money belonging to said Town which may remain in his hands upon the termination of his office. The cost of said bond shall be paid by the Town of Elsmere. If the Treasurer shall fail to give bond as required by this section, he shall thereby and thereupon forfeit his office and the same shall become vacant, in which case the Council shall appoint some qualified person to serve for the unexpired term. The compensation of the Treasurer shall not exceed Two Hundred and Fifty dollars (\$250.00) per year, but may be paid in equal monthly payments. The salary paid to any one Treasurer shall not be decreased during his current term of office.

Section 22. THE ASSESSOR

The Assessor shall be elected at large at the biennial Town election for the same term as the Mayor, as provided in Sections 5 and 20. His duties shall consist of keeping the records of the assessed values of real property situated within the limits of the Town and re-assessing the said realty from time to time when, by reason of improvements, demolitions, depreciation, subdivision, or any other cause he shall, in the reasonable exercise of his discretion, deem that changes in the assessments of any or all of said realty are proper. The general assessment last made prior to the enactment of this Charter shall constitute and be the assessment of all real property situate within the said Town for the purpose of the Town taxes to be levied for the fiscal year 1955-56, and any change made therein shall not affect the levy of taxes for said year. Thereafter the assessment books shall be closed on the 15th day of April of each year and the taxes levied for the ensuing fiscal year shall be based on the assessments as of said date.

The Assessor may, in his discretion, be guided by the assessment of real property within the said Town by the New Castle County Board of Assessment.

The compensation of the Assessor shall not exceed Three Hundred dollars (\$300.00) per year but may be paid in equal monthly payments. The salary paid to any one Assessor shall not be decreased during his current term of office.

The Council may, in its discretion, appoint one or more persons to assist the Assessor in the performance of his duties.

Section 23. POLICE

It shall be the duty of the Mayor to appoint, by and with the consent of the Council, a police force consisting of a chief and such number of subordinates as the Council shall determine; and the Council shall from time to time make rules and regulations as may be necessary for the organization, government and control of the police force. The chief and members of the police force may be removed by the Council, subject to the provisions of Section 25. They shall preserve peace and order and shall compel obedience, within the Town limits, to the ordinances of the Town and the laws of the State of Delaware; and they shall have such other duties as the Council may from time to time prescribe. They shall execute within the Town limits, criminal process issued by any Justice of the Peace of New Castle County.

Each member of the police force shall be vested with all the power and authority, within the Town limits, which are now or may hereafter be conferred upon any peace officer by the laws of the State of Delaware. In furtherance, and not by way of limitation of the foregoing powers, they may carry firearms, and in case of fresh pursuit of an offender, their power and authority shall extend to any part of the State of Delaware. They shall be authorized to transport prisoners, lawfully detained, without the limits of the Town of Elsmere, and with respect to any such prisoner or prisoners shall have all of the power and authority which they would have while transporting such prisoner or prisoners within the limits of the Town. While on duty, whether within or without the limits of the Town of Elsmere, the members of the said police force shall have the power to arrest upon view for any felony or breach of the peace. The Mayor by and with the consent of Council, may appoint special members of the police force with the same powers and duties as regular members of the police force.

Section 24. BOARD OF HEALTH

At the biennial organization meeting the Council shall appoint a Board of Health consisting of three members, one of whom shall be a practicing physician in the Town of Elsmere, if there be one available; or if not, a practicing physician in New Castle County. The Board shall serve for two years, shall have cognizance of the interests of life and health within the Town and that of the people residing within one-quarter mile of the boundaries of said Town, except where such area outside of the Town may lie within the jurisdiction of another municipality. The Board of Health shall report to the Council monthly in writing whatever is deemed by the Board to be injurious to the health of the Town, and shall also make recommendations to the Council of whatever may contribute to useful sanitary information. The Board shall also have all powers and duties enumerated by the laws of the State of Delaware for local boards of health.

Section 25. COMPENSATION OF OFFICERS AND EMPLOYEES

The Council shall have power to fix the compensation of all officers elected by ballot at the annual organization meeting, and such other officers, employees and agents of the Town, which by it may be deemed proper and necessary for the proper conduct and management of the Town. Any officer or employee may be removed by the Council for sufficient cause; however, after five years' service removal may not be made without a public hearing.

Section 26. BONDING OF CITY OFFICIALS AND EMPLOYEES

The Mayor, the Town Treasurer, the Tax Collector, and such other officers and employees of the Town of Elsmere as the Town may require, shall give bonds for the faithful performance of their duties in such amounts and with such surety as may be approved by the Council or otherwise provided herein. The premiums on such bonds shall be paid by the Town of Elsmere. Failure to give such bond, with surety, shall work an automatic forfeiture of office and the vacancy created thereby shall be filled as herein provided in the case of other vacancies.

Section 27. OATH OF OFFICE

Every member of the Council, the Town Treasurer, Tax Collector, the heads of all Town departments, and such other officials or employees as Council may by ordinance require, shall, before entering upon the duties of their office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the Secretary:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of....., according to the best of my ability."

The Mayor, Members of Council, and Secretary of the Council shall have the power to administer oaths required by this Charter.

Section 28. FISCAL YEAR

The fiscal year of the Town of Elsmere shall begin on the first day of July of each year and shall end on the last day of June. Such fiscal year shall also constitute the budget and accounting year, except as otherwise provided herein.

Section 29. BUDGET

Annually each year and not later than the first Thursday in June the Council shall cause to be submitted a budget containing a financial plan for conducting the affairs of the Town for the ensuing fiscal year.

The budget shall contain the following information:

(1) A detailed estimate of the expense of conducting each department and office of the Town for the ensuing fiscal year; provided that the Council may, if it deems fit, break down such estimate in some appropriate manner other than by departments or offices.

(2) The value of supplies and materials on hand, together with the nature and kind of any machinery or other implements and the condition thereof.

(3) The amount of the debt of the Town, together with a schedule of maturity of bond issues.

(4) A statement of the amount of interest on the bonded debt, the amount necessary to pay any bond maturing during the year, and the amount required for the sinking fund, if any.

(5) An estimate of the amount of money to be received from taxes and all other anticipated income of the Town from any source or sources.

(6) Council shall allow adequate reserve for depreciation.

The budget shall be used as a guide in determining Town expenditures but shall not be a limitation upon the power of the Council to appropriate funds in excess of the amounts set forth in the budget, if in its discretion it seems advisable to do so.

Section 30. INDEPENDENT ANNUAL AUDIT

At least once in any given year the Council shall designate a certified public accountant or firm of certified public accountants who shall make an independent audit of accounts and other evidence of fiscal transactions of the Town government and shall submit their report to the Council. In election years this audit shall be made as of the last day of the terms of the Mayor and Council. The said accountants shall have no personal interest direct or indirect in the fiscal affairs of the Town government or any of its officers. They shall not maintain any accounts of the Town business, but shall within specified limits approved by the Council audit the books and documents of the Treasurer or other appropriate officer or any separate or subordinate accounts kept by any other office, department or agency of the Town government. When received, the report of the auditors shall become part of the minutes of the Council, and

shall be available for inspection by any citizen of the Town at such reasonable times as may be determined by the Council.

Section 31. POWER TO RAISE REVENUE

The Council shall have the power to levy and collect taxes on real property within the limits of the Town, except that which is not assessable and taxable by virtue of any law of the State of Delaware; provided that the amount so collected shall not exceed Seventy-Five Thousand dollars (\$75,000.00) in any one fiscal year clear of all delinquencies and expenses of collection. The Council shall have the right to grant and refuse and to charge fees for licenses or permits for traveling shows and other business of any description within the limits of the Town. The Council shall also have the power to collect franchise fees and to impose sewer rentals on sanitary sewers.

The Council may, in its discretion, exempt from Town taxation any manufacturing plant employing fifty or more employees hereafter established within the Town of Elsmere or brought within the boundaries of the Town by virtue of any annexation for a period of ten years from the time said plant is established or brought within the boundaries of the Town of Elsmere.

The Council shall have the power by ordinance to allow for discounts for early payment of taxes, to impose reasonable penalties, interest and forfeitures for tax delinquencies and to review and determine proper and appropriate properties to be exempt from taxation.

The Council shall have the power to fix the rates for general utility services operated by the Town and to collect and utilize revenues from such utility services for the benefit of the Town.

Section 32. THE TOWN MAY ENGAGE IN BUSINESS

Except as prohibited by the Constitution of the State of Delaware or by this Charter, the Town of Elsmere shall have the right to engage in any business or enterprise in which a person,

firm, or corporation may engage; and shall have the right to purchase, own and maintain within or without the corporate limits of such Town, all real estate for municipal purposes for sites and rights-of-way for public buildings, parks, sewer systems, sewerage treatment plants, water systems, water plants or other municipal purposes for the location, erection and maintenance thereon of public facilities for the uses aforesaid.

In any case where the Council may deem it to be to the best interests of the people of the Town of Elsmere to acquire properties of any privately owned sewer system, sewerage treatment plant, water system or water plants used for municipal purposes within the present or future boundaries of the Town, the question shall be submitted to a vote of the residents of the Town of Elsmere. Council may at any time, call a special election for such purposes upon thirty (30) days' notice. In acquiring said utility property, the Town of Elsmere shall in all respects adhere to the general laws of the State of Delaware insofar as they relate to the purchase of utility properties heretofore described by municipalities. The Town Council shall be authorized to negotiate the aforementioned purchase only upon the approval of a two-thirds majority of the voters of the Town of Elsmere.

Section 33. POWER TO BORROW MONEY

The Town of Elsmere may incur indebtedness by issuing either general obligation bonds or certificates of indebtedness secured by the full faith and credit of the Town of Elsmere or revenue bonds, either in whole or in part of the total amount necessary to provide funds for the erection, extension, enlargement or repair of any plant, machinery, appliances or equipment for the furnishing of water to the public, for the construction, repair, or improvement of highways, streets or lanes, or the paving, curbing or erection of gutters along the same; for the construction or repair of sewers or sewage disposal equipment; or to defray the cost of the share of the Town of Elsmere in the cost of any permanent municipal improvement. If general obligation bonds are issued, the total outstanding debt secured by such bonds shall not exceed 3% of the aggregate assessed value of real property in the Town.

If revenue bonds are issued, each such bond shall recite in substance that said bond, including interest thereon, is payable from the revenue pledged to the payment thereof, and that said bond does not constitute a debt of the Town of Elsmere within the meaning of the Bonded indebtedness limitation. If revenue bonds are issued, the Council shall prescribe and collect reasonable rates, fees or charges for the service, facilities and accommodations of said undertaking and shall revise such rates, fees or charges from time to time whenever necessary so that such undertaking shall be and always remain self-supporting. The rates, fees or charges prescribed shall be such as will procure revenue at least sufficient (a) to pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged or otherwise encumbered, including reserves therefor, and (b) to provide for all expenses of operation and maintenance of such undertaking, including reserves therefor.

Before the Town of Elsmere may incur indebtedness by the issuance of bonds as aforesaid, the borrowing of money shall have been authorized by the Council and shall have been approved in the following manner:

(1) The Council shall by resolution propose to the residents of The Town of Elsmere the purpose or purposes for which the stated amount of money shall be borrowed. The resolution shall state the amount of money desired to be borrowed, the purpose for which it is desired, the manner of securing the same, and all other pertinent facts relating to the loan, including data on total related debt and the debt limitations established by this Charter; shall fix a time and place for hearing on the resolution; and shall provide for publication of an announcement of the hearing in a newspaper of general circulation in New Castle County at least one week prior to the hearing date.

(2) A public hearing shall be held at which time all interested persons wishing to be heard shall be given an opportunity to express their views. Their testimony shall be considered in evidence by the Council.

(3) If Council desires to continue with the bond proceedings, it shall then, by resolution, direct that the question

be submitted to a referendum. An election shall be held not less than 30 days nor more than 60 days after the date of such resolution.

(4) The Council shall cause notice of the time and place for holding the said referendum to be printed in a newspaper of general circulation in New Castle County once each week for three successive weeks prior to the referendum.

(5) The Council shall cause to be prepared, printed, and made available for distribution a sufficient number of ballots not less than five days prior to the day of the referendum. At said referendum only qualified voters of the Town of Elsmere shall be entitled to vote. The Council shall, by resolution, make such further regulations for the conduct of the referendum as it deems appropriate.

(6) The officers of election shall count the votes for and against the proposed loan and shall announce the result thereof; shall make a certificate under their hands of the number of votes cast for and against the proposed loan; and shall deliver the same to the Council, which certificates shall be entered on the minutes of the Council, and the original shall be filed with the papers of the Council. Provided, however, that no bond issue shall be deemed approved unless two-thirds of those voting at such referendum shall vote for such bond issue.

(7) The form of the bonds and certificates of indebtedness, the date of payment of interest, the classes, the dates of maturity, and the provisions pertaining to the registration shall be determined by the Council. The bonds shall be sold to the highest bidder after at least one month's notice published at least twice in a newspaper of general circulation in New Castle County and at least once in a publication carrying municipal bond notices and devoted primarily to financial news. The Council shall provide, in its budget, for revenues sufficient to pay the interest and principal on the said bonds or certificates of indebtedness at the maturity or maturities therefor. The faith and credit of the Town of Elsmere shall be deemed pledged for the due payment of the principal and interest of general obligation bonds issued within the prescribed debt limitation when the same have been properly executed and delivered for value.

Section 34. BORROWING, FOR CURRENT EXPENSES

Whenever the needs of the Town shall require more money than is, at the time, in the Town Treasury from current receipts, the Council shall be authorized and empowered to anticipate current revenue by borrowing such amounts as are needed. Provided, however, that the amount of such indebtedness shall not at any time exceed the sum of Ten Thousand Dollars (\$10,000.00).

To exercise the power aforesaid the Council shall adopt a resolution to that effect. The indebtedness created under this provision shall be evidenced by notes of the Town, and the faith and credit of the Town shall be deemed to be pledged thereby. Such short term debt shall have a maturity of six months or less, and shall not be considered as part of the bonded debt of the Town when limitations under indebtedness as set forth elsewhere in this Charter, are computed.

Section 35. VOTER QUALIFICATIONS

Every person domiciled in the Town of Elsmere who shall have reached the required age to vote in State elections, who is a citizen of the United States and who has been domiciled in the State of Delaware for at least one year and in the Town of Elsmere for at least thirty (30) days preceding the election, and whose name is recorded in the registration books of the Town of Elsmere shall be entitled to vote at the biennial municipal elections, special elections, and referenda, except as otherwise provided in this Charter.

The registration list of the New Castle County Department of Elections for each district in the Town of Elsmere shall be copied into the registration books of the Town of Elsmere after each General Election in New Castle County.

The Council shall by ordinance provide for the supplemental registration of voters and shall prescribe procedures for the registration of voters in each of the respective districts, provided, that there shall be at least two registration days in each election year, the last of which to be not more than 30 days

prior to the election. The ordinance may provide for permanent registration lists. There need be no special registration for referenda, and special elections, but the qualifications for voting at such shall be based upon the last previous registration.

Section 36. NOMINATIONS

All nominations shall be by petition. Each nominating petition shall bear the names of ten qualified voters in the Town of Elsmere and petitions for candidates for Town Council shall each contain the signatures of ten qualified voters residing in the district from which the candidate seeks election. The nominating petition for each candidate must be filed with the Secretary at least 30 days before the municipal election is held and checked by him forthwith. The Secretary shall furnish each candidate with a voting list 15 or more days prior to said election.

Section 37. ABSENTEE VOTING

The Council may prescribe by ordinance in accordance with State Law absentee ballots for persons who may be absent from the Town during the time of an annual municipal election, special election or referendum or who because of sickness or because of physical disability cannot appear at the polling place on the day of the holding of any biennial municipal election, special election or referendum.

Section 38. ELECTIONS

A regular municipal election shall be held on the last Saturday in June, 1955 or on the first Saturday which shall be more than 60 days after the enactment of this charter, which ever is later, and on the last Saturday of April in each second year thereafter. Council shall by ordinances set the hours during which the polls shall be open. The Council shall designate the place or places of election and make all necessary rules and regulations not inconsistent with this Charter nor with the general laws of the State of Delaware for the conduct of elections, for the prevention of fraud in elections and for the recount of ballots in case of doubt or fraud.

At least ten days previous to such election, due notice thereof and of the time and place or places thereof shall be given by the Council. At all such elections the votes shall be received at each polling place by three qualified voters of said Town appointed by the Council from lists of five voters in each district supplied by each political party at any regular or special meeting thereof held in the month preceding said election. Not more than two of the election officers in any district shall be members of the same political party, and no political party shall have a majority of election officers in more than half of the election districts. One of the said persons for each polling place shall be designated as the inspector and the other two as judges of the election, and the three at each polling place shall be known as officers of election, and no such person shall be a candidate for office at any such election; in addition to the election officers there shall be two clerks at each polling place, each of which shall represent one of the two political parties. The clerks shall be appointed by the Council from a list of three names from each district submitted by each political party. The result of the balloting at each polling place for said officers of said Town shall be ascertained by the said officers of election, who shall certify the said results under their hands to the Council. The Council may appoint clerks to assist the officers of election.

In case of referenda or special elections, the same procedure shall be followed to the extent applicable as with respect to the regular elections and the penalty for fraud and misconduct shall be the same.

Section 39. BALLOTS

For the purpose of the regular Town elections a separate form of ballot shall be provided for each district, which ballot shall contain, in addition to the names of the candidates for the Town Council running in that district, the names of the candidates for those offices which are voted upon at large. The ballots provided for the purpose of the municipal election shall bear a party designation and shall contain a list of the candidates by party under the offices to which they seek election. Official ballots shall not be used as sample ballots but shall be used only at the election. The officers of the election shall not supply any

ballots to any person except one ballot to each voter, proper to his district, as he enters the polls to vote. In the event of spoilage of a ballot, the spoiled ballot must be returned by the voter to entitle him to a new ballot. No ballot other than those supplied by the officers of election shall be used at the municipal election and the ballots shall contain only the names of candidates duly nominated by petition as hereinbefore described. Council may by ordinance provide for the use of voting machines in municipal elections.

Section 40. CONTRACTS

All contracts of whatever character involving an expenditure above an amount determined by resolution of the Council shall be written and shall be let and made by the Council and shall be based on specifications provided by the appropriate person designated by the Council.

Pending advertisements for bids, any plans, specifications, and profiles to be used in the proposed work or contract shall remain on file in the office of the Council and shall be subject to the inspection of any interested person. All contracts and purchase above an amount determined by resolution of the Council shall be entered into and made only after advertising not less than two times in a newspaper of general circulation in New Castle County, inviting competitive bids. Each such bid shall be sealed and filed with the person designated by the Council. All bids shall be opened in the presence of the Council or a duly authorized committee of the Council and shall remain on file.

The Council shall consider all bids which have been properly filed and may enter into a contract with the party offering the lowest and/or best bid, or they may reject all bids and re-advertise for bids, or they may have the work done under the supervision of the proper department of the Town. The awarding of a contract to the successful bidder shall give no right of action or claim against the Town upon such bid or contract until the same shall be reduced to writing and duly signed by the contracting parties. The Council shall have the power to require all bidders to post bonds to secure the performance of the contract and the payment of all claims for labor and material used in the work.

Section 41. FEES

All fees and monies received by any officer or employee shall belong to the Town of Elsmere and shall be paid weekly to the Treasurer unless otherwise provided herein or by ordinance.

Section 42. ASSESSMENT APPEALS

On or before May 1 of each year the Assessor shall prepare and submit to the Council two or more copies of the assessment of all realty within the Town, showing the location of each parcel of real estate, by street and number or other suitable description. When Council approves the said assessment roll, it shall cause a full and complete transcript thereof, as prepared by the Assessor or as modified by Council to be made available within the Town on or before the second Monday in May at a place designated by the Council, there to remain for inspection by any property owner up to but not including the appeal day. Notice of the time and date for the hearing of appeals shall be advertised at least twice in a newspaper of general circulation in New Castle County. Such notice shall show the time and place where the assessment list may be viewed and the time and place of hearing appeals.

On the fourth Monday of May the Council shall hold a Court of Appeals which shall continue open from 7:00 o'clock p. m. to 10:00 o'clock p. m., during which time the Council shall hear and determine appeals from the said assessment and shall make such corrections and additions as may be deemed necessary and proper. If the said appeal day shall fall on a holiday, the appeals shall be heard on the next business day. The decision of a majority of the Council shall be final and conclusive in respect to all appeals.

No member of Council shall sit on his own appeal, but the same shall be heard and determined by the other members of Council. After the said valuation and assessment shall be examined and adjusted by the Council, all property taxes shall be levied on real property thus assessed in just and equal proportions.

Section 43. COLLECTION OF TAXES AND SPECIAL ASSESSMENTS

At the biennial organization meeting the Council shall elect some suitable person Tax Collector of the Town to serve for the term of two years or until his successor is duly elected and qualified. On or before the first day of July of each year, the Council shall furnish the Tax Collector with a list containing the names of the owners of all real estate within the Town, and opposite the name of each description of the said real estate as the same appears on the assessment of the Town, together with the assessed valuation of each said parcel of real estate as finally determined by the Council. Said list shall also contain, with respect to each designation of property, where applicable, the amount or amounts of any special assessment or assessments levied as hereinafter provided. At the same time the Council shall furnish the Tax Collector with the rate of general taxation per One Hundred dollars (\$100.00) of assessed valuation. The list shall be certified by the Town Secretary. All taxes shall be paid to the Tax Collector, subject to such discounts, penalties and interest as Council may direct.

The Tax Collector on the first day of July shall proceed to collect the taxes, based upon said list, and in collecting the same shall have the same powers as are given by law to the Receiver of Taxes and County Treasurer of New Castle County. All taxes shall be due and payable on the first day of July of the year during which said taxes are levied. No legal proceedings shall be instituted for the collection of taxes until after the last day of February following the year after the year during which said taxes are levied; provided that if any person or persons shall remove from said Town after the first day of August, his or their taxes shall become immediately due and payable.

The Tax Collector shall, before entering upon his duties, give bond to the Town of Elsmere with sufficient surety to be approved by the Council, in the penal sum of double the amount of what may be likely to come into his hands, conditioned for the faithful discharge of the duties of his office. The cost of said bond shall be paid by the Town. The said Tax Collector shall render an account and pay unto the Town Treasurer all money

in his hands upon the expiration of his term of office and at such other time or times as the Council may designate. The compensation of the Tax Collector shall be fixed by the Council.

In the event that any Town taxes remain unpaid after the last day of February following the year after the year during which the said taxes were levied, the Town of Elsmere may file, or cause to be filed, a Praeipie in the office of the Prothonotary of the Superior Court in New Castle County, which Praeipie shall contain the name of the person against whom the taxes or assessments sought to be collected were assessed, and a copy of the bills showing the amount of taxes or assessments due and the property against which the assessment was laid; and the statement of the lot number or numbers of the particular section in which said property is located or the street number or numbers shall be sufficient identification and description of said property. The Prothonotary shall make a record of same on the judgment records of said Superior Court against the property mentioned or described in said Praeipie. Thereafter upon a Praeipie for Monition filed in the office of said Prothonotary by the Town of Elsmere through any person authorized on its behalf to collect taxes or assessments due to the Town of Elsmere, a Monition shall be issued by the Prothonotary aforesaid to the Sheriff of New Castle County, which Monition shall briefly state the amount of the judgment for the taxes or assessments due and the years thereof, together with a brief description of the property upon which said taxes or assessments are a lien; and a description of such property by street and number or by lot number or numbers of the particular section in which said property is located shall be a sufficient description. Said Monition shall be in substantially the following form:

To all persons having or claiming to have any title, interest or lien upon the within described premises, take warning that unless the judgment for the taxes or assessments stated herein is paid within twenty days after the date hereof, or within such period of twenty days evidence of the payment of taxes herein claimed shall be filed in the office of the Prothonotary, which evidence shall be in the form of a receipted bill or duplicate thereof, bearing date prior to the filing of the lien in the Office of the Prothonotary for New Castle County, the Town of

Elsmere may proceed to sell property herein mentioned or described for the purpose of collecting the judgment for the taxes or assessments herein stated:

Name of Person in whose name property is assessed	Description of property	Year or years	Amount of Judgment
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Said Monition, or copy thereof, shall be posted by the Sheriff upon some prominent place or part of the property against which said judgment for the taxes or assessments is a lien. The Sheriff shall make due and proper return of his proceedings under said Monition to said Prothonotary within ten days after the posting of said copy of Monition as aforesaid. Alias or Pluries Monition may issue upon like Praeceptum. The posting of said Monition shall constitute notice to the owner or owners and all persons having any interest in said property.

At any time after the expiration of twenty days following the return of the Sheriff upon such Monition, unless before the expiration of said twenty days the said judgment and costs on said judgment shall be paid or evidence of the payment of such taxes evidenced by a receipted bill or a duplicate thereof bearing date therefor prior to the filing of said lien for record in the office of the Prothonotary as aforesaid, upon Praeceptum filed by the Town of Elsmere, a writ of Venditioni Exponas shall issue out of the office of the said Prothonotary directed to the Sheriff commanding the Sheriff to sell the property mentioned or described in said writ and make due return of his proceedings thereunder in the same manner as is not applicable with respect to similar writs of Venditioni Exponas issued out of the said Superior Court.

NEW CASTLE COUNTY

THE STATE OF DELAWARE

TO THE SHERIFF OF NEW CASTLE COUNTY
GREETINGS

} SS.

WHEREAS, by a Monition issued out of the Superior Court, dated at Wilmington, the.....day of.....A. D., 195..., IT WAS COMMANDED, that you should post the said Monition or copy thereof upon the real estate therein men-

tioned and described, and make a return to the said Superior Court within ten days after said posting. That on the..... day of.....A. D., 195..., you returned that a copy of the said Monition was posted on the real estate therein mentioned and described on the.....day of..... A. D., 195....

We therefore now command you to expose to public sale the real estate mentioned and described in said Monition as follows:

And that you should cause to be made as well a certain debt of.....Dollars (\$.....) lawful money of the United States, which to the said Town of Elsmere, a municipal corporation of the State of Delaware, is due and owing, as also the sum of.....Dollars (\$.....) lawful money as aforesaid, for its costs, which it has sustained by the detaining of that debt, whereof the said.....was convicted as it appears of record and against which said property it is a lien;

And have you that money before the Judges of our Superior Court at Wilmington, on Monday the.....day ofnext, to render to the said Town of Elsmere, a municipal corporation as aforesaid, for its debt and costs as aforesaid, and this writ;

WITNESSETH, the Honorable.....
at Wilmington the.....day of.....A. D., 195...

.....
Prothonotary

Upon the return of the proceedings under said writ of Venditioni Exponas, the Superior Court may inquire into the regularity of the Proceedings thereunder, and either approve the sale or set it aside.

Any real estate or interest therein sold under the provisions hereof shall vest in the purchaser all the right, title and interest of the person in whose name said property was assessed, and/or all right, title and interest of the person or persons who are the

owner or owners thereof, and likewise freed and discharged from any dower or curtesy or statutory right, in the nature of a dower or curtesy, whether absolute or inchoate, in or to said real estate, and from all equity of redemption and liens and encumbrance held by persons and corporations against such property.

The owner of any such real estate sold under the provisions of this Act or his legal representatives may redeem the same at any time within one year from the day said sale thereof is approved by the Court, by paying to the purchaser or his legal representatives, successors or assigns, the amount of the purchase price and fifteen per cent in addition thereto, together with all costs incurred in the cause; or if the purchaser or his legal representatives, successors or assigns shall refuse to receive the same, or do not reside or cannot be found within the Town of Elsmere, by paying said amount into said Court for the use of said purchaser, his legal representatives or assigns.

In the event that the owner of said property or his legal representatives shall fail to redeem said property as herein provided, the purchaser of said property or his legal representatives, successors or assigns may present a Petition to the Superior Court setting forth the appropriate facts in conformity with this Act and pray that the said Superior Court make an order directing the Sheriff, then in office, to execute, acknowledge and deliver a deed conveying the title to said property to the Petitioner; and thereupon the said Superior Court shall have power, after a hearing upon said Petition, to issue an order directing the Sheriff to execute, acknowledge and deliver a deed as prayed for in said Petition, and a description of said property by street number or by lot number or numbers of the particular section in which said property is located, together with a description of said property by metes and bounds.

If the owner of any real estate sold under an order of sale or his legal representative shall redeem said real estate, he may prefer to said Superior Court a petition setting forth that fact and thereupon the said Superior Court, after hearing and determining that facts set forth in said petition, shall have power to cause to be entered upon the record of the Judgment, under which said real estate was sold, a memorandum that the real

estate described in the proceeding upon which said Judgment was entered has been redeemed and thereafter the said owner shall hold such redeemed real estate subject to the same liens, and in the same order of priority as they existed at the time of the sale thereof, excepting so far as the said liens have been discharged or reduced by the application of the proceeds by the said Sheriff from the said sale.

No Monition proceedings shall be brought under this Act unless the tax or assessment sought to be collected hereunder shall at the time of the filing of said Petition in the Office of the Prothonotary be and constitute a lien on the property against which the tax or assessment was assessed or laid. All taxes for Town purposes which may hereafter be lawfully assessed on real estate in the Town of Elsmere shall constitute a prior lien thereon for a period of ten years from the first day of July succeeding the assessment of said taxes, but if the said real estate remains the property of the person to whom it is assessed, the lien shall continue until the tax is collected, and may, with all incidental costs and expenses, be collected by sale thereof as hereinbefore provided. The said tax lien and costs and reasonable counsel fees for the collection thereof shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility which the real estate may be charged with or liable to. The Town of Elsmere shall have the authority to authorize any person or persons to make a bid or bids at the sale of any real estate under the provisions of this Act and in the event that such person or persons is the highest and best bidder or bidders therefor the title thereto shall be taken in the name of the Town of Elsmere, a municipal corporation of the State of Delaware. The Town of Elsmere, by resolution duly adopted, is authorized and empowered to sell and convey any real estate purchased under the provisions of this Act.

Whenever the Superior Court is mentioned in this Statute the same shall be held to embrace the Judges or any Judge thereof, and any act required or authorized to be done under this Act may be done by the said Superior Court or any Judge thereof in vacation thereof, as well as in term time.

The fees and costs to be fixed in all Monition proceedings under this Act where not otherwise provided for, shall be as follows:

The following fees shall be charged by the Prothonotary:

Filing Praeipe	\$1.10
Issuing Monition and copy	2.75
Issuing Alias or Pluries Monition and copy.	2.75
Writ of Venditioni Exponas	2.25
Filing any Petition in Superior Court under this Act	1.00
Cost of paying money into Superior Court.	1.00
Cost of paying money out of Superior Court for each check drawn	1.00

The following fees shall be charged by the Sheriff:

Posting Monition	\$.75
Posting each Alias or Pluries Monition or Copy thereof .....	.75

All other charges not covered by this Act shall be the same as are now provided by law.

The foregoing method for enforcing the collection of Town taxes shall not preclude the enforcement of payment thereof by appropriate civil suit against the person or persons personally liable for their payment by reason of said person or persons having been the owner of said real estate at the time when the said taxes became a lien.

Section 44. ACQUISITIONS OF PROPERTY

The Town of Elsmere is hereby authorized and empowered whenever it shall deem it necessary and expedient for any municipal purpose to obtain and acquire property either within the boundaries of said Town or outside said boundaries and to obtain legal title to said property by appropriate conveyances.

Section 45. LEVYING OF SPECIAL ASSESSMENTS

The Town of Elsmere is hereby authorized and empowered to levy and collect special assessments upon property in a limited and determinable area including such real estate as would be otherwise exempt from county and municipal assessment and taxation by virtue of any law of the State of Delaware, for

special benefits accruing to such property as a consequence of any municipal public work or improvement; and to provide for the payment of all or any part of the costs of the work, service or improvement out of the proceeds of said special assessments.

Section 46. POWER OF THE TOWN OF ELSMERE OVER STREETS

The Council shall have the power and authority to lay out, locate and open new streets and to widen or to alter existing streets or parts thereof and to vacate and abandon streets or parts thereof whenever they shall deem it for the best interests of the Town; provided, however, that this power shall not be exercised with respect to property owned by the State of Delaware or any agency thereof without the approval of the State or State agency. In the event that condemnation of private property may be necessary in connection with the aforementioned powers of the Town with respect to streets, the manner and procedure thereof shall be as set forth in Title 10, Chapter 61, Delaware Code of 1953.

Section 47. SEWER AND WATER MAIN IMPROVEMENTS

The Council shall have the entire jurisdiction and control within the limits of said Town of the drainage thereof, and the right to alter and change the course and direction of any of the natural water courses, runs or rivulets within the limits of said Town, and may pass ordinances for the construction of water mains and the opening of gutters, drains and sewers within the limits thereof, and the regulating and maintaining, cleansing, and keeping the same and the natural water courses, runs and rivulets within the said limits open, clean and unobstructed; and for that purpose may authorize the entry upon private lands and take, condemn and occupy the same in the same way and under the same rules and procedure as hereinbefore provided in case of streets, etc., and by general regulations prescribe the mode in which they shall be altered, changed, opened, maintained, cleansed, and kept open and unobstructed, and shall bear the expenses thereof and may in its discretion assess the costs of sanitary sewers upon the property particularly benefited thereby, including such real estate as would be otherwise exempt from

municipal assessment and taxation by virtue of any law of the State of Delaware, anything to the contrary herein notwithstanding, and prescribe the mode of collection thereof; provided, that nothing herein contained shall be construed to authorize the taking of private property for public use without just compensation.

Whenever the Council of the Town of Elsmere shall determine, either on petition by a majority in numbers or in interest of the property holders abutting a proposed sanitary sewer construction, improvement, alteration, or repair or on its own initiative, that such construction, improvement, alteration, or repair of sanitary sewers is required, it shall order the Town Engineer to proceed in accordance with law to undertake work and surveys necessary to make a report estimating cost and apportioning assessments. The Council shall then proceed as hereinbefore described for street improvements. The Council may perform such construction, improvement, alteration or repair by contract or municipal agency. Provided, that assessment for the construction, improvement, alteration, repair and operation of sanitary sewers may be upon the property abutting upon that portion of the street in which any sanitary sewer may be constructed under the provisions of this Charter including such real estate as would be otherwise exempt from county and municipal assessment and taxation by virtue of any law of the State of Delaware, anything to the contrary herein notwithstanding, and shall be based upon the lineal feet of such property abutting on such street, each such lineal foot being assessed alike. In the case of property situated at the corner of two such streets or otherwise so situated as to be assessed for the cost of building a sanitary sewer in one of such streets, only the front of such property shall be liable for such assessments. The Council on individual appeals according to rules established by them, shall in all cases decide what portion of the corner property shall be considered frontage and what portion side frontage. Provided that in all corner properties the side frontage shall not exceed one hundred and twenty-five (125) feet and side frontage thus determined shall be exempt from the payment of any sanitary sewer assessment, unless the owner thereof should, after the side frontage is fixed as aforesaid, decide to make such side frontage the front of said property, in which case the owner shall pay such additional assess-

ment as the Council may determine. No property shall be assessed for the cost of constructing the sanitary sewer and connecting the same with the disposal plant, unless such property shall abut and be bounded by that portion of the street in which a sanitary sewer has been built, or unless such property has the right of access to such street or desires to use such sanitary sewer and the sanitary sewer is constructed upon the street upon which the property abuts, in either of which cases such property shall be liable for the same assessment as though a sanitary sewer was constructed in the portion of the street on which such property abuts and the property shall not be liable for any further assessment for sanitary sewer purposes. Where any such assessments shall be made upon any land for the cost of constructing a sanitary sewer and connecting it with a disposal plant, the Council shall have the right to compel the owner to connect any building or structure erected as may be prescribed by the Council from time to time. The word streets shall be deemed and held to comprehend and include highways, lanes and alleys.

Section 48. SIDEWALKS

Whenever the Town of Elsmere shall have determined that any paving, of the sidewalks or any or either or all of them shall be done, it shall notify the owner or owners of land in front of whose premises the same is to be done, particularly designating the nature and character thereof, and thereupon it shall be the duty of said owner or owners to cause such paving, to be done in conformity with said notice. In the event of any owner neglecting to comply with said notice for the space of thirty days, the Council may proceed to have the same done, and when done the Treasurer of the Town of Elsmere shall as soon as convenient thereafter present to the said owner or owners of such lands, a bill showing the expense of paving. If such owner or owners be not resident in the Town of Elsmere, such bill may be presented to the occupier or tenant of said land or if there be no occupier or tenant resident in the Town of Elsmere, such bill may be sent by mail to such owner or owners, directed to him or them at the post office nearest his or their residence. If such bill be not paid by the owner or owners of such lands within thirty days after the presentation, then it shall be the duty of the Council to issue an order in the name of "Town of

Elsmere" under the hand of the Mayor, and the seal of the said corporation, directed to the Treasurer of the Town of Elsmere, commanding him to proceed to collect said delinquent assessment as levied in accordance with the authority granted under Section 43, "Collection of Taxes and Special Assessment" of this Act. The claim for paving shall be a lien on the premises in front of which the said work was done except such real estate as is exempt from county and municipal assessment and taxation by virtue of any law of the State of Delaware, and shall have the same priority and be collectable in the same manner as municipal property taxes. If any new paving is ordered by the Council as aforesaid, in front of lot or lots held or owned by a widow or widows as and for her or their dower, such expense incurred as aforesaid shall be paid by the owner or owners of the reversion in fee simple. All subsequent repairs named in this Act are to be kept up at the expense of such tenant in dower. Any notice required by this section to one co-owner, shall be notice to all; and in case no owner shall reside in the Town, notice may be served upon the occupier or tenant of said premises resident in the Town, and if there be no such occupier or tenant, it shall be sufficient to send said notice by mail to any owner of said premises, directed to him or her at the post office nearest his or her residence. The provisions hereinbefore contained in this section, shall apply to any order made by the Council in respect to any such paving, heretofore done, which the Council may deem insufficient or to need repairing. The Council in addition to the provisions of this section hereinbefore shall have power and authority to enforce by ordinance, all the requirements of this section by imposing such fines and penalties as shall be in the judgment of the Council necessary and proper.

Section 49. PAVING OF UNPAVED STREETS

Upon the written petition of eighty per cent of the property-owners on an unpaved or unopened street the Council may order the paving or opening of that street. One third of the cost shall be paid by the Town, and the remaining two-thirds of the cost shall be paid by the property owners on the street to be opened or paved except such real estate as is exempt from county or municipal assessment and taxation by virtue of any law of the State of Delaware. When the paving is complete, the Trea-

suror of the Town of Elsmere shall as soon as convenient thereafter present to the said owner or owners of such lands, a bill showing the expense of paving. If such owner or owners be not resident in the Town of Elsmere, such bill may be presented to the occupier or tenant of such land or if there be no occupier or tenant resident in the Town of Elsmere, such bill may be sent by mail to such owner or owners, directed to him or them at the post office nearest his or their residence. If such bill be not paid by the owner or owners of such lands within thirty days after the presentation, then it shall be the duty of the Council to issue an order in the name of "Town of Elsmere" under the hand of the Mayor, and the seal of the said corporation, directed to the Treasurer of the Town of Elsmere, commanding him to proceed to collect said delinquent assessment as levied in accordance with the authority granted under Section 43, "Collection of Taxes and Special Assessments" of this Act. The claim for paving, shall be a lien on the premises in front of which the said work was done except such real estate as is exempt from county and municipal assessment and taxation by virtue of any law of the State of Delaware, and shall have the same priority and be collectable in the same manner as municipal property taxes. If any new paving is ordered by the Council as aforesaid, in front of lot or lots held or owned by a widow or widows as and for her or their dower, such expense incurred as aforesaid shall be paid by the owner or owners of the reversion in fee simple. All subsequent repairs named in this Act are to be kept up at the expense of the Town of Elsmere. Property owners shall not be assessed under this section for the repaving or repair of streets now paved. Any notice required by this section to one co-owner, shall be notice to all; and in case no owner shall reside in the Town, notice may be served upon the occupier or tenant of such premises resident in the Town, and if there be no such occupier or tenant, it shall be sufficient to send said notice by mail to any owner of said premises, directed to him or her at the post office nearest his or her residence. The provisions hereinbefore contained in this section, shall apply to any order made by the Council in respect to any such paving, heretofore done, which the Council may deem insufficient or to need repairing. The Council in addition to the provisions of this section hereinbefore shall have the power and authority to enforce by ordinance, all the requirements of this section by

imposing such fines and penalties as shall be in the judgment of the Council necessary and proper.

Section 50. PROCEEDING MAY BE ABANDONED

The Council may by resolution, abandon in whole or in part at any time during the pendency thereof or within sixty days after the final order of any court upon appeal from an award or assessment. When proceedings are abandoned by resolution of the Council, as provided by this Section, the Council may not begin new proceedings involving the same work, service, improvement, or action within six months after abandonment. If prior to the resolution of abandonment, possession of condemned property has been taken, the owner shall have a right of action to recover damages for the use and occupation with interest thereon from the date when possession was taken.

Section 51. ASSESSMENTS PAYABLE IN INSTALLMENTS

The Council may provide for the payment of special assessments, for whatever purpose levied, by installments, but assessments for permanent improvements shall be payable within ten years in annual or more frequent installments, and assessments for current service shall be payable within one year.

Section 52. ASSESSMENTS NOT TO EXCEED VALUE OF BENEFIT

The amount assessed against any property for any work or improvement shall not exceed the value of the benefits accruing to the property therefrom.

Section 53. NEW DEVELOPMENTS AND SUBDIVISIONS

Whenever it is contemplated that a new real estate development shall be undertaken, the Council shall require the developer to submit plans and supporting documents to the Council for prior approval to the actual construction and/or installation of improvements and utilities.

Whenever the installation of new facilities is contemplated in a partially developed area, the Council shall make a careful determination of the ability of the area to support the cost of the projected improvement before approving it.

Section 54. RETIREMENT PLAN

The Council may provide, by ordinance, a Retirement Plan for any or all groups of employees in the service of the Town of Elsmere.

Section 55. SEVERABILITY OF CHARTER PROVISIONS

If any provisions of this Charter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Charter which can be given effect without the invalid provisions or applications, and to this end the provisions of this Charter are declared to be severable.

Section 56. FORMER GOVERNMENT IN FORCE

All ordinances, resolutions, orders, rules or regulations in force in the Town of Elsmere at the time when this Charter takes effect, regardless of the authority under which originally enacted, shall continue in full force and effect until the Council otherwise provides by ordinance, except to the extent that any such ordinance, resolution, order, rule or regulation may be in contravention of this Charter.

Section 57. CONTINUANCE IN OFFICE

All employees of the Town of Elsmere at the time this Charter goes into effect shall continue in such employment and shall draw the same rate of compensation as during the month preceding the adoption of this Charter until removed or until the compensation is changed.

The President of the Commissioners and the Commissioners holding office on the effective date of this Charter shall continue as the Mayor and the Council until their successors are elected and qualify pursuant to the first general election provided hereunder.

Section 58. ELECTED OFFICERS CANNOT DO BUSINESS WITH THE TOWN

No elected officers of the Town shall have any direct or indirect dominant interest in any firm, partnership, association, proprietorship, or corporation which sells any goods or is paid for any services to or by the Town.

Section 59. EFFECTIVE DATE

This charter of the Town of Elsmere shall take effect upon the qualification of the Town officers elected in accordance with section 38; but the sections of this Charter governing registration, election districts, and elections shall take effect immediately.

NOTE: This bill became a law on July 7, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 429

DEPARTMENT OF ELECTIONS FOR SUSSEX COUNTY

AN ACT TO AMEND CHAPTER 1, TITLE 15 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF ELECTIONS FOR SUSSEX COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 102, § 104, and § 106, Title 15 of the Delaware Code are repealed insofar as said sections relate to a Department of Elections for Sussex County.

Section 2. The Department of Elections for Sussex County as presently constituted is abolished and a new Department of Elections for Sussex County is established as hereinafter provided to exercise the same powers and duties as the present Department.

Section 3. Chapter 1, Title 15 of the Delaware Code is amended by adding at the end thereof a new section to read as follows:

§ 119. Department of Elections for Sussex County; composition; appointment; term; vacancies

(a) The Department of Elections for Sussex County shall consist of five members. One member shall be appointed from each of the five Senatorial Districts in Sussex County. Not more than three members of the Department shall belong to the same political party. The term of office of each member shall be four years.

(b) There are hereby appointed five members of the Department to take office on July 1, 1955 as follows:

Burton Masten, Senatorial District No. 1; J. Fred Miles, Senatorial District No. 2; Sanders P. Darden, Senatorial District No. 3; Donald Hickman, Senatorial District No. 4; Everett Argo, Senatorial District No. 5.

(c) Upon the expiration of the terms of office of the members appointed in subsection (b) and every four years thereafter the Governor shall appoint the five members of the Department. When a vacancy occurs among the members of the Department appointed in subsection (b) from any cause, other than the expiration of a full term, the Levy Court shall fill the vacancy by appointment for the residue of the term. Beginning with the members appointed by the Governor to take office on July 1, 1959, any vacancy shall be filled by the Governor.

Section 4. This Act shall take effect on July 1, 1955.

Section 5. Any act or parts of acts inconsistent with the provisions of this act are repealed to the extent of any such inconsistency.

Section 6. § 108, Title 15, Delaware Code, is amended by changing the period at the end thereof to a comma and by adding thereafter the following words "except that each member of the Department of Elections of Sussex County shall receive as compensation for his services a salary of \$500 per year."

NOTE: This bill became a law on July 11, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 430

APPROPRIATION

STATE DEVELOPMENT DEPARTMENT

AN ACT TO APPROPRIATE FUNDS TO THE STATE DEVELOPMENT DEPARTMENT FOR THE PREPARATION AND PUBLICATION OF A STATE INFORMATION BOOKLET.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of Seven Thousand Five Hundred Dollars (\$7,500.00) is appropriated to the State Development Department for the preparation and publication of a State Information Booklet for distribution by that Department.

Section 2. The said sum shall not revert to the General Fund of the State of Delaware at the end of any fiscal year but shall remain available for the use above listed until expended.

Section 3. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 14, 1955.

CHAPTER 431

APPROPRIATION

STATE HIGHWAY DEPARTMENT

**AN ACT PROVIDING FOR THE ACQUISITION OF LANDS
CONSTITUTING THE BOTTOM OF HORSEY'S POND
AND APPROPRIATING CERTAIN MONEYS TO THE
STATE HIGHWAY DEPARTMENT FOR THE CONSTRUC-
TION OF A DAM AND SLUICeway AT THE OLD DAM
SITE.**

WHEREAS, the mill at Horsey's Pond near Laurel, Sussex County, Delaware, has long been unused and the dam has been permitted to deteriorate and wash away; and

WHEREAS, a pond at said location properly stocked with fish will be a valuable addition to the recreational facilities of the State; and

WHEREAS, the Board of Game and Fish Commissioners is willing and able to stock said pond with fish if the same shall be available to the public for fishing, boating, and other recreational purposes; NOW THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The Board of Game and Fish Commissioners is hereby authorized to acquire in the name of the State of Delaware, by conveyance, lease, or other suitable means, the lands constituting the bottom of Horsey's Pond when the same is filled.

Section 2. Upon the acquisition of the lands constituting the pond bottom as provided in Section 1, The State Highway Department is authorized and directed to construct a dam and sluiceway at or near the site of the former dam at Horsey's Pond near Laurel in Sussex County.

Section 3. The sum of Thirty-Five Thousand Dollars (\$35,000.00) is hereby appropriated to the State Highway Department to carry out construction of the dam and sluiceway as herein provided.

Section 4. The Board of Game and Fish Commissioners and the State Highway Department shall exercise the utmost diligence to complete the work herein authorized by June 30, 1956, but the sums hereby appropriated shall remain available to the State Highway Department until the purposes of this Act have been accomplished, whereupon any unused balance thereof shall revert to the General Fund.

Section 5. This is a Supplementary Appropriation, and the money hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 14, 1955.

CHAPTER 432

APPROPRIATION

DELAWARE STATE COLLEGE

AN ACT MAKING AN APPROPRIATION TO DELAWARE STATE COLLEGE TO PROVIDE FOR THE ERECTION OF CERTAIN BUILDINGS AND FOR THE EQUIPPING AND FURNISHING THEREOF.

WHEREAS, there is a critical need at Delaware State College for the construction of several additional buildings, and

WHEREAS, the buildings needed, among others, include the following: (1) a men's dormitory to cost approximately \$900,000, and (2) a multiple purpose building for physical and health education, teaching of military science and tactics, student recreational center, intercollegiate and intra-mural athletics, and for other purposes, such building to cost about \$750,000, and

WHEREAS, there are certain incidental expenses connected with the erection of the above buildings and the furnishing and equipping thereof, NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of \$1,650,000 or so much thereof as may be necessary is appropriated to Delaware State College for the erection of a men's dormitory and a multiple purpose building at the Delaware State College and for the equipping and furnishing of such buildings and for incidental expenses connected therewith. The funds appropriated need not be expended on each building in the exact amounts listed in the preamble of this Act provided that no funds shall be used for purposes other than those specified and the total expenditure shall not exceed the total appropriation.

Section 2. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of money received by the sale of bonds authorized under a separate Act of the 118th General Assembly. No portion of the money appropriated as aforesaid shall be deemed or held to revert at the end of any fiscal year, but the said appropriation shall remain available until the objects and purposes of this Act have been fully accomplished, provided that such funds shall revert to the General Fund of the State of Delaware on June 30, 1959 if not expended by such date.

Approved July 14, 1955.

CHAPTER 433

APPROPRIATION

STATE BOARD OF EDUCATION

**AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD
OF EDUCATION FOR PAYMENT OF SUBSTITUTE
TEACHERS.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. There is hereby appropriated to the State Board of Education the sum of Eighty-Seven Thousand Dollars (\$87,000) for the fiscal year ending June 30, 1956, and a further sum of Ninety-Three Thousand Dollars (\$93,000) for the fiscal year ending June 30, 1957, for payment of substitute teachers.

Section 2. The State Board of Education shall make the necessary allocation of funds to the districts and shall notify the State Auditor of Accounts of the amount allotted to each qualifying district, and the Auditor shall then cause said amounts to be made available to the districts.

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 of Delaware.

Approved July 14, 1955.

CHAPTER 434

APPROPRIATION

DEPARTMENT OF CIVIL DEFENSE

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF CIVIL DEFENSE FOR THE PURPOSE OF PURCHASING CIVIL DEFENSE EQUIPMENT AND FOR OTHER PURPOSES AUTHORIZED BY THE FEDERAL CIVIL DEFENSE MATCHING FUND PROGRAM.

WHEREAS, it is necessary for the Department of Civil Defense to purchase and acquire equipment and to perform other services for the purpose of carrying out the provisions of the Delaware Civil Defense Law, and

WHEREAS, it is necessary to make an appropriation to carry out such purposes, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is appropriated to the Department of Civil Defense the sum of One Hundred Thousand Dollars (\$100,000) for the biennium ending June 30, 1957 for the purpose of purchasing and acquiring equipment and for performing other services by the Department of Civil Defense and other existing State agencies for Civil Defense, in compliance with the provisions of the Delaware Civil Defense Law.

Section 2. No expenditures from the monies hereby appropriated shall be made unless and until the Federal Government has made available matching funds to this State or its agencies for the purposes stated in Section 1 of this act or for the Organizational Civil Defense Equipment in those cases where Federal matching funds are not available.

Section 3. All expenditures from the monies hereby appropriated shall be made with the advice and consent of the Civil Defense Advisory Council by the State Treasurer on vouchers approved by the Director of Civil Defense and countersigned by the Governor.

Section 4. All monies hereby appropriated, which shall not have been expended for the purposes stated in Section 1 of this act at the end of the biennium ending June 30, 1957, shall revert to the General Fund.

Section 5. This Act shall be known as a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 14, 1955.

CHAPTER 435

APPROPRIATION

UNIVERSITY OF DELAWARE SCHOLARSHIPS

AN ACT TO AMEND CHAPTER 55, TITLE 14, DELAWARE CODE, RELATIVE TO APPROPRIATING CERTAIN MONEY TO THE UNIVERSITY OF DELAWARE FOR THE PURPOSE OF ESTABLISHING SCHOLARSHIPS AT THE UNIVERSITY OF DELAWARE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 5501 (a) (b) (c) and (d) Chapter 55, Title 14, Delaware Code, is amended by striking out all of § 5501 (a) (b) (c) and (d) and inserting in lieu thereof the following § 5501 (a) (b) (c) and (d).

(a) That there is hereby appropriated the sum of Twenty Thousand Dollars (\$20,000.00) annually to the University of Delaware for the purpose of establishing scholarships at the University of Delaware.

(b) The minimum number of scholarships to be awarded in each and every year shall be twenty (20).

(c) The Committee to award such scholarships shall be three in number, and shall be composed of one member of the faculty at the University of Delaware, one member of the Athletic Council at the University of Delaware, and one member of the Alumni Association of the University of Delaware. The said Committee shall be appointed by the Board of Trustees of the University of Delaware for such term or terms as the said Board may deem advisable.

(d) The State Treasurer is hereby authorized and directed to pay to the University of Delaware the said sum of Twenty Thousand Dollars (\$20,000.00) in each and every year upon warrant or warrants signed by the Chairman and Secretary of the Committee.

Section 2. 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 July 14, 1955.

CHAPTER 436

PROVIDING FOR PAY OF SCHOOL EMPLOYEES DURING
CERTAIN ABSENCES**AN ACT TO AMEND TITLE 14, DELAWARE CODE, BY PROVIDING FOR THE PAY OF TEACHERS AND OTHER SCHOOL EMPLOYEES DURING ABSENCES FOR CERTAIN REASONS.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 122 (b), Title 14, Delaware Code, is hereby amended by striking out subsection (12) thereof and inserting in lieu thereof the following:

(12) Determining the hours of daily school sessions and holidays on which the public schools shall be closed, days on which teachers may attend educational activities approved by the State Board of Education and the days on which the schools are closed by the authority of the local board for such reasons as storms, necessary repairs, quarantine, destruction of school property by fire or other causes. Under the above conditions the employee shall suffer no loss of pay.

Section 2. Chapter 13, Title 14, Delaware Code, is hereby amended by adding thereto new Sections as follows:

§ 1317. Sick leave and absences for other reasons

(a) Teachers and other employees shall be allowed ten (10) days of sick leave per year with full pay, and any unused days of such leave shall be accumulated to the employee's credit up to a limit of forty (40) such days.

(b) In the case of a death in the immediate family of the employee, there shall be no deduction of salary of said employee for an absence not to exceed five (5) calendar days. Members of the immediate family shall be defined as: Father, mother, brother, sister, son, daughter, husband, wife, parent-in-law, or

any relative who resides in the same household, or any person with whom the employee has made his or her home. This absence shall be in addition to other leaves granted the employee.

(c) In the case of critical illness in the immediate family as described above, an employee may be absent without loss of pay for a period of three (3) calendar days. The days so lost are to be counted in the sick leave of the employee.

(d) In case of the death of a near relative, there shall be no deduction in the salary of the employee for absence on the day of the funeral. A near relative shall be defined as: First cousin, grandfather, grandmother, aunt, uncle, niece, nephew, brother-in-law, or sister-in-law. This absence shall be in addition to other leaves granted the employee.

§ 1318. Records of absences; proof

Each employing board shall keep an accurate record of the absences from duty and reasons therefor of all employees for whatsoever reason, and may require a statement from the employee when absent because of illness to the effect that he or she was unable to perform his or her duties during the period of absence. The board may request a physician's certificate if in its judgment this is necessary.

§ 1319. Deduction for unexcused absence

For each day's absence without good and sufficient reason accepted by the employing board, the board shall deduct at least 1/20th of the monthly salary of the employee for each day of such absence.

Approved July 14, 1955.

CHAPTER 437

RELATIVE TO SALE OF GAME

AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE, RELATIVE TO SALE OF GAME BIRDS, GAME FISH, AND GAME ANIMALS AND THE PENALTIES PROVIDED THEREFOR.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 721, Title 7, Delaware Code, is hereby amended by striking out the last sentence of Subsection (b) thereof.

Section 2. § 721, Title 7, Delaware Code, is hereby further amended by striking out the word "Subsection" in the first line of the second paragraph of Subsection (a) and inserting in lieu thereof the word "Section".

Approved July 14, 1955.

CHAPTER 438

INCREASING SALARY OF LABOR INSPECTOR

**AN ACT TO AMEND CHAPTER 1, TITLE 19, DELAWARE
CODE, RELATING TO LABOR COMMISSION OF DELA-
WARE BY INCREASING THE SALARY OF THE LABOR
INSPECTOR.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 107 (a), Chapter 1, Title 19, Delaware Code, is amended by striking the figures "2,500" as they appear in the third line of said subsection (a) and by substituting in lieu thereof the figures "3,000."

Approved July 14, 1955.

CHAPTER 439

INCREASING SALARY OF CHILD LABOR INSPECTOR

AN ACT TO AMEND CHAPTER 1, TITLE 19, DELAWARE CODE, RELATING TO THE LABOR COMMISSION OF DELAWARE BY INCREASING THE SALARY OF THE STATE CHILD LABOR INSPECTOR.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 106 (c), Chapter 1, Title 19, Delaware Code, is amended by striking the figures "3,000" as they appear on the last line of said subsection (c) and substituting in lieu thereof the figures "3,400".

Approved July 14, 1955.

CHAPTER 440

RELATING TO LARCENY OF A VEHICLE

AN ACT TO AMEND CHAPTER 37, TITLE 11, DELAWARE CODE, RELATING TO THE CRIMES OF LARCENY AND DRIVING VEHICLE WITHOUT CONSENT OF OWNER.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 37, Title 11, Delaware Code, is amended by adding a new section thereto to read as follows:

§ 3708. Upon the trial of any person for larceny of a vehicle, the jury may acquit of larceny and find a verdict of guilty of driving a vehicle without the consent of the owner thereof, and with intent temporarily to deprive the owner of his possession of such vehicle, but without intent to steal the vehicle, in violation of Section 6702, Title 21, if the evidence warrants such a finding.

Approved July 14, 1955.

CHAPTER 441

EMPLOYEES PENSION PLAN

AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, ENTITLED "EMPLOYEES' PENSION PLAN" BY ALTERING VARIOUS PROVISIONS THEREOF.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 5501, Title 29, Delaware Code, is amended by adding at the end of the paragraph designated as "(1)" under the definition of "Monthly retiring base salary" a new sentence to read as follows:

For the purpose of this chapter, a vacation, such as, but not limited to, that allowed an employee of the school system, shall be regarded as time spent in covered employment.

Section 2. This Act shall be effective as of May 10, 1955.

Approved July 14, 1955.

CHAPTER 442

DUTIES OF TAX DEPARTMENT AS TO LICENSES

AN ACT TO AMEND SECTION 2103, TITLE 30, DELAWARE CODE, RELATING TO DUTIES OF THE TAX DEPARTMENT AS TO LICENSES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2103, Title 30, Delaware Code is repealed, and in lieu thereof the following section is enacted:

§ 2103. Tax Department duties as to licenses; penalty

(a) The Tax Department shall keep a record of all licenses. All provisions of law relative to the duties and powers of the Auditor of Accounts in auditing and adjusting accounts shall apply with equal force and effect to the Tax Department relative to the licenses mentioned in this title.

(b) A failure to deposit to the credit of the general fund of the State all money received for fees or taxes as required by law, shall render the State Tax Commissioner liable for money due the State, and, in addition, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Approved July 14, 1955.

CHAPTER 443

RELATING TO LIST OF INCOME TAX TAXABLES

AN ACT TO AMEND SECTION 363, TITLE 30, DELAWARE CODE, RELATING TO LIST OF INCOME TAX TAXABLES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 363, Title 30, Delaware Code, is repealed.

Approved July 14, 1955.

CHAPTER 444

PENSION BENEFITS FOR WILMINGTON EMPLOYEES

AN ACT TO AMEND CHAPTER 237, 46 LAWS OF DELAWARE, AS AMENDED, RELATING TO PENSION BENEFITS TO EMPLOYEES OF THE MAYOR AND COUNCIL OF WILMINGTON.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members of each Branch concurring therein):

Section 1. Section 11, Chapter 237, Volume 46, Laws of Delaware, is repealed and a new section to be known as Section 11 be inserted in lieu thereof to read as follows:

Section 11. In the event that an employee while in covered employment shall become eligible for Old Age Insurance Benefits (as such term is used in the Federal Social Security Act), the amount to which the employee upon retirement shall be eligible to receive under the provisions of this Act shall be reduced by an amount equal to the benefits payable to the employee under the Federal Social Security Act.

Section 2. Chapter 237, Volume 46, Laws of Delaware, as amended, is further amended by adding at the end a new section to be known as Section 18 to read as follows:

Section 18. The City Treasurer is authorized to require submission by any covered employee or pensioner of such information or such documents as he shall find necessary for the proper administration of this chapter. Where he has reason to believe that an applicant for pension or a pensioner may be eligible for old age insurance benefits under the Federal Social Security Act, the City Treasurer shall require that evidence of application and of notice of award under the Federal Social Security Act shall be submitted promptly to him. Failure to make such submission shall result in postponement of any pension payments under this chapter until these requirements have been met. An initial or amended award of benefits under

the Federal Social Security Act shall be promptly reported by the pensioner to the City Treasurer. Wilful withholding of information as to receipt of Federal Social Security benefits by a pensioner in order to increase the amount of his pension shall cause him to forfeit all his rights and benefits under this chapter.

Approved July 14, 1955.

CHAPTER 445

RELATING TO SOCIAL SECURITY

AN ACT TO AMEND CHAPTER 57, TITLE 29, DELAWARE CODE, RELATING TO SOCIAL SECURITY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 5702, Chapter 57, Title 29, Delaware Code is amended by adding a new sentence to the said section to read as follows:

It is also the policy of the legislature that the protection afforded employees in positions covered by a retirement system on the date an agreement under this Act is made applicable to service performed in such positions, or receiving periodic benefits under such retirement system at such time, will not be impaired as a result of making the agreement so applicable or as a result of legislative enactment in anticipation thereof.

Section 2. § 5701, Title 29, Delaware Code, is amended by adding to the paragraph defining the word "employment" the following:

Service which under the Social Security Act may be included in an agreement only upon certification by the Governor in accordance with section 218 (d) (3) of that Act shall be included in the term "employment" if and when the Governor issues, with respect to such service, a certificate to the Secretary of Health, Education, and Welfare pursuant to section 5710 (b) of this Act.

Section 3. § 5701, Title 29, Delaware Code, is amended by adding immediately before the semi-colon at the end of the paragraph defining the term "Federal Security Administrator," a comma and the following words:

and with respect to any action taken prior to April 11, 1953, includes the Federal Security Administrator and any individual to whom such Administrator had delegated any such function.

Section 4. § 5701, Title 29, Delaware Code, is amended by striking out the paragraph defining the term "Federal Insurance Contributions Act" and substituting in lieu thereof the following paragraph:

The term "Federal Insurance Contributions Act" means subchapter A of chapter 9 of the federal Internal Revenue Code of 1939 and subchapters A and B of chapter 21 of the federal Internal Revenue Code of 1954, as such Codes have been and may from time to time be amended; and the term "employee tax" means the tax imposed by section 1400 of such Code of 1939 and section 3101 of such Code of 1954.

Section 5. Chapter 57, Title 29, Delaware Code, is amended by striking out the term "Federal Security Administrator" wherever it appears and inserting in lieu thereof the term "Secretary of Health, Education, and Welfare."

Section 6. § 5703 (2), Title 29, Delaware Code, is amended by striking the following words:

Sections 1400 and 1410 of

Section 7. § 5703 (3), Title 29, as amended, Delaware Code, is amended by adding immediately before the semi-colon the following words:

except that a modification entered into after December 31, 1954, and prior to January 1, 1958, may be effective with respect to services performed after December 31, 1954, or after a later date specified in such modification.

Section 8. § 5703 (4), Title 29, as amended, Delaware Code, is amended by striking out the word "and" at the end thereof.

Section 9. § 5703 (5), Title 29, as amended, Delaware Code, is amended by changing the period at the end thereof to a semi-colon and adding the following paragraphs:

(6) As modified, the agreement shall include all services described in either paragraph (4) or paragraph (5) of this

subsection and performed by individuals to whom section 218 (d) (3) (C) of the Social Security Act is applicable, and shall provide that the service of any such individual shall continue to be covered by the agreement in case he thereafter becomes eligible to be a member of a retirement system; and

(7) As modified, the agreement shall include all services described in either paragraph (4) or paragraph (5) of this subsection and performed by individuals in positions covered by a retirement system with respect to which the Governor has issued a certificate to the Secretary of Health, Education, and Welfare pursuant to section 5710 (b) of this Act.

Section 10. § 5705 (a), Title 29, Delaware Code, is amended by striking out the words "the amount of tax which would be imposed by section 1400 of" and inserting in lieu thereof the words "the amount of the employee tax which would be imposed by."

Section 11. § 5706 (a) (2), Title 29, as amended, Delaware Code, is amended by inserting immediately before the semicolon the following words:

except that it may exclude services performed by individuals to whom section 218 (d) (3) (C) of the Social Security Act is applicable.

Section 12. § 5706 (c) (2), Title 29, Delaware Code, is amended by striking out the words "the amount of tax which would be imposed by section 1400 of" and inserting in lieu thereof "the amount of the employee tax which would be imposed by."

Section 13. Chapter 57, Title 29, Delaware Code, is amended by adding thereto a new section to be known as section 5710 as follows:

§ 5710. Referenda and certification

(a) With respect to employees of the state the Governor is empowered to authorize a referendum, the cost of such referendum to be borne by the State, and with respect to the em-

ployees of any political subdivision he shall authorize a referendum upon request of the governing body of such subdivision, the cost of such referendum to be borne by the political subdivision; and in either case the referendum shall be conducted, and the Governor shall designate an agency or individual to supervise its conduct, in accordance with the requirements of section 218 (d) (3) of the Social Security Act, on the question of whether service in positions covered by a retirement system established by the state or by a political subdivision thereof should be excluded from or included under an agreement under this Act. The notice of referendum required by section 218 (d) (3) (C) of the Social Security Act to be given to employees shall contain or shall be accompanied by a statement, in such form and such detail as the agency or individual designated to supervise the referendum shall deem necessary and sufficient to inform the employees of the rights which will accrue to them and their dependents and survivors, and the liabilities to which they will be subject, if their services are included under an agreement under this Act.

(b) Upon receiving evidence satisfactory to him that with respect to any such referendum the conditions specified in section 218 (d) (3) of the Social Security Act have been met, the Governor shall so certify to the Secretary of Health, Education, and Welfare.

Approved July 14, 1955.

CHAPTER 446

APPROPRIATION

MARY B. MAYBEE

AN ACT APPROPRIATING CERTAIN MONEYS TO MARY B. MAYBEE, WIDOW OF LYLE T. MAYBEE IN THE DEATH OF HER HUSBAND, WHILE IN THE PERFORMANCE OF OFFICIAL DUTIES IN LINE OF SERVICE OF THE STATE OF DELAWARE.

WHEREAS, on the 20th day of December, 1953, Lyle T. Maybee was fatally injured while in the performance of his duties as Right-of-Way Engineer, of the State Highway Department of the State of Delaware, while driving a State owned car from Milford to Dover; and

WHEREAS, the said Lyle T. Maybee left to survive him a widow, Mary B. Maybee and three children, two of whom were under the age of eighteen years; and

WHEREAS, the accident which caused the death of Lyle T. Maybee could in no wise be attributed to negligence or carelessness on his part; and

WHEREAS, Lyle T. Maybee had been a valued, conscientious employee, whose term extended, uninterrupted from March of 1929 to the date of his death, having served in many posts such as surveyor, inspector, designer, and finally as Right-of-Way Engineer; and

WHEREAS, in recognition of valuable service rendered the State of Delaware, and in recognition of the fact that while in the line of service to the State of Delaware, Lyle T. Maybee met with violent, untimely death through no fault of his own; NOW THEREFORE,

*Be it enacted by the Senate and House of Representatives
of the State of Delaware:*

Section 1. That the State Treasurer be and is hereby directed and authorized to pay to Mary B. Maybee, widow of Lyle T. Maybee, the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00).

Section 2. That this Bill shall be known as a Supplementary Appropriation Bill and the money hereby appropriated shall be paid out of the General Fund of the State Treasury.

Approved July 14, 1955.

CHAPTER 447

BETHANY BEACH

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT TO INCORPORATE THE TOWN OF BETHANY BEACH AND GIVE IT AUTHORITY TO ISSUE BONDS", BEING CHAPTER 212, VOLUME 25, LAWS OF DELAWARE, AS AMENDED, RELATIVE TO THE ELECTION OF THE COMMISSIONERS OF BETHANY BEACH.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected to each House of the Legislature concurring therein):

Section 1. Section 4 of Chapter 212, Volume 25, Laws of Delaware, 1909, is further amended, by striking out all of Section 4 and inserting in lieu thereof a new Section 4 as follows:

Section 4. That on the First Saturday in August in each and every year hereafter, an election shall be held in the said Town of Bethany Beach, at such place as may be designated by the Commissioners, between the hours of one o'clock and four o'clock in the afternoon, at which election the voters of the Town, qualified as hereinafter provided, shall elect Commissioners of the Town of Bethany Beach. Each of the seven (7) Commissioners of the Town of Bethany Beach shall be above the age of twenty-one (21) years, a non-delinquent taxable of the said Town and at the time of his election and during his term of office, a freeholder of said Town. His ceasing to be such freeholder shall, ipso facto, vacate his office. Each of four (4) of such Commissioners shall also reside in Sussex County. Removal from Sussex County of any Commissioner required by the provisions of this Charter to be a resident of Sussex County shall, ipso facto, vacate his office.

The present Commissioners and other officers now serving or by this Charter appointed to serve shall continue to serve as the Commissioners of the Town of Bethany Beach from and after the passage hereof until the expiration of their respective

term or until their successors are duly elected or appointed. At the annual election held on the First Saturday in August, 1955, three (3) Commissioners shall be elected who shall be elected for the term of two (2) years to succeed the expired terms of Chester K. Rickards, Bessie Christian and Louis A. Palmer. The Commissioners so elected shall reside in and be citizens of Sussex County.

At the annual election held on the first Saturday in August, 1956, in accordance with this Charter, four (4) Commissioners shall be elected, one of whom shall reside in and be a citizen of Sussex County whom shall be elected for the term of two (2) years to succeed the expired term of Clarence G. Dudley and three (3) of whom shall be elected for the term of two (2) years to succeed the expired terms of Charles L. Martin, James C. Popham and James Whaley. Thereafter on the First Saturday of August in each and every year, the successors of the Commissioners whose terms expire shall be chosen to serve for the term of two (2) years and until their successors shall be elected in accordance with this Charter. If any vacancy shall occur in said Commission by death, resignation, refusal to serve, or otherwise, the remaining Commissioners shall fill such vacancy for the residue of the whole term.

It shall be the duty of said Commissioners, at least twenty days before the day of holding any such election, to give public notice of the fact and of the place of holding such election by not less than five printed or written notices, posted in five or more of the most conspicuous places in said town, but failure to do so shall not prevent said election from being held, but shall render the Commissioners then in office ineligible for re-election at the next election at which they would be voted for.

Approved July 14, 1955.

CHAPTER 448

RELATION TO EXEMPTION OF TAXES

**AN ACT TO AMEND CHAPTER 81, TITLE 9, DELAWARE
CODE, RELATING TO SPECIFIC ORGANIZATIONS
EXEMPT FROM CERTAIN TAXATION AND ASSESS-
MENT ON REAL PROPERTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 8105, Title 9, Delaware Code, is amended by adding at the end thereof the name "Wilmington Drama League, Inc."

Section 2. § 8105, Title 9, Delaware Code, is amended by adding at the end thereof the name "Council of Churches of Wilmington and New Castle County, Inc."

Approved July 14, 1955.

CHAPTER 449

VETERANS MILITARY PAY ACT

AN ACT TO PROVIDE FOR PAYMENTS TO PERSONS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING THE PERIOD BEGINNING JUNE 25, 1950, AND ENDING JANUARY 31, 1955, AND TO DESIGNATED BENEFICIARIES OF SUCH PERSONS; TO RECREATE AND REESTABLISH THE DELAWARE VETERANS' MILITARY PAY COMMISSION TO CARRY OUT CERTAIN PROVISIONS OF THIS ACT; TO AUTHORIZE THE SELECTION OF ASSISTANTS TO SAID COMMISSION; TO PROVIDE FOR A REVIEW OF DECISIONS AFFECTING CLAIMS MADE UNDER THE ACT; TO MAKE APPROPRIATIONS AND TO AUTHORIZE THE ISSUANCE OF BONDS AND BOND ANTICIPATION NOTES OF THE STATE OF DELAWARE TO CARRY OUT THE PROVISIONS OF THIS ACT; TO ACCEPT FEDERAL SUPPLEMENTARY FUNDS FOR SAID PURPOSE; AND TO PRESCRIBE PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each House thereof concurring therein):

Section 1. This Act shall be known as the "Veterans' Military Pay Act No. II."

Section 2. As used in this Act:

(a) The term "Veteran" means any person, male or female, who served honorably for 90 or more consecutive days on active duty in the armed forces of the United States, or if less than 90 days, died or was discharged or released by reason of an actual service-incurred injury or disability, and who was a resident of the State of Delaware as defined in this Act, and who has not received a similar payment from another state.

(b) The term "Armed Forces," as used in this Act shall mean the following: The United States Army, Army of the United States, United States Air Force, United States Air Force Reserve, United States Navy, United States Naval Reserve,

United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, Women's Army Corps, Women's Auxiliary-Navy, Women in the Air Force, Women's Auxiliary-United States Marine Corps, Women's Auxiliary-United States Coast Guard, Army Nurse Corps, Navy Nurse Corps, and Air Force Nurse Corps.

(c) The term "Beneficiary" means, in relation to a deceased veteran: (1) surviving husband or wife, (2) surviving child or children, share and share alike; (3) surviving mother and surviving father in equal shares, or if only one parent be living, all to such parent; (4) surviving person standing in loco parentis; in order named and none other.

(d) The term "served honorably" incudes only such service as is evidenced as follows:

(1) An honorable discharge or separation from service in a manner other than dishonorable through no fault or misconduct of such person; or

(2) In the case of an officer, a certificate of service; or

(3) In the case of a veteran who has not been discharged or who died in service, a certificate from the appropriate service authority of the armed forces stating either that his or her service was honorable or that he or she was separated from the armed forces under conditions other than dishonorable.

(e) The term "Resident" means a person who:

(1) Was born in and lived in the State of Delaware until entrance into the armed forces of the United States or was inducted into service from the State of Delaware; or

(2) Was born elsewhere but had resided within the State of Delaware for at least twelve (12) months immediately prior to entrance into military service.

Section 3. (a) Each veteran who during the period from June 25, 1950, to January 31, 1955, both inclusive, served on active duty within the limits of the States or the District of

Columbia of the United States shall be paid the sum of Fifteen Dollars (\$15.00) for each month of such service, or major fraction thereof, provided, however, that the maximum amount payable under this sub-section shall not exceed the sum of Two Hundred Twenty-five Dollars (\$225.00).

(b) Each veteran who during the period from June 25, 1950 to January 31, 1955, both inclusive, served on active duty outside the limits of the States or District of Columbia of the United States shall be paid the sum of Twenty Dollars (\$20.00) for each month of such service, or major fraction thereof, provided that the maximum amount payable under this sub-section shall not exceed the sum of Three Hundred Dollars (\$300.00).

(c) In the event the veteran is deceased, the payment to which he would have been entitled under the provisions of this Act had he survived shall be paid to his or her beneficiary, except as otherwise provided in sub-section (d) below.

(d) In the event the veteran died during his service and while in the course of or as a direct result of the performance of his duty; his or her beneficiary shall be paid the sum of Three Hundred Dollars (\$300.00).

(e) In the event the veteran has a 60% or greater service-connected disability as determined by the Veteran Administration records at time of application for payment, the veteran shall be entitled to a payment of Three Hundred Dollars (\$300.00) regardless of his or her place of service.

(f) No payments made under this Act to any veteran or to his or her beneficiary shall exceed Three Hundred Dollars (\$300.00).

(g) The payment to each veteran or beneficiary under this Act shall be computed by first giving to the said veteran or beneficiary his or her payment under Section 3 (b) to the maximum extent allowed under said Section 3 (b) to that particular veteran or beneficiary, and in the event the veteran or beneficiary is not entitled to payment for fifteen (15) months' service under said Section 3 (b), he or she shall then be entitled to compensa-

tion under Section 3 (a) if properly qualified by service for payment under that Section. In no event shall the veteran or beneficiary receive payment under this Act for more than fifteen (15) months' service. In any event, this Act shall be liberally construed so that cases of doubt shall be resolved in favor of the veterans or beneficiaries.

(h) No claim for payment under this Act shall be assignable, or subject to garnishment, attachment, or levy or execution.

(i) The payments herein provided for are declared by the Legislature to be gifts or gratuities and shall not be deemed to be pay for services rendered, nor shall said payments be taxable in the State of Delaware as income.

Section 4. (a) The "Delaware Veterans' Military Pay Commission" as created in Chapter 1, Volume 47, Laws of Delaware, and its membership as appointed by the then Governor of the State of Delaware in accordance therewith is hereby reactivated, recreated and reestablished as the Commission under this Act to be known again as the "Delaware Veterans' Military Pay Commission". The said Commission is to be composed of the same 4 members as appointed pursuant to the aforesaid Chapter 1, Volume 47, Laws of Delaware, shortly after the passage thereof. Vacancies on the Commission occurring from any cause shall be filled by appointment of the Governor, provided that a person so appointed must be from the same area and from the same political party as the member whose place is thus filled. In the event the members of the Commission are unable to agree upon any question or matter before it because of a tie vote, then the Auditor of Accounts of the State of Delaware shall be called upon to cast a vote upon such question or matter causing said tie vote. In no other respect shall the Auditor of Accounts have any voice in matters before the Commission.

(b) The Commission shall appoint an Executive Director who may be one of the members of the Commission, who, with the advice and approval of the said Commission, shall have the power and the duty of carrying out the provisions of this Act relating to payments to veterans and beneficiaries and shall have

charge and control of the complete scheme of payments authorized in this Act, and for this purpose the said Executive Director may adopt general rules for the making of such payments, for the ascertainment of veterans and beneficiaries in accordance with Section 2 (a) and Section 2 (c), and for determining the amounts to which such veterans or beneficiaries are entitled under this Act and, in general, shall establish methods and procedure and do whatever is necessary to carry out the provisions of this Act relating to payments to veterans and beneficiaries. The salary of the said Executive Director shall be fixed by the said Commission but if the Executive Director shall be one of the Commissioners he shall not vote to fix his own salary. The salary fixed for the Executive Director, if he shall be one of the Commissioners, shall be in lieu of all other salary regardless of any other provisions herein contained.

(c) The life of the Delaware Veterans' Military Pay Commission shall extend through the biennium ending on the Thirtieth day of June, A. D. 1957, and no longer.

(d) The members of the said Commission shall receive compensation at the rate of Ten Dollars (\$10.00) for each day that the said Commission shall sit, and they shall be allowed their actual expenses in attending the meetings of the Commission. The members of the Commission shall not receive such compensation or expenses for more than sixty (60) days in any calendar year or fraction thereof.

(e) The said Commission may select one of its members to be its Secretary or it may direct the Executive Director, herein provided for, to act in that capacity.

Section 5. (a) Each veteran or his or her beneficiary entitled to payments shall make application to the Executive Director upon such forms as may be prescribed; provided that, if the veteran is incompetent or his or her beneficiary is incompetent, application shall be made by his or her guardian or trustee.

(b) All applications for payments under this Act shall be made to the Executive Director herein provided for on or before January 1, 1957.

(c) No payments authorized by this Act shall be made after June 30, 1957.

Section 6. The Commission may select and appoint such employees, in addition to an Executive Director, and may fix their compensation as it may deem necessary for carrying out the provisions of this Act relating to payments to veterans and beneficiaries, always giving preference in making such appointments to veterans having a service-connected disability.

Section 7. (a) There shall be a right of review to every veteran or beneficiary under this Act.

(b) Any person aggrieved by the decisions affecting him or her in the matter of payments provided for in this Act may appeal for a review of such decisions within 90 days after final notice thereof to the Commission and shall be entitled to a hearing before said Commission. The decision of said Commission shall be final.

(c) Whoever intentionally makes or aids and abets another in making a false statement, oral or written, relating to a material fact concerning or affecting a claim for payment under the provisions of this Act or who demands, accepts or receives any compensation for his services in prosecuting any claim under the provisions of this Act shall be guilty of a misdemeanor punishable by a fine of not more than One Thousand (\$1,000.00) Dollars or by imprisonment for not more than one year, or by both such fine and imprisonment. Offenses under this Act shall be prosecuted by the Attorney General and all fines collected thereunder shall be paid to the General Fund of the State.

Section 8. The expenses of the administration of this Act shall be paid from State appropriated funds upon warrants duly approved by the President of the Commission, attested by the Secretary. For this purpose there is hereby appropriated to the Delaware Veterans' Military Pay Commission from the General Fund of the State of Delaware the sum of Seventy-five Thousand (\$75,000.00) Dollars, to be available for the period from the date of the approval of this Act through the biennium ending on the Thirtieth day of June, A. D. 1957. When funds

become available through the sale of bonds or bond anticipation notes, as hereinafter provided, the General Fund of the State shall be reimbursed therefrom to the extent of the expenditures made under this appropriation.

Section 9. There is hereby appropriated to the Delaware Veterans' Military Pay Commission created under the provisions of this Act the sum of Three Million Five Hundred Thousand (\$3,500,000.00) Dollars, or so much thereof as may be necessary to carry out the provisions of this Act. The sums hereby appropriated shall not revert to the General Fund of the State in any fiscal year, but shall be available through June 30, 1957. After June 30, 1957, any part of the appropriation hereby made which remains unexpended shall revert to the General Fund of the State.

Section 10. For the purpose of providing funds out of which said appropriation of Three Million Five Hundred Thousand (\$3,500,000.00) Dollars may be paid the Governor, the State Treasurer and the Secretary of State of the State of Delaware, herein sometimes referred to as the "issuing officers," are hereby authorized and fully empowered to issue bonds of the State of Delaware in a principal amount not exceeding Three Million Five Hundred Thousand (\$3,500,000.00) Dollars.

Section 11. Said bonds shall be issued at one time or from time to time as money is required, as the issuing officers shall determine. The bonds of each issue shall constitute a separate series. Each series of bonds shall mature in annual installments, beginning not more than one year after the issuance of such series; and no such annual installment shall be less than one twentieth of the principal amount of such series unless it be the final installment. Each series of bonds shall bear interest at a rate or rates not exceeding 3% per annum, payable semi-annually.

Section 12. Said bonds shall be sold by the issuing officers at not less than par and accrued interest under such terms, conditions and regulations as the issuing officers may prescribe, after notice of such sale published at least once ten days or more before the date of sale in at least one daily newspaper published in the State of Delaware and in a financial journal published in the City of New York.

Section 13. In anticipation of the issuance of said bonds, the issuing officers may issue and sell notes of the State of Delaware at either public or private sale for not less than par and accrued interest. Said notes shall bear interest at a rate not exceeding 3% per annum. They may be renewed from time to time by the issuance and sale of new notes, but all such notes shall mature and be paid not later than December 31, 1958. The total amount of said notes outstanding at any one time, together with the total amount of said bonds theretofore issued, shall not exceed Three Million Five Hundred Thousand (\$3,500,000.00) Dollars. Said notes may be redeemed at par and accrued interest prior to their maturity, if the right of the State to do so shall have been reserved by an express provision in the notes. Said notes shall be paid, both principal and interest, out of the proceeds of the sale of said bonds or notes.

Section 14. Said bonds and notes shall be direct general obligations of the State of Delaware, and the faith and credit of the State of Delaware are hereby pledged for the payment of the principal of and the interest on said bonds and notes as such principal and interest respectively become due. The principal of and the interest on said bonds and notes shall be exempt from taxation by the State of Delaware or by any political sub-division thereof for any purpose whatsoever.

Section 15. The said bonds and notes shall be signed in the name of the State of Delaware by the State Treasurer and shall be authenticated by the signature or facsimile signature of the Governor and Secretary of State, and they shall have the Great Seal of the State impressed thereon. Interest coupons shall be attached to said bonds and shall be authenticated by the signature or facsimile signature of the State Treasurer. The said bonds and notes may be issued notwithstanding that any of the officers signing them or whose facsimile signature appears thereon or on the coupons of said bonds shall have ceased to hold office at the time of such issue or at the time of the delivery of said bonds or notes.

Section 16. The said bonds and notes shall recite that they are issued in pursuance of this Act and the Constitution of this State, and such recital shall be conclusive evidence of the validity of said bonds and notes. Any such bonds or notes containing such

recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this Act and to have been issued, executed and delivered in conformity herewith and shall be incontestable for any cause.

Section 17. The said bonds and notes shall be in such form and in such denomination and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions as may be determined by the said "issuing officers."

Section 18. All monies received from the sale of said bonds or notes shall be deposited by the State Treasurer in a Special Fund in the Farmers Bank of the State of Delaware, at Dover, and shall be used exclusively for the purpose of making the payments to veterans and beneficiaries provided for in this Act, for the purpose of paying expenses of the administration of this Act, for the purpose of paying the costs and expenses incident to the issuance of said bonds and notes, and for the purpose of paying the principal of and interest on said notes. All payments to veterans and beneficiaries under this Act and expenses of administration of this Act shall be paid by the State Treasurer upon warrants signed by the President of the Commission, attested by its Secretary and approved by the Auditor of Accounts. All payments for expenses incident to the issuance of said bonds and notes shall be paid by the State Treasurer upon warrants signed by the Governor and approved by the Auditor of Accounts.

Section 19. There is hereby appropriated to the State Treasurer of the State of Delaware such sums as shall be necessary during the biennium beginning July 1, 1955, and ending June 30, 1957, to pay the installments of interest and principal of said bonds becoming due during said biennium period.

Section 20. The Budget Appropriation Bill enacted and approved by the General Assembly at the One Hundred and Nineteenth Session, and at each and every subsequent biennial session thereof, shall contain under the Debt Service Item provisions for the payment of the principal and interest on all bonds issued under this Act, as such principal and interest respectively become due, and all such revenues of the State of Delaware that

are not prohibited by constitutional provisions or committed by preceding statutes for other purposes are hereby pledged for the payment of the said bonds and interest thereon.

Section 21. Should the Congress of the United States adopt measures providing for financial aid or other assistance available to the State of Delaware for carrying out the provisions of this Act, the Commission and/or State Treasurer is hereby authorized on behalf of the State of Delaware to accept any such financial aid or other assistance, and should there be such financial aid, the Commission is hereby authorized and directed to deposit with the State Treasurer any funds received and to expend the same for carrying out the provisions of this Act in accordance with whatever conditions are imposed by the law of the United States providing such aid or other assistance, upon warrants signed by the proper officers of the Commission and approved by the Auditor of Accounts.

Section 22. If any clause, sentence, section, provision or part of this Act shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not impair, invalidate or affect the remainder of this Act, which shall remain in full effect.

Section 23. The Commission shall make a complete report of its administration of this Act to the Governor and to each branch of the General Assembly on the first day of the regular session of the General Assembly in January, A. D. 1957. A final report shall be made by the Commission on June 30, 1957, to the Governor and to the Executive-Director of the Legislative Reference Bureau for transmission to each Branch of the General Assembly on the first day of its meeting in January, 1959.

Section 24. This Act shall be effective immediately upon passage.

Approved July 14, 1955.

CHAPTER 450

RELATING TO HUNTING AND TRAPPING DEVICES

AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE, RELATING TO REGULATIONS AND PROHIBITIONS CONCERNING HUNTING AND TRAPPING DEVICES AND METHODS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 704, Chapter 7, Title 7, Delaware Code, is amended by adding at the end thereof two new subsections to read as follows:

(d) No person shall use for hunting or carry when hunting any shot gun shells loaded with missiles larger than No. 2 shot except ammunition permitted for hunting deer during the lawful open season for deer.

(e) No person shall carry firearms or other implements in any motor vehicle or conveyance by which deer can be killed when spotlighting deer or attempting to spotlight deer. Possession in a motor vehicle or conveyance of firearms or other implements by which deer can be killed when spotlighting deer or attempting to spotlight deer shall be prima facie evidence of the use of such firearms or other implements for hunting.

The provisions of this sub-section shall not be applicable where the headlights of a motor vehicle operated by any person while traveling on a highway cast a beam of light upon a deer on or adjacent to such highway and where there is no attempt or intent to locate such deer by the driver or passenger of the motor vehicle or conveyance.

Approved July 14, 1955.

CHAPTER 451

PROVIDING FOR TRAFFIC LIGHT CONTROLS FOR FIRE COMPANIES

AN ACT TO REQUIRE THE STATE HIGHWAY DEPARTMENT TO INSTALL TRAFFIC LIGHT CONTROLS FOR CERTAIN FIRE COMPANIES.

WHEREAS, the Fire Houses of the Five Points Fire Company at Richardson Park and the Minquas Fire Company at Newport are located upon heavily travelled State Highways; and

WHEREAS, the heavy traffic on said highways often causes great danger and serious delay to said fire companies in answering alarms; NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is hereby appropriated to the State Highway Department the sum of One Thousand Four Hundred Dollars (\$1400) for the purpose of acquiring, constructing, providing and installing such traffic lights, traffic light controls, warning lights, warning devices and similar or related equipment as the said Department, upon consultation with the officers of the Five Points Fire Company at Richardson Park and the Minquas Fire Company at Newport, shall deem necessary or desirable in order to provide safe, convenient and rapid means for fire apparatus to enter upon the State Highways before the fire houses of said companies and turn in either direction thereon.

Section 2. The moneys hereby appropriated shall remain available until the purposes of this Act are fully carried out to the satisfaction of the fire companies mentioned herein, whereupon any unexpended portion shall immediately revert to the General Fund.

Section 3. This is a Supplementary Appropriation Act, and the money hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 14, 1955.

CHAPTER 452
APPROPRIATION

UNIVERSITY OF DELAWARE

**AN ACT APPROPRIATING MONEY TO THE UNIVERSITY
OF DELAWARE FOR CAPITAL IMPROVEMENTS ON
THE UNIVERSITY CAMPUS, AND AT THE UNIVERS-
ITY'S AGRICULTURAL EXPERIMENTAL SUBSTATION
IN SUSSEX COUNTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. There is hereby appropriated to the University of Delaware the sum of one million five hundred and twenty-five thousand dollars (\$1,525,000) to be expended by the Board of Trustees of the University of Delaware for capital improvements to include constructing and equipping dormitory buildings together with incidental acquisition of land therefor, landscaping, walks, drives and utility installations on or near the University campus located at Newark, Delaware for which the sum of \$1,500,000 shall be allotted and improving facilities at the University's Agricultural Experimental Substation located in Sussex County for which the sum of \$25,000 shall be allotted.

Section 2. The money hereby appropriated shall be made available by the State Treasurer on July 1, 1955 to the University of Delaware and shall remain available to the University of Delaware until warrants covering the full amount stipulated in Section 1 have been issued by the proper officials of the University of Delaware.

Section 3. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of money received by the sale of bonds authorized under a separate Act of the 118th General Assembly. No portion of the money appropriated as aforesaid shall be deemed or held to revert at the end of any fiscal year, but the said appropriation shall remain available until the objects and purposes of this Act have been fully accomplished.

Approved July 14, 1955.

CHAPTER 453

IN RESPECT TO PRINTING OF SESSION LAWS

AN ACT TO AMEND TITLE 29, DELAWARE CODE, ENTITLED "STATE GOVERNMENT" IN RESPECT TO THE PRINTING, BINDING AND DISTRIBUTION OF THE SESSION LAWS.

WHEREAS, the cost of paper bound copies of the Session Laws is now almost as great as the cost of the Session Laws bound as book, AND

WHEREAS, a demand for paper bound copies no longer exists, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 907, Title 29, Delaware Code, is amended to read as follows:

(a) The Secretary of State shall, as soon as practicable after the adjournment of the General Assembly, have 1200 copies of all bills, resolutions, proclamations of the Governor, orders, and votes of a public nature, accurately printed, in volume form, and arranged in the discretion of such official, with an index thereto, to be prepared by him, and shall carefully preserve the originals in the State Archives. The printing of Session Laws shall be done under contract made by the Secretary of State, and in accordance with specifications furnished by him.

(b) The Secretary of State shall distribute the Session Laws as follows: 50 copies to the Prothonotary of New Castle County, 20 copies to the Prothonotary of Kent County, and 20 copies to the Prothonotary of Sussex County; one copy to the Governor; one copy to each State officer; one copy to each county officer of the respective counties; one copy to the Library of Congress, one copy to the State Library of each of the United States, and the residue to the State Library of this State for the Librarian to distribute.

(c) The Librarian shall charge the respective Prothonotaries for each volume of the Session Laws a price approximating the actual cost to the State for printing the same. At the end of one year after the delivery of such copies to the respective Prothonotaries, they shall return all unsold copies, and shall be credited therefor the amount which they have been charged for same, and the returned copies shall be delivered to the State Librarian. The State Librarian shall charge the same price for the sale of the Session Laws as is established for such sales by the Prothonotaries.

(d) The copies delivered to the Governor, and to the State and county officers shall be kept and remain in their respective offices, and be by them delivered to their successors, as the property of such offices.

(e) All moneys realized from the sale of the Session Laws of the State of Delaware by the State Librarian shall be paid to the State Treasurer for the use of the State. '

Approved July 14, 1955.

CHAPTER 454

RELATIVE TO MEDICAL EXPENSES INCIDENT TO
BIRTH OF ILLEGITIMATE CHILD

**AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE
BY REMOVING THE MONETARY LIMITS RELATIVE
TO THE SUPPORT OF AND RELATIVE TO THE MEDI-
CAL AND LYING-IN EXPENSES INCIDENT TO THE
BIRTH OF AN ILLEGITIMATE CHILD.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. That Title 13 of the Delaware Code be amended
by striking out Section 1326 thereof and by inserting in lieu of
the part so stricken a new Section 1326 thereof, as follows:

§ 1326. Order on putative father; payments

If it be determined that the person charged is the father
of the child, said person shall be liable for the support of said
child under the provisions of Chapter 5 of this Title. In addi-
tion to any order for support, the Judge may also order the de-
fendant to pay into the Court such sums, in such installments,
as to the Court, having regard to all the circumstances, shall
seem proper for the purpose of covering the medical expenses
incident to the pregnancy of the mother; and/or the medical and
lying-in expenses incident to the delivery of said child, and may
punish the defendant for contempt if he shall fail or refuse,
without just cause, to obey the Court's order in this behalf.

Approved July 14, 1955.

CHAPTER 455

PROHIBITING SALE OF SWITCHBLADE KNIVES

AN ACT TO PROHIBIT THE SELLING, OFFERING FOR SALE OR POSSESSION OF KNIVES WHOSE BLADE IS RELEASED BY A SPRING MECHANISM INCLUDING KNIVES KNOWN AS "SWITCHBLADES"; AUTHORIZING THE SEIZURE, CONFISCATION AND DESTRUCTION THEREOF; AND PROVIDING PENALTIES.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected to each Branch thereof concurring therein):

Section 1. That it shall henceforth be unlawful for any person, firm or corporation to sell, offer for sale, or have in his or its possession any knife where the blade is released by a spring mechanism including knives known as "switchblades", anywhere in this State.

Section 2. DEFINITIONS

"Person" means any individual, partnership, association or corporation. Whenever used in any clause prescribing or imposing a penalty, the term "person" as applied to partnerships or associations, shall mean the partners or members thereof, and as applied to corporations, the officers thereof.

Section 3. CONFISCATION

Any police officer, whether State or County, is hereby authorized to seize, remove, confiscate and destroy any knife where the blade is released by spring mechanism including knives known as "switchblades".

Section 4. PENALTIES

(a) Any person, firm or corporation violating any of the provisions of this Act shall be subject to a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

(b) Justices of the Peace shall have jurisdiction over this offense.

Approved July 14, 1955.

CHAPTER 456

RELATING TO SAFETY RESPONSIBILITY LAW

AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES" IN REGARD TO THE FISCAL REQUIREMENTS OF THE SAFETY RESPONSIBILITY LAW.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2904 (b) (2), Title 21, Delaware Code, is amended to read as follows:

(2) Insure the person named therein and any other person, as insured, using any such motor vehicle or motor vehicles with the express or implied permission of such named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows: \$10,000, because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, \$20,000, because of bodily injury to or death of two or more persons in any one accident, and \$5,000, because of injury to or destruction of property of others in any one accident.

Section 2. § 2925 (a), Title 21, Delaware Code, is amended so that the last two sentences read as follows:

Every such policy or bond shall be subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than \$10,000 because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than \$20,000 because of bodily injury to or death of two or more persons in any one accident. If the accident has resulted in injury to or destruction of property, the policy or bond shall be subject to a limit of not less than \$5,000 because of injury to or destruction of property of others in any one accident.

Section 3. § 2944 (1), (2) and (3), Title 21, Delaware Code, are amended to read as follows:

(1) When \$10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident; or

(2) When, subject to such limit of \$10,000 because of bodily injury to or death of one person, the sum of \$20,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) When \$5,000 has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident;

Section 4. § 2951 (a), Title 21, Delaware Code, is amended to read as follows:

(a) Proof of financial responsibility may be evidenced by the certificate of the State Treasurer that the person named therein has deposited with him \$25,000 in cash, or securities such as may legally be purchased by savings banks or for trust funds of a market value of \$25,000. The State Treasurer shall not accept any such deposit and issue a certificate therefor and the Commissioner shall not accept such certificate unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

Approved July 14, 1955.

CHAPTER 457

WILMINGTON MARINE TERMINAL BOND ACT

AN ACT TO AUTHORIZE THE MAYOR AND COUNCIL OF WILMINGTON TO PROVIDE FOR THE PLANNING, ACQUISITION, PURCHASE, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, BETTERMENT, EXTENSION, OPERATION, AND MAINTENANCE OF REVENUE-PRODUCING UNDERTAKINGS FOR THE IMPROVEMENT OF THE WATER FRONT AND TO INCREASE THE HARBOR TERMINAL AND SHIPPING FACILITIES OF THE CITY OF WILMINGTON; AUTHORIZING AND REGULATING THE ISSUANCE OF BONDS FOR FINANCING SUCH UNDERTAKINGS; PROVIDING FOR THE PAYMENT OF SUCH BONDS AND THE RIGHTS OF THE HOLDERS THEREOF.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members of each Branch thereof concurring therein):

Section 1. SHORT TITLE OF ACT

This Act may be cited as "Wilmington Marine Terminal Bond Act".

Section 2. DEFINITIONS

Whenever used in this Act, unless a different meaning clearly appears from the context:

(a) The term "undertaking" shall mean wharves, piers, docks, ships, bulkheads, terminals, warehouses, structures, appliances, cranes, machinery, equipment, tracks, rails, railways or railroad lines, or any part thereof, used or useful in connection with the improvement of the water front, the harbor, terminal and shipping facilities of the municipality.

(b) The term "municipality" shall mean "The Mayor and Council of Wilmington," a municipal corporation of the State of Delaware.

(c) The term "governing body" shall mean "The Council" of "The Mayor and Council of Wilmington".

(d) The term "board" shall mean "Board of Harbor Commissioners" created under the authority of Chapter 123, Volume 29, Laws of Delaware, as amended.

Section 3. ADDITIONAL POWERS OF MUNICIPALITY

In addition to the powers which it may now have, the municipality shall have power under this Act:

(a) To plan, construct, acquire, reconstruct, improve, better or extend any undertaking within or without the territorial boundaries of the municipality, or partially within or partially without the municipality, and to acquire lands or rights in land or water rights in connection therewith. No land or rights therein belonging to any public utility and used by it in its service to the public shall be taken by the municipality under the powers herein conferred. Whenever any portion of a public highway is vacated by the municipality in order to facilitate any undertaking, the municipality shall reimburse any public utility affected for the expense incurred by it in relocating its facilities previously constructed in said highway to a new location.

(b) To have and exercise through the agency of the Board all powers and authority vested or conferred upon the Board by the provisions of Chapter 123, Volume 29, Laws of Delaware, as amended.

(c) To issue its bonds to finance, either in whole or in part, the cost of the planning, acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any undertaking.

(d) To pledge to the punctual payment of said bonds and interest thereon an amount of the revenues of such undertaking (including the revenues of the existing facilities, if any, comprising an undertaking which is being improved, bettered or extended, and the revenues to be derived from any improvements,

betterments, extensions thereafter constructed or acquired), or any part of such undertaking, sufficient to pay, on either equal or priority basis, said bonds and interest as the same shall become due and to create and maintain reasonable reserves therefor, which amount may consist of all or any part or portion of such revenues; and

(e) To accept from any authorized agency of the State or the Federal Government, or from persons, firms, or corporations, grants or contributions for the planning, construction, acquisition, lease, reconstruction, improvement, betterment or extension of the undertaking and to enter into agreements with such agency respecting such loans and grants. The governing body of the municipality in determining the cost of acquiring or constructing any undertaking may include all costs and estimated costs of the issuance of said bonds, all planning, engineering, inspection, fiscal and legal expenses, and interest which it is estimated will accrue during the construction period and for six months thereafter of money borrowed or which it is estimated will be borrowed pursuant to this Act.

Section 4. AUTHORIZATION OF UNDERTAKING; FORM AND CONTENT OF BONDS

The planning, acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any undertaking may be undertaken by the Board under this Act and bonds may be authorized under this Act by ordinance or ordinances of the governing body adopted by a majority of all members thereof then in office, and such bonds may be issued from time to time as may be determined by such ordinance or ordinances. Said bonds shall bear interest at such rate or rates, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty years from their respective dates, may be payable in such medium of payment, at such place or places, may carry such registration privileges, may be subject to such terms of redemption, may be executed in such manner, may contain such terms, covenants and conditions, and may be in such form, either coupon or registered, as such ordinance or subsequent ordinances may provide. Said bonds shall be sold at public sale, after advertisement: provided, however, that any of said bonds may be sold at

private sale to the United States of America, or any agency, instrumentality or corporation thereof, at not less than par. Pending the preparation of the definite bonds, interim receipts or certificates in such form and with such provisions as the governing body may determine may be issued to the purchaser or purchasers of bonds sold pursuant to this Act. The rate of interest may be determined in advance of sale, or the bonds may be offered for sale at a rate of interest to be fixed by the successful bidder for such bonds.

Section 5. COVENANTS IN ORDINANCE AUTHORIZING ISSUANCE OF BONDS

Any ordinance or ordinances authorizing the issuance of bonds under this Act may contain covenants as to (a) the purpose or purposes to which the proceeds of sale of said bonds may be applied and the use and disposition thereof, (b) the use and disposition of the revenue of the undertaking for which said bonds are to be issued, including the creation and maintenance of reserves, (c) the issuance of other or additional bonds payable from the revenue of said undertaking, (d) the operation and maintenance of such undertaking, (e) the insurance to be carried thereon and the use and disposition of insurance moneys, (f) books of account and the inspection and audit thereof, and (g) the terms and conditions upon which the holders of said bonds or any proportion of them or any trustee therefor shall be entitled to the appointment of a receiver by the appropriate court, which court shall have jurisdiction in such proceedings, and which receiver may enter and take possession of said undertaking, operate and maintain the same, prescribe rates, fees, or charges, and collect, receive and apply all revenue thereafter arising therefrom in the same manner as the municipality itself might do. The provisions of this Act and any such ordinance or ordinances shall be a contract with the holder or holders of said bonds, and the duties of the municipality and of its governing body and officers under this Act and any such ordinance or ordinances shall be enforceable by any bondholder, by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction.

Section 6. VALIDITY OF BONDS

Said Bonds bearing the signature of officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof and payment therefor any or all the persons whose signatures appear thereon shall have ceased to be officers of the municipality issuing the same. The validity of said bonds shall not be dependent on nor affected by the validity or regularity of any proceedings relating to the planning, acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of the undertaking for which said bonds are issued. The ordinance authorizing said bonds may provide that the bonds shall contain a recital that they are issued pursuant to this Act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 7. LIENS OF BONDS

All bonds of the same issue may, subject to the prior and superior rights of outstanding bonds, claims or obligations, have a prior and paramount lien on the revenue of the undertaking, for which said bonds have been issued, over and ahead of all bonds of any issue payable from said revenue which may be subsequently issued and over and ahead of any claims or obligations of any nature against said revenue subsequently arising or subsequently incurred. All bonds of the same issue may be equally and ratably secured without priority by reason of number, date of bonds, of sale, of execution or of delivery, by a lien on said revenue in accordance with the provisions of this Act and the ordinance or ordinances authorizing said bonds, or all bonds of the same issue, or such ones thereof as may be specified, may, to the extent and in the manner prescribed, be subordinated and be junior in standing, with respect to the payment of principal and interest and the security thereof, to such other bonds as are designated in the ordinance or ordinances authorizing said bonds.

Section 8. BONDS TO BE ISSUED TO FINANCE UNDERTAKING

The municipality may issue bonds, either in whole or in part of the total amount necessary to finance any undertaking

under this Act. If bonds are issued under this Act, the aggregate amount of any such bonds so issued shall be in addition to and not within the limitations of any existing statutory or constitutional debt limitations of the municipality. The faith and credit of the municipality are hereby pledged to the payment of any general obligation bonds issued by the municipality under this act. The Council of the municipality shall have power to levy an ad valorem tax, without limitation as to rate or amount, upon all property taxable by the municipality to raise any moneys which may be required to pay such bonds and the interest thereon as the same become due and payable.

Section 9. UNDERTAKINGS TO BE SELF-SUPPORTING

The Board of the municipality issuing bonds pursuant to this Act shall prescribe and collect reasonable rates, fees or charges for the services, facilities and commodities of such undertaking, and shall revise such rates, fees or charges from time to time whenever necessary so that such undertaking shall be and always remain self-supporting. The rates, fees or charges prescribed shall be such as will procure revenue at least sufficient (a) to pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged or otherwise encumbered, including reserves therefor, and (b) to provide for all expenses of operation and maintenance of such undertaking, including reserves therefor.

Section 10. USE OF REVENUE FROM UNDERTAKING

The municipality issuing revenue bonds pursuant to this Act for the planning, acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any undertaking shall have the right to appropriate, apply or expend the revenue of such undertaking for the following purposes: (a) to pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged or otherwise encumbered, including reserves therefor, (b) to provide for all expenses of operation and maintenance of such undertaking, including reserves therefor, (c) to pay and discharge notes, bonds or other obligations and interest thereon,

not issued under this Act for the payment of which the revenue of such undertaking is or shall have been pledged, charged or encumbered, (d) to pay and discharge notes, bonds or other obligations and interest thereon, which do not constitute a lien, charge or encumbrance on the revenue of such undertaking, which shall have been issued for the purpose of financing the planning, acquisition, purchase, construction, reconstruction, improvement, betterment or extension of such undertaking, and (e) to repay any advance or loan made by the municipality to meet current interest on outstanding bonds, and (f) to provide a reserve for betterments to such undertaking. Unless and until adequate provision has been made for the foregoing purposes, the municipality shall have no right to transfer the revenues of such undertaking to its general funds.

Section 11. CONSTRUCTION OF ACT

The powers conferred by this Act shall be in addition and supplemental to the powers conferred by any other general, special or local law. The undertaking may be planned, acquired, purchased, constructed, reconstructed, improved, bettered, and extended, and bonds may be issued under this Act for said purposes, not with standing that any general, special or local law may provide for the planning, acquisition, purchase, construction, reconstruction, improvement, betterment, and extension of a like undertaking, or the issuance of bonds for like purposes, and without regard to the requirements, restrictions, limitations or other provisions contained in any other general, special or local law, including, but not limited to, any requirement for the approval by the voters of the municipality or any existing debt limitations. Insofar as the provisions of this Act are inconsistent with the provisions of any other general, special or local law, the provisions of this Act shall be controlling.

Section 12. EXCISION OF UNCONSTITUTIONAL OR INEFFECTIVE PARTS OF ACT

It is hereby declared that the sections, clauses, sentences and parts of this Act are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction, and if any provision shall be

adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision or provisions so held unconstitutional or invalid, and the inapplicability or invalidity of any section, clause, sentence or part of this Act in any one or more instances shall not be taken to affect or prejudice in any way the applicability or invalidity in any other instances.

Approved July 14, 1955.

CHAPTER 458

LEWES

AN ACT TO AMEND CHAPTER 196, VOLUME 22, PART ONE, LAWS OF DELAWARE, BEING AN ACT ESTABLISHING A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES AND DEFINING ITS POWERS, BY REPEALING SENATE BILL NO. 213, WHICH WAS PASSED BY 118TH GENERAL ASSEMBLY AND APPROVED BY THE GOVERNOR ON MAY 5, 1955, AND BY GRANTING TO THE SAID BOARD THE AUTHORITY TO MAKE CERTAIN ADDITIONS AND IMPROVEMENTS TO THE MUNICIPAL ELECTRIC LIGHT PLANT AND DISTRIBUTION SYSTEM AND TO THE WATER PUMPING AND DISTRIBUTION FACILITIES, ON CREDIT, PLEDGING THE REVENUES FROM THOSE TWO UTILITIES FOR THE PAYMENT OF THE COST THEREOF.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members of each Branch thereof concurring therein):

Section 1. That Senate Bill No. 213, passed by the 118th General Assembly and approved by the Governor on May 5, 1955, be, and it is hereby, repealed.

Section 2. That Section "3" of Chapter 196, Volume 22, Laws of Delaware, as amended, be, and the same is hereby, further amended, by adding at the end of the aforesaid amended section the following language:

3 (d). The said Board of Public Works is hereby authorized and empowered at any time in the years 1955 and 1956, but not thereafter, to purchase such land, machinery, and equipment, and to employ such engineering or other professional services, as it deems necessary for the maintenance, replacement, enlargement, alteration, repair, or improvement of the municipal electric light and power plant, and the municipal water pumping, purifying, treating and distribution facilities, at Lewes, and to cause the same to be properly installed, paying

for all professional services necessarily required in such project, and paying for all materials and labor required for the aforesaid project, either out of monies on hand, or monies to be raised by the sale of the revenue certificates hereinafter provided for, or partly out of funds on hand and partly by means of revenue certificates.

3 (e). The maximum amount of indebtedness to be incurred in connection with the special projects hereinabove provided for in '3(d)' is Ninety Thousand (\$90,000.00) Dollars. A sum up to the said maximum amount may be raised by the sale of revenue certificates in such form and denominations as the Board of Public Works may find appropriate, giving to the holders of the said certificates the right to resort to the net revenues from the municipal water works and municipal electric light plant, or either of them, but the said revenue certificates shall not constitute a pledge of the faith and credit of the municipality nor be deemed a general obligation.

3 (f). Any of the steps authorized in 3 (d) and 3 (e) above which may have been taken in advance of the enactment of this law are hereby ratified.

Approved July 14, 1955.

CHAPTER 459

TRAFFIC CONTROL LIGHT AT BISHOP'S CORNER

**AN ACT AUTHORIZING AND DIRECTING THE STATE
HIGHWAY DEPARTMENT TO INSTALL A TRAFFIC
CONTROL LIGHT AT BISHOP'S CORNER, KENT COUN-
TY, DELAWARE.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. The State Highway Department is hereby authorized and directed to install and maintain a traffic control light or traffic control lights and the necessary associated equipment suitable and adequate for the control of traffic at Bishop's Corner, at the intersection of State Route No. 42 and U. S. Route No. 13, in Kent County, Delaware.

NOTE: This bill became a law on July 15, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 460

TRAFFIC LIGHT AT GINN'S CORNER

AN ACT AUTHORIZING AND DIRECTING THE STATE HIGHWAY DEPARTMENT TO INSTALL A TRAFFIC CONTROL LIGHT AT THE INTERSECTION OF STATE HIGHWAY NO. 71 AND COUNTY ROAD NO. 25 AT GINN'S CORNER NEAR TOWNSEND, NEW CASTLE COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Highway Department is hereby authorized and directed to install and maintain a traffic control light or traffic control lights and the necessary associated equipment suitable and adequate for the control of traffic at the intersection of State Highway No. 71 and County Road No. 25 at Ginn's Corner near Townsend, New Castle County.

NOTE: This bill became a law on July 15, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 461

PROVIDING FOR SEMI-MONTHLY PAYMENT
OF SALARIES

**AN ACT TO AMEND CHAPTER 27, TITLE 29, DELAWARE
CODE, RELATING TO THE "STATE TREASURER", BY
PROVIDING THAT THE SALARIES OF STATE OFFI-
CIALS AND EMPLOYEES BE PAID SEMI-MONTHLY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 2713, Chapter 27, Delaware Code, is amended
to read as follows:

§ 2713. Method of payment of state officials and employees

The salaries of State officials and employees shall be paid semi-monthly, the first payment to be made on or before the fifteenth day of each calendar month by the payment of one-half of the statutory or stipulated monthly salary or one-twenty-fourth of the statutory or stipulated annual salary, for the period from the sixteenth day of the preceding calendar month to the last day of the preceding calendar month; and the second payment to be made on or before the last day of each calendar month by the payment of the remaining one-half of statutory or stipulated monthly salary or one-twenty-fourth of the statutory or stipulated annual salary, for the period from the first day of each calendar month to the fifteenth day of each calendar month.

Section 2. There is hereby appropriated to the State Treasurer the sum of Five Thousand Dollars (\$5,000.00) for each year of the biennium ending June 30th, 1957 for the purpose of carrying out the provisions of Section 1.

Section 3. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 18, 1955.

CHAPTER 462

INCREASING SALARIES OF OFFICERS OF COURT
OF COMMON PLEAS IN SUSSEX COUNTY**AN ACT TO AMEND CHAPTER 16, TITLE 10 OF THE DELA-
WARE CODE RELATING TO THE COMPENSATION OF
THE CLERK AND OTHER OFFICERS OF THE COURT
OF COMMON PLEAS OF SUSSEX COUNTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 1621 (d), Title 10 of the Delaware Code is amended by striking out the figures "\$2500" and inserting in lieu thereof the figures "\$3000".

Approved July 18, 1955.

CHAPTER 463

BETHANY BEACH

AN ACT TO CHANGE THE CORPORATE NAME OF "THE COMMISSIONERS OF THE TOWN OF BETHANY BEACH" TO THE "TOWN OF BETHANY BEACH" AND TO ESTABLISH A REVISED CHARTER THEREFOR.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each Branch thereof concurring therein):

Section 1. NAME AND TERRITORIAL LIMITS

The body politic and corporate in the County of Sussex, State of Delaware, now known as "The Commissioners of the Town of Bethany Beach" shall hereafter be known as the "Town of Bethany Beach."

The boundaries of the Town of Bethany Beach are hereby established and declared to be the same boundaries and limits that have been heretofore surveyed, determined and recorded in the Recorder's Office at Georgetown, County of Sussex, Delaware, as follows:

Beginning at the low water mark of the Atlantic Ocean on the central line of Fifth Street, thence westerly with the said line to the eastern boundary of lands of Alonzo H. Evans; thence with the said easterly line of said Alonzo H. Evans to the northerly line of the canal right of way known as the "Canal Loop" formerly owned by the Bethany Beach Improvement Company; thence with the northerly line of said canal right of way to the westerly line of the right of way of the Free Inland Waterway connecting Assawoman Bay with the Delaware Bay; thence with the said line of said Inland Waterway to the northerly line of lands of Hiram James; thence with said line of Hiram James and the northern line of lands of Henry M. Evans to Muddy Neck Road; thence with the old Hall and Evans line in a straight line to the low water mark of said Atlantic Ocean; thence to the place of beginning.

Section 2. INCORPORATION AND GENERAL POWERS

A. The inhabitants of the Town of Bethany Beach, within the limits and boundaries set forth in Section 1 of this Act, or within the limits and boundaries hereafter established, shall be and they are hereby created a municipal corporation and body politic in law and equity by the corporate name of the "Town of Bethany Beach" (hereinafter sometimes referred to as "the Town"), and under that name shall have perpetual succession; may have and use a corporate seal, which may be altered, changed, and renewed at pleasure; may sue and be sued, plead and be impleaded in all courts of law and equity in the State of Delaware and elsewhere by said corporate name; may hold and acquire by purchase, gift, devise, lease, or by condemnation, real property and personal property within or without its boundaries for any municipal purposes, in fee simple or for lesser estate or interest, and may sell, lease, hold, manage, and control such property as its interest may require, subject, however, to other provisions of this Act. The Town shall have all other powers necessary or appropriate for its government and the preservation of its peace and good order; and it shall likewise have all other powers necessary or appropriate to provide for its sanitation, beauty, the health, safety, convenience, comfort and well-being of its population, and the protection and preservation of property, public and private. All prosecutions, actions, suits, and proceedings, except as otherwise provided in this Act, shall be brought in the name of the "Town of Bethany Beach".

B. The Town shall have power to annex any contiguous territory upon compliance with the provisions of Section 101, Title 22 of the Delaware Code, and to extend and apply to such additional territory laws, ordinances, resolutions, rules and regulations in force within the said Town insofar as they may be locally applicable. Before any additional territory shall be annexed to the said Town, the Council shall pass a resolution describing and defining the territory proposed to be annexed and shall give notice that the petition for such annexation has been presented, by causing copies of the said resolution to be posted in at least three (3) public places in the Town; and, at the end of sixty (60) days after such posting, the Council shall call a special election for the purpose of determining whether

the freeholders of the Town desire that the additional territory be annexed to the Town. Every person qualified, under Section 5-D of this Act, to vote at an annual election shall have the right to vote at the special election. If a majority of voters vote in favor of the annexation of the additional territory, such additional territory shall be a part of the Town. The special election shall be conducted under the supervision of an election board in the manner prescribed in Section 5-C of this Act.

C. The enumeration of particular powers in this Act shall not be held to be exclusive, but, in addition to the powers enumerated, it is intended that the Town shall have, and may exercise, all powers that may be reasonably implied from the enumerated powers which are necessary or appropriate to the exercise of the powers conferred and the performance of the functions prescribed. All powers of the Town shall be exercised as prescribed by this Act, or, if not prescribed herein, by ordinance or resolution of the Town Council.

Section 3. STRUCTURE OF THE GOVERNMENT

A. The government of the Town and the exercise of the powers conferred by this Act, except as otherwise provided in this Act, shall be vested in a Town Council (hereinafter sometimes referred to as "the Council"). The Town Council shall consist of seven members, who shall have attained at least the age of twenty-one years and shall have been owners of record in fee simple of real estate in the Town for not less than six (6) months at the time of their nomination and election and against whose property there shall be no due or unpaid taxes, assessments or other charges due to the Town: Provided, that any married man whose wife is qualified as a freeholder of record in the Town to hold the office of Councilman, may be elected as a member of the Council, although he is not the owner in his own right of any real estate within the Town, but no such husband shall hold the office of Councilman at the same time that his wife is a member of the Council. No compensation shall be paid to any member of the Council for services rendered as such member, except as provided in this Act. The members of the Council shall each be entitled to receive for their services as such an annual compensation as fixed by the Council but not to exceed Fifty Dollars (\$50.00).

B. The fiscal year of the said Town may be determined by the Council.

Section 4. COMMISSIONERS APPOINTED AS COUNCILMEN

The presently elected Commissioners of the Town of Bethany Beach are by this Act appointed to serve and to act as members of the Council of the said Town from and after the effective day of this Act until the expiration of the terms for which they were respectively elected as such Commissioners, or until their successors shall have been duly qualified. At the expiration of the term of each Commissioner and thereafter the members of the Council shall be elected for the times and in the manner prescribed in Section 5 of this Act, provided, that if a vacancy occurs in the office of any Councilman before the expiration of the term for which he was elected as Commissioner, the vacancy shall be filled for the unexpired portion of the said term in the manner provided in Section 11 of this Act.

Section 5. ANNUAL ELECTIONS

A. The annual election of Councilmen shall be held on the first Saturday in August of each and every year between the hours of 2:00 P. M. and 6:00 P. M., at such place in the Town as shall be designated by the Council. Due notice of such election shall be given by posting notices thereof in three (3) public places in the Town not less than fifteen (15) days before the day of such election. At the expiration of the terms of office of the present Commissioners of the Town of Bethany Beach whose terms of office end in an even year, and thereafter every two (2) years, four (4) Councilmen shall be elected for terms of two (2) years each, and at the expiration of the terms of such Commissioners whose terms of office end in an uneven year, and thereafter every two (2) years, three (3) Councilmen shall be elected for terms of two (2) years each.

B. (1) Candidates for the office of Councilman shall be nominated in the following manner: Nominations shall be in writing, shall be signed by the nominee or by three (3) other persons who shall be qualified voters in the Town, and shall be

filed with the Secretary of the Council not later than 7:00 P. M. on the tenth day before the day of the annual election. The said nominations shall be presented to the Council by the Secretary at a meeting of the Council which shall be held not later than 8:00 P. M. on the last day for filing nominations with the Secretary. At the said meeting the Council shall direct the Secretary to post forthwith the names of all qualified, nominated candidates in three (3) public places in the Town, and shall appoint three (3) qualified voters of the Town to serve as an Election Board and shall designate one (1) of the said appointees to act as chairman of the said Board; (2) the Council shall cause to be printed or typed a sufficient number of ballots to insure that each qualified voter in the Town shall be furnished with a ballot at the polls on the day of the election. The said ballots shall contain the names of all persons who have been nominated and qualified, and said names shall be placed alphabetically upon said ballots under headings designating the office for which they are candidates and, at the opening of the polls on the day of the election, such ballots shall be delivered to the Election Board appointed by the Council.

C. Every election (whether annual, special or a referendum) shall be held under the supervision of the Election Board, the members of which shall be the Judges of the elections; but if at the opening of the polls on the day of any election, the regularly appointed persons comprising the Election Board, or any one or more of them, are not present at the opening of the polls, the persons who are entitled to vote and are then present shall appoint, by viva voce vote, a qualified voter or voters to act in the stead of the absent member or members of the Election Board; and the qualified voter or voters so elected viva voce shall continue to act as a Judge or Judges of that particular election in the place and stead of said regular member or members whether or not they appear at the polling place or places after the member or members, elected by viva voce vote, have begun to act. The persons comprising the Election Board, or those acting in their stead, as the case may be, shall be Judges of the election, and shall determine the voting qualifications of the persons who present themselves as voters and the legality of the votes cast. The Election Board shall keep a list of all the persons who vote at the election.

D. Every person not less than twenty-one (21) years of age who has been a freeholder of record in the Town for at least three (3) months immediately preceding the election and against whose property there shall be no due and unpaid taxes, assessments, or other charges due the Town, shall have the right to vote in any annual or special election or on any referendum. The Council may make regulations not inconsistent with this Act, governing the manner in which the votes shall be cast and registered, including voting by proxy, provided, that all proxies shall be duly notarized by the voter giving the same, and shall contain specific directions as to the candidates who shall receive the votes cast or as to the propositions to be voted upon.

E. Upon the close of the election, the votes shall be read and counted publicly, and the person who has the highest number of votes for each office shall be declared duly elected and shall, after qualifying, continue in office for the term for which elected or until his or her successor has been duly elected and has qualified. In the case of a tie vote for any office, the Election Board shall, by a majority vote of the persons serving as such Board, decide which of the candidates so tied shall be declared elected and entitled to receive the certificate of election provided for in Subsection F of this section.

F. The Election Board shall give to each person elected a certificate of election, and shall enter in a book provided for that purpose the minutes of the election and the names of the persons elected. The said Board shall sign the book and deliver the same to the Council. The Council shall preserve the said book and it shall be admissible in evidence in all courts 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 fifteen (15) days after the day of the election, and they shall be delivered to the Council and preserved for a longer period if the Council deems such action to be necessary.

Section 6. ORGANIZATION OF THE COUNCIL AND ANNUAL MEETING

A. The annual meeting of the Council shall be held on the first Saturday following the day of the annual election dur-

ing each year. The members of the Council, relinquishing their office as a result of said annual election, shall serve and function as members of the Council until their newly elected successors have been sworn at the annual meeting as provided in this section.

B. At the annual meeting, the newly elected members of the Council shall assume the duties of their offices. Before entering upon the duties of their offices, the newly elected members shall be sworn, by some person authorized by the Laws of the State of Delaware to administer oaths, to perform faithfully and impartially the duties of the office of Councilman. At such meeting the Council shall organize and shall choose a President from their own number, who shall serve as such during the ensuing year at the pleasure of the Council. The Council shall also choose a Secretary and a Treasurer, who shall serve at the pleasure of the Council. The Secretary and the Treasurer may or may not be members of the Council, and may or may not be one and the same person. The Secretary and the Treasurer shall be authorized to receive for their services in those offices such compensation as may be fixed by the Council without regard to the amount they may receive for their services as members of the Council. The President may designate another member of the Council to preside during the temporary absence of the President.

C. In case of a vacancy in the office of the President, by death, resignation, or otherwise, the members of the Council may, at any regular or special meeting, choose one of their own number to serve as President during the unexpired portion of the ensuing year.

Section 7. REGULAR MEETINGS OF THE COUNCIL

The Council shall hold regular meetings once a month, which meetings, except as otherwise provided in this Act, shall be held at such times as the Council by resolution may designate. All meetings of the Council shall be held in such place in the Town as the Council may select. In the event of a temporary change in the time or place of the meeting, notice shall be posted a reasonable time prior to the next meeting in some suitable public

place in the Town, stating the new place of meeting selected by the Council and the day and hour of such meeting; and the Secretary of the Council shall give written notice to each member of the Council of the change in the time and place of the meeting by depositing such notices, addressed to each member respectively, in the United States Post Office in the Town of Bethany Beach, at least seventy-two (72) hours prior to the time set for such meeting.

Section 8. SPECIAL MEETINGS OF THE COUNCIL

Special meetings of the Council shall be called by the Secretary upon the written request of the President of the Council or upon the written request of any two (2) members of the Council, stating the day, hour, and place of the special meeting requested and the subject or subjects proposed for consideration thereat. The Secretary shall thereupon give written notice to the President and to each member of the Council of the day, hour, and place of such special meeting and of the subject or subjects proposed to be considered at such meeting. Such notice shall be addressed to the President and the other members of the Council, respectively, and shall be deposited in the United States Post Office in the Town of Bethany Beach at least seventy-two (72) hours prior to the time set for such special meeting. No business shall be transacted at a special meeting unless such notice has been addressed and mailed as aforesaid, provided that the mailing of such notice may be waived individually by the President or any other member of the Council in writing prior to or immediately after the convening of such special meeting, and the proper filing of the necessary waiver or waivers shall authorize and make valid the holding of the special meeting. The Council shall have the same power and authority to enact all ordinances and to transact all other business at a special meeting as it might legally do at a regular meeting.

Section 9. QUORUM OF THE COUNCIL

A quorum for the transaction of business at any meeting of the Council shall consist of a majority of all of the members of the Council, but if a less number be present they may adjourn from time to time and may compel the attendance of absent

members in such manner and under such penalties as may be prescribed by ordinance adopted by the affirmative votes of five (5) members of the Council. Except as otherwise provided in this Act, the acts, doings and determinations of a quorum of the Council shall be valid for all purposes.

Section 10. RULES OF ORDER AND JOURNAL OF PROCEEDINGS

The Council shall determine its own rules and order of business and shall keep a journal of its proceedings, and the yeas and nays shall be taken upon every ordinance or resolution considered by the Council and shall be entered in the journal with the text of the ordinance or resolution acted upon.

Section 11. VACANCIES ON THE COUNCIL

In the case of vacancy in the membership of the Council, by death, resignation, or otherwise, the Council shall fill such vacancy for the remainder of the term for which the member was elected, provided, that if a vacancy shall exist in the office of Councilman, the unexpired term of which office shall be for more than one (1) year, the Council shall appoint a qualified person to serve until the next annual election, at which time a qualified person shall be elected to fill the unexpired term of said office in the manner provided in Section 5 of this Act.

Section 12. DISQUALIFICATION OF COUNCIL MEMBERS

If any Councilman shall, during his term of office, be convicted of any felony or misdemeanor and shall be sentenced to imprisonment for any term whatever, he shall forthwith be disqualified to act as a member of the Council and his office shall be deemed to be vacant and shall be filled in the manner provided in Section 11 of this Act.

Section 13. CONTRACTS WITH COUNCIL MEMBERS

It shall be unlawful for the Town, or anyone in its behalf, to make or enter into any contract for materials, supplies, work,

or labor for the use and benefit of the Town with any member of the Council or with any immediate member of his or her family, or with any partnership in which any member of the Council is a partner, or with any corporation in which any member of the Council is a director, officer, or stockholder, or with any firm or company in which any member of the Council is pecuniarily interested, except with the unanimous consent of the entire Council, and without such unanimous consent any such contract shall be absolutely null and void and the Town shall incur no liability whatever thereunder.

Section 14. OFFICERS

A. In addition to the appointment of a Secretary and a Treasurer as provided in Section 6 of this Act, the Council shall appoint a Collector of Taxes, an Assessor, and an Auditor, and may, when it deems it advisable to do so, appoint an Alderman, a Chief Police Officer, and a Town Solicitor. The Council may also appoint any such other officers, including subordinate police officers, employees, and agents of the Town as it deems necessary or appropriate for the proper conduct and management of the Town's business and affairs. Except as otherwise provided in this Act, all officers, employees, and agents appointed by the Council shall serve at the pleasure of the Council. Any officer, employee, or agent appointed by the Council may, by order of the Council, be removed from office at any time for sufficient cause or for other reasons, without regard to his term of office.

B. The Council shall, except as otherwise provided by this Act, fix the compensation of all officers, employees, and agents of the Town, and the time and manner of payment. No officer, employee, or agent of the Town shall have, take, or receive from the Town any compensation in any form in addition to the salary or compensation fixed by the Council.

C. The Council shall cause to be kept a full and complete record of all officers, employees, and agents appointed or employed by the Town, containing the names of such officers, employees, and agents, the date and terms of their appointment or employment, the salary or compensation fixed by the Council, and the dates of the termination of their services.

D. (1) The duties of the President of the Council shall be to preside at all meetings of the Council; to have general superintendence of municipal affairs; to receive complaints of nuisances and all complaints of violations of laws and ordinances and to present the same to the Council at its first meeting thereafter for action of the Council, and to cause such infractions or violations of the laws or ordinances, as require immediate action, to be proceeded with before the Town Alderman or any Justice of the Peace of Sussex County. Provided, that superintendence or conduct of any specified municipal activity may be vested solely in a committee or appointee where the Council deems it advisable to do so, and in such case the committee or appointee so designated shall be responsible to the Council. (2) The President shall issue and sign all licenses for exhibitions within the Town, and all licenses and permits for any other purpose for which, under the Laws of the State of Delaware or the ordinances of the Town, a license or permit is required. (3) The President of the Council shall sign all warrants on the Treasurer for the payment of any Town money and shall perform such other duties as may be prescribed by resolution or ordinance of the Council. The President of the Council, by and with the consent of the Council, may appoint a member of the Council to sign warrants on the Treasurer in the absence of the President. (4) The President shall have the same right as other members of the Council to vote on all matters and may at any time designate a member of the Council to preside at a meeting if he desires to make a motion, move or second the adoption of a resolution, or debate any question from the floor, and may thereafter immediately resume his duties as presiding officer.

E. The Secretary shall be a freeholder in the Town and shall be not less than twenty-one (21) years of age at the time of his appointment. He shall record all the proceedings of the Council and shall keep a correct journal of the same in a book to be provided for that purpose. He shall file and keep in a safe place the Seal of the Town, and all books, papers, and documents relative to the affairs of the Town, and shall deliver the same to his successor in office. The Secretary shall attest the Seal of the Town when authorized by the Council and shall perform such other duties and have such other powers as may be prescribed by ordinance of the Council. All books, records, papers,

and documents in the custody of the Secretary shall always be open for the inspection of the Council and shall be open to public inspection under such regulations as the Council may prescribe.

F. The Treasurer shall be a freeholder of the Town and shall be not less than twenty-one (21) years of age, at the time of his appointment. The Treasurer shall, before entering upon the duties of his office, be sworn faithfully and honestly to perform the duties of his office, which oath shall be administered by a person authorized under the Laws of the State of Delaware to administer oaths. The Treasurer shall also, before entering upon the duties of his office, give a bond to the Town of Bethany Beach in such amount and with such sufficient surety or sureties as shall be approved by the Council, conditioned for the faithful discharge of the duties of this office and for the payment to his successors in office, or to the Town of Bethany Beach, of all sums of money belonging to said Town, which may remain in his hands upon the settlement of his accounts, to which bond and condition shall be annexed a warrant of attorney for the confession of judgment. The Treasurer shall pay all orders drawn on him by order of the Council and signed by the President thereof, out of any moneys in his hands belonging to the Town. He shall settle his accounts with the Council annually by the end of the fiscal year and at such other times as the Council may require.

G. (1) The Collector of Taxes shall be a resident of the Town of Bethany Beach and shall be above the age of twenty-one (21) years at the time of his appointment. (2) Before entering upon the duties of his office, the Collector of Taxes shall be sworn by some person authorized under the Laws of the State of Delaware to administer oaths faithfully to perform the duties of his office. The Collector of Taxes shall also, before entering upon the duties of his office, give a bond to the Town of Bethany Beach, Delaware, in such amount and with such sufficient surety or sureties as shall be approved by the Council, conditioned for the faithful performance of the duties of his office and the payment to the Treasurer of the Town of all moneys collected by him belonging to the Town from taxes, water rents, and all other revenues and sources, and for the settlement of his accounts

with the Treasurer of the Town at the end of each fiscal year, and at such other times as the Council may require, to which bond and condition shall be annexed a warrant of attorney for confession of judgment. (3) It shall be the duty of the Collector of Taxes to collect all Town Taxes, water rents, and other revenues and money of the Town required by this Act or any ordinance of the Council and to pay the same to the Treasurer of the Town without delay.

H. The assessor shall be a freeholder of the Town and shall have attained at least the age of twenty-one (21) years at the time of his appointment. Before entering upon the duties of his office he shall be sworn by some person authorized by the Laws of the State of Delaware to administer oaths to perform the duties of his office with fidelity and without favor. It shall be his duty to make a fair and impartial assessment of all real property subject to taxation situated within the Town, provided, however, that the real property owned by the Assessor shall be assessed only by the Council.

I. The Auditor shall have attained at least the age of twenty-one years. It shall be his duty to audit the accounts of the Town and all of its officers whose duty involves the collection, custody, or payment of the moneys of the Town. He shall also audit the books of the Alderman and the records of all fines, penalties, and costs imposed or collected pursuant to any judgment, order, or decree made. The Auditor shall, on or before the last business day in the month of September, make and deliver a detailed report of all accounts, records, and books examined and audited by him, and true copies of said report shall be posted in three public places in the Town. The Auditor, in the performance of his duties, shall have access to all records of the Council and all records of the officers of the Town. The Council may employ such clerks or accountants as in its judgment may be necessary to assist the Auditor in the performance of his duties.

J. (1) The Alderman shall have all the powers of a Justice of the Peace within the Town and shall have jurisdiction and cognizance of all breaches of the peace and other offenses committed within the limits of the Town so far as to arrest and hold to bail, or fine and imprison offenders; of all fines, penal-

ties, and forfeitures prescribed by this Act or any ordinance enacted hereunder, or prescribed by any other law of the State of Delaware and of all neglects, omissions or defaults of the Chief Police Officer or any other Town officer, agent or employee. Provided, that the Alderman shall impose no fine or penalty in excess of that fixed by ordinances and shall not commit to prison for a longer term than thirty (30) days. The jails of Sussex County may be used for imprisonment under the provisions of this Act and ordinances made thereunder, provided that the Town shall pay for the board of persons committed for breaches of ordinances which are not breaches of the general law. (2) The Alderman shall also have jurisdiction in suits of a civil nature, for the collection of taxes and water rents, and for the recovery of amounts due for the construction of sidewalks, gutters, curbs, pavements, water mains or sewers, and for expenses of abatement of nuisances, and all other matters which may arise in the proper government and control of the Town under the provisions of this Act; and within his jurisdiction he shall have all the powers and authority, and shall be subject to all the limitations of a Justice of the Peace of Sussex County, except as herein otherwise provided; and his fees shall be the same as those of a Justice of the Peace for like services. For any service or duty for which no fee is provided by law, such fee shall be established by ordinance of the Council. (3) Upon the expiration of his term of office, or in case of resignation or removal from office, the Alderman shall forthwith deliver to his successor all books, papers, documents, and other things belonging or appertaining to his office, and shall pay over to the Treasurer of the Town all moneys in his hands belonging to the Town. Upon neglect or failure to make such delivery or payment within five (5) days after he ceases to hold the office of Alderman, he shall be deemed guilty of a misdemeanor and upon conviction in the Superior Court of the State of Delaware shall be fined not more than Five Hundred Dollars (\$500.00) or imprisoned for not more than one (1) year, or he may receive both such fine and imprisonment in the discretion of the Court. (4) At every regular monthly meeting of the Council, the Alderman shall report in writing all fines imposed by him, and all fines and penalties and other money received by him during the preceding month belonging to the Town. He shall pay all such moneys to the Treasurer within ten days after making such

report to the Council; and for failure to make report to the Council or failure to make payment to the Treasurer within such ten (10) days, he shall, upon conviction in the Superior Court of the State of Delaware, receive the same punishment as that provided in the preceding paragraph of this Section. (5) The Alderman shall keep a docket in which a record of all of his official acts shall be entered, which shall be open to public inspection and examination at all times.

K. The Town Solicitor shall be a member of the Bar of Sussex County, Delaware. It shall be his duty to give legal advice to the Council and other officers of the Town, and to perform such other legal services as may be required of him by the Council. He shall receive for his services such compensation as the Council may deem appropriate.

L. (1) The Chief Police Officer shall be subject to the direction of the Council, and the Council shall from time to time make such rules and regulations as may be necessary for his control and demeanor. The Chief Police Officer shall preserve peace and good order, and shall compel obedience within the Town limits to the ordinances of the Town and the Laws of the State of Delaware. He shall have such other duties as the Council shall from time to time prescribe, and shall be entitled to the same fees and costs as a Constable of Sussex County, in addition to such compensation as may be allowed by the Council. (2) It shall be the duty of the Chief Police Officer to suppress riotous disorderly or turbulent assemblages of persons in the streets or squares of the Town, or the noisy conduct of any person in the same, and upon view of the above, or upon the view of the violation of any ordinance of the Town relating to the peace and good order thereof, the Police Officer shall have the right and power to arrest without warrant and to take the offender before the Alderman or any Justice of the Peace of Sussex County for hearing. (3) The Chief Police Officer shall be vested within the Town limits with all of the powers and authority of a Constable of Sussex County and shall have the power to make arrests for all motor vehicle and other traffic violations within the limits of the Town; and in the case of pursuit of an offender his authority and power shall extend to any part of the State of Delaware. (4) Every person sentenced to imprisonment by the Alderman or a Justice of the Peace of Sussex County for an

offense committed within the Town limits shall be delivered by the Chief Police Officer to the County Jail of Sussex County, or to the lock-up of the Town, to be there imprisoned for the term of the sentence. (5) In the case of any arrest at a time, when the Alderman or a Justice of the Peace shall not be available to hear and determine the charge, the person arrested may be delivered to the lock-up of the Town for imprisonment until such reasonable time thereafter as shall enable the Alderman or a Justice of the Peace to hear and determine the charge against such person.

M. The Council shall also have power to establish a Board of Health which shall consist of three (3) members, one (1) of whom shall be a practicing physician in Sussex County. The members of the Board of Health shall be appointed by the Council at the annual meeting or as soon thereafter as possible, and shall serve for the ensuing year or until their successors are duly appointed and qualified. The Board of Health shall have cognizance of and interest in the life and health of the people and population in the Town. It shall report to the Council, in writing, all conditions which it deems to be injurious to the health of the people of the Town and shall make recommendations to the Council concerning whatever it considers may contribute to the health of the people and the sanitation of the Town.

Section 15. ENUMERATION OF POWERS OF THE COUNCIL

The Town Council shall, by ordinance, rules, regulations, resolutions, or by-laws, or amendments to the same, have power:

A. (1) To preserve and protect the peace, health, welfare, and good morals of the inhabitants of the Town and to prevent the introduction and spread of infectious or contagious diseases; (2) to define, prevent, abate or remove nuisances of all kinds, and to abate or remove any nuisance at the expense of those maintaining or permitting it and to compel the owner or occupant of any lot, house, building, shed, cellar, or other land or structure in or upon which there may exist any matter or thing, which is or may be detrimental, in the opinion of the

Council, to the health of the inhabitants of the Town, to cleanse, remove or abate the same, under the direction of the Council, as often as the said Council shall deem necessary for the health and well-being of the inhabitants of the Town, or in a summary manner to cause the same to be done at the expense and proper cost of such owner or occupant; and such owner or occupant is hereby expressly made liable for said costs and expenses, to be collected, as hereinafter directed, from such owner or occupant in addition to any fine or penalty for which he may be liable for maintaining such nuisance; (3) to prevent vice, drunkenness, immorality, and disorderly conduct, to quell riots, disturbances, and disorderly assemblages, to prevent and restrain gaming and gaming houses and all instruments and devices for gaming or gambling, to prevent and restrain disorderly houses and houses of ill fame or prostitution, to regulate and prohibit vagrants, mendicants, and street beggars, to prohibit or regulate the holding of parades in any of the streets of the Town, and to prohibit any willful practice having a tendency to frighten animals or to annoy persons passing in the streets.

B. (1) To prescribe methods for fire protection in the Town, including authority to prohibit the use of building materials which it may deem to create a fire hazard in the section of the Town where they are to be used, to zone or district the Town and to make particular zones or districts with regard to building and building materials, and to forbid any building, including new building or rebuilding or additions to or alterations of existing structures of any kind, except for which a building permit has been obtained in the manner as prescribed by the Council; (2) to condemn any existing building or structure that it deems to be a fire menace and to cause the same to be torn down or removed, provided that no building shall be so condemned until reasonable notice of the intention to condemn shall have been given to the owner thereof, together with an opportunity to be heard; (3) to regulate or prevent the storage of gasoline, naphtha, oils, gunpowder, or any other inflammable, combustible, or dangerous substances or materials, and to define, investigate, prevent, abate and remove fires and explosion hazards, both within and without buildings in the said Town; (4) to regulate the sweeping and cleaning of chimney flues and to provide for the keeping of chimneys in a safe condition as to fire and all other hazards; (5) to prevent, suppress, and regu-

late all bonfires, the firing of firearms and keeping, sale, and the setting off and exploding of fire crackers, fire works, torpedoes, and all explosives of whatever character at any place in the said Town; (6) to construct, improve, extend and maintain a water plant and distribution system therefore including water mains, fire hydrants, and other proper instruments for the prevention and combatting of conflagrations; (7) to provide for the expenditure, through its own channels, or through those of a volunteer fire company in the said Town, of such funds as the Council may from time to time deem necessary or appropriate for the protection from fire of the lives of the inhabitants and the property in the Town.

C. (1) To enact and enforce a code of building regulations to protect the health, safety, and welfare of the inhabitants of the Town, including the power to forbid the construction of any new building, or any addition to or alterations or repair of any existing building unless a building permit as prescribed by the Council has been obtained therefor; (2) to prescribe the extent and nature of and to require the removal of any platform, stoop, step, bay window, porch, awning, drain, shed, cellar, door, gate, or other projection of any character in, over, under, or upon any street, road, avenue, sidewalk, alley, square, or other public place, which the Council deems to be dangerous to the safety of the inhabitants, obstructive to the convenience of the public, or detrimental to the beauty of the Town, and to regulate all inlets to lots and buildings; (3) to establish building lines for buildings to be erected; (4) to assign street numbers to houses and buildings and parts thereof.

D. (1) To control the drainage of all water within the limits of the Town, including the power to regulate, clean, and keep open and unobstructed and to alter and change the course and direction of the natural water courses, runs, and rivulets within the limits of the Town, and to keep open gutters, surface-water, and underground drains and sewers within the limits of the Town; and for such purposes the Council shall have the power to authorize the entry upon private lands and to take, condemn, and occupy the same in the same manner and by condemnation proceedings of the same character as those provided for in connection with the opening and laying out of streets in Section 20 of this Act; (2) to locate, regulate, prohibit or

remove slaughter houses, to regulate, prohibit, or remove privies or outside water closets, to regulate or, where necessary in the interest of the public health, to prohibit or remove cesspools, septic tanks, or any other local means of disposing of sewage, to provide for the removal and disposal of garbage and trash, to fix and levy the amounts to be charged for such removal, and to prohibit and regulate public and private wells containing water that may be dangerous to the health of any of the people of the Town; (3) to compel the owner or owners of property within the limits of the Town, after written notice to said owner or owners by registered mail, to fill in any low lots so that the same may drain, to abate, remove and keep free all property from dense underbrush, rubbish, tall weeds, fallen timber, or any like condition which in the discretion of the Council constitutes a fire hazard, or is unsanitary, or is prejudicial or detrimental to the health and welfare of the population of the Town or to adjacent lot owners; and the Council shall have power to levy a fine or penalty of not less than Five Dollars (\$5.00) and not more than Twenty Dollars (\$20.00) against such owners for each and every calendar month such notice has not been complied with after the expiration of such notice, and said fine or penalty may be assessed against the said property by the Council and shall be collected by the Collector of Taxes in the same manner and by the same remedies as those provided for the collection of taxes in Section 17 of this Act.

E. (1) To ascertain and fix the boundaries of streets, avenues, roads, squares, lanes, alleys, and sidewalks, to pave, repave and improve the same, including the power to bridge natural or artificial watercourses, to alter, extend or widen any street, road, avenue, square, lane, alley, or sidewalk, or to vacate or abandon the same, and to open, lay out, improve and repair new streets, roads, avenues, squares, lanes, alleys, and sidewalks, subject however, to the provisions and restrictions in that behalf herein otherwise set forth; (2) to regulate and fix the ascents and descents of all streets, avenues, roads, lanes, alleys, and sidewalks, and the drainage thereof, to direct and carry out the paving, repaving and improvements of foot pavements, and to prescribe the width and materials thereof as hereinafter set forth, and (3) to regulate and provide for the construction of new gutters and curbs and the improvements of

existing gutters and curbs, subject however, to the provisions and restrictions in that behalf herein otherwise prescribed.

F. (1) To provide for the employment, from time to time, of skilled surveyors to make plots and maps showing the limits of said Town and the ascents, descents, and limits of all streets, roads, avenues, lanes, alleys, and sidewalks, and the grade of all sewers and water mains, and generally to do and perform all other matters of a cognate nature as may be deemed necessary by the Council; (2) to provide for superintendence and oversight of all roads, streets, avenues, squares, lanes, and alleys now opened or hereafter to be opened, within the limits of the Town, and no overseer, or similar official, shall be appointed by the Levy Court of Sussex County, but the said Levy Court shall annually appropriate for the repairs and upkeep of the roads, avenues, and streets in said Town the sum of money provided for by the Laws of the State of Delaware now in force or hereafter enacted and the said Levy Court shall make orders for the payment thereof to the Treasurer of the Town for the use of the said Town; (3) to enforce the removal of snow, ice, and dirt from sidewalks by the owner or occupant of the adjoining property; (4) to provide lamps and lighting equipment and to cause the streets and public places of every description in the Town to be lighted at such hours of the day or night as the Council shall deem necessary.

G. (1) To levy and collect license fees, annually, for such amount or amounts as the Council shall from time to time fix, from any individual, firm, association, or corporation carrying on or practicing any business, profession, or occupation within the limits of said Town; (2) to levy and collect license fees upon the property of any person, firm, association, or corporation carrying on business in said Town and supplying the inhabitants thereof with any form or manner of services for any valuable consideration, provided, however, that nothing in this Act shall be construed as to make it mandatory upon any resident of the State of Delaware to apply for a license in order to sell, in the Town of Bethany Beach, farm product or products grown on his own farm or on a farm operated by him; (3) to prohibit, restrain, or regulate all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses, or other public performances and exhibitions,

to which a price of admission is charged, and to fix and levy the sum or sums to be paid the Town for temporary licenses authorizing such exhibitions; (4) to regulate the operation of public utilities within the Town and the use of the streets in connection with the operations of public utilities outside of the Town, or the use of the streets by common carriers, either passenger or freight or both, and to require that licenses from the Town be secured, and to determine the amount or amounts to be paid therefore; (5) to levy and collect taxes on gas and water mains, underground conduits, telephone, electric current, or other poles or erections of like character in said Town, together with the wires thereon strung, and to this end may at any time direct the same to be removed and suit to be instituted to collect the taxes so levied, in the event the owner or lessee thereof refuses or neglects to pay such taxes; (6) to prevent, abate or diminish electrical or other interferences with radio and television reception in the Town.

H. (1) To regulate the placing and replacing of poles or other structures within the town limits for the carrying of telegraph, telephone, electric current or other wires and attachments thereto; (2) to prevent injuries to trees from electric wires or from any other source or cause whatsoever; (3) to provide such life guard service on the ocean strand during the summer months as the Council, in its discretion, shall deem adequate, and to regulate or, if necessary prohibit, swimming or bathing in the ocean or in waters within the limits of the Town.

I. To use the money in the Treasury of the Town or any portion thereof, from time to time, for the improvement, benefit, protection, ornamentation, and the best interests of the said Town, as the Council may deem proper, and to use the Town's money to accomplish and carry into effect all acts which it has power to do by virtue of this Act and all other Laws of the State of Delaware and all lawful ordinances and resolutions of the Council, provided, that the Council shall cause a full and correct annual statement of the receipts and disbursements of all Town monies for the fiscal year next preceding to be posted in three (3) public places in the Town of Bethany Beach at least ten (10) days prior to the annual election.

J. To regulate the keeping and registration of dogs and to prevent their running at large, and to provide for registra-

tion fees therefor, and to regulate or prevent the keeping of wild animals, swine, goats, cattle, chickens, or other fowl or animals in said Town, or, in the judgment of the Council, in the more thickly populated parts of said Town.

K. (1) To make and enforce such regulations, not in conflict with the Laws of the State of Delaware, as it may deem necessary and beneficial for the safety and regulation of pedestrians, automobiles and all other mechanically propelled vehicles, animals and animal-drawn vehicles in and over the streets, avenues, roads, squares, lanes, alleys, corners, and other public places in the Town, including authority to provide for the purchase and installation of traffic control lights and signals; (2) to make and enforce regulations governing the parking and non-parking of any vehicle in the streets, roads, squares, avenues, lanes, alleys, and other public places in the Town, which the Council deems necessary or appropriate, including the power to purchase, rent, and install and use coin-operated parking meters.

L. (1) To prescribe fines, or penalties, or both, for violations of any of the provisions of this Act, or any ordinance, resolution, rule, or regulation made under its authority, provided, that no ordinance or other act of the Council shall prescribe any fines of more than One Hundred Dollars (\$100.00) exclusive of costs, nor any penalty by way of imprisonment in excess of thirty (30) days, but the Council may provide for both such fine and imprisonment in any case; (2) to provide for the deposit of cash collateral by persons charged with violating any ordinance, resolution, rule, or regulation governing the operating or parking of vehicles in the streets, roads, avenues, squares, alleys, lanes, or other public places in the Town, in cases where the Alderman or a Justice of the Peace is not available to grant bail or take other proper action; (3) to build or otherwise provide a suitable place as a lock-up or jail for the Town, which may be used as a place of detention for persons convicted of violation of law or of any ordinance, resolution, rule, or regulation of the Council, or for the detention of persons for a reasonable time in cases of necessity prior to hearing and trial, however, nothing herein shall be construed to deprive the Council of the right to use the jail of Sussex County for such purposes as is otherwise provided in this Act.

M. The Council shall likewise have the power to inquire into and investigate the conduct of any office, officer, or employee of the Town and to make investigations of all municipal affairs, and, for any such purpose or purposes, shall have the power to subpoena witnesses, administer oaths and compel the production of books, papers, or other evidence.

Section 16. ASSESSMENT OF TAXES

A. During the year immediately following the year in which this Act becomes effective as provided in Section 36 hereof, and every fourth year thereafter, there shall be a true, just, and impartial valuation and assessment of all real property subject to County taxation within the Town, locating each parcel of real property by street and number, or other description. The assessment so made shall be known as the "general assessment". In other years there shall be made a scrap assessment, as hereinafter provided. All assessments shall be made and completed prior to the first day of June.

B. The scrap assessment shall value and assess all taxable real property within the Town not already valued and assessed by the general assessment then in force, and all improvements made upon said real property since the general assessment was completed. In the years that scrap assessments are made, the general assessment then in force as supplemented or modified by the subsequent scrap assessments, shall constitute the assessment of that year.

C. The Assessor shall make and deliver to the Council as soon as the assessments are made such number of copies thereof as the Council shall direct. The Council shall have power to sit as a Board of Revision and Appeal to correct and revise the assessments made by the Assessor and to hear appeals concerning the same, and a majority of all the members of the Council shall be a quorum for that purpose. The said Board shall have full power and authority to alter, revise, add to, and take from the said assessments. The decision of a majority of the said Board so sitting shall be final and conclusive, provided, that no member of the Council shall sit on his own appeal.

D. The Council shall, prior to the fifteenth day of June in each year, cause a copy of the general assessment, or the scrap

assessment made in the particular year, to be posted in three (3) public places in the Town and there to remain for at least ten (10) days for public information. Attached to each of said copies so posted there shall be a notice of the day, hour, and place when and where the Council will sit as a Board of Revision and Appeal.

E. The assessment as made by the Assessor, or as revised and adjusted by the Board of Revision and Appeal, as the case may be, shall be the basis for the levy and collection of the taxes for the Town.

F. The Council shall have the power to assess, levy, and collect taxes upon all telephone, telegraph, or power poles, or other erections of like character erected within the limits of the Town, together with the wires and appliances thereto or thereon attached, that are not otherwise assessable and taxable, and to this end may, after making assessments thereof, direct the same to be included in or added to the Town assessment. In case the owner or lessee of such poles or erections shall refuse or neglect to pay the taxes so levied, such taxes may be collected by the Collector of Taxes as in the case of other taxes.

G. No farm lands, consisting of five (5) acres or more, included within the limits of the Town of Bethany Beach, shall be subject to any Town tax unless the same shall have been laid out as building lots and unless the same shall front upon some public street of the Town which shall have been opened and graded; but any dwelling house situated on farm land and not to exceed six thousand two hundred and fifty (6,250) square feet of land shall be subject to taxes herein provided. All farm lands within the aforesaid limits, which shall have been laid out as building lots and which shall front upon some public street of the Town (that has been opened and graded), shall be subject to be taxed to the depth of three hundred (300) feet from the said street line for Town purposes. The Council shall be the sole judges of what lands are, and what lands are not, farm lands for the purposes of this section.

H. The assessments heretofore made and in force, on the day this Act becomes effective, shall continue in force and effect until an assessment is made under the provisions of this Act.

I. The Council shall during each year determine and fix a rate of taxation, subject to the limitation contained in the last paragraph of this Section, which will produce approximately the amount of money necessary to defray the expenses of the Town for the current year, including interest on bonded indebtedness and for redemption of maturing bonds and for maintenance of a sinking fund.

J. The limit on the amount to be raised by taxation under this section shall not exceed the sum of Fifteen Thousand Dollars (\$15,000.00) in any one year.

Section 17. COLLECTION OF TAXES

A. On or before the fifteenth day of July in each year, the Council shall deliver to the Collector of Taxes a list containing the names of the persons of the Town who are taxable, opposite the name of each the amount of the assessed value of his real property, the rate of tax per hundred dollars, and the total amount of the tax assessed. Attached to the tax list there shall be a warrant, under the seal of the Town of Bethany Beach, signed by the President of the Council and attested by the Secretary thereof, commanding the Collector of Taxes to make collection of the taxes as stated and set forth in the tax list.

B. All taxes assessed by the Town of Bethany Beach shall be and shall constitute a lien upon all the real estate of the person against whom the taxes are levied and imposed situate within the Town of Bethany Beach, and such lien shall have preference and priority to other liens of record, except prior liens for United States, State and County taxes, on such real estate created or suffered by the said taxable, although such other lien or liens be of a date prior to the time of the attaching of such lien for taxes, provided that the lien for the Town taxes shall be a lien for a period of three (3) years from the fifteenth day of July of the year in which such tax shall have been assessed and no longer.

C. All taxes when and as collected by the Collector of Taxes, shall be paid to the Treasurer of the Town and all taxes

shall be due and payable at and from the time of the delivery of the tax list to the Collector of Taxes. To every tax paid after the thirtieth day of September in each year, there shall be added and collected one (1%) per cent for every month or fraction of a month after the said thirtieth day of September that the tax remains unpaid. Before exercising any of the powers hereinafter enumerated for the purpose of collecting taxes, the Collector of Taxes shall advise the taxable of the amount due by depositing in the United States Post Office at Bethany Beach, addressed to the taxable, a letter containing such information.

D. The Collector of Taxes shall have the following powers, which may be exercised by him for the purpose of collecting taxes:

(1) By distraint of the goods and chattels of the taxable situate within the Town; (2) by instituting suit before a Justice of the Peace of the State of Delaware, before the Alderman of the Town of Bethany Beach, or in any Court of the State of Delaware, for recovery of the unpaid tax, in an action of debt, and upon judgment obtained, writs of execution may issue as in the case of other judgments recovered before a Justice of the Peace, Alderman or other Court of the State of Delaware. An execution so issued shall constitute a lien upon all the personal property of the taxable within the County where the judgment shall have been obtained and shall have priority over all other liens against the personal property of the taxable, except prior liens for United States, State and County taxes; (3) by filing a petition, signed by the Collector of Taxes and verified before a Notary Public, with the Superior Court of the State of Delaware in and for Sussex County praying for an order of that court authorizing him to sell the lands and tenements of the taxable against the taxes were assessed. The petition shall show, (a) the name of the taxable, (b) the year for which the tax was levied, (c) the rate of the tax, the total amount due, (d) the date from which the penalty for non-payment, if any, shall commence and the rate of such penalty, (e) a short description of the lands and tenements proposed to be sold sufficient to identify the same, (f) a statement that a bill for said tax has been mailed to the taxable at his last known post-office address, that the tax has not been paid, and that it has been found impractical to collect the said tax by any of the other remedies

herein provided for, provided, however, that no petition shall be filed for the sale of lands and tenements unless any part of the tax due thereon is three (3) years past due and the owners thereof have been given sixty (60) days written notice, by United States Registered Mail address at his last known address; (4) after hearing on the petition so filed, the said Superior Court shall be authorized to order that the lands and tenements of the taxpayer, or so much thereof as is necessary to satisfy the tax, be sold at public sale under such conditions and upon such public notice as the court may determine, provided that, after deduction of costs and expenses of the sale, the proceeds from said sale shall be paid to the Collector of Taxes of the Town of Bethany Beach, Delaware, to be applied on the said tax and that any of the proceeds remaining, after satisfying the amount of the taxes and penalties due, shall be paid to the property owner or owners.

Section 18. COLLECTION OF CHARGES DUE THE TOWN

In the collection of water rents, license fees, tapping fees, civil penalties imposed by the Council or by this Act, charges growing out of the abatement of nuisances or the removal of unsanitary conditions, assessments for the opening and laying out and paving of streets the construction of gutters and curbs and the construction and repairing of sidewalks or the laying of water or sewer mains or pipes or other charges due the Town, authorized under the provisions of this Act, the collection of the same shall be under the supervision of the Collector of Taxes, in respect of which, except fines imposed by judicial officers, the Council shall issue a warrant to the Collector of Taxes directing him to collect the same from the person, firm, company, or corporation from whom they shall be due, together with interest from the due date and other charges attendant thereto. Upon receipt of the warrant, the Collector of Taxes shall have the same authority and powers, and may pursue the same remedies in respect of collection as are provided in Section 17 of this Act for the collection of taxes. It shall be the duty of the Collector of Taxes to pay forthwith to the Treasurer of the Town all amounts so collected in behalf of the Town.

Section 19. REMOVAL OF OBSTRUCTIONS, NUISANCES, AND UNSANITARY CONDITIONS

A. In addition to the power to impose fines and penalties for the failure to remove or abate obstructions, nuisances, or unsanitary conditions, the Council shall have power to enforce the abatement or removal of all such obstructions, nuisances, and unsanitary conditions in the manner hereinafter provided in this section. (1) If the Council, upon its own inspection or upon information obtained from the Board of Health or the Chief Police Officer, shall deem that an obstruction, nuisance, or unsanitary condition ought to be removed or abated, it shall direct the Secretary to forward by registered mail to the person or persons continuing or causing such obstruction, nuisance, or unsanitary condition or to the person or persons who are responsible for its existence or continuance, a notice addressed to his or their last known address to remove or abate the same within the time stated in the notice. (2) The said notice shall advise the person or persons named therein that if the obstruction, nuisance or unsanitary condition is not removed within the time stated in the notice, the Council will hold a hearing on a given date at which time they shall be given an opportunity to be heard and to present evidence in their behalf. (3) If after the said hearing the Council shall decide that the said obstruction, nuisance, or unsanitary condition should be removed or abated, it shall pass a resolution to that effect and give notice thereof to the person or persons affected. (4) If such person or persons refuse or neglect to remove or abate the obstruction, nuisance or unsanitary condition within five (5) days after the date of the resolution, the Council may issue a warrant under the seal of the Town, signed by the President of the Council and attested by the Secretary thereof, directed to an agent appointed by the Council. (5) The warrant shall command the said agent so designated or appointed by the Council forthwith to remove or abate such obstruction, nuisance, or unsanitary condition. (6) The said agent shall forthwith proceed to remove or abate the same and to that end shall have full power and authority to enter into and upon any lands and premises in the Town. He shall likewise have authority to take with him such assistants, implements, horses, carts, wagons, automobiles, trucks, or other things as may be necessary and proper to do and perform all matters and things in connection with the

removal or abatement of such obstruction, nuisance, or unsanitary condition. (7) At the regular monthly meeting of the Council next succeeding the delivery of the warrant to him, the agent appointed by the Council shall make a return to the Council of his proceedings upon the warrant and shall specify the costs and expenses of all necessary work, labor, and proceedings incurred by him in the abatement or the removal of the same. (8) The Council shall determine, from the return of the said agent, the costs and expenses of all necessary work, labor, and proceedings in reference to the abatement or removal of such obstruction, nuisance, or unsanitary condition. (9) The Council shall then issue a warrant, containing an itemized account of that information, together with the name and last known post-office address of the person from whom the Council shall determine the amount to be due and shall deliver such warrant to the Collector of Taxes. The warrant shall command the Collector of Taxes forthwith to collect the amount stated to be due thereon from the person or persons designated therein.

B. (1) The Collector of Taxes shall forward to such person or persons, in a sealed wrapper, a true and correct copy of the warrant by depositing the same in the United States mails and addressed to such person's or persons' last and known post-office address. (2) If such person or persons shall refuse or neglect to pay the same to the Collector of Taxes for the use of the Town within thirty (30) days from the date of the mailing of such true and exact copy of the warrant, the Collector of Taxes shall then be authorized and required to collect the same in any of the manners hereinbefore provided in Section 17 of this Act for the collection of taxes.

Section 20. STREETS

A. In every case the procedure for exercising the power and authority of the Council, as set forth in Section 15 (E) (1) of this Act, to locate, open, and lay out new streets, and to extend, widen, alter, or vacate or abandon existing streets, shall be as follows:

(1) The Council shall adopt a resolution favorable to the opening of and describing generally the contemplated new street, or the alteration or abandonment of any existing street, or part

thereof, as the case may be. The resolution shall also state the day, hour, and place the Council will sit to hear objections to the plan and to award just and reasonable compensation to any person who will be deprived of his property by reason thereof. Copies of such resolution shall be posted in not less than three (3) public places in the Town at least fifteen (15) days prior to the day fixed by the Council for the hearing as aforesaid. (2) At the time and place fixed in the resolution, the Council shall hear all persons who have an interest in the proceeding or who may be affected thereby. After hearing such persons, the Council shall, at said meeting or at any adjournment thereof, adopt a resolution to proceed with or to abandon the plan contemplated in its aforementioned prior resolution. (3) If the Council shall resolve to proceed with the plan contemplated, or a portion thereof, the Council shall award just and reasonable compensation to any person or persons who will be deprived of property by the execution of the plan so contemplated. Such compensation, where awarded, shall be paid by the Treasurer of the Town on a warrant drawn upon him by authority of the Council, upon delivery to him of a good and sufficient deed conveying a fee simple title unto the "Town of Bethany Beach, Delaware", which title shall be clear and free of all liens and incumbrances.

B. (1) Any person, who will be deprived of property by the execution of the plan so resolved and who is dissatisfied with the amount of compensation awarded by the Council, may, within ten (10) days after the award of the Council, appeal from such award by serving written notice to that effect upon the Secretary or the President, or in their absence, upon any member of the Council. (2) The manner and time of prosecuting such appeal shall be as follows and not otherwise: The appellant shall, within thirty (30) days after the award of the Council, apply to the Resident Judge of the Superior Court of the State of Delaware in and for Sussex County, or in the absence of the said Resident Judge, or to any other Judge of the Superior Court of the State of Delaware, for the appointment of freeholders to hear and determine the matter of compensation due such appellant by reason of the taking of his property, as aforesaid. Thereupon, the said Resident Judge, or said other Judge, as the case may be, shall issue a commission under his hand directed to five (5) impartial freeholders of Sussex County, commanding them to determine and fix the amount of the compensation to which

the said appellant will be entitled by reason of being deprived of his property, as aforesaid. The freeholders so appointed shall, in fixing the amount of the compensation, take into consideration the benefits or advantages that will enure to the said appellant's property by reason of the opening of such new street, or otherwise. The freeholders so appointed shall make return of their findings to the said Resident Judge or to said other Judge, as the case may be, at a time appointed in the said commission.

C. The freeholders so appointed shall give notice of the day, hour, and place they will meet to view the premises and to fix the amount of the compensation, if any, as aforesaid. Such notice shall be served upon the appellant personally, or by posting a copy thereof of the premises affected, at least five (5) days before the day specified therein upon which they are to view the premises, as aforesaid. A copy of such notice shall also be served on the Secretary or the President of the Council at least five (5) days before the day of such meeting.

D. The freeholders named in such commission, after first being sworn or affirmed fully, fairly, and honestly to determine the amount of the compensation to the best of their abilities, shall, on the day and at the hour and place stated in the notice aforesaid, view the premises and hear the appellant and his witnesses and the Council and its witnesses, and shall, without delay, determine and fix the amount of the compensation, if any, to which the said appellant will be entitled by reason of being deprived of any of his property, as aforesaid. Thereupon, and without delay, the said freeholders shall make return, in writing, of their proceedings in the premises to the said Resident Judge, or to the other Judge of the Superior Court of the State of Delaware, as the case may be; and the said Judge shall cause the said return to be delivered to the Secretary or the President of the Council of the Town of Bethany Beach, Delaware. Such return shall be final and conclusive upon all parties with respect to the amount of compensation fixed therein; and the Judge shall have full power to fill any vacancy that may occur among the five (5) freeholders appointed, as aforesaid.

E. Upon receipt of the return of the five (5) freeholders, the Council shall, within thirty (30) days after such receipt, pay or tender the amount of the compensation in such return

to the person or persons entitled thereto, or the Council may, if the person or persons entitled is not available or refuses to accept the said amount, deposit the same in any bank in Sussex County to the credit of the person or persons entitled thereto, and thereupon the Council may proceed to carry into effect the plan contemplated in its resolution aforementioned.

F. If the compensation fixed by the five (5) freeholders aforesaid, shall be an increase above the amount fixed by the Council, or if the Council shall decide not to take such property, the cost of the appeal shall be paid by the Town of Bethany Beach. If the said compensation be not increased by the five (5) freeholders aforesaid, the cost of the appeal shall be paid by the party taking the appeal. The fees of the freeholders shall be Five Dollars (\$5.00) per day to each, and shall be taxed as part of the costs. After the compensation shall have been fixed by the freeholders as aforesaid, the Town shall have the option of either paying the compensation within thirty (30) days and proceeding with the plan, or of paying the costs only and abandoning the proposed plan. If the Council elects to proceed with the plan, it may apply to the Resident Judge or to the other Judge of the Superior Court of the State of Delaware, as the case may be, for an order declaring that the title to the property taken is vested in the Town of Bethany Beach, Delaware, which order may be recorded as any other conveyance.

G. If the land comprehended or included in any street or part thereof, which is or shall be vacated or abandoned under this section and Section 15 (E) (1) of this Act, is owned by the Town, the Council may, in its discretion, sell such land at public sale. The Council may reject any bid or bids that it deems to be inadequate. The Council shall have the power to convey, in behalf of the Town, to the purchaser or purchasers thereof a good and sufficient title thereto for whatever estate the Town may have in such land.

H. In exercising its power to repair, construct, build or rebuild, pave, or in any manner improve all new and existing streets, the Council may use such materials and substances and such methods of construction and may employ such contractors, engineers, inspectors, or others as it may deem expedient and may use different materials and different methods of construc-

tion on different streets or parts of streets, if it deems such action advisable. To this end, the Council shall have full power to enter into contracts or agreements with the Highway Department of the State of Delaware for the permanent maintenance, repair, and upkeep of any street within the Town limits.

I. The Council shall have full power and authority to expend such part or parts of the money of the Town, in the general fund of the Town, not otherwise appropriated, towards the carrying out of any powers and authority granted to the Council by this section.

Section 21. GRADING, PAVING, AND REPAIRING OF STREETS AND CONSTRUCTION OF GUTTERS AND CURBS

A. The Council shall have full power and authority to lay out and grade all new streets that may be opened and to repair, repave, regrade, redress, or otherwise repair the roadways in all streets theretofore paved, within the limits of the Town, to repair and rebuild gutters and curbs in such streets, and to expend such part or parts of the money of the Town, in the general fund of the Town not otherwise appropriated, for those purposes.

B. The Council shall likewise have power and authority to pave the roadways in all existing unpaved streets and in all new streets hereafter opened, and to lay and construct gutters and curbs in such streets, but the costs of paving the roadways and laying out and constructing the gutters and curbs in such streets, shall be borne by the owners of the property abutting on the streets or parts of streets to be paved. For the purposes of this section, the term "unpaved streets" shall include all streets along which gutters and curbs have not been laid and constructed at the time this act becomes effective, even though the roadways of such streets may have been covered with some form of hard surfacing material. The costs of paving the roadways and of laying and constructing gutters and curbs in such unpaved and new streets shall be proportionally allocated to the various owners of the property abutting on the street to be paved on the basis of the length of the frontage of the respective lots that abut on the said street, and shall be assessed by the Council ac-

cordingly. The costs so assessed shall be a lien on the property so assessed from the date of the assessment for a period of three (3) years and no longer, and such lien shall have preference and priority to other lines of record, except prior liens for United States, State, and County Taxes, on such real property created or suffered by the owner thereof, although such other liens be of a date prior to the time of the attachment of the assessment lien.

C. Upon the assessment of the aforementioned costs, the Council shall issue a warrant thereon, directed to the Collector of Taxes, bearing the seal of the Town, attested by the Secretary of the Council, which shall state the amount or amounts to be by him collected and the person or persons from whom the said amount or amounts shall be by him collected, and shall command him forthwith to collect the same from the person or persons so specified in the warrant.

D. Immediately upon receipt of such warrant the Collector of Taxes shall forward a true and exact copy of the warrant to the person or persons specified therein as owing the Town the amount specified therein as due to the Town. Such true and exact copy of the warrant shall be enclosed in a sealed wrapper, addressed to the last known post office address of the person or persons therein named, and shall be forwarded to such person or persons through the mails of the United States.

E. If the amount specified as due the Town shall not have been paid to the Collector of Taxes within thirty (30) days from the day of the mailing of such true and exact copy of the said warrant, the Collector of Taxes shall then be authorized and required to collect the amount due in any of the manners hereinbefore provided in Section 17 of this Act for the collection of taxes.

F. In paving, repaving, building, rebuilding, or otherwise repairing, improving, all existing and new streets and in laying out, constructing or in repairing gutters and curbs in such streets, the Council may use such materials and substances and such methods of construction and may employ such contractors, engineers, inspectors, and others, as the Council may deem ex-

pedient and appropriate, and may use different materials and different methods of construction on different streets, or on parts of the same street.

Section 22. SIDEWALKS

A. The costs of leveling, grading, constructing, paving, or building of sidewalks in the Town shall be borne by the owner of the land abutting upon such sidewalk, and the Council shall have power to specify the manner of performance and the materials to be used in the leveling, grading, constructing, paving or building of the same.

B. Before any such owner shall be required to lay out and construct or repair any sidewalk, a written petition of five (5) or more freeholders of the Town, owning land abutting on the particular street, directed to that end shall first have been received or obtained by the Council.

C. Upon receipt of such petition, the Council shall direct the Secretary to forward a written notice to the owner or owners of any house or lands, along, in front of, or adjoining the street upon which the Council deems it proper that a sidewalk shall be laid; directing them to lay sidewalk thereon. Such notice shall specify to the owner any rules or regulations adopted by the Council in respect to the laying thereof or the materials to be used in the doing of work.

D. Should the owner or owners neglect or refuse to comply with said notice for the period of sixty (60) days, the Council shall issue a warrant in the name of the Town, bearing the seal of the Town, and attested by the Secretary, directed to such agent, or contractor, as shall be named by the Council commanding him forthwith to do the work as specified in the above mentioned notice to the owner or owners. Whereupon, the agent, or contractor, to whom the said warrant shall have been directed, shall forthwith proceed to lay such sidewalk as directed in the said warrant. To that end, the said agent shall have full power and authority to enter into any premises or upon any lands in the Town and to take with him such assistants, materials, implements, horses, carts, wagons, trucks, or other things

as may be necessary or useful to perform the work specified in the said warrant. At the next regular monthly meeting of the Council, after delivery of the warrant to the said agent, or contractor, he shall make a return thereon which shall include an itemized statement of all costs incurred by him in the performance of the work specified in the said warrant.

E. From the return of the said agent, or contractor, the Council shall determine the amount due to the Town by reason of the work done and shall issue a warrant thereon, directed to the Collector of Taxes, bearing the seal of the Town, attested by the Secretary of the Council, which shall state the amount or amounts to be by him collected and the person or persons from whom the said amount or amounts shall be by him collected, and shall command him forthwith to collect the same from the person or persons so specified in the warrant.

F. Immediately upon the receipt of such warrant the Collector of Taxes shall forward a true and exact copy of the warrant to the person or person specified therein as owing the Town the amount or amounts specified therein as due to the Town. Such true and exact copy of the warrant shall be enclosed in a sealed wrapper, addressed to the last known post office address of the person or persons therein named, and shall be forwarded to such person or persons through the mails of the United States.

G. If the amount or amounts specified as due to the Town shall not have been paid to the Collector of Taxes within thirty (30) days from the day of the mailing of such true and exact copy of the said warrant, the Collector of Taxes shall then be authorized and required to collect the amount or amounts due in any of the manners hereinbefore provided in Section 17 of this Act for the collection of taxes.

Section 23. JETTIES, BULKHEADS, EMBANKMENTS AND BOARDWALKS

A. The Council shall have the power and authority to locate, lay out, construct, widen, extend, improve, repair, vacate or abandon jetties, bulkheads, and embankments for the pres-

ervation of any beach or strand within the limits of the Town or contiguous thereto, to the end that the same may be preserved and property may be protected, or docks, wharves, and piers, to the end that the general public may enjoy the use thereof. In the locating, laying out, constructing, widening, extending, improving, repairing, vacating or abandoning of any such jetties, bulkheads, embankments, docks, wharves, and piers, the Council shall have full power and authority to use such materials and substances and such methods of construction and to employ such contractors, engineers, inspectors and others as the Council shall deem to be expedient and advisable. The Council shall likewise have the authority to maintain, rebuild or repair, within its present limits, the boardwalk now existing on the strand of Bethany Beach. For the purpose of this section the Council shall have full power and authority to expend such part or parts of the money of the Town, in the general fund of the Town not otherwise appropriated.

B. The Council may, by condemnation proceedings, take private lands or the right to use private lands for any of the purposes mentioned in this section. The proceedings by condemnation under this section shall be the same as those prescribed in Section 20 of this Act for the opening and laying out of new streets or the vacating or abandoning of old streets and the resolutions referred to in said Section 20 may be changed and modified to cover cases contemplated by this section.

Section 24. WATER SYSTEM

A. The Council shall have full power and authority to provide an ample supply of pure water for the Town and the inhabitants thereof. For this purpose, it shall have power to maintain the water system presently established and existing by the Commissioners of Bethany Beach, and shall have full power and authority to purchase or lease land or to acquire the same by grant or gift, to erect, construct, maintain, operate, extend, enlarge, renew, replace, and control wells, reservoirs, pumping machines and stations, tanks, standpipes, water mains, fire hydrants, and all other instruments for the collection, storage, purification, conveyance, and distribution of water, over, on, under, or through the lands owned or controlled by the Town or belonging to a private individual or individuals.

B. The Council shall have power to enact ordinances and regulations governing the use of water for public or private purposes furnished by the Town, the amounts to be paid by the users thereof, the means or methods whereby the same shall be collected, and fixing fines or penalties, or both, for any willful or negligent injury or damage to or interference with the water system or equipment of the Town.

C. The Council may, in its discretion, furnish water from the Town system to nearby places and properties outside the Town limits and upon such special terms, charges, and conditions as it shall deem proper, provided all demands within the Town or being met and supplied and will not be jeopardized or impaired by the furnishing of water outside the limits of the Town.

D. The Council shall have power to make contracts with any person, firm, or corporation for the purchase of water and to distribute the same to users within or without the said Town with the same full powers as if such water had been initially reduced to usefulness by the Council itself.

E. The Council may, by condemnation proceedings, take private land or the right to use private land, under, over, or on the surface thereof, for the furnishing of an ample supply of pure water or the creation, construction, extension, maintenance of a proper water system, or the distribution of water as above provided. The proceedings by condemnation under this section shall be the same as those prescribed by Section 20 of this Act for the opening of new streets or the vacating or abandoning of old streets and the resolution referred to in the said Section 20 shall be changed and modified to cover cases contemplated by this section.

F. The Council shall have power to require that any particular inhabited building or dwelling in the Town be supplied with water from the water system of the Town.

G. The cost of providing and laying water mains and pipes in extending the existing water system in the Town shall be assessed against the property, improved or unimproved, serv-

ed or which may be served by such mains and pipes from the property line; and, in making such assessments, the Council shall have authority to designate and fix the limits of the area to be served by any particular main or pipe and to allocate, on a reasonable basis among the property in such area, the costs of providing and laying such mains and pipes in each of the areas so designated and delimited.

H. In the event the Council should deem the system of mains and pipes existing in the water system of the Town at the time the said system was acquired by the Town from its prior owner to be so inadequate in either capacity or quality, or both, as to make necessary the installation of an entire replacement thereof, it shall pass a resolution to that effect and shall submit the resolution to a referendum of the qualified voters of the Town at an annual election, or a special election ordered for that purpose. The Council shall be governed by a majority vote of the qualified voters and the costs of installing the new system of mains and pipes shall be assessed against the properties affected in the manner provided in the preceding paragraph.

I. (1) Upon the assessment of the aforementioned costs, the Council shall issue a warrant thereon, directed to the Collector of Taxes, bearing the seal of the Town, attested by the Secretary of the Council, which shall state the amount or amounts to be by him collected and the person or persons from whom the said amount or amounts shall be by him collected and shall command him to collect the same at the time or times and in the amounts, as stated in the warrant, from the person or persons specified in the warrant. (2) Immediately upon receipt of such warrant the Collector of Taxes shall forward a true and exact copy of the warrant to the person or persons specified therein, as owing to the Town, the amount specified therein as due to the Town. Such true and exact copy of the warrant shall be enclosed in a sealed wrapper, addressed to the last known post office address of the person or persons therein named, and shall be forwarded to such person or persons through the mails of the United States. (3) If the amount specified in warrant, as due the Town, shall not have been paid to the Collector of Taxes within the time or times specified in said warrant, the Collector of Taxes shall then be authorized to and

required to collect the amount due in any of the manners heretofore provided in Section 17 of this Act for the collection of taxes.

J. All assessments made under this section shall constitute a lien upon all of the real estate against which they are directed from the date the warrant is issued by the Council and shall have preference and priority to other liens of record, except prior liens for United States, State, and County taxes, of such real estate created or suffered by the owner thereof, although such other lien or liens be of a date prior to the time of the attachment of the assessment lien.

K. Chapter 38, Volume 48, Laws of Delaware, entitled:

"An Act Authorizing the Commissioners of Bethany Beach, Delaware, to Erect, Construct, Equip, Enlarge, Purchase, Maintain and Operate a Plant or Plants for the Purpose of Furnishing Water to the Inhabitants of the Town of Bethany Beach and Immediate Vicinity Thereof and to Issue Bonds or Other Certificates of Indebtedness not to Exceed the Sum of \$125,000.00 Therefor," is hereby repealed, and all other Acts or parts of Acts of the General Assembly of Delaware inconsistent with this section are hereby repealed. Such repeals shall not be construed as invalidating, in any way, all things and acts done by or all rights accruing to, or all liabilities accruing against the Commissioners of Bethany Beach, Delaware, whether in Law, Equity, or otherwise, under, and by virtue of, or in accordance with the provisions of said Chapter 38. The Town of Bethany Beach shall, under and by virtue of this Act, succeed to and have vested in or against it all things and acts done by, or all rights accruing to, or all liabilities accruing against the Commissioners of Bethany Beach, whether in Law, Equity, or otherwise, under, by virtue of, or in accordance with Chapter 38, Volume 48, Laws of Delaware.

Section 25. ELECTRIC CURRENT AND FRANCHISES

A. The Council shall have power to make contracts for the purchase of electric current for the purpose of heat, light, power and other uses with any responsible person, firm, or corporation for all municipal purposes.

B. The Council shall also have power to grant franchises to any responsible person, firm, association, or corporation, for such terms of years and under such conditions as the Council may deem wise, to use the streets of the Town for the purposes of furnishing light, heat, power, gas, or water, or any or all of them to the Town and to the persons, firms, or corporations residing therein for the purpose of transmitting light, heat, power, gas and water, or any or all of them through, over, across, or under said streets and to points outside of the limits of the Town.

C. The Council shall likewise have power to enter into contracts with any responsible person, firm, association, or corporation for the furnishing of light, heat, power, gas, or water, or any or all of them, or for the furnishing of electric current, either at wholesale or retail, to said Town, or to persons, firms, associations, or corporations residing therein, or adjacent thereto.

D. The Council shall have full power and authority to erect, construct, equip, maintain, and operate a plant or plants for the generating and manufacturing of electric current or gas, or both, for the use of the inhabitants of the Town, for lighting the streets, and for the heating and lighting of buildings of the Town, and shall have power and authority to construct, erect, maintain, improve, extend, equip, and operate such transmission and distributing lines, pipes, mains, and other conveyances for any such current or gas as may be necessary to properly light and heat the Town and to furnish proper connections for electric current and gas to the properties of the inhabitants of the Town who may desire the same.

Section 26. SEWER SYSTEM

A. The Council shall have full power and authority to provide, construct, extend, maintain, manage and control a sewer system, including a sewage treatment plant, for the health, sanitation, and convenience of the inhabitants of the Town, on, over, under, or through the streets, or the lands of the Town or of any person or persons.

B. The Council shall have power to enact ordinances, rules, and regulations regarding the sewerage system and sew-

age treatment plant of the Town and the use thereof, and the amounts to be paid by the users thereof, and to fix fines and penalties, or both, for the willful or negligent injury or damage to or interference with the said sewerage system or sewage treatment plant of the Town.

C. The Council may, in its discretion, furnish sewer facilities to nearby places and properties outside the Town limits upon such special terms, charges, and conditions as it may deem wise. The Council may require any and all property in the Town to be connected with the sewer system and may compel the owner to pay the charge of such connection and the tapping fee charged therefor.

D. The Council may, by condemnation proceedings, take private land or property, or the right to use private land or property, under, over, or on the surface thereof, for the proper operation or extension of the sewer system or the sewage treatment plant of the Town. The proceedings by condemnation under this section shall be the same as those prescribed by Section 20 of this Act for the opening and laying out of new streets or the vacating or abandoning of old streets and the resolution referred to in Section 20 shall be changed and modified to cover cases contemplated by this section.

Section 27. ZONING

For the purpose of promoting the health, safety, morals, of the inhabitants or the general welfare of the community, the Council shall have power to regulate and restrict the height, number of stories, and size of buildings and other structures in the Town, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes, in accordance with the Laws of the State of Delaware in such cases made and provided.

Section 28. ORDINANCES

No ordinance or resolution enacted by the Council of a general character relating to the government of the Town shall be of force and effect until the same shall have been posted in at least three (3) public places in the Town for a period of five (5) days.

Section 29. BORROWING OF MONEY AND ISSUANCE OF BONDS

A. The Council may borrow money and issue Bonds or other Certificates of Indebtedness to secure the payment thereof on the faith and credit of the Town of Bethany Beach, Delaware or upon such other security or securities as the Council shall elect. The Council shall have the power and authority to borrow such money or moneys to provide funds for the erection, extension, enlargement, maintenance or repair of any plant, machinery, appliance or equipment for the furnishing of water, electric current, or gas to the Town or to the public, for the construction or repair or paving of highways, streets, lanes, avenues, roads, squares, or other public places, or the curbing or erection of gutters along the same, for the construction or repair of sewers, sewer system or sewage treatment or disposal plants and equipment, for the construction, repair, maintenance of boardwalks, piers, docks, wharves, jetties, bulkheads or embankments, or to defray the cost to the Town of any permanent municipal improvement provided for or authorized by the provisions of this Act.

B. The power to borrow any such money or moneys for any of the purposes above specified shall be exercised only in the following manner:

(1) The Council shall propose to the electors of the Town by resolution, that a stated amount of money shall be borrowed for any of the above purposes. The resolution shall specify the amount of the money desired to be borrowed, the purpose for which it shall be used, the manner in which it is proposed to be secured, the manner in which it is proposed that it shall be paid, or funded, or both, and all other pertinent facts relating thereto. In the proposal, the Council shall also fix a time and place for a hearing on such resolution which shall give the Council authorization for the loan. Such proposal, containing such notice, shall be posted in three (3) public places in the Town for at least one (1) week before the time set for the said hearing.

(2) If, at said hearing, which shall be public, the Council shall pass the resolution authorizing the loan, the Council shall pass a second resolution which shall order a special election to

be held not less than thirty (30) days and not more than sixty (60) days after the day of the hearing and passing of the resolution authorizing the loan by the Council. The special election shall be held for the purpose of voting for or against the proposed loan.

(3) The Council shall give notice of the time and place for holding the said special election to the electors of the Town by posting notices in three (3) public places within the Town for two (2) weeks prior to the special election. The special election shall be conducted by an Election Board whose members shall be appointed in the same manner and having the same qualifications as hereinbefore provided in the case of annual elections of the Town.

(4) The Council shall cause to be prepared, printed, and have available for distribution, a sufficient number of ballots for the purposes of the special election.

(5) At the special election every person who is a freeholder in the Town and who would be entitled to vote at an annual election, and every partnership or corporation who is a freeholder in the Town, shall be entitled to vote and shall have one vote for every dollar or fractional part of a dollar paid in taxes to the town during the preceding year on the property owned by such person, Partnership or corporation. The said vote or votes or any of them may be cast either in person or by proxy, provided, joint owners may divide their votes as they desire, but no joint owner shall be permitted to vote the interests of the other joint owner or owners without their written authorization. No proxy shall be voted or counted unless the same shall have been signed or sworn to before a Notary Public.

(6) The Special Election Board shall count the votes for and against the proposed loan, and shall announce the result thereof and shall make a certificate, under their hands, of the number of votes cast for and the number of votes cast against the proposed loan and shall deliver such certificate to the Council. The Council shall enter the certificate in its minutes and the original shall be filed with the papers of the Council.

(7) The form of the Bonds or Certificates of Indebtedness, the times of payment of interest, the classes, the time of

maturity and the provisions as to the registration thereof shall be determined by the Council. The said Bonds or Certificates of Indebtedness shall be sealed with the corporate seal of the Town, and shall be exempt from all State, County, and municipal taxation. The Bonds or Certificates of Indebtedness shall be offered for sale to the best and most responsible bidder therefor after advertisement in a newspaper of general circulation in Sussex County, Delaware, and elsewhere if the Council shall deem it advisable, for at least one (1) month before the offering of the same for sale. The Council shall provide in its budget and shall allow in fixing the rate of taxation for the Town, for the payment of interest and for principal of such Bonds or Certificates of Indebtedness at the maturity thereof and shall also provide a "Sinking Fund" therefor. Unless otherwise provided therein, the faith and credit of the Town of Bethany Beach, Delaware shall be deemed to be pledged for the due payment of any such Bonds or Certificates of Indebtedness, and interest thereon, that shall be issued under the provisions hereof when and after the same have been duly and properly executed and delivered for due value received.

(c) The Council shall have power and authority, without regard to the foregoing provisions of this section to borrow on the faith and credit of the Town of Bethany Beach the sum of Ten Thousand Dollars (\$10,000.00) when necessary to meet the current expenses of the Town, provided that the Bonds or other Certificates of Indebtedness to secure such indebtedness shall mature not later than twelve (12) months after the date of their issuance, and provided further that such indebtedness shall not exceed Ten Thousand Dollars (\$10,000.00) at any one time.

D. The bonded indebtedness of the Town of Bethany Beach, Delaware, shall not, at any one time, in the aggregate, exceed fifteen per centum (15%) of the assessed value of all real property situated in the Town limits and subject to assessment for the purpose of levying the annual tax hereinbefore provided for.

Section 30. CONTRACTS

In exercising any of its powers or authority to enter into contracts for the rendering of personal services to the Town, or

the purchase of supplies or the doing of work for any municipal purpose for the Town, the Council shall be bound by the following rules, regulations, and limitations:

(1) No contract shall be made by the Council for any purpose, the contract price of which is in excess of Three Hundred Dollars (\$300.00), without public competitive bidding, except where the contract is for public utility services rendered at prices regulated by a governmental agency.

(2) Contracts shall be awarded to the lowest responsible bidder, but the Council may refuse any and all bids for any cause deemed by it to be advantageous to the Town; and

(3) All formal contracts shall be signed by the President of the Council and shall have affixed thereto the seal of the Town, and shall be attested by the Secretary of the Council.

Section 31. PAYMENT OF CHARGES DUE THE TOWN BY WORK

The Council shall have power to provide for the payment of any or all taxes, fines, penalties, forfeitures, or other charges due the Town by the performance of labor for the Town by those who may owe such taxes, fines, penalties, forfeitures, or other charges, and to make proper rules and regulations therefor, but such rules and regulations shall not be construed to make it mandatory upon the Town or its officers to accept labor from any particular person.

Section 32. INITIATIVE AND REFERENDUM

A. Whenever one hundred (100) freeholders qualified to vote at an annual election, in accordance with Section 5D of this Act, shall petition the Council requesting a vote upon any ordinances theretofore passed by the Council, or upon any ordinance proposed by the petition, the Council shall call a special election for such purpose within thirty (30) days from the date of the presentation of said petition and shall post notice of such special election in at least three (3) public places in the Town for a period of at least fifteen (15) days prior to said

election. Every person qualified, under Section 5D of this Act, to vote at an annual election shall have the right to vote at said special election. If two-thirds (2/3) of the persons voting vote against an ordinance passed by the Council, such ordinance shall be repealed as though repealed by the action of the Council. If two-thirds (2/3) of the persons voting vote in favor of the ordinance proposed by the one hundred (100) petitioners, such ordinance shall be deemed to be in force and effect as though passed by the Council in the manner provided by this Act. The special election shall be conducted under the supervision of an election board in the manner prescribed in Section 5C of this Act.

B. The Council may submit any question, which it deems proper, to a referendum vote of the legally qualified voters of the Town, as set forth in Section 5D of this Act. In every case where the Council refers a question to a vote of the qualified voters, it shall order a special election for that purpose not less than thirty (30) days after the reference, notice of which special election shall be posted in at least three (3) public places in the Town for a period of not less than fifteen (15) days prior to said election. The special election shall be conducted in the manner prescribed in Section 5 of this Act. The Council shall be governed by the majority vote of those voting.

Section 33. COMPENDIUM

The Council may, at reasonable times, compile, or codify, its ordinances, resolutions, orders, and rules and regulations, and may have such number of copies thereof printed for the use of the officials of the Town and for public information as the Council deems proper. From time to time, upon enactment of new ordinances, resolutions, and rules and regulations, the Council shall enroll the same in its minutes and shall keep copies thereof for public information in a book to be provided for that purpose, and may cause supplements to be compiled and printed to any existing compendium.

Section 34. DEFINITIONS

In determining the meaning of this Act, words importing the singular number may extend and be applied to several persons or things; words importing the plural number may

include the singular; words importing the masculine gender may be applied to females; the word "person" may extend and be applied to partnerships, associations, and corporations; and the reference herein to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and the requirements that persons be "sworn" shall be deemed to be complied with by making affirmation in judicial form.

As used in this Act, the word "street" shall be deemed and held to comprehend and include roads, avenues, public squares, sidewalks, lanes, alleys, highways, and all other public roadways and public places of any character whatever. The word "vehicle", as used herein, shall be deemed to include every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land, and the words "association", "corporation", or "company" shall each be deemed to embrace the words "successors and assigns" of such association, corporation, or company.

Section 35. COMPUTATION OF TIME

In computing any period of time prescribed or allowed by this Act, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of such period so computed shall be included, unless it is a Sunday or a legal holiday in the State of Delaware, in which event the period shall run until the end of the next day which is neither a Sunday nor a legal holiday in the State of Delaware.

Section 36. REPEALS, SURVIVAL OF POWERS, AND VALIDATIONS

A. Chapter 212, Volume 25, Laws of Delaware, entitled "An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds", as amended, is hereby repealed, but all rights and liabilities now existing under that Act, as amended, shall not be affected by this repeal, and all acts and doings of the Commissioners of Bethany Beach or of any official

of the Town of Bethany Beach which shall have been lawfully done or performed under the provisions of the said Chapter 212, Volume 25, Laws of Delaware or of any other Law of the State of Delaware or of any ordinance of the Commisisoners of Bethany Beach, prior to the approval, acceptance, and going into effect of this Act, are hereby ratified and confirmed and shall continue to be valid, unless otherwise provided herein.

B. All ordinances adopted by the Commissioners of Bethany Beach and in force at the time of the approval, acceptance, and going into effect of this Act are continued in force until the same or any of them shall be repealed, modified, or altered by the Council under the provisions of this Act.

C. All powers conferred upon or vested in the Town of Bethany Beach or in the Commissioners of Bethany Beach by any Act or Law of the State of Delaware not in conflict with the provisions of this Act, are hereby expressly conferred upon and vested in the Town of Bethany Beach or in the Council precisely as if each of said powers was expressly repeated in this Act.

D. All taxes, assessments, license fees, penalties, fines, or forfeitures or other charges due to the Town under the acts and proceedings of the Commisisoners of Bethany Beach or under any Law of the State of Delaware or ordinance enacted by the Commissioners of Bethany Beach shall be due to the Town of Bethany Beach, and all debts due to or from and liens in favor of the Town of Bethany Beach shall remain unimpaired until paid to or by the Town of Bethany Beach or disposed of in accordance with law.

E. All powers granted by this Act in respect to the collection of taxes, license fees, assessments, or other charges shall be deemed to apply and extend to all unpaid taxes, license fees, assessments, or other charges heretofore lawfully imposed by the commissioners of Bethany Beach.

F. The surety bonds heretofore given by or on account of any official of the Town of Bethany Beach, Delaware, shall not be affected or impaired by the enactment of this Act, but shall remain in full force and effect.

G. All Acts and parts of Acts inconsistent with or in conflict with the provisions of this Act are hereby repealed, but all rights and liabilities accrued thereunder shall not be affected by this repeal.

H. If any part of this Act shall be held to be unconstitutional, such holding shall not be deemed to invalidate the remaining provisions thereof.

I. This Act shall be taken as and deemed to be a Public Act of the State of Delaware.

Section 37. CHARTER REFERENDUM

This Act shall not become effective until it shall be approved by a majority vote at the general election to be held in the Town of Bethany Beach, Delaware, on the first Saturday of August, 1955, A. D. The Commissioners of Bethany Beach shall give notice of the vote to be taken on the provisions of this Act in the notice to be given for holding such general election under the provisions of Section 4 of Chapter 212, Volume 25, Laws of Delaware. In the event a majority of the voters who are qualified to vote at the said general election shall vote in favor of the provisions of this Act, the said Act shall immediately, on the ascertaining of the result of such vote, become operative and of full force and effect.

Approved July 18, 1955.

CHAPTER 464

APPROPRIATION

BOARD ON MENTAL HEALTH AND RESEARCH

**AN ACT TO ESTABLISH A BOARD ON MENTAL HEALTH
TRAINING AND RESEARCH AND MAKING AN APPROPRIATION
THERE TO.**

WHEREAS, the Governor's Committee on Mental Health Training and Research has carefully studied the problem of mental illness and mental deficiency, and

WHEREAS, the care of the mentally ill and deficient is an increasingly serious problem, and

WHEREAS, the annual toll in human misery and in lost production is a great drain on State budgets and is constantly mounting, and

WHEREAS, there is no other major governmental activity which is so singularly a State responsibility, and

WHEREAS, there are not enough trained people to use the knowledge that we already have, and

WHEREAS, there are many patients in hospitals today who could be returned to productive lives if available treatments could be given them, and

WHEREAS, we need more knowledge, and

WHEREAS, research provides spectacular beneficial results, and

WHEREAS, a cooperative and coordinated effort can be established among various State agencies dealing with this problem to expand the training and research program in this State, and

WHEREAS, such a program will provide adequately trained personnel and knowledge to cope with this problem, and

WHEREAS, such a State project will be part of the expanded program of the sixteen Southern states and ten North-eastern states' work, and

WHEREAS, the Governor's Committee on Mental Health Training and Research has developed exhaustive reports on local needs and resources in mental health training and research, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of \$120,000.00 is appropriated for the biennium beginning July 1, 1955, and ending June 30, 1957 to the Board on Mental Health and Research hereinafter established, to establish a coordinated program of research and training throughout the State by improving personnel and facilities for research and training at various Delaware Institutions.

Section 2. The State of Delaware, through appropriate officers shall seek in addition to the present arrangements with the University of Pennsylvania, similar formal arrangements with Maryland, North Carolina, and Virginia for the training of personnel in psychiatry, clinical psychology, psychiatric social work, and psychiatric nursing on graduate level until adequate facilities for this purpose can be provided within the State.

The Governor Bacon Health Center is offered as a regional facility for training of child psychiatrist, clinical psychologists, and psychiatric social workers.

Arrangements shall be effected with other states by which the Governor Bacon Health Center may assist other states in residential treatment of maladjusted children inasmuch as this type of facility is lacking in most of the other Southern states.

Delaware will coordinate with other states engaged in similar treatment, its research in the study of cerebral palsy and other spastic diseases of children.

Delaware will coordinate with other states its research in the study of alcoholism by using its existing facilities at the Governor Bacon Health Center.

Delaware will increase the scope of its present research in schizophrenia, alcoholism, geriatrics, and personality problems in children.

Section 3. The Governor is authorized to establish a Board on Mental Health Training and Research composed of ten men and women from the Governor's Committee on Mental Health Training and Research, and four members of the General Assembly, two from the House and two from the Senate, to assume the responsibility of approving research projects and allocating funds. This committee will be under the chairmanship of the State Psychiatrist of Delaware.

The Board so appointed shall report its progress to the Governor not later than January 1, 1957, and make this report available to the 119th Session of the General Assembly in 1957.

Section 4. The said Board shall be empowered to seek Federal, Private and other Grants considering the State Appropriation of \$120,000.00 as a nucleus for enlargement of the program of Research and Training.

Section 5. This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid by the State Treasurer upon warrants of the proper officials of the Special Board, out of the General Fund of the State of Delaware.

Approved July 18, 1955.

CHAPTER 465

RELATING TO WORKMEN'S COMPENSATION

AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMEN'S COMPENSATION.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2326 (a), Title 19, Delaware Code, is amended by striking out and repealing the language "The loss of three fingers, or two fingers and a thumb of the same hand shall be considered as the loss of one-half of the hand, and compensation shall be paid for such loss for a period of 110 weeks" and by substituting and enacting in lieu thereof the following language: "The loss of three fingers or two fingers and a thumb of the same hand shall be considered as the loss of one-half of the hand, and compensation shall be paid for such loss for a period of 110 weeks, or compensation shall be paid for the loss of three fingers or two fingers and a thumb of the same hand for the number of weeks stated in the above schedule for such a loss, whichever is greater."

Section 2. § 2324, Title 19, Delaware Code, is amended by striking out and repealing the figures and words "60 per cent" as they appear on the second line of said section 2324 and by substituting and enacting in lieu thereof the figures and words "66-2/3 per cent"

Section 3. § 2363, Title 19, Delaware Code, is amended by striking out and repealing all of subsection (c) of said section and by substituting and enacting in lieu thereof a new subsection (c) to read as follows:

(c) Such settlement and release by the employee shall not be a bar to action by the employer or its compensation insurance carrier to proceed against said third party for any interest or claim it might have, and such settlement and release by the employer or its compensation insurance carrier shall not be a bar to action by the employee to proceed against said third party for any interest or claim he may have.

Approved July 18, 1955.

CHAPTER 466

CHILD LABOR

AN ACT TO AMEND CHAPTER 5, TITLE 19, DELAWARE CODE, ENTITLED "CHILD LABOR", OMITTING OBSOLETE PROVISIONS AND CHANGING SUBSTANTIVE AND ADMINISTRATIVE PROVISIONS OF THE CHAPTER.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 515, Title 19, Delaware Code, is amended to read as follows:

§ 515. Hours of work generally; evidence of employment

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., nor for more than 6 days or more than 48 hours in any one week; nor more than 8 hours in any one day, nor without at least 30 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 5 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. § 517, Title 19, Delaware Code, is amended to read as follows:

§ 517. Selling of newspapers or other articles on street; hours; penalty for violation

(a) No boy under 12 years of age and no girl under 14 years of age shall deliver, sell, expose, or offer for sale any newspapers, magazines, periodicals or any other articles or merchandise of any description in any street or public place.

(b) No minor under 16 years of age shall engage in any of the trades or occupations mentioned in subsection (a) of this section in any street or public place after 7 P. M. or before

6 A. M. of any day, nor during the hours when the public schools in the city or town where such minor resides or the school which such minor attends is in session, excepting that such minors between the age of 14 and 16 years may engage in such trades or occupations after school on Fridays and on Saturdays and during school vacations until 9 P. M.

(c) If any minor violates or fails to comply with any of the provisions of this section, the Labor Commission may cause the offender to be brought before any proper tribunal or the Commission may suspend or revoke any employment certificate.

Section 3. § 544, Title 19, Delaware Code, is amended to read as follows:

§ 544. Certificates issued by Commission

All employment certificates shall be issued by The Labor Commission of Delaware.

Section 4. § 545, Title 19, Delaware Code, is amended to read as follows:

§ 545. Requisites for issuance of a general employment certificate

The Labor Commission of Delaware shall not issue such certificate until the child for whom it is requested has personally appeared and been examined by its agent or until the Commission has received, examined, approved and filed, together with the duplicate of the certificate, the following papers, duly executed—

(1) A statement signed by the prospective employer or by some one authorized on his behalf, stating that the employer expects to give the child present employment and setting forth the character of the employment.

(2) A school record filled out and signed by the principal or chief executive officer of the school where the child last attended, which shall be furnished to any child who may be entitled thereto, certifying that the child has completed a course of study equivalent to 8 yearly grades of the public school.

(3) Evidence showing that the child is 14 years of age or upwards, which shall consist of one of the following proofs of age, shall be required in the order herein designated—

(A) A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births;

(B) A baptismal certificate or transcript of the record of baptism, duly certified, showing the date of birth of such child;

(C) A passport showing the age of such child as an immigrant;

(D) Other documentary evidence of age (other than the affidavit of parent, guardian, legal custodian or next friend) or transcript thereof, duly certified, which shall appear to the satisfaction of the issuing officer to be good and sufficient proof of age;

(E) In case such proofs of age shall be unobtainable, and only in such cases, the issuing officer may accept, in lieu thereof, the signed statement of the physician, designated by the Labor Commission, stating that, after examination, it is the opinion of such physician that such child has attained the age required by law for the occupation in which the child expects to engage, and such statement shall be accompanied by an affidavit, signed by the parent, guardian, legal custodian or next friend, certifying to the name, date and place of birth of such child and that the parent, guardian, legal custodian or next friend, signing such statement, is unable to produce any of the proofs of age specified in the preceding subdivisions of this section.

Section 5. § 546, Title 19, Delaware Code, is amended by repealing the paragraph designated as "(2)" therein and redesignating paragraph "(3)" so that it shall be paragraph "(2)".

Section 6. §§ 548, 550, 551, 552, 553, 554, Title 19, Delaware Code, are repealed and § 555, Title 19, Delaware Code, is redesignated so that it shall be § 548, Title 19, Delaware Code.

Section 7. § 549, Title 19, Delaware Code, is amended to read as follows:

§ 549. Minimum wages

No minor under the age of sixteen (16) shall be permitted to work in any establishment or for any supervisor, for less than Seventy-five (75) cents per hour, provided however, that an employer may pay a minor under the age of sixteen (16) who is attending school sixty (60) cents per hour, provided however, that a child may receive less than the amounts stated above if the child's parent or guardian, as the case may be, consents to the child receiving the lesser amount in writing. This section shall be inapplicable to children working on farms, news shops, and children working for a home employer not in connection with his business, trade or profession.

Approved July 18, 1955.

CHAPTER 467

RELATING TO CORPORATIONS

AN ACT TO AMEND CHAPTER 1, TITLE 8, DELAWARE CODE, RELATING TO CORPORATIONS.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected to each House thereof concurring therein):

Section 1. § 222, Chapter 1, Title 8, Delaware Code, is amended by adding thereto the following sentence:

Any director may resign at any time upon written notice to the corporation.

Section 2. § 243, Chapter 1, Title 8, Delaware Code, is amended by adding thereto the following paragraph:

(f) Whenever any corporation operated as an investment company shall be obligated, pursuant to its certificate of incorporation, to redeem or repurchase any of its shares at the option of the shareholder, the provisions of this section shall be applicable to all shares so redeemed or repurchased; and such shares may be retired, the capital of the corporation reduced, and such shares restored to the status of authorized and unissued shares, by compliance with the provisions of this section.

Section 3. Paragraph (e), § 244, Chapter 1, Title 8, Delaware Code, is amended by striking out the words "the certificate" in the second line of said paragraph, and inserting in lieu thereof the words "notice of the reduction of capital".

Section 4. Paragraph (b), § 251, Chapter 1, Title 8, Delaware Code, is amended by adding thereto the following sentence:

Any such agreement may provide for the payment of cash in lieu of the issuance of fractional shares of the resulting or surviving corporation.

Section 5. Paragraph (a), § 275, Chapter 1, Title 8, Delaware Code, is amended by striking out the words "within ten days" in the third and fourth lines of said paragraph; said paragraph is further amended by striking out the words "at least three weeks successively, once a week, next" in the tenth and eleventh lines of said paragraph, and inserting in lieu thereof the following words: "at least once, at least ten days".

Section 6. Paragraph (d), § 275, Chapter 1, Title 8, Delaware Code, is amended by adding thereto the following sentence:

The consent filed with the Secretary of State shall have attached to it the affidavit of the Secretary or some other officer of the corporation stating that the consent has been signed by or on behalf of all the stockholders having voting power.

Section 7. Paragraph (b), § 252, Chapter 1, Title 8, Delaware Code, is amended by adding thereto the following sentence:

Any such agreement may provide for the payment of cash in lieu of the issuance of fractional shares of the resulting or surviving corporation.

Section 8. § 161, Chapter 1, Title 8, Delaware Code, is amended by adding thereto the following paragraphs:

(d) No liability under this section or under section 325 shall be asserted more than six (6) years after the issuance of the stock upon which the assessment is sought.

(e) In any action by a receiver or trustee of an insolvent corporation or by a judgment creditor to obtain an assessment under this section, any stockholder of the insolvent corporation may appear and contest the claim or claims of such receiver or trustee.

Section 9. Chapter 1, Title 8, Delaware Code, is amended by adding thereto a new section 353, as follows:

§ 353. (a) Any foreign corporation which shall transact business in this State without having qualified to do business under section 341 of this title shall be deemed to have thereby

appointed and constituted the Secretary of State of this State, its agent for the acceptance of legal process in any civil action, suit, or proceeding against it in any State or Federal Court in this State arising or growing out of any business transacted by it within this State. The transaction of business in this State by such corporation shall be a signification of the agreement of such corporation that any such process when so served shall be of the same legal force and validity as if served upon an authorized officer or agent personally within this State.

(b) In the event of service upon the Secretary of State, it shall be the duty of the Secretary of State forthwith to notify the corporation thereof by registered mail directed to the corporation at the address furnished to the Secretary of State by the plaintiff in such action, suit, or proceeding, accompanied by a copy of the process or other papers served upon him. It shall be the duty of the plaintiff in any action, suit, or proceeding to serve process or other papers in duplicate and to pay to the Secretary of State the sum of Three Dollars (\$3.00) for the use of the State, which sum shall be taxed as part of the costs in the action, suit, or proceeding, if the plaintiff shall prevail therein. The Secretary of State shall enter alphabetically in the process book, kept for that purpose, the name of the plaintiff and defendant, the title and docket number of the cause in which process has been served upon him, the return date thereof, and the day and hour when the service was made.

Approved July 18, 1955.

CHAPTER 468

RELATING TO BREAKING AND ENTERING

AN ACT TO AMEND CHAPTER 3, TITLE 11, SUBCHAPTERS IX AND X, DELAWARE CODE, BY PROVIDING THAT BREAKING AND ENTERING THE DWELLING HOUSE OR OTHER BUILDINGS OF ANOTHER WITH INTENT TO COMMIT A CRIME IS BURGLARY, OR BREAKING OUT OF ANY BUILDING AFTER COMMITTING A CRIME THEREIN IS BURGLARY; DEFINING AND PROVIDING FOR THE PUNISHMENT OF THE CRIMES OF BURGLARY IN THE FIRST, SECOND, THIRD AND FOURTH DEGREES; DEFINING AND PROVIDING FOR THE PUNISHMENT OF THE CRIME OF UNLAWFUL ENTRY OF A BUILDING WITH INTENT TO COMMIT A CRIME; DEFINING AND PROVIDING FOR THE PUNISHMENT OF THE CRIME OF SIMPLE BREAKING AND ENTERING OF A BUILDING; PROVIDING FOR THE PUNISHMENT AND MANNER OF PROSECUTION FOR SEPARATE CRIME COMMITTED IN BUILDING BY BURGLAR; AND PROVIDING THAT NO ACT COMMITTED OR CRIMINAL PROCEEDING COMMENCED PRIOR TO THE APPROVAL OF THIS ACT SHALL BE AFFECTED HEREBY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 3, Title 11, Delaware Code, be and the same is hereby amended by striking out and repealing Sections 391, 392, 393, 394, 401, 402 and 403, being Subchapters IX and X of said title and chapter, and substituting in lieu thereof the following:

Subchapter IX. Burglary and Breaking and Entering
§ 391. Definitions

Break. The word "break" as used in this subchapter means and includes:

1. Breaking or violently detaching any part, internal or external, of a building; or,

2. Opening, for the purpose of entering therein, by any means whatever, any outer door of a building, or of any apartment or set of apartments therein separately used or occupied, or any window, shutter, scuttle, or other thing, used for covering or closing an opening thereto or therein, or which gives passage from one part thereof to another; or,

3. Obtaining an entrance into such a building or apartment, by any threat or artifice used for that purpose, or by collusion with any person therein; or,

4. Entering such a building or apartment by or through any pipe, chimney, or other opening, or by excavating, digging, or breaking through or under the building, or the walls or foundation thereof, or by climbing over any of the walls thereof.

Building. The term "building", as used in this section, includes a railway car, vessel, house trailer, booth, tent, shop, inclosed garden, warehouse, store, office, outhouse, or other erection or inclosure.

Dwelling house. If a building is so constructed as to consist of two or more parts, intended to be occupied by different tenants usually lodging therein at night, each part is deemed the separate dwelling house of a tenant occupying the same. If a building is so constructed as to consist of two or more parts occupied by different tenants separately for any purpose, each part or apartment is considered a separate building within the meaning of this section.

Enter. The word "enter", as used in this section, includes the entrance of the offender into such building or apartment, or the insertion therein of any part of his body or of any instrument or weapon held in his hand, and used, or intended to be used, to threaten or intimidate the inmates, or to detach or remove property.

§ 392. Burglary in the first degree

Whoever, in the nighttime, breaks and enters into the dwelling house of another person with intent to commit murder or rape, whether such intent is executed or not, is guilty of burglary in the first degree and a felony, and shall be imprisoned not less than 25 years nor more than 40 years.

§ 393. Burglary in the second degree

Whoever, in the nighttime, breaks and enters into the dwelling house of another person in which there is at the time a human being, with the intent to commit any crime other than that of murder or rape, whether such intent is executed or not:

1. Being armed with a dangerous weapon or nitroglycerin, dynamite, gunpowder or any other high explosive; or,
2. Arming himself therein with such a weapon or explosive; or,
3. Being assisted by a confederate actually present; or,
4. Who, while engaged in the nighttime in effecting such entrance, or in committing any crime in such a building, or in escaping therefrom, assaults any person, is guilty of burglary in the second degree and a felony and shall be imprisoned not less than 5 nor more than 20 years.

§ 394. Burglary in the third degree

Whoever breaks and enters the dwelling house of another, under circumstances not amounting to burglary in the first or second degrees, with intent to commit any crime therein, whether such intent be executed or not, is guilty of burglary in the third degree and a felony, and shall be imprisoned not more than 15 years.

§ 395. Burglary in the fourth degree

Whoever,

1. With intent to commit a crime therein, whether such intent be executed or not, breaks and enters a building, or a room, or any part of the building; or,
2. Being in any building, commits a crime therein and breaks out of the same, is guilty of burglary in the fourth degree and a felony, and shall be imprisoned not more than 5 years.

§ 396. Unlawfully entering building

Whoever, under circumstances or in a manner not amounting to a burglary, enters a building, or any part thereof, with intent to commit a crime, shall be fined not less than \$100, nor more than \$500, or imprisoned not more than 3 years, or both.

§ 397. Unlawful and wilful breaking and entering, no intent being charged; penalty

Whoever, unlawfully and wilfully breaks and enters the dwelling house or other building of another, or in the nighttime unlawfully and wilfully enters the dwelling house of another, shall be fined not more than \$300, or imprisoned not more than 3 years, or both.

§ 398. Punishment for separate crime committed in building by burglar

A person who, having entered a building under such circumstances as to constitute burglary in any degree or unlawful entry of a building, commits any crime therein, is punishable therefor as well as for the burglary, and may be prosecuted for each crime, separately or in the same indictment.

§ 399. Conviction of lesser offense

Whoever is charged with or indicted for any degree of burglary may be found guilty of that degree or of a lesser degree if the evidence warrants such a finding.

Section 2. 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 July 18, 1955.

CHAPTER 469

FIRE PREVENTION COMMISSION

AN ACT TO ESTABLISH THE STATE FIRE PREVENTION COMMISSION AND DEFINING ITS POWERS AND DUTIES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 4, Title 16, Delaware Code, is hereby amended by adding thereto the following sections:

§ 405. State Fire Prevention Commission; appointment; qualifications

There is hereby created a State Fire Prevention Commission, which shall consist of 5 persons appointed by the Governor to serve during the pleasure of the Governor. Of the members of said Commission there shall at all times be 3 members, one from each county, who shall be members of volunteer fire companies with at least 5 years of combat fire experience. The remaining 2 members of the Commission shall be representatives of industry from New Castle County and Sussex County.

§ 406. Organization and meetings of commission; members to serve without compensation

The State Fire Prevention Commission shall select a Chairman and Vice-Chairman from among its members and shall hold regular meetings at least once a month and special meetings when called by its Chairman. The members of the Commission shall serve without compensation.

§ 407. Advice to State Fire Marshal; approval of budget estimates

The State Fire Prevention Commission shall advise the State Fire Marshal on the discharge of all duties and the exercise of all powers entrusted to him by this Chapter and shall approve the biennial estimate of expenditures of his office before it is submitted to the Budget Commission.

Approved July 18, 1955.

CHAPTER 470

APPROPRIATION

FOR OBSERVANCE OF MEMORIAL DAY

**AN ACT APPROPRIATING MONEY FOR THE OBSERVANCE
OF MEMORIAL DAY IN HONOR OF THE GRAND ARMY
OF THE REPUBLIC.**

WHEREAS, it has been the custom at each regular session of the General Assembly to appropriate funds to the G. A. R., Department of Delaware, for the proper observance of Memorial Day; AND

WHEREAS, the Department of Delaware, Grand Army of the Republic, has passed out of existence and a new organization or group must be found to provide for the decoration of graves of Civil War Veterans and to otherwise arrange for the proper observance of Memorial Day in honor of such deceased veterans; AND

WHEREAS, Appomattox Camp No. 2, Sons of Union Veterans of the Civil War, located in the State of Delaware, is willing to assume the responsibility for Memorial Day observances formerly arranged by the G. A. R., Department of Delaware; NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each House concurring therein):

Section 1. The sum of One Thousand Dollars (\$1,000.00) is appropriated to Appomattox Camp No. 2, Sons of Union Veterans of the Civil War, for the fiscal year beginning July 1, 1955, and ending June 30, 1956, and a like sum of One Thousand Dollars (\$1,000.00) for the fiscal year beginning July 1, 1956, and ending June 30, 1957. The State Treasurer shall pay out of the funds so appropriated such sums as are listed on itemized vouchers duly signed and approved by the proper officials of Appomattox Camp No. 2, Sons of Union Veterans of the Civil War.

Section 2. The money hereby appropriated shall be used for the decoration of graves of deceased veterans of the Civil War, memorial exercises and observances planned in honor of such veterans, and for necessary expenses in connection with such decoration, exercises and observances.

Section 3. This Act is a supplementary appropriation, and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 18, 1955.

CHAPTER 471

DOVER

AN ACT TO AMEND AN ACT ENTITLED "AN ACT CHANGING THE NAME OF 'THE TOWN OF DOVER' TO 'THE CITY OF DOVER' AND ESTABLISHING A CHARTER THEREFOR."

Be it enacted by the General Assembly of the State of Delaware (2/3 of the Members of each Branch thereof concurring therein):

Section 1. Chapter 275 of Volume 47, Laws of Delaware is hereby amended by adding a new section to be known as Section 2 of said Chapter to read as follows:

Section 2. The City Council shall have power to enact ordinances for a pension or retirement system for the police of the City of Dover, and to set aside a special fund for that purpose which fund shall be administered in accordance with ordinances made and provided in that behalf and the Laws of the State of Delaware.

Approved July 18, 1955.

CHAPTER 472

SMYRNA

AN ACT TO AMEND "AN ACT TO REINCORPORATE THE TOWN OF SMYRNA" AND RELATING TO THE ESTABLISHMENT OF A POLICE PENSION FUND.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members of each Branch thereof concurring therein):

Section 1. That Section 6, Chapter 192, Volume 36, Laws of Delaware, be and is hereby amended by adding a new paragraph thereto as follows:

The Town Council shall have power to enact ordinances to establish a pension or retirement fund for the police of the Town of Smyrna, and to set aside a special fund for that purpose which shall be administered in accordance with ordinances made and provided in that behalf and the laws of the State of Delaware.

Approved July 18, 1955.

CHAPTER 473

DEPARTMENTAL SUPPLIES

AN ACT TO AMEND TITLE 29, DELAWARE CODE, ENTITLED "STATE GOVERNMENT" IN REGARD TO STATE DEPARTMENTAL SUPPLIES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 6703 (a) is amended to read as follows:

(a) An item shall be set up in the Budget Appropriation Bill for State Departmental Supplies to be drawn upon by warrants signed by the Secretary of State by and with the written approval of the State Treasurer and Auditor of Accounts.

The offices of the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Auditor of Accounts, State Banking Commissioner and Insurance Commissioner may obtain supplies, stationery and printing and binding from the Secretary of State to be paid for out of Departmental Supplies in so far as any funds appropriated to such offices for such purposes are inadequate.

Any other State Agency which receives no appropriation for office expenses may obtain supplies, stationery and printing and binding from the Secretary of State to be paid for out of Departmental Supplies.

Approved July 18, 1955.

CHAPTER 474

AUTHORIZING RECORDER OF KENT COUNTY TO
PROCURE SEALAN ACT AUTHORIZING THE RECORDER OF KENT COUNTY
TO PROCURE A NEW SEAL.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The Recorder of Kent County is authorized to procure a new press and seal, to be made of steel or brass, of the same diameter as the present seal of his office and engraved with the same device as the present seal or such similar device as the Levy Court of Kent County shall direct, and when completed the said seal shall be taken, adjudged and deemed to be the seal of the Recorder of Kent County.

Section 2. When the new seal shall be procured as aforesaid the Recorder shall cause the present seal to be broken and destroyed in the presence of the Sheriff of Kent County.

Section 3. The Levy Court of Kent County shall pay the necessary costs and expenses of procuring the said new press and seal.

Approved July 18, 1955.

CHAPTER 475

APPROPRIATION

FOR CONSTRUCTION OF NEW ARMORY AT DOVER

**AN ACT APPROPRIATING FUNDS TO THE STATE BUILD-
ING AND GROUNDS COMMISSION FOR THE CON-
STRUCTION OF CERTAIN FACILITIES FOR THE NEW
STATE ARMORY TO BE BUILT AT DOVER.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. There is hereby appropriated to the State Building and Grounds Commission the sum of \$52,000 for the construction of roadways, sidewalks, lighting facilities, and other improvements and facilities requisite or desirable in connection with the State Armory to be built upon State lands at Dover.

Section 2. The funds hereby appropriated shall remain available until the purposes of this Act shall have been accomplished, whereupon any unexpended balance thereof shall immediately revert to the General Fund.

Section 3. This is a Supplementary Appropriation Act, and the moneys hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 18, 1955.

CHAPTER 476

PROVIDING FOR USE OF INTOXIMETER

AN ACT TO AMEND CHAPTER 35, TITLE 11, DELAWARE CODE, AS AMENDED BY AN ACT OF THE 118TH SESSION OF THE GENERAL ASSEMBLY PROVIDING FOR THE ADMISSION IN EVIDENCE OF THE WEIGHT OF ALCOHOL IN THE BLOOD OF A PERSON BEING TRIED FOR OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 3507, Title 11, Delaware Code, is amended by striking out and repealing the first sentence of this section and by substituting and enacting a new first sentence to read as follows:

"In any proceeding in which an issue is whether any person was operating a motor vehicle while under the influence of intoxicating liquor, evidence may be admitted of the amount of alcohol in the blood of such person taken within two hours of the time when such person is alleged to have operated said motor vehicle while under the influence of intoxicating liquor, as shown by a medical or chemical analysis of his breath, blood, urine or saliva."

Section 2. § 3507, Title 11, Delaware Code, is amended by striking out and repealing the last sentence of said section and by substituting and enacting in lieu thereof a new last sentence to read as follows:

"Where the issue is before the Court, it shall instruct the jury, if any, accordingly."

Approved July 18, 1955.

CHAPTER 477

ASSISTANCE TO AGED PERSONS

AN ACT TO AMEND CHAPTER 5, TITLE 31 OF THE DELAWARE CODE, BY PROVIDING FOR AN INCREASE IN THE AMOUNT OF ASSISTANCE ALLOWED TO AGED PERSONS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 502, Title 31 of the Delaware Code is amended by striking out the figures "\$600" and "\$50" as they appear therein and substituting in lieu thereof the figures "\$900" and "\$75", respectively.

Section 2. There is hereby appropriated for each of the fiscal years in the biennium beginning July 1, 1955, and ending June 30, 1957, the sum of Thirty-eight Thousand Dollars (\$38,000) for the purpose of carrying out the provisions of Section 1.

Section 3. This Bill shall be known as a Supplementary Appropriation Bill and the money hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved July 18, 1955.

CHAPTER 478

INCREASING SALARY OF RECORDER OF KENT COUNTY

AN ACT TO AMEND CHAPTER 96, TITLE 9 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE RECORDER OF KENT COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 9602 (2), Title 9 of the Delaware Code is amended by striking out the figures "\$3000" as they appear therein and by inserting in lieu thereof the figures "\$3600".

Approved July 18, 1955.

CHAPTER 479

INCREASING SALARY OF CLERK OF THE PEACE
OF KENT COUNTY

**AN ACT TO AMEND CHAPTER 94, TITLE 9 OF THE DELA-
WARE CODE RELATING TO THE SALARY OF THE
CLERK OF THE PEACE OF KENT COUNTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 9402 (2), Title 9 of the Delaware Code is amended by striking out the figures "\$3000" as they appear therein and by inserting in lieu thereof the figures "\$3600".

Approved July 18, 1955.

CHAPTER 480

INCREASING SALARY OF SHERIFF OF KENT COUNTY

AN ACT TO AMEND CHAPTER 21, TITLE 10 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE SHERIFF OF KENT COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2101 (2), Title 10 of the Delaware Code is amended by striking out the figures "\$3000" as they appear therein and by inserting in lieu thereof the figures "\$3600".

Approved July 18, 1955.

CHAPTER 481

RELATING TO INSURANCE COMPANIES

AN ACT TO AMEND CHAPTER 5, TITLE 18, DELAWARE CODE BY PROHIBITING INSURANCE COMPANIES FROM ASSERTING THE DEFENSE OF SOVEREIGNTY WHERE EMPLOYEES OR PROPERTY OF THE STATE OF DELAWARE OR ANY POLITICAL SUBDIVISION THEREOF ARE INSURED.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 5, Title 18, Delaware Code is amended by adding a new section thereto to read as follows:

§ 516. Defense of sovereignty prohibited

Every insurance contract covering persons employed by or property belonging to the State of Delaware or any political subdivision thereof shall contain a provision agreeing on behalf of the insuring company that the defense of sovereignty is waived and cannot and will not be asserted.

Approved July 18, 1955.

CHAPTER 482

RELATING TO OPTOMETRY

AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF OPTOMETRY, THE BOARD OF EXAMINERS OF OPTOMETRISTS, THE INTERNSHIP AND THE FILLING OF PRESCRIPTIONS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2102, Title 24 of the Delaware Code is hereby amended by adding a new sub-paragraph (e) as follows:

(e) The Board of Examiners in Optometry shall be appointed by the Governor from a list of practitioners submitted in writing to the Governor by the Delaware Optometric Association at least four weeks prior to the date of appointment. The list shall include the names of at least 10 practitioners.

Section 2. § 2110, Title 24 of the Delaware Code is hereby amended by adding a second paragraph to read as follows:

The Board of Examiners may grant temporary licenses to any candidate successfully passing the written and oral portions of the examinations. The temporary license shall be issued only for the duration of the internship.

Approved July 18, 1955.

CHAPTER 483

RELATING TO FEEBLE-MINDED

AN ACT TO AMEND CHAPTER 55, TITLE 16, DELAWARE CODE BY PROVIDING FOR THE COMMITMENT OF CERTAIN FEEBLE MINDED OR MENTALLY RETARDED PERSONS IN A PENAL INSTITUTION OR DETENTION HOME UPON PETITION BY THE SUPERINTENDENT OF THE DELAWARE COLONY TO THE SUPERIOR COURT.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 55, Title 16 of the Delaware Code is amended by adding a new section thereto to read as follows:

§ 5525. Commitment to a penal institution or a detention home; release

(a) The Superintendent of the Delaware Colony is authorized to petition the Superior Court with respect to any feeble minded or mentally retarded person under his jurisdiction, who, because of repeated criminal acts or otherwise, is, in his opinion, incorrigible, for authority and permission to place such person in a penal institution or detention home. The Court, after a hearing, may in its discretion enter an order placing such person in confinement in any penal institution or detention home of this State.

(b) Upon petition of the Superintendent of the Delaware Colony, accompanied by a report from a psychiatrist, the Court may in its discretion release a person committed to a penal institution or detention home under the provisions of this section to the Superintendent of the Delaware Colony for further training or rehabilitation.

Approved July 18, 1955.

CHAPTER 484

APPOINTMENT OF STATE BANK COMMISSIONER

AN ACT TO AMEND CHAPTER 1, TITLE 5 OF THE DELAWARE CODE RELATING TO THE STATE BANK COMMISSIONER AFFECTING HIS APPOINTMENT, REMOVAL, TERM AND BOND.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 102 (b), Chapter 1, Title 5 of the Delaware Code is hereby amended by striking out and repealing all of said § 102 (b) and substituting and enacting in lieu thereof the following new § 102 (b).

§ 102 (b) The Commissioner shall be appointed by the Bank Advisory Board for a term of 4 years, and shall hold office until his successor shall be duly appointed.

Section 2. That § 102 (d) (e) and (f) of Chapter 1, Title 5 of the Delaware Code is hereby amended by striking out and repealing the word "Governor" where it appears in said sections and substituting and enacting in lieu thereof the words "Bank Advisory Board".

NOTE: This bill became a law on July 15, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 485

PROVIDING FOR A STATE COMMUNICATION SYSTEM

AN ACT TO AMEND TITLE 17, DELAWARE CODE, ENTITLED "HIGHWAYS" BY PROVIDING FOR A STATE COMMUNICATION DIVISION WITHIN THE HIGHWAY DEPARTMENT, DEFINING ITS DUTIES AND APPROPRIATING FUNDS.

WHEREAS, substantial savings for the State of Delaware may be obtained by the central maintenance of all State-owned radio and communications equipment, NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 17, Delaware Code, is amended by adding thereto the following new chapter:

CHAPTER 16

COMMUNICATIONS

§ 1601. State Communications Division

There shall be a State Communications Division within the jurisdiction of the State Highway Department.

§ 1602. Composition of Division, administrator, employees, qualifications

(a) The State Communications Division shall consist of an administrator and such technicians, secretaries, clerks and other personnel as shall be appointed by the State Highway Commission. The administrator shall have charge of the Division, and subject to the jurisdiction of the Highway Department, shall see that the Division carries out its duties.

(b) The administrator shall at the time of his appointment hold both a commercial and amateur radio license as required by the rules and regulations of the Federal Communications Commission. He shall have had at least 5 years radio communication administrative experience.

(c) Technicians shall hold commercial radio licenses as required by the rules and regulations of the Federal Communications Commission and shall meet technical qualifications established by the administrator.

(d) All other employees of the Division shall have such qualifications as are set by the administrator.

§ 1603. Duties of Division

The Division shall:

(1) Provide maintenance and repair services for all State-owned radio equipment in this State;

(2) Maintain radio repair shops in each county of the State on premises made available by the State Highway Commission;

(3) Maintain a central administration headquarters on premises made available by the State Highway Commission;

(4) Purchase and maintain an inventory of replacement equipment, parts and supplies;

(5) Establish and maintain a complete inventory of all State communications equipment;

(6) Establish by published rules and regulations such uniform administrative procedures in respect to State communications as will provide for the most efficient use and servicing of the equipment involved;

(7) Establish in cooperation with the State agencies having communications equipment definite plans for utilization of the equipment in event of emergency or disaster.

§ 1604. Inspections

The Division shall make such regular routine inspections and checks of State-owned communications equipment as are required for preventative maintenance in adherence to the rules and regulations of the Federal Communications Commission.

§ 1605. Use of facilities and services of other State agencies

The Division shall utilize the facilities and services of other State agencies wherever the use of such facilities and services would result in a saving for the State.

§ 1606. Repair priorities

All repairs made by the Division shall be done according to a priority basis to be set up by the administrator with due regard for the uses to which the equipment is put and the seasonal need for equipment.

§ 1607. Use of services and supplies of division

(a) State agencies eligible to receive the services and supplies which the Division provides shall not purchase or contract for such services or supplies from any other source except in cases of special emergency.

(b) Volunteer fire companies located within the State of Delaware may obtain services and supplies from the Division at the same cost as State agencies. Services and supplies for volunteer fire companies shall be pursuant to written agreement and payment for such services and supplies shall be made monthly.

§ 1608. Accounting; overtime

(a) Itemized statements shall be made to each agency monthly showing the time, material and mileage which has been charged to each agency on account of services rendered by the Division. The charges shall be based on the actual hourly wage of the technician and the cost of materials and mileage. A duplicate of each such statement shall be sent to the Auditor of Accounts who shall cause the funds charged to each agency by the Division to be transferred to the credit of the State Highway Department for the Division as if appropriated thereto. Any funds received by the Division under section 1607 (b) shall be forwarded to the State Treasurer and deposited to the credit of the Division.

(b) When it is necessary to pay for overtime services in connection with repair of communications equipment the agency

requiring the overtime service shall be charged accordingly, in the statement provided for in subsection (a).

Section 2. All existing supplies, test equipment and motor vehicles now used for radio communication maintenance on State-owned equipment shall be turned over to the Division herein established as part of its equipment and supplies.

Section 3. In addition to the transfers herein authorized there is appropriated to the State Highway Department for its use in establishing and maintaining the State Communications Division the sum of \$45,000 for the year ending June 30, 1956 and the sum of \$28,000 for the year ending June 30, 1957.

Section 4. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Section 5. The Act shall be effective July 1, 1955.

Approved July 21, 1955.

CHAPTER 486

CREATING A STATE BOARD OF CORRECTIONS

AN ACT AMENDING TITLE 11, DELAWARE CODE, PERTAINING TO PRISONS AND PRISONERS, AND CREATING A STATE BOARD OF CORRECTIONS HAVING RESPONSIBILITY FOR THE CARE, SUPERVISION AND ADMINISTRATION OF PRISONS, CORRECTIONAL FACILITIES AND PRISONERS IN LIEU OF COUNTY BOARDS AND OFFICERS AND THE TRANSFERRING OF PROPERTY AND PRISONERS TO THE JURISDICTION OF THE STATE, DEFINING CERTAIN CRIMES, APPROPRIATING FUNDS AND REPEALING CONTRARY PROVISIONS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 11, Delaware Code, is amended by repealing Chapters 65, 67, 69, 71, 73 and 75 of such title and enacting in lieu thereof a new chapter to read as follows:

CHAPTER 65

STATE CORRECTIONAL SYSTEM

Subchapter I. General Provisions

§ 6501. Purpose

The purpose of this chapter is to establish a State correctional system administered by a Board of Corrections which is completely responsible for the care, administration and supervision of the detention and correctional services and facilities of the State in order that these services and facilities may be most effectively and efficiently utilized for the rehabilitation and restoration of offenders to the community as useful law-abiding citizens.

§ 6502. Definitions

As used in this chapter—

“Board” means the State Board of Corrections.

"Director" means the Director of Corrections.

"Law" includes the laws and ordinances of this State, political subdivisions and municipalities thereof.

"Prisoner" includes any person convicted of a crime or offense as defined in section 101 of this title or of the ordinances of any incorporated municipality of this State, including a person committed for civil or criminal contempt, except

(1) a person not yet eighteen years old when adjudged guilty by a Family or Juvenile Court of this State, and

(2) a person who has been adjudged criminally insane or criminally inclined and has been committed to the appropriate authority.

Subchapter II. State Board of Corrections

§ 6504. Composition and appointment

There is created a State Board of Corrections consisting of seven members appointed by the Governor with at least two members resident in each county. No more than four members shall be of the same political affiliation. Each member shall have been a resident of the State for at least five years at the time of appointment.

§ 6505. Term

The original members of the Board shall be appointed to serve the following terms: two members for two years, two members for four years, three members for five years. Thereafter members shall be appointed for terms of five years.

§ 6506. Vacancies

The Governor shall fill any vacancy occurring, otherwise than through the expiration of a member's term, for the unexpired term.

§ 6507. Oath

Each member, before entering upon the duties of office, shall take and subscribe to the constitutional oath.

§ 6508. Compensation

The members of the Board shall be paid their necessary traveling expenses and the sum of \$10 per day while in attendance at meetings of the Board or of its sub-committees, such payments not to exceed, in aggregate, the sum of \$300 per year to any one member.

§ 6509. Officers

The Board shall elect from its members a chairman and a vice-chairman. It may also select a secretary who need not be a member of the Board.

§ 6510. Meetings

The Board shall meet at regular stated intervals and otherwise as it or the chairman shall determine. The Board shall meet at least once each month. Upon request in writing to the chairman by any four members, the chairman shall call a meeting at the time and place requested. A majority vote of the Board of seven members shall be necessary to pass any motion or resolution. The Board shall keep minutes of each of its sessions.

§ 6511. Rules, regulations and orders

The Board shall make rules, regulations, and orders for the conduct of its own proceedings and the performance of its functions.

§ 6512. General powers and duties

(a) The Board, subject only to powers vested in the judicial and certain executive departments and officers of the State, shall have exclusive jurisdiction over the care, charge, custody, control, management, administration and supervision of (1) all prisoners, (2) prison labor and prison industry, (3) all prisons, farms, workhouses and jails wherein prisoners are committed, and (4) such other facilities as may be established by the Board for the safekeeping, correction or rehabilitation of prisoners.

(b) The Board shall be responsible for executing the orders of the Court as to sentences of corporal and capital punishment.

(c) The Board may sell the products of its institutions and farms to other institutions supported in all or in part by taxes levied within the State of Delaware; prices to be set as provided by rule of the Board. All funds received from such sales shall be deposited in the General Fund.

§ 6513. Federal prisoners

The Board may agree with the United States authorities for payment to the State Treasurer of such sum as shall be fixed by the Board for the maintenance and support of prisoners committed to the Board under authority of the United States. Such funds may be expended by the Board as if a part of the Board's appropriation.

§ 6514. Board as agent for trustees or managers of training schools

The Board, as agent for the trustees or managers of Ferris School for Boys, Woods Haven School for Girls or Kruse School, may accept any minor properly committed under authority of sections 5109, 5312 or 5512 of Title 31. While any such minor is in the custody of the Board he shall be held separate and apart from the more hardened criminals, and the Board shall bill monthly the trustees or managers of the respective training schools for the maintenance and upkeep of all such minors in its custody. In all cases where a minor is released from the custody of the Board the minor shall be redelivered to the trustees or managers of the training school from which the minor was committed for parole or discharge, or further confinement in that training school.

§ 6515. Offices

The Board shall secure offices and quarters for the Board, its agents and employees, and furnish the same.

§ 6516. Facilities, equipment and supplies

The Board shall acquire by lease, purchase, or otherwise all necessary facilities, equipment, supplies, and articles for the carrying out of its duties in the safekeeping, maintenance, and improvement of prisoners.

§ 6517. Personnel

The Board shall employ the personnel necessary to carry out its duties under this chapter.

§ 6518. Lands and buildings

The Board shall acquire by lease, purchase, or otherwise, and hold in the name of THE STATE OF DELAWARE for the use of the Board, all necessary lands and buildings for the carrying out of its duties.

The Board may also lease to others and sell or otherwise dispose of its lands and buildings in the name of THE STATE OF DELAWARE, and any funds received from such transactions shall be paid to the General Fund of the State. A deed executed by the Board on behalf of THE STATE OF DELAWARE shall pass good title to lands held by the Board.

§ 6519. Contracts; limitations on board members

No member of the Board shall be interested directly or indirectly in any contract relating to the function of the Board; nor shall any member, or anyone in the family of a member, hold any office or position under the Board.

§ 6520. Annual report

On the 15th day of November of each year, the Board shall make a report to the Governor covering the operation of the Board for the preceding year. Each member of the General Assembly shall be sent a copy of the report by the Board. Upon request in writing to the Board, copies of the report shall be made available to such citizens as may desire them.

§ 6521. Seal; records as evidence

The Board shall adopt a seal and all orders, rules and regulations of the Board shall be published over such seal. Copies of all records and papers in the offices of the Board, certified by an authorized agent of the Board and authenticated by the seal, shall be evidence in all cases equally, and with like effect, as the originals.

Subchapter III. Director of Corrections**§ 6525. Appointment**

A Director of Corrections shall be the responsible administrator for the Board. He shall be appointed by the Board, serve during its pleasure, and be paid a salary prescribed by the Board. At the time of his appointment the Director shall have had a minimum of 15 years training and experience in a field of correctional institutional administration; and the first Director shall have been a resident of the State for a minimum of five years.

§ 6526. Duties and responsibilities of director; rules

(a) The Director shall promulgate rules and regulations, subject to the approval of the Board:

(1) for the management, control, and operation of the general affairs of the Board;

(2) for the safe keeping, correction and rehabilitation of prisoners committed to the Board;

(3) regulating the nature and limitations of authorized punishments for violations of the rules established for the government of any institution or facility under the jurisdiction of the Board, but corporal punishment shall be not inflicted therefor;

(4) for the administration, supervision, operation, management, and control of State prisons and prison farms, or any other institution or facility under the jurisdiction of the Board;

(5) for the management and control of prison labor and industry.

(b) He may promulgate, subject to the approval of the Board, regulations with respect to the affairs of the Board as he may deem necessary or expedient for the proper administration of this chapter, and he may with the approval of the Board, modify, supplement, or rescind any rule or regulation. No rule or regulation of the Director shall be adopted which shall be inconsistent with this chapter or the orders, rules, and regulations of the Board.

(c) The Director shall be responsible to the Board for the exercise of his powers and duties.

Subchapter IV. Personnel

§ 6530. Appointment

The warden or superintendent of each institution or facility and all other employees necessary for the operation of the Board and the institutions and services under its jurisdiction, shall be appointed by the Director, subject to the approval of the Board.

§ 6531. Discharges

All discharges shall be for cause and in accordance with the regulations and procedures established by the Board. Upon request in writing, any discharged employee shall be given a hearing before the Board.

§ 6532. Compensation

The compensation of employees shall be as fixed by the Board.

§ 6533. Bonds of officers or employees

The Board may require an appropriate bond from any officer or employee appointed by or subject to the control of the Board, conditioned upon the faithful performance of his duties and the accounting for all money and property within his control.

Subchapter V. Commitments, Deliveries and Transfers

§ 6540. Commitments and deliveries to the board

Each prisoner convicted in this State shall be committed to the custody of the Board. Each person so committed shall be delivered by the officer having the prisoner in charge, to the institution designated by the Board, in the county in which the committing Court sits.

§ 6541. Transfer of prisoners

(a) The Board shall establish rules to govern the transfer of prisoners between the various institutions and facilities under its jurisdiction. The Director shall determine what transfers are to be made and shall issue the necessary orders. The reasons for ordering the transfer shall be a matter of record in each case.

(b) No female prisoner under the jurisdiction of the Board shall be transferred unless accompanied by at least one female officer or guard.

§ 6542. Copies of sentences and reports

The officer acting as clerk of the committing Court or justice of the peace shall deliver to the Board a commitment for every prisoner at the time the prisoner is delivered to the custody of the Board.

§ 6543. Incarceration upon arrest by private detectives

All persons arrested by private detectives or private detective agencies on State, county or municipal warrants, or in any other manner, shall be incarcerated only in the custody of the Board or in a place provided by the State, county or municipality for the incarceration of prisoners.

Subchapter VI. Classification of Prisoners

§ 6550. Classification by the director

The Director shall classify the prisoners in the several institutions and facilities under the jurisdiction of the Board.

§ 6551. Organization of classification committees

Subject to the approval of the Board, the Director shall promulgate regulations in accordance with which one or more classification committees shall be organized and operated.

§ 6552. Duties of classification committee

Immediately after a prisoner who is sentenced for 90 days or more is received at any institution under the jurisdiction of the Board a classification committee shall obtain and file complete information with regard to such prisoner. Similar records shall be compiled on prisoners sentenced to less than 90 days upon the order of the Director or of the Warden or superintendent involved. When all such existing available records have been assembled, each such classification committee shall determine whether or not any further investigation is necessary and if so, it shall make such additional investigation. Each classification committee shall determine and prescribe the custodial and rehabilitation program and the care for each prisoner coming under its jurisdiction. The classification committees shall determine the prisoners who shall work and labor and shall assign prisoners to jobs according to their abilities and in the manner best calculated to effectuate their training and rehabilitation. Review for reclassification shall occur periodically in accordance with Board regulations, or whenever the committee shall deem it advisable.

§ 6553. Separate program for youthful offenders; special facilities for witnesses and those awaiting trial

(a) Appropriate separate custodial care and work and training facilities shall be provided for youthful prisoners by the Board.

(b) Such special facilities also shall be provided for witnesses detained for inability to give bail and those awaiting trial as the Board deems fit and necessary.

Subchapter VII.**Prisoners Work; Compensation and Payment****§ 6560. Work**

All prisoners shall be compelled to labor at some suitable employment 8 hours each secular day, unless physically disabled. If any prisoner committed to the custody of the Board shall refuse to work or neglect to perform his task properly, he shall be dealt with as the warden or superintendent shall direct but within the limits prescribed by the Board.

§ 6561. Compensation

The Board, or such agents or employees as are authorized by the Board, shall fix the rate of compensation to be paid to prisoners for their work, but this rate need not be the same rate received by the Board for the work. The warden or superintendent shall keep a separate account showing the earnings of each prisoner.

§ 6562. Outside employment

(a) The Board may adopt rules and regulations governing the employment of trustworthy prisoners outside of the institutions and facilities under the jurisdiction of the Board.

(b) Any prisoner employed under the provisions of this section shall continue to be in the legal custody of the Board, notwithstanding his absence from an institution by reason of such employment, and any employer of any such prisoner shall be considered the representative of, or keeper for the Board.

(c) Whoever, being an employer or other person, through negligent control of the prisoner or otherwise or whoever counsels, advises, aids, assists, abets or procures the escape from the legal control of the Board of any prisoner employed hereunder shall be fined, or imprisoned, or both, as the Court in its discretion may determine.

§ 6563. Payment of compensation

(a) The compensation earned by a prisoner shall be paid to him at the time of his release, except, that the wardens or superintendents may from time to time, in their discretion, or upon the order of a court of competent jurisdiction, pay all or part thereof to any person actually dependent on the prisoner, and wardens or superintendents may from time to time allow from such compensation an amount to a prisoner for spending money.

(b) A husband or parent sentenced to imprisonment for desertion or failure to support a wife or child, shall receive for his labor compensation, from the officer in charge of the institution in which he is imprisoned, and the same shall be disbursed as provided by Chapter 5, Title 13, Delaware Code.

Subchapter VIII. Diminution of Sentence**§ 6565. Record of prisoners behavior; sickness**

(a) The warden or the superintendent of each institution shall keep a record of each prisoner in accordance with the form prescribed by the Director. The record shall show the prisoner's behavior, fidelity, and compliance with the rules to the end that each prisoner may merit diminution of the period of his confinement and the recommendation of restoration of citizenship in cases of felony.

(b) If a prisoner is prevented from working by sickness or other infirmity, not intentionally produced by himself, or from any cause for which he is not responsible, he shall be entitled by good conduct to the same deduction from his sentence for each month as is otherwise provided.

§ 6566. Rate of reduction of sentence

When a prisoner has not been guilty of any violation of discipline, or any rules of the prison and has labored with diligence and fidelity:—

(1) for each month commencing on the first day of his arrival at the prison he shall be allowed a reduction of five days from the period of his sentence;

(2) when a prisoner has passed one year of his sentence, less the reduction of his sentence as provided in paragraph (1) of this section then from that time he shall be allowed a reduction of seven days for each month from his sentence;

(3) when a prisoner has passed two years of his sentence, less the reduction of his sentence as provided in paragraphs (1) and (2) of this section, then from that time he shall be allowed a reduction of nine days for each month from his sentence;

(4) when a prisoner has passed three or more years of his sentence, less the reduction of his sentence as provided in paragraphs (1-3) of this section, then from that time he shall be allowed a reduction of ten days for each month from his sentence.

§ 6567. Forfeiture of granted time

For every violation of the rules and discipline, or for want of diligence and fidelity in the performance of work, the prisoner shall not only forfeit all granted time for the month in which the delinquency occurs, but according to the aggravated nature and frequency of his offenses, the warden or superintendent may with the approval of the Director deduct a portion or all of his previously allowed time.

Subchapter IX. Division of Criminal Statistics

§ 6570. Establishment by Board

The Board shall establish within itself a general division of criminal statistics under the supervision of the Director.

§ 6571. Exchange of information with Board of Parole

The Director shall make available to the Board of Parole all information in his possession requested by the Board of Parole in order to carry out its duties. The Board of Parole shall provide for the Director a copy of its record in the case of each prisoner who had previously been granted a parole by the Board of Parole.

Subchapter X. Violations and Penalties

§ 6580. Furnishing contraband; penalty

Whoever furnishes to any prisoner committed to the jurisdiction of the Board:

(1) Any intoxicating liquor or narcotic drug of any kind except as prescribed by a physician for medical treatment; or

(2) Any money without the knowledge and consent of the Board; or

(3) Any deadly weapon or part thereof or any instrument or article which may be used to effect an escape; shall be punished by fine or imprisonment, or both.

§ 6581. Violation of section 6543

Whosoever, being a private detective, violates the provisions of section 6543 of this title shall be fined not less than \$100 nor more than \$500, or in default of the payment of such fine, imprisoned not less than six months nor more than one year.

Section 2. This Act shall become effective for the purpose of appointing the State Board of Corrections July 1, 1955. Thereafter such Board shall employ the Director of Corrections herein provided for, establish an office, conduct studies, prepare rules and regulations and generally do whatever preliminary steps are necessary and proper prior to its taking over jurisdiction under this Act.

Section 3. Until July 1, 1956 all jurisdiction and control and financing of the Board of Trustees of the New Castle County Workhouse, the Levy Court of Kent County, and the Board of Trustees of the Prison, Prison Farm, Court House and Court House Annex of Sussex County or Levy Court of Sussex County with respect to prisons, prison farms and prisoners shall continue as heretofore.

Section 4. On July 1, 1956:

(1) all jurisdiction and control of said Boards of Trustees and/or Levy Courts over prisons and prisoners shall be transferred to the Board which shall have exclusive jurisdiction as set forth in this Act.

(2) all persons then imprisoned in the New Castle County Workhouse, the Kent County Jail, or Sussex County Prison or Farm shall be transferred and committed to the custody of the Board. Any Court in this State shall, if it appears necessary, do all acts necessary to commit any prisoner to the custody of the Board in accordance with and to carry out the purposes of this Act.

(3) Title to all property and assets of the Board of Trustees of the New Castle County Workhouse, the Levy Court of Kent County, and the Board of Trustees of the Prison, Prison Farm, Court House and Court House Annex of Sussex County or the Levy Court of Sussex County pertaining to the prisons or prisoners as herein set forth shall be vested in the Board, and the Boards of Trustees and/or Levy Courts shall evidence the transfer of title as herein above set forth.

(4) The Board of Trustees of the New Castle County Workhouse, the Levy Court of Kent County and the Board of Trustees of the Prison, Prison Farm, Court House and Court House Annex of Sussex County or Levy Court of Sussex County shall each convey and transfer in fee simple, to THE STATE OF DELAWARE for the use of the Board, all real estate, and assign, transfer and deliver to the Board all equipment and property, including monies and personal property belonging to prisoners, or other assets, all records, files and other papers, which are held by the Board of Trustees of the New Castle County Workhouse, by the Levy Court of Kent County pertaining to the Kent County Jail and by the Board of Trustees of the Prison, Prison Farm, Court House and Court House Annex of Sussex County or Levy Court of Sussex County pertaining to the Sussex County Prison and the Prison Farm.

(5) All wardens, employees, agents and personnel of the Board of Trustees of the New Castle County Workhouse, the Levy Court of Kent County pertaining to the Kent County Jail, and the Board of Trustees of the Prison, Prison Farm, Court House and Court House Annex of Sussex County or Levy Court of Sussex County pertaining to the Sussex County Prison and the Prison Farm shall become wardens, employees, agents and personnel of the Board and all existing orders, rules and regulations of said Boards of Trustees and/or Levy Courts pertaining to the aforesaid institutions and prisoners shall continue in effect as orders, rules and regulations of the Board until changed by it.

Section 5. On and after July 1, 1956 all references in the Delaware Code to the New Castle County Workhouse, the Kent County Jail and the Sussex County Prison or Prison Farm or to the Trustees having jurisdiction over any such institutions or to any Levy Court in respect to its jurisdiction over such institutions shall be taken to be general references to the facilities under the jurisdiction of the State Board of Corrections or as references to the State Board of Corrections.

Section 6. On or before June 1, 1957 and each second year thereafter the Levy Court Commissioners of each county shall certify to the State Treasurer the sums of money necessary to meet the requirements for paying the interest and principal falling due on any bonds which were issued in connection with the construction or improvement of any of the institutions affected by this Act during the fiscal biennial of the State of Delaware beginning July 1 in the year in which the certification is made. There is appropriated to the Levy Court Commissioners of each of the counties respectively for the use of the said counties such sums of money as shall be necessary for the payment of the principal and interest on all of the said bonds, the said sums to be used for such purposes and for no other purposes.

Section 7. Any former or present employee of the Trustees or the Levy Courts having charge of the institutions affected by this Act who were or are employed in connection with or at such institutions and who are subsequently employed or retained by the State Board of Corrections shall receive full credit for

the time he was employed by any political subdivision of the State in computing the number of years of service required to receive pension benefits within the meaning of the State Employees Pension Plan or any State pension plan adopted in lieu thereof. Nothing herein contained shall be construed to alter the pension status or to grant pensions to any employees who are not employed by the State Board of Corrections within 18 months after July 1, 1956. No employee shall be entitled to the pension benefits provided herein until he has completed two years as an employee of the State Board of Corrections and has met all the other requirements of the State Employees Pension Plan or any State pension plan adopted in lieu thereof.

Section 8. There is appropriated to the Board the sum of \$50,000 for the fiscal year beginning July 1, 1955, and the sum of \$750,000 for the fiscal year beginning July 1, 1956, which sums shall be paid from time to time upon warrants signed by the president of the Board.

Section 9. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 26, 1955.

CHAPTER 487

APPROPRIATION

EVERETT TOOMEY, JR.

AN ACT AUTHORIZING THE PAYMENT OF THE SUM OF \$186.30 TO EVERETT TOOMEY, JR., FOR EXPENSES INCURRED AS A RESULT OF AN INJURY RECEIVED AT THE JOHN M. CLAYTON SCHOOL.

WHEREAS, Everett Toomey, Jr., was seriously injured on October 1, 1953 at the John M. Clayton School as a result of the fact that a window pane in said School fell upon him, through no fault of his own, and

WHEREAS, Everett Toomey, Jr. incurred bills in the total sum of \$186.30 for hospital, medical and traveling expenses, and

WHEREAS, no remedy is available to Everett Toomey, Jr. for the recovery of said sum.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Treasurer is hereby directed and authorized to pay the sum of \$186.30 to Everett Toomey, Jr. representing the total cost of his hospital, medical and traveling expenses incurred as a result of the injuries he received at the John M. Clayton School on Oct. 1, 1953.

Section 2. 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 of Delaware.

Approved July 27, 1955.

CHAPTER 488

INCREASING SALARY OF KENT COUNTY REGISTER
OF WILLSAN ACT TO AMEND CHAPTER 25, TITLE 12 OF THE DELA-
WARE CODE RELATING TO THE SALARY OF THE
REGISTER OF WILLS OF KENT COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2505 (2), Title 29 of the Delaware Code is amended by striking out the figures "\$3000" as they appear therein and by inserting in lieu thereof the figures "\$3600".

Approved July 27, 1955.

CHAPTER 489

APPROPRIATION

ADDITIONAL FUNDS FOR JUVENILE DETENTION HOME

**AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR THE
CONSTRUCTION OF A STATE DETENTION HOME FOR
JUVENILES AND TO AUTHORIZE THE SALE OF THE
PRESENT DETENTION HOME.**

WHEREAS, the General Assembly of the State of Delaware, by an Act known as Chapter 394, Volume 49, Laws of Delaware (1953), empowered the Governor to appoint a temporary commission of five persons to be known as "State Detention Home for Juveniles Building Commission"; and

WHEREAS, said Commission was authorized to select and purchase or otherwise acquire a suitable site for a building to provide adequate detention quarters for juveniles; and

WHEREAS, the Governor, complying with said Act, did appoint Jean Kane Foulke duPont, Bayard Sharp, the Honorable John G. Townsend, Jr., W. Marion Stevenson and Elwood F. Melson as members of the temporary Commission; and

WHEREAS, the Commission did, after careful consideration, select and purchase unimproved real estate for a suitable site for a building in which to provide detention quarters for juveniles at a total cost of ELEVEN THOUSAND FOUR HUNDRED FORTY-SIX DOLLARS AND EIGHTY-SIX CENTS (\$11,446.86), title to which said real estate is now in the State of Delaware; and

WHEREAS, there was appropriated for the use of the Commission by said Act, the sum of EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00) with which to meet the purposes of said Act; and

WHEREAS, there is now remaining in the General Fund of the State of Delaware, standing to the credit of said Commission, the sum of SEVENTY-THREE THOUSAND FIVE

HUNDRED FIFTY-THREE DOLLARS AND FOURTEEN CENTS (\$73,553.14), being the unused balance of the said EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00); and

WHEREAS, said remaining balance is clearly insufficient to erect a building which would provide adequate detention quarters for juveniles of the State of Delaware; NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of ONE HUNDRED TWENTY-SIX THOUSAND FOUR HUNDRED FORTY-SIX DOLLARS AND EIGHTY-SIX CENTS (\$126,446.86) is appropriated for the use of the State Detention Home for Juveniles Building Commission to complete its duties under Chapter 394, Volume 49, Laws of Delaware (1953). Said funds shall be made available to the Commission as needed by the Commission for expenses incurred in the discharge of its duties.

Section 2. Upon the completion and occupation of the new Detention Home the Commission shall sell the present Detention Home, and a deed from the Board of Managers of the Detention Home acting in the name of the State of Delaware shall convey to the purchaser thereof the title which the State of Delaware now has thereto. The funds derived from such sale shall be paid into the General Fund of the State of Delaware.

Section 3. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of money received by the sale of bonds authorized under a separate Act of the 118th General Assembly. No portion of the money appropriated as aforesaid shall be deemed or held to revert at the end of any fiscal year, but the said appropriation shall remain available until the objects and purposes of this Act have been fully accomplished.

Approved July 27, 1955.

CHAPTER 490

INCREASING SALARIES OF MEMBERS OF KENT
COUNTY ASSESSMENT BOARD

**AN ACT TO AMEND CHAPTER 82, TITLE 9 OF THE DELA-
WARE CODE RELATING TO SALARIES OF MEMBERS
OF BOARD OF ASSESSMENT OF KENT COUNTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 8205, Title 9 of the Delaware Code is amended by striking out and repealing the words and figures "Kent County, \$2100" and by inserting and enacting in lieu thereof the words and figures "Kent County, \$2500".

Approved July 27, 1955.

CHAPTER 491

RELATING TO STATE POLICE PENSIONS

AN ACT TO AMEND CHAPTER 83, TITLE 11 OF THE DELAWARE CODE RELATING TO THE ELIGIBILITY FOR PENSIONS OF DEPENDENTS OF THE STATE POLICE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 8325, Title 11 of the Delaware Code is amended by adding after the word "retired" in the third line thereof the words "or after having been eligible to retire".

Approved July 27, 1955.

CHAPTER 492

REORGANIZING DELAWARE MEMORIAL BRIDGE
DIVISION

AN ACT TO AMEND CHAPTER 3, TITLE 17, DELAWARE CODE ENTITLED "THE DELAWARE MEMORIAL BRIDGE" BY REORGANIZING AND RECONSTITUTING THE DELAWARE MEMORIAL BRIDGE DIVISION OF THE STATE HIGHWAY DEPARTMENT AS THE DELAWARE INTERSTATE HIGHWAY DIVISION BY AUTHORIZING SAID DIVISION TO ISSUE REVENUE BONDS TO FINANCE THE CONSTRUCTION AND RECONSTRUCTION OF HIGHWAYS IN THE INTERSTATE SYSTEM, INCLUDING EXPRESS HIGHWAYS, FOR THE CONSTRUCTION OF TOLL CROSSINGS OVER AND UNDER THE DELAWARE RIVER, AND FOR REFUNDING PURPOSES AND BY VESTING IN THE DELAWARE INTERSTATE HIGHWAY DIVISION THE MAINTENANCE, REPAIR AND OPERATION OF THE DELAWARE MEMORIAL BRIDGE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Substantial and accumulated annual increases experienced in highway traffic for the United States as a whole and particularly for Delaware, plus the concentration of interstate traffic flow through Delaware caused by the construction of the Delaware Memorial Bridge and the New Jersey Turnpike have forced upon the State of Delaware the need for new construction and reconstruction of highway facilities out of all proportion to funds available to the State Highway Department. Presently scheduled express highway construction in the adjoining states of Maryland and Pennsylvania will very shortly bring to the boundaries of Delaware increased interstate traffic. To provide supplemental funds for certain highway construction and reconstruction, to provide for payment of a proportionate share of such highway construction and reconstruction costs by the interstate traffic which is producing the need for such added expenditures, and to enable the State of Delaware to discharge the obligations which this traffic has imposed upon

it, The Delaware Memorial Bridge Division of the State Highway Department (originally created as the Delaware Crossing Division under authority of Chapter 193 of the Laws of Delaware, 1947, which, as amended and revised, appears as Chapter 3 of Title 17 of the Delaware Code), is reorganized and reconstituted as the Delaware Interstate Highway Division and is vested with the powers and duties hereinafter specified.

Section 2. The Delaware Interstate Highway Division shall consist of a Director, who shall be the presiding officer of the Division and two associate members, any or all of whom may be members of the Department. The Director and the associate members shall be appointed by the State Highway Department for a term of four (4) years each. In the event of a vacancy resulting from the death, resignation or disqualification of the Director or of an associate member named herein such vacancy shall be filled for the unexpired term by a person to be selected by the remaining members of the Delaware Interstate Highway Commission. Thereafter, upon the expiration of the term of any such appointee a successor shall be appointed by the State Highway Department for a term of four (4) years, and in the event of a vacancy for any cause at any time it shall be filled in like manner but only for the unexpired term. No more than two members shall be affiliated with the same political party. All appointments shall continue until the successors have qualified. Any person appointed to the Division may be appointed to succeed himself. The Director and associate members of the Divisions shall serve without compensation. The Secretary of the Highway Department shall be Secretary of the Division provided however that the said Secretary may appoint a deputy to act in his stead. The Chief Engineer of the Highway Department shall be the Chief Engineer of the Division provided however that the said Chief Engineer may appoint a deputy to act in his stead. The Division shall have power to establish by-laws, rules and regulations for its own government and procedure, and may make and enter into all contracts and agreements deemed necessary or incident to the performance of its duties and the exercise of the powers conferred by this Act; provided, however, that all contracts or obligations of the Division shall be payable solely from the revenues of the Division as hereinafter defined, or from the proceeds of revenue bonds of the Division issued under authority of this Act. The Division

may employ engineers, financial advisers, attorneys and all other persons deemed necessary for the performance of its duties and the execution of its powers, and may prescribe the duties and fix the compensation of all such agents or employees.

Section 3. The control, operation, tolls and other revenues of The Delaware Memorial Bridge and its approaches, and all of the real and personal property appurtenant thereto or used in connection therewith, shall vest in the Division subject to the rights of the holders of outstanding The Delaware Memorial Bridge Revenue Bonds of the State of Delaware, heretofore issued under the authority of Chapter 275 of the Laws of Delaware, 1945, as amended, and the State of Delaware hereby covenants that the control, operation, tolls and other revenues of said The Delaware Memorial Bridge, its approaches and all real and personal property appurtenant thereto or used in connection therewith, shall remain vested in the Division so long as said bonds or any bonds issued under the authority of this Act shall remain outstanding and unpaid. Until all of The Delaware Memorial Bridge Revenue Bonds issued under authority of Chapter 275 of the Laws of Delaware, 1945, as amended, have been paid in full or provision shall have been made for the payment thereof in the manner provided by the Indenture between the State Highway Department of the State of Delaware and Equitable Trust Company of Wilmington, Delaware, dated as of the first day of June, 1948, and the Supplemental Indentures between said Highway Department of the State of Delaware and said Equitable Trust Company, dated as of June 1, 1951 and January 1, 1952, securing the payment of the Delaware Memorial Bridge Revenue Bonds now outstanding. The Delaware Memorial Bridge shall be operated and extensions and improvements made thereto, and the tolls and revenue derived therefrom accounted for and applied in strict conformity with the provisions of said Indenture and Supplemental Indentures.

Section 4. The Division shall have power and authority to make and enter into all contracts and agreements with any firm, corporation, public body or authority of this State or any other State which it may consider necessary to or advisable for the maintenance of the Delaware Memorial Bridge or for repairs or additions thereto or improvements thereon.

Section 5. The Division is authorized, with the approval of the Governor, to construct toll crossings over or under the Delaware River between the State of Delaware and the State of New Jersey, and is further authorized to enter into agreements with the Department to pay, in whole or in part, the cost of construction, reconstruction or improvement by the department of such highways and express highways, as defined in Section 101 of Title 17 of the Delaware Code, in the State of Delaware as the Division, in its sole discretion, designates necessary to carry traffic to and from The Delaware Memorial Bridge and to and from any other toll crossing hereafter constructed, or to be constructed, by the Division under the provisions of this Act; provided that no commercial enterprise or activity for serving motorists, other than emergency services for disabled vehicles, shall be conducted within or on any property designated, as or acquired for, or in connection with, any such express highway. The State Highway Department may construct on such property at locations it deems appropriate connecting service roads parallel to such express highways in such manner as to facilitate the establishment and operation of competitive commercial enterprises for serving motorists on private property abutting such service roads. The cost of such parallel service roads may be included in the cost of construction, reconstruction or improvement of expressways in any agreement authorized herein. In entering into agreements with the Department for the construction, reconstruction or improvement of highways as herein authorized, the Division shall give first consideration to express highways for the use of traffic to and from The Delaware Memorial Bridge.

Section 6. The State Highway Department is hereby authorized to purchase within this State and within the State of New Jersey, if permitted to do so by the laws of that State, such lands, sand, earth, gravel, stone, buildings, structures, rights-of-way, franchises, easements and other interests in land, including lands under water and riparian rights of any person, copartnership, association, railroad or other corporation or other municipality or political subdivision deemed by the Division to be necessary for the construction, maintenance or operation of any toll crossing which the Division is authorized by the provisions of this Act to acquire, construct or maintain, upon such terms and at such prices as may be considered by it to be reason-

able and can be agreed upon by it and the owner thereof, and to take title thereto in the name of the State of Delaware, or if such property so purchased be located in the State of New Jersey, to take title thereto in the name of the Department if permitted by the laws of the State of New Jersey so to do, or, in the discretion of the Department, to take such title in the name of an individual or a corporation as Trustee for the Department. Whenever a price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown, the Department may and, at the request of the Division, shall acquire by condemnation any of the above mentioned properties located within the State of Delaware, so deemed by the Division to be necessary as aforesaid for said purposes. Whenever valid title to any of the above mentioned properties which are located in the State of New Jersey cannot be acquired by the Department in its own name or in that of the Trustee or nominee by amicable agreement with the owner or owners and the Highway Commissioner of the State of New Jersey or other appropriate officer or agency of the State of New Jersey is willing to condemn, for the use of and to become a part of the highway system of the State of New Jersey, any such property deemed by the Division necessary for construction, maintaining or operating any toll crossing which the Division is authorized by this Act to construct and maintain, if reimbursed for the condemnation money or damages awarded in such condemnation and expenses thereof, the Department is authorized and empowered to enter into an agreement of reimbursement with the Highway Commissioner of the State of New Jersey or such other appropriate officer or agency for such condemnation money or damages and expenses and to secure the same by a deposit of cash or otherwise, and is further authorized to reimburse said Highway Commissioner of the State of New Jersey or the State of New Jersey or other appropriate officer or agency thereof for all condemnation money or damages and costs legally awarded or incurred in such condemnation. When such property is so acquired by the Highway Commissioner of the State of New Jersey or other appropriate officer or agency of said State as a part of the Highway System of that State, the Division is authorized to construct, maintain and operate thereon or thereunder any toll crossing which the Division is authorized to construct and maintain under the provisions of

this Act as fully as though title thereto had been acquired by the Division. The Division shall pay all costs and expenses of acquiring such properties out of its unencumbered revenues or out of the proceeds of the sale of its revenue bonds.

Section 7. The State of Delaware hereby consents to the use by the Division, in any manner whatsoever in the performance of its duties hereunder, of all lands lying under the waters of the Delaware River which are within the State and are deemed by the Division to be necessary for the construction and operation of the Delaware Memorial Bridge, and of any other toll crossing which the Division is authorized by this Act to construct or maintain.

Section 8. The Division is hereby authorized to establish regulations respecting the use of The Delaware Memorial Bridge and/or any other toll crossing which it is authorized to construct or maintain by the provisions of this Act, by any person, partnership, association or corporation desiring to use said crossing, its approaches, appurtenances or any part thereof, including the approach highways connecting with such bridge, for placing therein or thereon gas or oil pipe lines, telephone, telegraph and electric wires or cables or for any other purpose, and to fix the terms, conditions and rates of charge for such use. The violation of any regulation established by the Division in respect of the use of any such crossing, including regulations established by the Division regulating traffic over any such crossing and its approaches or approach highways, shall be deemed to be a misdemeanor and shall be punishable by a fine of not in excess of One Hundred Dollars (\$100.00) for each such offense.

Section 9. It shall be the duty of said Division to procure and keep in force adequate insurance upon any toll crossing constructed or operated by it, including adequate use and occupancy insurance, as well as insurance to defray the cost of removing obstacles from the Delaware River in the event of a collapse or other injury to such crossing.

Section 10. The Division is hereby authorized and empowered to employ a General Manager for the purpose of supervising the operation of toll crossings constructed or maintained

by it and to appoint such number of guards and toll keepers as may be deemed to be advisable by it for the proper operation of The Delaware Memorial Bridge and any toll crossing over the Delaware River constructed or maintained by the Division, and such officers are hereby given powers of a constable in the performance of their duties, and it shall be the duty of the Division to procure and keep in force at all times a fidelity bond or bonds issued by a bonding company qualified to do business in this State to protect the Division against loss arising from the fraudulent or dishonest conduct of any of its managers or employees with respect to funds or property of the Division or of the State within the control of the Division, and the Division is hereby authorized to pay the costs of such bond or bonds out of its revenues.

Section 11. As long as any bonds heretofore issued under the provisions of Chapter 275 of the Laws of 1945, as amended, shall remain outstanding and unpaid or until provision shall have been made for the payment thereof as provided in the Indentures securing such bonds, no bridge or tunnel over or under the Delaware River for the use of the traveling public or for the transportation of goods or other property, having a terminus in The State of Delaware within the distance of ten (10) miles north along the shore of the Delaware River and twenty (20) miles south along such shore of the Delaware terminus of The Delaware Memorial Bridge shall hereafter be constructed and operated by the State, by the Division or other agency of the State, or by any county, municipal corporation or political subdivision of the State, or by any agency or instrumentality of any thereof, or by any public body or authority not created by an act of Congress of the United States, or by any person, co-partnership, association or corporation not created by or acting under authority of an act of Congress of the United States.

Section 12. All toll crossings constructed or operated and maintained by the Division under the provisions of this Act and all property acquired or used by the Division in connection therewith, shall at all times be free from all taxation within the State of Delaware.

Section 13. The Division is authorized to issue, in the name of the State of Delaware, revenue bonds of the State, payable

solely from the revenues of the Division for the purpose of paying the cost of construction (including interest during the period of construction and for one (1) year thereafter) of any toll crossing which it is authorized to construct under the provisions of this Act or to enable it to pay to the Department any amount which it is required to pay pursuant to any agreement made with the Department under the provisions of Section 5, to defray the cost of constructing or improving highways, and for the purpose of refunding any bonds issued under the provisions of this Act, at or prior to the maturity thereof.

Section 14. The Division is further authorized to issue, in the name of the State of Delaware, revenue bonds of the State, payable solely from the revenues of the Division, at any time after the enactment of this Act, for the purpose of refunding at or prior to maturity, all bonds heretofore issued under the authority of Chapter 275 of the Laws of Delaware, 1945, as amended, in an aggregate principal amount not exceeding the principal amount of said outstanding bonds and the redemption premium, if any, required to be paid upon their redemption prior to maturity, the fees and expenses of the trustee named in the Indenture and Supplemental Indentures securing such bonds, the interest which will become due upon such bonds to the date of their redemption, and all legal and other expenses incident to the issuance of said bonds, and the Division is authorized to deposit with the trustee named in the Indenture and Supplemental Indentures securing the payment of said outstanding bonds, out of the proceeds of such refunding bonds, such amount as shall be required to authorize such trustee to satisfy such Indenture and Supplemental Indentures.

Section 15. All bonds issued under the authority of this Act shall be dated, shall bear interest at such rate or rates, not exceeding five (5) per centum per annum, payable semi-annually, shall mature at such time or times and may be made redeemable before maturity at such times and at such price or prices and under such terms and conditions as may be fixed by the Division prior to the issuance of the Bonds. The principal of and the interest upon such bonds may be made payable at any lawful medium. The Division shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the

place or places of payment of principal and interest thereof, which may be any bank or trust company within or without the State. The bonds shall be signed by the Director of the Division and the Great Seal of the State or a facsimile thereof shall be affixed thereto, and shall be attested by the Secretary of State, and any coupons attached thereto shall bear the facsimile signature of the Director of the Division. In case any officer whose signature or facsimile thereof shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall, nevertheless, be valid for all purposes, the same as if he had remained in office until delivery. All bonds issued under the provisions of this Act shall have, and are hereby declared to have, all the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of this State. Such bonds and the income therefrom shall be exempt from all taxation by the State of Delaware or by any political subdivision, agency or authority thereof. The bonds may be issued in coupon or registered form, or both, as the Division may determine, and provision may be made for the registration of any coupon bond as to principal alone or as to both principal and interest, and for the reconversion of any bonds registered both as to principal and interest into coupon bonds. The Division may exchange such bonds for bonds issued under Chapter 275 of the Laws of Delaware 1945, as amended, or issued under this act or may sell such bonds either at public or private sale in such manner and for such price as it may determine to be for the best interests of the State, but no such sale may be at a price so low as to require the payment of interest on money received therefor at more than five (5) percentum per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values. The proceeds of such bonds, exclusive of accrued interest, shall be used solely for the purposes specified in the resolution of the Division authorizing the issuance thereof, or as set forth in the Indenture securing their payment, which purposes may include redemption premiums, interest on bonds to be refunded to the redemption date or date of maturity thereof and all legal and other expenses of their issuance, and shall be disbursed under such restrictions, if any, as said resolution or trust indenture may provide. The proceeds of such bonds shall at no time revert to the General Fund of the State Treasury but shall at all times

be available to the Division for the aforesaid purposes, provided, however, that if the proceeds of the bonds of any issue shall exceed the amount required for the purpose or purposes for which such bonds are authorized to be issued, the surplus may be used for any purpose of the Division herein authorized or for the payment of the principal of or interest on its outstanding bonds. Prior to the preparation of definitive bonds the Division may issue temporary bonds with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The Division may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost. Such bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this Act.

Such bonds are hereby made securities in which all State and municipal officers and administrative departments, boards and commissions of the State, all banks, bankers, savings banks, trust companies, saving 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 administrators, executors, guardians, trustees, and other fiduciaries, and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds, including capital belonging to them or within their control; and such bonds are hereby made securities which may properly and legally be deposited with and received by any State, County or municipal officer or agency of the State for any purpose for which the deposit of bonds or other obligations of the State is now or may hereafter be authorized by law.

Section 16. Bonds issued under the provisions of this Act shall be payable exclusively from the revenues of the Division and shall contain a statement on their face that the State of Delaware shall not be obligated to pay the bonds or the interest thereon except from such revenues, and that the faith and credit of the State are not pledged to the payment of the principal or interest on such bonds. The issuance of bonds under the provisions of this Act shall not directly or indirectly or contin-

gently obligate the State to levy or pledge any form of taxation whatever therefor or to make any appropriation for their payment.

Section 17. In the discretion of the Division, each and any issue of such bonds may be secured by a trust indenture by and between the Division and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the State. Such trust indenture may pledge or assign the revenues of the Division but shall not convey or mortgage any toll crossing or other property operated or maintained by the Division. Either the resolution providing for the issuance of the bonds or such trust indenture may contain such provisions specifying, defining, protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth and duties of the Division in relation to the acquisition, construction, improvement, maintenance, operation, repair and insurance of any toll crossing or additions thereto, and the custody, safeguarding and application of all moneys and may also provide that any toll crossing constructed by the Division shall be constructed and paid for under the supervision and approval of consulting engineers employed or designated by the Division, and satisfactory to the original purchasers of the bonds issued therefor, and may also require that the security given by contractors and by any other depository of the proceeds of the bonds or revenues or other moneys be satisfactory to such purchasers. It shall be lawful for any bank or trust company incorporated under the laws of this State to act as such depository and to furnish such indemnifying bonds or to pledge such securities as may be required by the Division. Such indenture may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. In addition to the foregoing, such trust indenture may contain such other provisions as the Division may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust indenture may be treated as a part of the cost of maintenance, operation and repairs of any toll crossing to which such indenture is related or may be paid out of the revenues of the Division.

Section 18. Any holder of bonds issued under the provisions of this Act or any of the coupons attached thereto, and the trustee under the trust indenture, if any, except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture, may, either at law or in equity by suit, action, mandamus, or other proceedings protect and enforce any and all rights under the laws of the United States or of the State of Delaware or granted hereunder or under such resolution or trust indenture, and may enforce and compel performance of all duties required by this Act, or by such resolution or trust indenture, to be performed by the Division, or any officer thereof, including the fixing, charging and collecting of tolls for the use of any toll crossing operated by the Division.

Such resolution or trust indenture may contain provisions under which any holder of such bonds or the trustee under such trust indenture shall be entitled to the appointment of a receiver in the event of a default, and any receiver so appointed shall have and be entitled to exercise all the rights and powers of the Division with respect to the crossings operated or maintained by the Division and all of the appropriate rights and powers of a receiver in equity.

Section 19. The Division is hereby authorized to make and enforce such rules and regulations and to establish, levy and collect (or to authorize by contract, franchise, lease or otherwise, the establishment, levy and collection of) such tolls, rents, rates and other charges for the use of any toll crossing operated by the Division or any improvements or extensions thereof as it may deem necessary, proper, desirable and reasonable, and the Division is hereby authorized and empowered to pledge such tolls, rates, rents and other revenues, or any part thereof, either presently received or to be received in the future, or both, as security for the repayment with interest of any moneys borrowed by it or advanced to it and as security for the satisfaction of any other obligation assumed by it under the authority of this Act.

Such tolls, rates, rents and other charges shall be so fixed and adjusted so as to provide funds at least sufficient, together with any other revenues of the Division to pay the cost of maintaining, repairing and operating the toll crossings operated and

maintained by the Division, and the principal of and the interest upon the outstanding revenue bonds of the Division, subject, however, to any applicable law or regulation of the United States of America now in force or hereafter to be enacted or made. Such tolls and all other revenues of the Division shall not revert to the General Fund of the State Treasury but shall at all times be available to the division for the purposes herein set forth. Such tolls, rates, rents or other charges shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the State.

Section 20. The Division, in addition to the moneys which may be received from the sale of bonds and from the collection of tolls and other revenues derived under the provisions of this Act, shall have authority to accept from any Federal agency or other public or private body, or from any other source, grants or contributions of money or property for or in aid of the construction, maintenance or operation of the toll crossings maintained and operated by it or for or in aid of the construction, reconstruction or improvement of any highway which is the subject of an agreement with the Department as authorized by Section 5 of this Act, or for the payment of its bonds.

Section 21. All moneys received pursuant to the authority of this Act, whether as proceeds from the sale of bonds, or grants or other contributions, or as tolls and revenues, shall be deemed to be trust funds, to be held and applied solely as provided in this Act. The Division shall, in the resolution authorizing the issuance of bonds or in the trust indenture, provide for the payment of the proceeds of the sale of the bonds and the tolls and revenues to be received to any officer, agency, bank or trust company, who shall act as trustee of such funds, and shall hold and apply the same to the purposes hereof, subject to such regulations as this Act and such resolution or trust indenture may provide.

Section 22. The State of Delaware hereby covenants and agrees with the holders of any of the bonds issued by the Division under the provisions of this Act, for which there may be pledged the revenues of the Division or any part thereof, that so long as said bonds or obligations remain outstanding and unpaid and unless and until adequate provision is made by law for the

protection of the persons advancing money upon such obligations, the State will not diminish or impair the power of the Division or of any successor thereof to operate or control any toll crossing constructed or maintained and operated by it, including The Delaware Memorial Bridge or to establish, levy and collect tolls, rates, rents or other charges in connection therewith.

Section 23. The State of Delaware hereby covenants that if the division shall issue bonds under the provisions of this Act no crossing of the Delaware River shall thereafter be constructed and operated by the State, by the Division, or other agency of the State, or by any county, municipal corporation, or political subdivision of the State, or by any agency or instrumentality thereof, or by any public body or authority not created by an Act of Congress of the United States, or by any person, copartnership, association or corporation not created by or acting under authority of an Act of Congress of the United States, which shall compete with The Delaware Memorial Bridge or with any toll crossing over or under the Delaware River to be constructed in whole or in part out of the proceeds of such bonds, and the Division is hereby authorized to agree with the holders of its bonds as to the character and location of any crossing which shall be deemed to be a competitive crossing within the meaning of this Section, and such determination shall be binding upon the State of Delaware and the Division, so long as any of such bonds remain outstanding and unpaid, or until provision for their payment shall have been made in the manner provided in the resolution or indenture pursuant to which such bonds shall have been issued.

Section 24. It shall be unlawful for any member or employee of the Division or of the Department to be directly or indirectly pecuniarily interested in any contract or sub-contract made in connection with the construction, improvement, repair, operation or maintenance of any toll crossing operated or maintained by the Division, and any such member or employee who shall violate the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to be fined not exceeding One Thousand Dollars (\$1,000.00), or imprisoned for not exceeding two (2) years, or both, in the discretion of the Court.

Any person who shall use or attempt to use any toll crossing operated or maintained by the Division without paying the toll then charged at the rate then in force for such use, shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to be fined not exceeding One Hundred Dollars (\$100.00), or imprisoned for not exceeding thirty (30) days, or both, in the discretion of the Court.

Section 25. Definitions. As used in this Act the following words and terms shall have the following meanings:

(a) The word "Department" shall mean the State Highway Department established under Title 17 of the Code of Delaware, as amended, or if said Department shall be abolished, any board, commission or officer succeeding to the principal functions thereof, or to whom the powers given by this Act to said Department shall be given by law.

(b) The word "Division" means the Delaware Interstate Highway Division as reorganized by this Act.

(c) The words "Revenues of the Division" shall mean the proceeds of tolls, rates, rents and other charges for the use of toll crossings constructed by the Division under authority of this Act, including, upon the satisfaction of the indenture and supplemental indentures securing the payment of all bonds heretofore issued under the authority of Chapter 275 of the Laws of Delaware, 1945, as provided by Section 14 of this Act, the proceeds of tolls, rates, rents, and other charges for the use of The Delaware Memorial Bridge.

(d) The word "crossing" shall be deemed to include a bridge or bridges over the Delaware River or a tube or tubes under said River, and all approaches thereto and approach highways and all other buildings or structures connected with any such bridge or tube, and all equipment essential to the operation thereof, and also all property rights, easements and franchises relating thereto and deemed necessary or convenient for the construction or operation thereof, and may include any elevated or depressed highways connecting any such bridge or tube with a State road.

Section 26. The Division shall be vested with all powers necessary or convenient to carry out the purposes of this Act, including the power to enter into such contracts as it may deem expedient so to do, and this Act shall be liberally construed to carry into effect its purposes, but no contract or other obligation of the Division shall be construed to impose any obligation upon the State of Delaware or upon any political subdivision or agency of said State, it being intended that all obligations of the Division, of whatsoever character, shall be payable solely from the revenues of the Division or from the proceeds of revenue bonds issued under authority of this Act.

Section 27. The provisions of this Act are severable and if any of its provisions shall be held to be unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 28. All acts or parts of acts inconsistent with any of the provisions of this Act are hereby repealed.

Approved July 27, 1955.

CHAPTER 493

MIDDLETOWN

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN", BEING CHAPTER 128, VOLUME 33, LAWS OF DELAWARE, AS AMENDED, TO PROVIDE FOR PAVING OR REPAIRING OF SIDEWALKS, STREETS, CURBS, AND GUTTERS AND TO ORDER CONNECTION WITH WATER MAIN OR SEWER MAIN IN THE TOWN OF MIDDLETOWN AND TO PROVIDE FOR THE COLLECTION OF COSTS THEREOF FROM OWNERS OF THE LAND ABUTTING AND TO PROVIDE THAT THE COSTS THEREOF WHEN DONE BY THE TOWN OF MIDDLETOWN SHALL BE A LIEN ON THE PROPERTY RECOVERABLE BY THE SALE OF LANDS AND PREMISES AFFECTED AS A SPECIAL ASSESSMENT.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of each Branch thereof concurring therein):

Section 1. That all of Section 10, Chapter 128, Volume 33, Laws of Delaware, entitled "An Act to Reincorporate the Town of Middletown", as amended, be and the same is hereby amended by striking out all paragraphs of Section 10 thereof, and inserting in lieu thereof the following paragraphs to be designated as Section 10 thereof:

Section 10. The streets, sidewalks, lanes, alleys, pavements, curbs, gutters, light, power, and water, in the Town of Middletown shall be under the supervision, management and control of the Council.

Whenever Council shall deem it expedient and needful for the public good and convenience that any sidewalk or street or portion thereof within said Town should be paved or repaved or that any curbing should be laid or reset or repaired, the Council shall have the power to cause the sidewalk or street or portion thereof to be paved or repaved, repaired or relaid, and to cause the curbing or gutters to be laid, reset, or repaired

with such material or materials and according to such specifications as it shall determine. Before the exercise of said power in any particular instance, the Council shall adopt an ordinance or resolution stating, in effect, that on a named day and at a named hour and place the Council will meet to consider the question of paving or repaving, curbing, recurbing, resetting or repairing with a specified material or materials the streets, or sidewalks or curbs or gutters on a named street in front of the property of named owners, and of assessing the cost thereof against the owners. The said ordinance or resolution shall be published in at least one issue of a newspaper of general circulation in the community at least one week prior to the meeting aforesaid. The Council shall hold a meeting in accordance with said ordinance or resolution and thereat shall hear the aforesaid owners of property and other residents of the Town appearing on the questions referred to in the said ordinance or resolution.

. After such hearing, the Council either at said meeting or at a subsequent meeting shall decide whether or not to proceed with the improvements or repairs referred to in the said ordinance or resolution; provided that the Council shall not proceed with such improvements or repairs if at or prior to the hearing aforesaid, the Council shall be presented with a written objection thereto signed by a majority of the owners of real property in front of which such improvements or repairs were contemplated, but this proviso shall not apply to sidewalks. If the Council shall decide to proceed it shall determine whether the whole or some specified proportion of the cost of the improvements or repairs aforesaid in front of the real property of the owner named in the aforesaid ordinance or resolution shall be borne by said owners. If said determination shall be that the whole or a specified proportion of said cost shall be borne by said owners, then and in such case the said owners shall be compelled to pay the whole or the specified proportion of the cost aforesaid, as the case may be; the amount to be paid by the owner of each parcel of property affected shall be determined on the basis of the lineal frontage of the parcel on the street or sidewalk to be improved or repaired as set forth in said ordinance or resolution.

When said improvements or repairs have been done and the cost thereof ascertained, the Council shall ascertain the amount that the owner of each parcel of property aforesaid shall pay, as hereinbefore stated, and shall fix the time when such payment must be made, provided that the time of payment shall not be less than twelve months thereafter, except in the case of the paving or repaving of sidewalks or any portion thereof for which the time of payment shall not be less than ninety days thereafter; and shall give written notice thereof to such owner by leaving or posting the same on his aforesaid real property or by mailing the same to his last known address. If any such owner shall fail to pay the specified amount at or before the time or times specified in the notice, the amount specified in said notice may be collected by the sale of his aforesaid real property. Such sale shall be made by the City Manager who shall advertise the parcel of real property for sale in at least one issue of a newspaper of general circulation in the community at least two weeks prior to the day of sale. Such advertisement shall give such general description of the parcel to be sold as will identify it, and shall state the day, hour, and place at which the sale will be held.

Unless a sum of money for which the said parcel is to be sold, as aforesaid, together with the cost of advertisement of the sale, shall be paid prior to the day of sale, the said parcel of real property shall be sold by the City Manager at public sale on the day and at the hour and place named in the advertisement for the sale, to the highest and best bidder for the same.

Upon payment to the Town Treasurer of the price for which the property is sold at such sale, a deed of the property sold shall be executed in the name of The Town of Middletown by the Mayor and attested by the Clerk of Council and bearing an imprint of the corporate seal of the Town, and delivered to the purchaser. Such deed shall vest in the purchaser the same estate or interest in the property sold as the owner of the parcel at the time of the adoption of the ordinance or resolution first in this Section referred to, had therein, or thereto, subject to the same liens and encumbrances of record against said property at the date of the adoption of said ordinance or resolution. The purchaser or purchasers shall not be required to inquire into the regularity of the acts or proceedings of the Council in complying with the provisions of this section.

The Town Treasurer shall first deduct the costs of the sale which shall include the cost of the advertisement of the sale, the charges of an auctioneer, and all other expenses incident to the sale and also 10% of the amount that the owner of the property had failed to pay for the cost of the paving or repaving as aforesaid.

The Town Treasurer shall then deduct the amount that the owner of the property had failed to pay to the Town as aforesaid, together with the 10% aforesaid, and together with the costs, charges and other expenses of the sale aforesaid, and shall pay the sum so deducted into the Town treasury.

Any balance remaining shall be paid by the City Treasurer to the person or persons who were the owners of the property sold.

The term owner or owners as used in this section shall be deemed to mean the person or persons who owned the property in question at the time of the adoption or passage of the ordinance or resolution first in this section referred to, and any change of ownership thereafter shall not be deemed or held to affect any of the steps or proceeding mentioned in this section. Where owner or owners of property affected by the resolution or ordinance are not known to Council, the posting of notice on the property as required is deemed sufficient notice to enable the Council to proceed as though personal notice to owner or owners had been given. If there be more than one owner of any of the property affected by said ordinance or resolution, notice to one shall be deemed notice to all.

The aforesaid deed of the property sold shall recite briefly the amount that the owner had failed to pay to the Town, as aforesaid, the advertisement and notice of sale, the holding of the sale, the amount of the successful bid, and the costs of the sale, including the items hereinbefore set forth.

Whenever Council shall deem it expedient and needful for the public health and welfare that any sewers, mains and pipes be laid or installed on any property or on any street or alley in said Town or any public road adjoining or extending to said Town, the said Council shall have the power and it is hereby

authorized to proceed with the laying and installing of said sewers, mains and pipes in the manner hereinbefore provided pertaining to the improvements and repairs to sidewalks, streets, curbs and gutters, and to cause same to be done and costs recovered as therein provided. In addition, whenever Council shall so determine, it may in like manner cause any property in the Town to be connected with the water and sewer mains and to recover the costs therefor after like notice and in like manner as hereinbefore provided for the improvements and repairs to streets, sidewalks, curbs and gutters.

Approved July 27, 1955.

CHAPTER 494

INCREASING SALARY OF NEW CASTLE COUNTY
RECORDER**AN ACT TO AMEND CHAPTER 96, TITLE 9, DELAWARE
CODE, RELATING TO RECORDERS; COMPENSATION.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 9602, Chapter 96, Title 9, Delaware Code of 1953 is amended by striking out the figures "\$5,400." appearing in paragraph (1) thereof, and substituting in lieu thereof the figures "\$6,000."

Approved July 27, 1955.

CHAPTER 495

RELATING TO HIGHWAY DEPARTMENT FUNDS

AN ACT TO PROVIDE THAT ANY UNUSED FUNDS APPROPRIATED FOR MAINTENANCE AND CONSTRUCTION TO THE STATE HIGHWAY DEPARTMENT IN THE BUDGET APPROPRIATION ACT FOR THE BIENNIUM ENDING JUNE 30, 1957 SHALL BE CREDITED BY THE STATE TREASURER FOR THE USE OF THE STATE HIGHWAY DEPARTMENT FOR THE PURPOSE FOR WHICH THEY WERE ORIGINALLY APPROPRIATED.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The monies appropriated for maintenance and construction to the State Highway Department in the General Appropriation Act for each of the fiscal years ending June 30, 1956, and June 30, 1957, 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 purposes for which they were originally appropriated.

Approved July 27, 1955.

CHAPTER 496

RELATING TO IMPROVEMENT OF COUNTY ROAD
NEAR ODESSA**AN ACT DIRECTING THE STATE HIGHWAY DEPARTMENT
TO TAR AND CHIP COUNTY ROAD LEADING FROM
CANTWELL AVENUE AT CORPORATE LINE OF ODES-
SA, ST. GEORGES HUNDRED TO U. S. ROUTE 13.**

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members of each House thereof concurring therein):

Section 1. The State Highway Department is directed to tar and chip that section or piece of road extending from Cantwell Avenue at the corporate line of Odessa, St. Georges Hundred, New Castle County to the Northbound lane of the dual highway known as U. S. Route 13, a distance of approximately .275 of a mile.

Approved July 27, 1955.

CHAPTER 497

APPROPRIATION

JAMES L. SEASE, JR.

**AN ACT APPROPRIATING FUNDS FOR THE PAYMENT OF
A CLAIM OF JAMES L. SEASE, JR., RISING OUT OF THE
NEGLIGENT OPERATION OF A DELAWARE NATION-
AL GUARD VEHICLE.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. The State Treasurer shall pay to James L. Sease, Jr., of Wilmington, in the County of New Castle, the sum of Eight Hundred Dollars and Fifty Cents (\$800.50), said sum being the amount of damages resulting when a military vehicle operated by a member of the National Guard on January 6, 1954, during the prescribed course of his duties negligently collided with a motor vehicle owned by the said James L. Sease, Jr.

Section 2. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 27, 1955.

CHAPTER 498

EMPLOYEES PENSION PLAN

AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO STATE EMPLOYEES' PENSION PLAN, BY PROVIDING FOR PAYMENTS TO THE SURVIVING SPOUSE OF AN ELIGIBLE EMPLOYEE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 55, Title 29, Delaware Code, is amended by adding thereto a new section, as follows:

§ 5526. Benefits payable to surviving spouse

The surviving spouse of any employee who has retired or become eligible to retire under this chapter or who shall hereafter retire or become eligible to retire under this chapter shall, until the death or remarriage of such surviving spouse, receive a pension equal to one half the amount which

(a) a retired employee was or shall be receiving at the time of his death, or

(b) an unretired employee was or shall be entitled to receive if he had retired on the day of his death.

Section 2. There is hereby appropriated to the State Treasurer the sum of Four Thousand Dollars (\$4,000) for the fiscal year beginning July 1, 1955, and the sum of Five Thousand Dollars (\$5,000) for the fiscal year beginning July 1, 1956, for the purpose of carrying out the provisions of this Act.

Section 3. The sums required by each State Agency for pensions payable to the surviving spouses of employees of such agency in the biennium beginning July 1, 1957, and each biennium thereafter shall be included in the estimate of each such agency reported to the Budget Commission and in the Budget Appropriation Bill submitted to the General Assembly.

Section 4. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 27, 1955.

CHAPTER 499

SUPPLEMENTARY APPROPRIATIONS

AN ACT MAKING CERTAIN SUPPLEMENTARY APPROPRIATIONS FOR THE EXPENSES OF CERTAIN STATE AGENCIES FOR EACH OF THE FISCAL YEARS ENDING JUNE 30, 1956, AND JUNE 30, 1957.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to the proper conduct of the business of the agencies named herein, are appropriated and authorized to be paid out of the Treasury of this State by the respective departments and divisions of State Government, and other specified spending agencies, subject to the provisions of Part VI, Title 29, Delaware Code, and for the periods specified. 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; provided, however, that no funds shall revert which are encumbered pursuant to Section 6521, Title 29, Delaware Code, and provided further that vouchers for payment of obligations entered into prior to the end of the fiscal year may be presented for approval within twelve (12) days after the end of the fiscal year.

The several amounts hereby appropriated are as follows:

	Year Ending June 30	
	1956	1957
AGENCIES		
DELAWARE COMMISSION ON INTERSTATE COOPERATION		
Travel	\$ 5,000.00	\$ 5,000.00
Total	\$ 5,000.00	\$ 5,000.00

AUDITOR OF ACCOUNTS

Salaries and Wages	\$ 2,500.00	\$ 2,500.00
Total	\$ 2,500.00	\$ 2,500.00

PUBLIC ARCHIVES—STATE MUSEUM

Salaries and Wages	\$ 3,300.00	\$ 3,300.00
Total	\$ 3,300.00	\$ 3,300.00

STATE PARK COMMISSION—TRAPPE POND

Enlarge Parking Area, Additional Sand in Pond, and Additional Picnic Tables	\$ 5,000.00	\$ 5,000.00
Total	\$ 5,000.00	\$ 5,000.00

DELAWARE COMMISSION ON CHILDREN AND YOUTH

Salaries and Wages	\$ 2,400.00	\$ 2,400.00
Office Expense	300.00	300.00
Travel	250.00	250.00
Operations	650.00	650.00
Total	\$ 3,600.00	\$ 3,600.00

STATE BOARD OF AGRICULTURE

Operations	\$ 11,000.00	\$ 11,000.00
Total	\$ 11,000.00	\$ 11,000.00

BOARD OF WELFARE

Old Age Assistance—Grants	\$100,000.00	\$100,000.00
Direct Care—Child Welfare		
Service	25,000.00	25,000.00
Assistance Grants—A. D. C.	50,000.00	50,000.00
Aid to Disabled—Grants	25,000.00	25,000.00
Total	\$200,000.00	\$200,000.00

EMILY P. BISSELL SANATORIUM

Salaries and Wages	\$103,300.00	\$103,300.00
Office Expense	900.00	900.00
Travel	400.00	400.00
Operations	30,000.00	30,000.00
Total	\$134,600.00	\$134,600.00

UNIVERSITY OF DELAWARE

Salaries and Wages	\$189,945.00	\$189,945.00
Office Expense	6,000.00	6,000.00
Total	\$195,945.00	\$195,945.00

GOVERNOR—DELAWARE RIVER MASTER

Operations	\$ 10,000.00	\$ 10,000.00
Total	\$ 10,000.00	\$ 10,000.00

WATER POLLUTION COMMISSION

Salaries and Wages	\$ 10,000.00	\$ 10,000.00
Equipment	1,800.00	1,675.00
Total	\$ 11,800.00	\$ 11,675.00

STATE ATHLETIC COMMISSION

Office Expense	\$ 250.00	\$ 250.00
Total	\$ 250.00	\$ 250.00

SECRETARY OF STATE

Salaries and Wages	\$ 5,000.00	\$ 5,000.00
Total	\$ 5,000.00	\$ 5,000.00

STATE BOARD OF EDUCATION

ROSE HILL-MINQUADALE SCHOOL #47

Salary—Crossing Guard	\$ 520.00	\$ 520.00
Total	\$ 520.00	\$ 520.00

STATE BOARD OF EDUCATION

STUDENT DRIVER TRAINING

Salaries and Wages	\$ 3,580.00	\$ 5,003.00
Equipment	1,000.00	1,000.00
	<hr/>	<hr/>
Total	\$ 4,580.00	\$ 6,003.00

DELAWARE COMMISSION FOR THE FEEBLEMINDED

Salaries and Wages	\$ 39,000.00	\$ 39,000.00
	<hr/>	<hr/>
Total	\$ 39,000.00	\$ 39,000.00

GOVERNOR BACON HEALTH CENTER

Salaries and Wages	\$ 11,000.00	\$ 11,000.00
	<hr/>	<hr/>
Total	\$ 11,000.00	\$ 11,000.00

STATE LIBRARY COMMISSION

Salaries and Wages	\$ 1,755.00	\$ 1,755.00
	<hr/>	<hr/>
Total	\$ 1,755.00	\$ 1,755.00

GRAND TOTAL...	<hr/>	<hr/>
	\$644,850.00	\$646,148.00

Section 2. The transfer of any funds herein appropriated by this Act to any Salary Account, or to any Salaries and Wages Account, or to any other agency, is prohibited. Transfers to other accounts may be made, but only with the approval of the Budget Commission.

Section 3. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 27, 1955.

CHAPTER 500

WILMINGTON

AN ACT RELATING TO LIMITATIONS OF LAW AFFECTING THE AMOUNT OF BONDS WHICH MAY BE ISSUED OR BONDED DEBT WHICH MAY BE INCURRED BY "THE MAYOR AND COUNCIL OF WILMINGTON", SPECIFICALLY EXCEPTING FROM BONDED DEBT BONDS IN CONNECTION WITH THE SLUM CLEARANCE AND REDEVELOPMENT PROGRAM AND THE URBAN RENEWAL PROGRAM, AND REPEALING INCONSISTENT ACTS OR PARTS OF ACTS.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members of each Branch thereof concurring therein):

Section 1. In ascertaining the amount of the bonded debt incurred or bonds issued in the name of the Mayor and Council of Wilmington for the purposes of any limitation with respect to the amount of such bonded debt or bonds issued, contained either in Section 71 of the Act entitled "An Act to revise and consolidate the statutes of the City of Wilmington", approved on April 13, 1883, and constituting Chapter 207 of Volume 17 of the Laws of Delaware, or the acts amendatory thereof or supplemental thereto, or in any other law now in effect, there shall be excluded from such bonded debt or bonds issued all bonds issued in the name of The Mayor and Council of Wilmington which may hereafter be issued in connection with the Slum Clearance and Redevelopment Program or Urban Renewal Program as the same is authorized by Chapter 45 of Title 27 of the Delaware Code.

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

Approved August 1, 1955.

CHAPTER 501

WILMINGTON

AN ACT TO AUTHORIZE THE MAYOR AND COUNCIL OF WILMINGTON TO BORROW AND ISSUE BONDS OF THE CITY FOR THE PURPOSE OF AIDING THE WILMINGTON HOUSING AUTHORITY AS THE SLUM CLEARANCE AND REDEVELOPMENT AUTHORITY OR SLUM CLEARANCE AND REDEVELOPMENT AGENCY, OR THE LOCAL PUBLIC AGENCY OF THE CITY OF WILMINGTON, DELAWARE IN CARRYING OUT ITS PURPOSES AND FUNCTIONS UNDER 31 DEL. C. c. 45, AND TO FURTHER ENABLE THE MAYOR AND COUNCIL OF WILMINGTON TO COMPLY WITH THE PROVISIONS OF THE HOUSING ACT OF 1949 AS AMENDED AND THE HOUSING ACT OF 1954 AS THE LAST TWO ACTS HAVE BEEN APPROVED BY THE CONGRESS OF THE UNITED STATES OF AMERICA.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (with the concurrence of two-thirds of all the Members elected to each Branch thereof):

Section 1. The Mayor and Council of Wilmington be and is hereby authorized and empowered to borrow, and to issue bonds, on the faith and credit and taxing power of The Mayor and Council of Wilmington, in a sum not exceeding One Million Dollars (\$1,000,000.00), for the purpose of aiding Wilmington Housing Authority as the Slum Clearance and Redevelopment Authority or Slum Clearance and Redevelopment Agency or the Local Public Agency of the City of Wilmington, Delaware, in carrying out any of its powers and functions under 31 Del. C. c. 45 and to enable The Mayor and Council of Wilmington to comply with the provisions of the Housing Act of 1949 as amended (63 Stat. 413), and the Housing Act of 1954 (68 Stat. 590), as approved by the Congress of the United States of America in the making of capital grants to the Wilmington Housing Authority.

Section 2. The bonds herein authorized to be issued may be issued and sold at one time or from time to time, may be issued in one or more series, may bear such date or dates, may mature at such time or times from their respective dates, may bear interest, payable semi-annually, at such rate or rates not exceeding six per centum (6%) per annum, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be subject to such terms of redemption, with or without a premium, may be declared or become due before the maturity date thereof, may provide for the replacement of mutilated, destroyed, stolen, or lost bonds, may be authenticated in such manner and upon compliance with such conditions, may be secured in such manner, may provide for such rights and remedies upon their default, and may contain such other covenants, terms and conditions (including, without being limited to the foregoing) as may be provided by resolution or resolutions, ordinance or ordinances of The Council of The Mayor and Council of Wilmington or any trust indenture authorized thereby. Notwithstanding the form and tenor thereof, and in the absence of an express recital on the face thereof that the bonds are non-negotiable, all bonds of The Mayor and Council of Wilmington shall at all times be, and shall be treated as negotiable instruments for all purposes. Such bonds shall be sold at not less than par at public sale held after notice published at least once at least 5 days prior to such sale in a newspaper having a general circulation in the City of Wilmington, and in a financial newspaper published in the City of New York, New York.

Section 3. Bonds herein authorized to be issued are declared to be issued for an essential public and governmental purpose and to be public instrumentalities, and together with the interest thereon and income therefrom, shall be exempt from taxes.

Section 4. The moneys received from the sale of said bonds shall be paid over to the Treasurer of The Mayor and Council of Wilmington, and held by him as a special fund to be drawn out and used for the purposes of this Act.

Section 5. All necessary expenses in and about the preparation, printing and sale of said bonds shall be paid out of the moneys herein authorized to be borrowed.

Section 6. Should any surplus remain after the work contemplated by this Act has been accomplished, such surplus shall be held and applied towards the payment of the principal of said bonds herein authorized.

Section 7. The authorization herein granted to The Mayor and Council of Wilmington to issue bonds is to enable the said municipal corporation to comply with the provisions of 31 Del. C. c. 45 and the acts of the Congress of the United States hereinabove referred to the end that The Mayor and Council may carry out what is required of the said municipal corporation in performing the Slum Clearance and Urban Redevelopment and Urban Renewal Programs as the same are provided for in the aforementioned legislation.

Section 8. That all Acts or parts of Act inconsistent with the provisions of this Act be and the same are hereby repealed.

Approved August 1, 1955.

CHAPTER 502

CREATING BOARD OF POST MORTEM EXAMINERS

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY CREATING THE BOARD OF POST MORTEM EXAMINERS AND THE POST OF STATE MEDICAL EXAMINER AND DEFINING THE POWERS AND DUTIES THEREOF.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 29, Delaware Code is amended by inserting a new chapter 47, to read as follows:

CHAPTER 47

BOARD OF POST-MORTEM EXAMINERS

§ 4701. Creation

There is hereby created a Board of Post-Mortem Examiners for the State of Delaware.

§ 4702. Composition and President of Board

The Board shall consist of the Attorney General of the State of Delaware, the Chief Justice of the State of Delaware, the President of the State Board of Health, the Superintendent of the State Police, the State Auditor, and two physicians named by the Council of the Medical Society of Delaware, one of whom shall be a recognized Pathologist. The members of the Board shall serve without compensation, except for necessary travel expenses, and the Attorney General shall act as President of the Board.

§ 4703. Appointment and term of Medical Examiner

The Board shall appoint a Medical Examiner for a term not exceeding ten years but subject always to removal for cause.

§ 4704. Qualifications of Medical Examiner

The Medical Examiner shall be a doctor of medicine and a recognized pathologist and preference shall be given to applicants with training and experience in the field of medico-legal investigation. In the event no qualified person applies for the position of Medical Examiner, a doctor of medicine with at least two years post-graduate training in pathology shall be appointed.

§ 4705. Compensation of Medical Examiner

The Medical Examiner shall be compensated at a rate not exceeding \$15,000 annually. He shall also be reimbursed for any necessary travel expenses.

§ 4706. Rules and regulations

The Board is authorized to adopt and promulgate rules and regulations to carry into effect the provisions of this chapter.

§ 4707. Appointment of professional and other personnel

The Board may appoint such professional or technical personnel, clerks and other employees as may be necessary for the proper administration of the Board's functions at such compensation as shall be determined by the Board.

The Board may employ physicians on a contract basis for part time services, as may be required.

§ 4708. Duties of medical examiner

(a) It shall be the duty of the Medical Examiner to attend to all the medical functions now devolving upon the coroners, deputy coroners and coroner's physicians in the counties of the State of Delaware and in the City of Wilmington, and to perform all the duties imposed upon him by the provisions of this chapter.

(b) The Medical Examiner shall at all times be subject to the orders and directions of the Board of Post-Mortem Examiners.

§ 4709. Office and equipment

The office of the Medical Examiner shall be maintained in the City of Dover or in the City of Wilmington, preferably in close connection with the Delaware State Board of Health or the Delaware State Police, or the Wilmington Board of Health or the Wilmington Police, or the office of the Attorney General.

The Board shall provide proper and necessary equipment for the use of the Medical Examiner, or arrange for the use of the laboratories, personnel, and equipment of the Delaware State Board of Health and the Delaware Police, or the Wilmington Board of Health and Wilmington Police.

§ 4710. Investigation of deaths

(a) When any person shall die in the State of Delaware, as a result of violence, or by suicide, or by casualty if such occurred not longer than one year and one day prior to death, or while under anesthesia, or by abortion or suspected abortion, or by poison or suspicion of poison, or suddenly when in apparent health or when unattended by physician, or in an institution less than twenty-four hours after admission where a diagnosis cannot be made including death in coma, or in any suspicious or unusual manner, or if there is any unclaimed body, or if any body is to be cremated, it shall be the duty of the police or sheriff or the person issuing a permit for cremation under the provisions of section 3162 of Title 16, immediately to notify the Medical Examiner, and the Attorney General of the State of Delaware, of the known facts concerning the time, place, manner and circumstances of such death.

(b) Immediately upon receipt of such notification, the Medical Examiner shall go to the dead body and take charge of the same.

(c) The Medical Examiner shall fully investigate the essential facts concerning the medical causes of death and may take the names and addresses of as many witnesses thereto as may be practicable to obtain, and, before leaving the premises shall reduce such facts, as he may deem necessary, to writing and file the same in his office.

(d) The Police Officer or Sheriff present at such investigation, or if no officer be present, then the Medical Examiner shall, in the absence of the next of kin of the deceased person, take possession of all property of value found on such person, make an exact inventory on his report and deliver such property to the State Police, Wilmington Police or the Sheriff of the county as the case may be, which shall surrender them to the person entitled to its custody or possession.

(e) The Medical Examiner shall take possession of any object or articles which, in his opinion, may be useful in establishing the identity of the deceased person or the cause of death, and deliver them to the Attorney General, anything to the contrary in subsection (d) of this section notwithstanding.

§ 4711. Post-mortem examination; autopsy reports

(a) If the cause of death shall be established beyond a reasonable doubt, the Medical Examiner shall make a written report and file it in his office within thirty days after his investigation of such deaths.

(b) If, however, in the opinion of the Medical Examiner or the Attorney General, an autopsy is necessary, the same shall be performed by the Medical Examiner or by such competent pathologist as may be designated by the Medical Examiner.

(c) A detailed report of the findings written during the progress of such autopsy, and the conclusions drawn therefrom, shall be filed in the office of the Medical Examiner and a copy shall be sent to the Attorney General.

§ 4712. Power to administer oaths

The Medical Examiner shall in the course of investigation of a death have the power to administer oaths and affirmations, and take affidavits and make examinations as to any matter within the jurisdiction of their respective offices, but the Medical Examiner shall not have the power or be required to summon a jury of inquisition.

§ 4713. Records and reports; evidence

(a) It shall be the duty of the Medical Examiner to keep full and complete records, properly indexed, giving the name, if known, of every person at the place where a body was found, the date and the cause of death, and all other available information relating thereto. The original report of the Medical Examiner and the detailed findings of the autopsy and subsequent laboratory examinations, if any, shall be attached to the record of each case.

(b) The Medical Examiner shall deliver to the Attorney General copies of all records relating to every death in which, in the judgment of the investigating Medical Examiner, further investigation may be deemed advisable.

(c) The Attorney General of the State of Delaware may obtain from the office of the Medical Examiner copies of all records or other information which he may deem necessary.

(d) The records of the office of the Medical Examiner made by the Medical Examiner or by anyone under his direction or supervision, or a true copy thereof certified by the Medical Examiner, shall be received as competent evidence in any Court in the State of Delaware of the matters and facts therein contained.

Section 2. § 9508, Title 9, Delaware Code is repealed.

Section 3. Any Act or Acts inconsistent with any provision of this Act are repealed to the extent of any such inconsistency.

Approved August 2, 1955.

CHAPTER 503

PROVIDING FOR HARD SURFACING DIRT ROADS

**AN ACT DIRECTING THE STATE HIGHWAY DEPARTMENT
OF THE STATE OF DELAWARE TO HARD SURFACE
ALL THE DIRT ROADS IN THE STATE AND AUTHOR-
IZING THE ISSUANCE OF BONDS TO FINANCE THE
COST THEREOF.**

WHEREAS, there exist about two thousand (2,000) miles of dirt roads in the State of Delaware under the jurisdiction of the State Highway Department, and

WHEREAS, recently there has been a tremendous increase in the number of automobiles and trucks using said highways, and

WHEREAS, the convenience of the traveling public of the State of Delaware requires that these roads be hard surfaced, and

WHEREAS, such a program would require approximately Ten Million Dollars (\$10,000,000), and

WHEREAS, the financing of said program of hard surfacing said highways would require the issuance of bonds, and

WHEREAS, it is deemed advisable that the execution of this program should be spread over a period of ten years; NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each House concurring therein):

Section 1. The State Highway Department of the State of Delaware is directed to hard surface or surface treat with bituminous material a minimum of eighteen feet in width with adequate drainage, all the dirt roads in the State of Delaware under its jurisdiction within the time limit and according to the schedule outlined in Section 2 of this Act.

Section 2. In carrying out the purposes of Section 1 of this Act the State Highway Department of the State of Delaware shall in each year hard surface in each County one-tenth of the dirt roads now existing in each County under its jurisdiction to the intent and purpose that all the dirt highways under its jurisdiction shall be hard surfaced at the end of ten years from the effective date of this Act. The most traveled roads shall be given priority. Any roads which the State Highway Department considers obsolete shall not be hard surfaced under the provisions of this Act.

Section 3. The Governor, Secretary of State, and State Treasurer of the State of Delaware, herein sometimes referred to as the "Issuing Officers," are hereby authorized, fully empowered and directed to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of Ten Million Dollars (\$10,000,000), which shall be used for the purpose of hard surfacing all the dirt roads in the State of Delaware under the jurisdiction of the State Highway Department of the State of Delaware as provided in Section 1 of this Act; and the said "Issuing Officers" are hereby authorized, fully empowered and directed to sell, execute and deliver bonds in conformity with the provisions of this Act to an amount in the aggregate not to exceed the said sum of Ten Million Dollars (\$10,000,000). The said bonds shall be issued, from time to time, in such series and amounts as the "Issuing Officers" shall determine to be required, subject to the provisions contained in Section 2 of this Act over a period of ten years. Said sum of money may be borrowed and said bonds may be issued in addition to any sums authorized to be borrowed or bonds authorized to be issued for the purposes hereinbefore described by any other law now in effect.

Section 4. The said bonds issued in accordance with the provisions of this Act shall be direct general obligations of the State, and the public faith and credit of the State of Delaware are hereby expressly pledged for the full and complete payment of the principal of and interest on the bonds hereby authorized to be issued and the coupons thereto attached, and the said bonds shall be exempt from taxation by the State or any political subdivisions thereof for any purpose.

Section 5. The said bonds shall recite that they are issued for the purposes set forth in Section 1 of this Act, that they are issued in pursuance of this Act and the Constitution of this State, and upon the sale and delivery of any such bond, such recitals shall be conclusive upon the State of Delaware and all and every other person whatsoever of the right, power and authority for the issuance of said bonds and the legality and validity of such bonds and of the principal debt and interest represented thereby, and the legality and validity of such bonds thereafter shall never be questioned in any court of law or equity by the State of Delaware or any person or persons for its use or in its behalf, and this provision shall be and become part of the contract and obligation represented by any such bond or bonds.

Section 6. The bonds issued under the authority of this Act shall be in denominations of One Thousand Dollars (\$1,000), or multiple thereof, as shall be decided by the "Issuing Officers", or the majority of them, with coupons thereto attached for each half year's interest thereon. The said bonds shall be numbered consecutively, and shall bear such date as the "Issuing Officers" shall fix and shall bear interest at such rate as shall be determined by the bid accepted by the "Issuing Officers", which interest shall be payable semi-annually in each year that such bonds remain unpaid, at the Farmers' Bank of the State of Delaware, at Dover, upon presentation of a coupon representing such semi-annual interest.

Such bonds may provide for such privileges of registration, conversion, reconversion, redemption, exchange and shall mature as the "Issuing Officers" may determine; provided, however that the principal amount of said bonds, or any series thereof, shall be made to mature fully within twenty (20) years from the date of the issue thereof.

The said bonds shall be executed on behalf of the State of Delaware by the Governor, the Secretary of State and the State Treasurer and shall have the impression of the Great Seal of the State thereon. The facsimile signatures of the Governor and the Secretary of State may be engraved or printed on such bonds, but the signature of the State Treasurer shall be in his own proper handwriting.

Attached interest coupons shall bear the signature of the State Treasurer which may be engraved, printed or written on such coupons. The coupons attached to each bond shall bear the same number as the bond of which they are attached.

The said bonds, with the coupons attached, may be issued notwithstanding that any of the officers executing them in the manner herein provided shall have ceased to hold office at the time of such issue or at the time of the delivery of the said bonds.

Section 7. For the purpose of designation and identification, any bond issued under the authority of this Act shall be known and styled "State Highway Hard Surfacing Bond of 1955."

Section 8. The said bonds, as well as the interest coupons thereto attached, shall be issued in such form or forms as the "Issuing Officers" may adopt.

It shall be the duty of the State Treasurer to provide a record of the proper size and form to be retained in his office, in which he shall keep a record of all bonds which shall be paid and redeemed according to the number thereof, and in addition thereto he shall cause any such bond to be cancelled by making lines with red ink through the signatures of the Governor, Secretary of the State and State Treasurer, and also by writing across the face thereof in red ink the following:

"This bond paid and redeemed this.....day of
, A. D. 19....

 State Treasurer"

As the said coupons are paid, it shall be the duty of the State Treasurer to mark the same in red ink across the face "Paid". All bonds paid and redeemed, as well as all coupons paid and cancelled as aforesaid, shall be safely kept by the State Treasurer so long as any bond authorized by this Act is unpaid and not redeemed.

Section 9. Whenever the bonds authorized by this Act may be issued in conformity with the provisions of this Act, the "Issuing Officers" are hereby directed to advertise that they will receive bids at such place or places that may be named in said advertisement for such bonds under such regulations as may be made in the discretion of the "Issuing Officers". Sufficient notice of sale of said bonds shall be deemed to have been given if said notice shall have been published at least once ten or more days before the date of sale in at least one newspaper published in the State of Delaware and in a financial journal published in the City of New York, and no other publication of such notice of sale shall be necessary; and said bonds may be sold upon such terms and conditions as may be set forth in such notice of sale, provided that the purchase price shall be not less than par and accrued interest. If any of said bonds so offered for sale are not bid for, or if any insufficient price be bid for them, they may be subsequently disposed of under the direction of the "Issuing Officers" at private sale upon the best terms they can obtain for the same, provided that they shall not be sold at private sale for less than par and accrued interest.

Section 10. Any money received from the sale of said bonds, or any series thereof, issued under the provisions of this Act, shall be deposited by the State Treasurer in the Farmers' Bank of the State of Delaware, at Dover, and shall be used exclusively for the purposes set forth in this Act and for the purpose of paying the costs and expenses incident to the issuance of said bonds.

In addition to any monies appropriated by any other Act, there is hereby appropriated to the State Highway Department of the State of Delaware the sum of Ten Million Dollars (\$10,000,000), or so much thereof as shall be received from the sale of the bonds authorized hereby, which shall be used for the purposes set forth herein, and the State Treasurer is hereby authorized and directed to disburse the said monies upon warrants signed by the Chairman and the Secretary or the Chief Engineer of the State Highway Department, stating the use of the monies for which such warrant calls, which use shall be for the purposes set forth in this Act. Any of said funds remaining unexpended at the end of any fiscal year shall not revert

to the use or purposes of any other funds of the State, but shall remain in said account to be used exclusively for the purposes set forth in this Act.

Section 11. The General Assembly shall appropriate funds sufficient to provide for the payment of interest and principal maturities of said bonds from the date of issue to the end of the ensuing biennium on June 30, 1957, and the Budget Appropriation Bill which shall be enacted and approved by the General Assembly at the 119th Session and at each and every subsequent biennial Session thereof, shall contain under the Debt Service Item provisions for the payment of interest and principal maturities of said bonds issued under the authority of this Act, and such of the revenues of the State of Delaware as are not prohibited by constitutional provision or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellation of said bonds and payment of interest thereon.

Approved August 2, 1955.

CHAPTER 504

PROVIDING FOR DRAINAGE OF ROADS OR CAUSEWAYS

**AN ACT TO AMEND TITLE 17, DELAWARE CODE OF 1953,
ENTITLED "HIGHWAYS" BY CHANGING § 504 THERE-
OF, RELATING TO DRAINAGE OF ROADS OR CAUSE-
WAYS.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 504, Title 17, Delaware Code, is amended by striking out all of said section and substituting the following:

**§ 504. Entry upon contiguous or adjacent lands or streams;
assessment of damages; hindering or obstructing work;
penalty**

(a) In order to obtain the free passage of water for drainage of any road or causeway under its jurisdiction, the Department or its agents may enter upon any lands contiguous or adjacent to such road or causeway in order to maintain or repair any existing artificial or natural ditch, drain, culvert or sewer.

(b) In order to keep the waters of ditches, drains, streams and creeks within their proper channels, thereby preventing them from encroaching upon or flooding any road or causeway under its jurisdiction, the Department or its agents may enter upon and occupy the beds of any ditches, drains, streams and creeks contiguous or adjacent to such roads or causeways, and perform such work of construction, improvement or maintenance as may be necessary or desirable to prevent such encroachment or flooding.

(c) Damages, if any, sustained by the owner of such contiguous or adjacent lands or ditch, drain, stream or creek beds as the result of operations under section (a) or (b) hereof, or both, shall be adjusted by agreement between the Department or its agents, and such owner. If, however, the Department or its agents is unable to agree with such owner as to the damages sustained, if any, and the damages claimed are less than \$1,000,

the issue of damages, shall be submitted to the Court of Common Pleas of the County in which the property involved is situated. Such Court of Common Pleas shall have full and complete jurisdiction to hear and determine the such issue of damages, if any. In order to invoke the jurisdiction of such Court of Common Pleas the Department or its agents shall apply to it for a summons, directed to the Sheriff of the County, commanding him to summons such owner to appear before the Court at a time and place specified in such summons, not less than 5 days nor more than 15 days from the date thereof, for the purpose of having the issue of damages, if any, determined. Such Court shall determine the issue of damages, if any, in accordance with the procedures contained in the statutes governing the trial of civil actions before Courts of Common Pleas generally.

(d) The judgment of the Court of Common Pleas shall not become final until 15 days after it has been handed down. While the case is pending and during the 15 day period after judgment, the owner may file a demand in writing with the Court of Common Pleas and with the Highway Department that the case be brought before the Superior Court as a condemnation proceeding under Chapter 61, Title 10 of this Code. During the same period the Highway Department shall also have the right to abandon the proceedings and proceed with condemnation in the Superior Court. Upon timely demand or abandoning as herein provided the Highway Department shall proceed with condemnation under Chapter 61, Title 10. If such demand or abandoning is done after the judgment is handed down but before the end of the 15 day period, the judgment of the Court of Common Pleas shall be vacated.

(e) In cases where the owner claims damages of more than \$1,000 the Court of Common Pleas shall have no jurisdiction and all proceedings where there is a failure to agree on damages shall be under Chapter 61, Title 10.

(f) The amount of damages ultimately determined or agreed upon shall be paid out of funds appropriated to the Highway Department by the State Treasurer to such owner, when properly notified by the Department or its agents.

(g) Whoever hinders or delays the Department or its agents in the construction, repair, or maintenance of any such ditch, drain, culvert or sewer, or whoever stops, fills up, injures or obstructs any such ditch, drain, culvert or sewer, or whoever obstructs, diverts or changes the course of any such stream or creek without authority from the Department or its agents, shall be fined not more than \$100 for every such offense.

Approved August 2, 1955.

CHAPTER 505

AUTHORIZING CAPITAL IMPROVEMENTS

**AN ACT AUTHORIZING THE STATE OF DELAWARE TO
BORROW A CERTAIN SUM OF MONEY FOR SUNDRY
CAPITAL IMPROVEMENTS AND EXPENDITURES IN
THE NATURE OF CAPITAL INVESTMENTS AND TO
ISSUE BONDS AND NOTES THEREFOR.**

WHEREAS, several agencies of the State of Delaware must expend large sums of money for the erection and construction of new buildings, for repairs and alterations to existing buildings, and for the equipment and furnishing of new and existing buildings, as well as for the purchase of machinery, and for other purposes; and

WHEREAS, said expenditures will be in the nature of capital improvements or investments; and

WHEREAS, a single issue of State bonds may be administered more efficiently and conveniently than several separate and smaller bond issues; NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each Branch concurring therein):

Section 1. The Governor, the State Treasurer and the Secretary of State of the State of Delaware, hereinafter sometimes referred to as the Issuing Officers, are hereby authorized, and fully empowered to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of Seven Million Ninety-Five Thousand Nine Hundred Eighty-Three Dollars and Fifty-Six Cents (\$7,095,983.56) in order to provide any or all of the funds in the amounts specified for the following purposes, or so much as shall be appropriated by the 118th General Assembly of the State of Delaware for such purposes:

- (a) To be expended by the Board of Trustees of the University of Delaware for capital improvements and equipment on or near the Uni-

versity Campus located at Newark, Delaware, and for capital improvements and equipment at the University's Agricultural Extension Substation in Sussex County \$1,525,000.00

(b) To be expended by the State Board of Trustees of the Delaware State Hospital at Farnhurst (successor to the Delaware Commission for the Feeble Minded) for capital improvements and equipment at the Delaware Colony for the Feeble Minded at Stockley including a new infirmary, a central kitchen and conversion of the present kitchens to service pantries 1,029,536.70

(c) To be expended by the State Board of Trustees of the Delaware State Hospital at Farnhurst for capital improvements and equipment at the Delaware State Hospital at Farnhurst 1,665,000.00

(d) To be expended by the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna for capital improvements and equipment 1,100,000.00

(e) To be expended by the Board of Trustees of Delaware State College for construction and equipment 1,650,000.00

(f) To be expended by the State Detention Home for Juveniles Building Commission for the construction and equipping of a State Detention Home for Juveniles 126,446.86

\$7,095,983.56

The agencies or commissions to whom the above listed funds are appropriated and for whom the above listed funds have been borrowed may expend the said funds for the capital improvements and equipment listed above or for such other capital improvements or equipment as may be authorized by the General Assembly.

The said Issuing Officers are hereby authorized and fully empowered to sell, execute and deliver bonds in conformity with the provisions of this Act to an amount not to exceed the sum of Seven Million Ninety-Five Thousand Nine Hundred Eighty-Three Dollars and Fifty-Six Cents (\$7,095,983.56). The said bonds shall be issued in such series and amounts as the Issuing Officers shall determine.

Section 2. In anticipation of the issuance of bonds, the Issuing Officers may issue and sell notes of the State of Delaware at either public or private sale for not less than par and accrued interest. Said notes shall bear interest at a rate not exceeding 3 per cent per annum. They may be renewed from time to time by the issuance and sale of new notes, but all such notes shall mature and be paid not later than June 30, 1957. The total amount of said notes outstanding at any one time, together with the total amount of said bonds theretofore issued, shall not exceed Seven Million Ninety-Five Thousand Nine Hundred and Eighty-Three Dollars and Fifty-Six Cents (\$7,095,983.56).

Said notes may be redeemed at par and accrued interest prior to their maturity, if the right of the State to do so shall have been reserved by an express provision in the notes. The principal of said notes shall be paid out of the proceeds of the sale of said bonds or notes.

Section 3. The bonds and notes issued in accordance with the provisions of this Act shall be direct general obligations of the State, and the public faith and credit of the State of Delaware are hereby expressly pledged for the full and complete payment of the debt, principal and interest by this Act authorized, of the bonds and notes hereby authorized to be issued and the coupons thereto attached, and the said bonds and notes shall be exempt from taxation by the State or any political subdivisions thereof for any purpose.

Section 4. The said bonds and notes shall recite that they are issued for the purposes set forth in Section 1 of this Act, that they are issued in pursuance of this Act and the Constitution of this State, and upon the sale and delivery of any such bond or note, such recitals shall be conclusive upon the State of Delaware and all and every other person whatsoever of the right,

power and authority for the issuance of said bonds or notes and the legality and validity of such bonds or notes and of the principal debt and interest represented thereby, and the legality and validity of such bonds or notes thereafter shall never be questioned in any court of law or equity by the State of Delaware or any person or persons for its use or in its behalf, and this provision shall be and become part of the contract and obligation represented by any such bonds or notes.

Section 5. The bonds issued under the authority of this Act shall be in denominations of One Thousand Dollars (\$1,000), or multiple thereof, as shall be decided by the Issuing Officers, or the majority of them, with coupons thereto attached for each half year's interest thereon. The said bonds shall be numbered consecutively, and shall bear such dates as the Issuing Officers shall fix and shall bear interest at such rate as shall be determined by the bid accepted by the Issuing Officers, which interest shall be payable semi-annually in each year that such bonds remain unpaid, at the Farmers' Bank of the State of Delaware, at Dover, upon presentation of a coupon representing such semi-annual interest.

Said bonds shall be in such form and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions as may be determined by said Issuing Officers.

The said bonds shall mature as the Issuing Officers may determine; provided, however, that the principal amount of said bonds, or any series thereof, shall be made to mature fully within twenty (20) years from the date of issue thereof.

The said bonds shall be executed on behalf of the State of Delaware by the Governor, the Secretary of State and the State Treasurer or Deputy State Treasurer and shall have the impression of the Great Seal of the State thereon. The signatures of the Governor and the Secretary of State may be engraved or printed on such bonds, but the signature of the State Treasurer or his Deputy shall be in his own proper handwriting.

Attached interest coupons shall bear the signature of the State Treasurer or his Deputy which may be engraved, printed or written on such coupons. The coupons attached to each bond shall bear the same number as the bond to which they are attached.

The said bonds, with the coupons attached, may be issued notwithstanding that any of the officers executing them in the manner herein provided shall have ceased to hold office at the time of such issue or at the time of the delivery of the said bonds.

Section 6. For the purpose of designation and identification any bond issued under the authority of this Act shall be known and styled "Capital Improvement Bond of 1955".

Section 7. The said bonds, as well as the interest coupons thereto attached, shall be issued in such form or forms as the Issuing Officers may adopt.

It shall be the duty of the State Treasurer to provide a record of the proper size and form to be retained in his office, in which he shall keep a record of all bonds which shall be paid and redeemed according to the number thereof, and in addition thereto he shall cause any such bond to be cancelled by making lines with red ink through the signatures of the Governor, Secretary of State and State Treasurer or his Deputy and also by writing across the face thereof in red ink the following:

This bond paid and redeemed this.....day of
, A. D. 19....

 State Treasurer

As the said coupons are paid, it shall be the duty of the State Treasurer or his Deputy to mark the same in red ink across the face "Paid". All bonds paid and redeemed, as well as all coupons paid and cancelled as aforesaid, shall be safely kept by the State Treasurer so long as any bond authorized by this Act is unpaid and not redeemed.

Section 8. Whenever the bonds authorized by this Act may be issued in conformity with the provisions of this Act, the Issuing Officers are hereby directed to advertise that they will receive bids at such place or places that may be named in said advertisement for such bonds under such regulations as may be made in the discretion of the Issuing Officers. Sufficient notice of sale of said bonds shall be deemed to have been given if said notice shall have been published at least once ten or more days before the date of sale in at least one newspaper published in the State of Delaware and in a financial journal published in the City of New York, and no other publication of such notice of sale shall be necessary; and said bonds may be sold upon such terms and conditions as may be set forth in such notice of sale, provided that the purchase price shall be not less than par and accrued interest. If any of said bonds so offered for sale are not bid for, or if any insufficient price be bid for them, they may be subsequently disposed of under the direction of the Issuing Officers at private sale upon the best terms they can obtain for the same, provided that they shall not be sold at private sale for less than par and accrued interest.

Section 9. All moneys received from the sale of said bonds or notes shall be deposited by the State Treasurer in the Farmers' Bank of the State of Delaware at Dover, and shall be used exclusively in accordance with the provisions of this Act and for the purpose of paying the principal of notes issued under this Act.

Section 10. There is appropriated from the General fund such sums as may be necessary for the expenses incident to the issuance of the bonds and notes herein authorized, and such further sums as may be necessary to pay any interest which may become due on such bonds and notes during the biennium ending June 30, 1957, and such further sums as may be necessary for the repayment of the principal of any of the said bonds which become due during the biennium ending June 30, 1957. Vouchers for the payment of the expenses incident to the issuance of bonds and notes and for interest and repayment of said notes shall be signed by the Secretary of State by and with the approval of the Issuing Officers. Any moneys received from the premium and accrued interest on the sale of said bonds shall be deposited to the credit of the General Fund.

Section 11. The Budget Appropriation Bill which shall be enacted and approved by the General Assembly at the 119th Session and each and every subsequent biennial Session thereof, shall contain under the Debt Service Item provisions for the payment of interest and principal maturities of said bonds issued under the authority of this Act, and such of the revenues of the State of Delaware as are not prohibited by constitutional provision or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellation of said bonds and payment of interest thereon.

Approved August 2, 1955.

CHAPTER 506

PROVIDING FOR HIGHWAY IMPROVEMENTS

AN ACT TO AUTHORIZE THE STATE OF DELAWARE TO BORROW A CERTAIN SUM OF MONEY TO PROVIDE FOR HIGHWAY IMPROVEMENTS AND FOR BUILDINGS UNDER THE JURISDICTION OF THE STATE HIGHWAY DEPARTMENT BY ACQUIRING LANDS AND RIGHTS-OF-WAY, CONSTRUCTING AND RECONSTRUCTING HIGHWAYS, BRIDGES, BY PROVIDING BUILDINGS AND IMPROVEMENTS INCIDENTAL THERETO AND TO ISSUE BONDS AND NOTES THEREFOR AND APPROPRIATING SAID FUNDS.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected to each House concurring therein):

Section 1. The Governor, Secretary of State and State Treasurer of the State of Delaware, herein sometimes referred to as the Issuing Officers, shall borrow upon the faith and credit of the State of Delaware a sum of money not in excess of Fourteen Million Dollars (\$14,000,000.00), which shall be used for the purpose of construction and reconstruction of roads, highways and bridges, and to provide buildings required by any division of the State Highway Department 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 dams, locks, sewers, watermains and underpasses incidental and necessary to the foregoing; and the Issuing Officers shall sell, execute and deliver bonds in conformity with the provisions of this Act to an amount not to exceed the said sum of Fourteen Million Dollars (\$14,000,000.00). The bonds may be issued all at one time, or from time to time, in such series and amounts as the Issuing Officers shall determine to be required, subject to the provisions contained in this Act. Said sum of money may be borrowed and said bonds may be issued in addition to any sums authorized to be borrowed or bonds authorized to be issued for the purposes hereinbefore described by any other law now in effect.

Section 2. In anticipation of the issuance of bonds, the Issuing Officers may issue and sell notes of the State of Delaware at either public or private sale for not less than par and accrued interest. Said notes shall bear interest at a rate not exceeding 3 per cent per annum. They may be renewed from time to time by the issuance and sale of new notes, but all such notes shall mature and be paid not later than June 30, 1957. The total amount of said notes outstanding at any one time, together with the total amount of said bonds theretofore issued, shall not exceed Fourteen Million Dollars (\$14,000,000.00).

Said notes may be redeemed at par and accrued interest prior to their maturity, if the right of the State to do so shall have been reserved by an express provision in the notes. The principal of said notes shall be paid out of the proceeds of the sale of said bonds or notes.

Section 3. The bonds and notes issued in accordance with the provisions of this Act shall be direct general obligations of the State, and the public faith and credit of the State of Delaware are hereby expressly pledged for the full and complete payment of the debt, principal and interest by this Act authorized, of the bonds and notes hereby authorized to be issued and the coupons thereto attached, and the said bonds and notes shall be exempt from taxation by the State or any political subdivisions thereof for any purpose.

Section 4. The said bonds and notes shall recite that they are issued for the purposes set forth in Section 1 of this Act, that they are issued in pursuance of this Act and the Constitution of this State, and upon the sale and delivery of any such bond or note, such recitals shall be conclusive upon the State of Delaware and all and every other person whatsoever of the right, power and authority for the issuance of said bonds or notes and the legality and validity of such bonds or notes and of the principal debt and interest represented thereby, and the legality and validity of such bonds or notes thereafter shall never be questioned in any court of law or equity by the State of Delaware or any person or persons for its use or in its behalf, and the provision shall be and become part of the contract and obligation represented by any such bonds or notes.

Section 5. The bonds issued under the authority of this Act shall be in denominations of One Thousand Dollars (\$1,000.00), or multiple thereof, as shall be decided by the Issuing Officers, or the majority of them, with coupons thereto attached for each half year's interest thereon. The said bonds shall be numbered consecutively, and shall bear such dates as the Issuing Officers shall fix and shall bear interest at such rate as shall be determined by the bid accepted by the Issuing Officers, which interest shall be payable semi-annually in each year that such bonds remain unpaid, at the Farmer's Bank of the State of Delaware, at Dover, upon presentation of a coupon representing such semi-annual interest.

Said bonds shall be in such form and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions as may be determined by said Issuing Officers.

The said bonds shall mature as the Issuing Officers may determine; provided, however, that the principal amount of said bonds, or any series thereof, shall be made to mature fully within twenty (20) years from the date of issue thereof.

The said bonds shall be executed on behalf of the State of Delaware by the Governor, the Secretary of State and the State Treasurer and shall have the impression of the Great Seal of the State thereon. The signatures of the Governor and the Secretary of State may be engraved or printed on such bonds, but the signature of the State Treasurer shall be in his own proper handwriting.

Attached interest coupons shall bear the signature of the State Treasurer which may be engraved, printed or written on such coupons. The coupons attached to each bond shall bear the same number as the bond to which they are attached.

The said bonds, with the coupons attached, may be issued notwithstanding that any of the officers executing them in the manner herein provided shall have ceased to hold office at the time of such issue or at the time of the delivery of the said bonds.

Section 6. For the purpose of designation and identification any bond issued under the authority of this Act shall be known and styled "State Highway Department Improvement Bond of 1955".

Section 7. The said bonds, as well as the interest coupons thereto attached, shall be issued in such form or forms as the Issuing Officers may adopt.

It shall be the duty of the State Treasurer to provide a record of the proper size and form to be retained in his office, in which he shall keep a record of all bonds which shall be paid and redeemed according to the number thereof, and in addition thereto he shall cause any such bond to be cancelled by making lines with red ink through the signatures of the Governor, Secretary of State and State Treasurer, and also by writing across the face thereof in red ink the following:

This bond paid and redeemed this.....day
of....., A. D. 19....

.....
State Treasurer

As the said coupons are paid, it shall be the duty of the State Treasurer to mark the same in red ink across the face "Paid". All bonds paid and redeemed, as well as all coupons paid and cancelled as aforesaid, shall be safely kept by the State Treasurer so long as any bond authorized by this Act is unpaid and not redeemed.

Section 8. Whenever the bonds authorized by this Act may be issued in conformity with the provisions of this Act, the Issuing Officers are hereby directed to advertise that they will receive bids at such place or places that may be named in said advertisement for such bonds under such regulations as may be made in the discretion of the Issuing Officers. Sufficient notice of sale of said bonds shall be deemed to have been given if said notice shall have been published at least once ten or more days before the date of sale in at least one newspaper published in the State of Delaware and in a financial journal published in the City of New York, and no other publication of such notice

of sale shall be necessary; and said bonds may be sold upon such terms and conditions as may be set forth in such notice of sale, provided that the purchase price shall be not less than par and accrued interest. If any of said bonds so offered for sale are not bid for, or if any insufficient price be bid for them, they may be subsequently disposed of under the direction of the Issuing Officers at private sale upon the best terms they can obtain for the same, provided that they shall not be sold at private sale for less than par and accrued interest.

Section 9. All moneys received from the sale of said bonds or notes shall be deposited by the State Treasurer in the Farmers' Bank of the State of Delaware at Dover, and shall be used exclusively in accordance with the provisions of this Act and for the purpose of paying the principal of notes issued under this Act.

In addition to any monies appropriated by any other Act there is appropriated to the State Highway Department the sum of Fourteen Million Dollars (\$14,000,000.00) or so much thereof as shall be received from the sale of the bonds and notes authorized hereby, which shall be used for the purposes set forth herein. Any of said funds remaining unexpended at the end of any fiscal year shall not revert to the General Fund but shall remain in said account to be used for the purposes set forth in this Act.

Section 10. There is appropriated from the General Fund such sums as may be necessary for the expenses incident to the issuance of the bonds and notes herein authorized, and such further sums as may be necessary to pay any interest which may become due on such bonds and notes during the biennium ending June 30, 1957, and such further sums as may be necessary for the repayment of the principal of any of the said bonds which become due during the biennium ending June 30, 1957. Vouchers for the payment of the expenses incident to the issuance of bonds and notes and for interest and repayment of said notes shall be signed by the Secretary of State by and with the approval of the Issuing Officers. Any moneys received from the premium and accrued interest on the sale of said bonds shall be deposited to the credit of the General Fund.

Section 11. The Budget Appropriation Bill which shall be enacted and approved by the General Assembly at the 119th Session and each and every subsequent biennial Session thereof, shall contain under the Debt Service Item provisions for the payment of interest and principal maturities of said bonds issued under the authority of this Act, and such of the revenues of the State of Delaware as are not prohibited by constitutional provision or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellation of said bonds and payment of interest thereon.

Approved August 2, 1955.

CHAPTER 507

RELATING TO ESCHEATS

AN ACT TO AMEND CHAPTER 11, TITLE 12, DELAWARE CODE, ENTITLED "ESCHEATS", DECLARING ABANDONED CERTAIN MONEY AND PERSONAL PROPERTY HELD BY COURTS AND BANKING ORGANIZATIONS WHICH HAVE BEEN UNCLAIMED FOR CERTAIN PERIODS OF TIME AND APPROPRIATING THE SAME FOR THE USE OF THE STATE OF DELAWARE; PROVIDING FOR THE RETURN OF CERTAIN SUCH PROPERTY TO THE PERSON ENTITLED THERETO AND THE ASSUMPTION OF LIABILITY THEREFOR BY THE STATE OF DELAWARE; PROVIDING FOR THE PUBLICATION OF THE NAMES OF THE PERSONS ENTITLED THERETO; PROVIDING FOR THE SUSPENSION OF INTEREST ON SUCH PROPERTY AND REQUIRING CERTAIN REPORTS; PROVIDING FOR THE SUSPENSION OF THE STATUTE OF LIMITATIONS IN CERTAIN CASES; PROVIDING FOR THE ASSESSMENT OF CERTAIN SERVICE CHARGES; PROVIDING FOR PENALTIES AND MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 11, Title 12, Delaware Code, is amended by designating Chapter 11 as it now stands as "Subchapter I Intestate Property", and adding a new Subchapter as follows:

Subchapter II. Abandoned or Unclaimed Property

Article 1. Abandoned Property Fund; Definitions

§ 1130. Definitions

As used in this subchapter—

"Banking Organization" includes any organization, corporation or association organized and existing under the provisions of Chapters 7 or 17 of Title 5 of the Delaware Code, or the corresponding provisions of statutes in effect prior to the enactment of said Code.

§ 1131. Abandoned property fund

(a) The State Escheator shall set aside and retain twenty-five percent of all moneys or the proceeds of any property received by him pursuant to this subchapter. The sum so retained, together with such sums as may from time to time be appropriated by the General Assembly, shall constitute the "Abandoned Property Fund".

(b) The Abandoned Property Fund shall be deposited with the State Treasurer and be kept as part of the General Fund subject to payments by the State Treasurer upon voucher signed by the State Escheator, and shall be used exclusively for the payment of any claims, when the right thereto has been established pursuant to the provisions of this subchapter. All such claims shall be paid only from the Abandoned Property Fund.

(c) The State Escheator shall, within two months of the receipt of any money pursuant to the provisions of this subchapter, pay to the State Treasurer the remaining seventy-five percent thereof for deposit in the General Fund.

§ 1132. Annual reports

(a) On or before the first day of February of each year the State Escheator shall file with the State Treasurer a verified report entitled: "REPORT OF AMOUNTS PAID INTO AND DISTRIBUTED FROM THE ABANDONED PROPERTY FUND DURING THE YEAR (stating year)."

(b) Such report shall contain:

(1) A statement showing the total balance remaining in the Abandoned Property Fund on the first day of January of the calendar year next preceding the date when such report is made.

(2) An itemized list of all sums paid into the Abandoned Property Fund during the calendar year next preceding such report, and indicating the source from which such sums were received by the State Escheator.

(3) An itemized list showing, in chronological order, all sums paid out of the Abandoned Property Fund by the State Escheator, and the names and addresses of the persons to whom such sums were paid.

(4) A statement showing the total amount remaining in the Abandoned Property Fund as of the thirty-first day of December next preceding the date when such report is made.

(5) Such other information as may be required by the State Treasurer.

(6) Such other information as the State Escheator may deem pertinent or necessary to reflect the then current status of the Abandoned Property Fund.

(c) The State Escheator may file with said annual report a statement containing such recommendations as he may deem necessary for the proper maintenance of the Abandoned Property Fund to insure that it will at all times be sufficient to pay any claims which may reasonably be expected to be asserted against it.

Article 2. General Provisions

§ 1140. Statutes of limitations not a bar

The expiration of any period of time specified by law, during which an action or proceeding may be commenced or enforced to secure payment of a claim for money or recovery of property, shall not prevent any money or property from being deemed abandoned property as defined in this subchapter, nor affect any duty to file a report required by this subchapter or to pay or deliver to the State Escheator any such abandoned property, and shall not serve as a defense in any action or proceeding by or on behalf of the State Escheator to compel the filing of any report or the payment or delivery of any abandoned property required by this subchapter or to enforce or collect any penalty provided by this subchapter.

§ 1141. Escheator to maintain public record

The State Escheator shall maintain a public record of all names and last known addresses of the person or persons appearing to be entitled to abandoned property paid or delivered to the

State Escheator pursuant to this subchapter. Other identifying information set forth in any report or record made or delivered to the State Escheator shall be retained by him but shall be considered confidential and may be disclosed only in the discretion of the State Escheator. The State Escheator shall not reveal the amount of any abandoned property, except to a person who has presented satisfactory proof of an interest in or title to such property or except for purposes directly connected with the administration of this subchapter.

§ 1142. Publication of abandoned property by State Escheator

(a) In the month of October of each year the State Escheator shall publish in a daily newspaper of this State a statement of abandoned property paid to him during the twelve months ending July first, next preceding such publication, which shall not have been paid to claimants.

(b) Such statement shall be in such form and classified in such manner as the State Escheator shall determine, except that names of persons appearing to be entitled to any such abandoned property shall be listed in alphabetical order within each such classification.

(c) Such statement shall set forth:

(1) The names and last known addresses of all persons appearing from the records in the State Escheator's office to be entitled to receive such abandoned property consisting of money not less than ten dollars in amount;

(2) The names and last known addresses of all persons appearing from the records in the State Escheator's office to be entitled to receive such abandoned property consisting of personal property other than money and which the State Escheator shall not have determined, as provided in section 1143, to be valueless or of such little value that a sale thereof would cost in excess of the probable proceeds therefrom;

(3) Where any such abandoned property consisted of personal property other than money and was converted into money pursuant to the provisions of section 1143, and such

money amounts to ten dollars or more, the names and last known addresses of the persons appearing from the records in the State Escheator's office to be entitled to receive the same;

(4) Such other information as the State Escheator may determine; and

(5) A statement

(i) that a public record is maintained in the office of the State Escheator of all abandoned property in accordance with section 1141 of the subchapter;

(ii) that a claim for any such abandoned property should be filed with the State Escheator at his office in the City of Wilmington;

(iii) that a service charge of one percent, but in no event less than one dollar in amount, must be retained by the State Escheator in connection with each claim of fifty dollars or more allowed or established.

(d) Notwithstanding the foregoing provisions of this section, the State Escheator may omit from such statement the name and last known address of any person where special circumstances make it desirable that such information be withheld.

§ 1143. Sale of personal property by State Escheator

(a) All abandoned property, other than money, delivered to the State Escheator pursuant to this subchapter, shall within fifteen months after such delivery be sold by him, at public auction to the highest bidder, except such property as in his opinion is valueless or of such little value that the cost of sale would exceed the probable proceeds therefrom.

(b) The proceeds from the sale of any such abandoned property, less all costs incurred in connection with such sale, shall be held in the place of such property and any claimant for abandoned property shall be entitled only to the money so received, less lawful service charges.

(c) The State Escheator shall not be liable in any action for any act of his made in good faith pursuant to this section.

§ 1144. Assumption of liability by the State; return of property erroneously paid to the State Escheator

(a) The care and custody, subject only to the duty of conversion prescribed in section 1143 of this subchapter, of all abandoned property paid to the State Escheator is hereby assumed for the benefit of those entitled to receive the same, and the State shall hold itself responsible for the payment of all claims established thereto pursuant to law, less any lawful deductions, which cannot be paid from the Abandoned Property Fund.

(b) Any person, court, co-partnership, unincorporated association or corporation making a payment of abandoned property to the State Escheator shall immediately and thereafter be relieved and held harmless from any or all liability for the property so paid and no action shall be maintained against him, them, or it, for

(1) the recovery of abandoned property paid to the State Escheator pursuant to this subchapter or for interest thereon subsequent to the date of the report of such abandoned property to the State Escheator pursuant to this subchapter; and

(2) damages alleged to have resulted from any such payment.

(c) Nothing in this section shall be construed to relieve any person, court, co-partnership, unincorporated association or corporation from liability for

(1) any property not paid to the State Escheator,

(2) damages for negligence or the mishandling of funds or property prior to the time such funds or property are paid to the State Escheator.

(d) Whenever it appears to the satisfaction of the State Escheator that because of some mistake of fact, error in calculation or erroneous interpretation of a statute, any person has paid or delivered to the State Escheator, pursuant to any pro-

vision of this subchapter, any moneys or other property not required by the provisions of this subchapter to be so paid or delivered, he shall have power, during the six years immediately succeeding such erroneous payment or delivery, to refund or redeliver such moneys or other property to such person; provided that such moneys or property shall not have been paid or delivered to a claimant or otherwise disposed of in accordance with the provisions of this subchapter. Any such cash refund hereunder shall be paid from the abandoned property fund without the deduction of any service charge. The State Escheator shall not be liable for any interest or other charge for the money or property so refunded or redelivered.

(e) Whenever, because of some mistake of fact, error in calculation or erroneous interpretation of a statute, any person pays or delivers to the State Escheator any moneys or other property not required by the provisions of this subchapter to be so paid or delivered, such moneys or other property shall, for the purposes of this subchapter, be deemed to be abandoned property, unless and until refunded or redelivered by the State Escheator to the person who paid or delivered the same to him.

§ 1145. Interest not to run after report of abandoned property

Notwithstanding any other provision of law, no person entitled to, or owner of, abandoned property shall be entitled to receive interest on account of such abandoned property from and after the date a report of such abandoned property is made to the State Escheator pursuant to this subchapter whether or not he was entitled to interest on such property prior to such date.

§ 1146. Claims for abandoned property paid to the state; procedure for determination of claims; appeals

(a) Claim may be filed with the State Escheator for any abandoned property amounting to over three dollars paid to the State Escheator pursuant to this subchapter.

(b) (1) The State Escheator shall possess full and complete authority to determine all such claims and shall forthwith send written notice of such determination to the claimant. At

any time within four months thereafter, such claimant may apply for a hearing and determination of his claim by the State Tax Board. The procedure before the State Tax Board for such hearings shall be the same as that provided for by Title 30, section 326, paragraphs (a) and (b); and the Board shall have the same power to compel the attendance of witnesses and the production of evidence as is provided in Title 30, section 326, paragraph (c).

(2) Within 30 days after notice of a decision upon such hearing, the State Escheator or any claimant may appeal such decision to the Court of Chancery, upon notice to all parties to the proceeding before the State Tax Board, and upon such other notice as the Court of Chancery may order.

(3) The Court of Chancery may make such rules as it may deem proper for the perfection, hearing and determination of such appeals.

§ 1147. Payment by State Escheator

Any claim which is allowed by the State Escheator or ordered to be paid by him pursuant to the provisions of section 1146, together with such costs and disbursements as may be allowed by the Court or the State Tax Board shall be paid out of the abandoned property fund and the State Escheator shall not be liable in any action for any claim paid by him in good faith. There shall be deducted by the State Escheator from any claim of fifty dollars or more allowed on the amount, other than costs and disbursements allowed by the Court or the State Tax Board, of any claim ordered to be paid by him, one percent, but in no event less than one dollar, from any such payment as a service charge, and such amount shall remain in the abandoned property fund.

§ 1148. Verification

Any report required to be verified by this subchapter shall be verified if made by a person, by such person, if made by a partnership, by one of the members thereof, if made by an unincorporated association or private corporation, by one principal

officer thereof, if made by a public corporation, by the chief fiscal officer thereof, and if made by a court, by a judge or the clerk of such court.

§ 1149. Payment for publication

Any amount paid by a person to a newspaper or newspapers for any publication of names as required by this subchapter may be charged equally against all abandoned property held or owing by such person at the time of such publication, except abandoned property of individual amounts of less than twenty-five dollars.

§ 1150. Designation of newspapers

Any notice required by this subchapter shall be published in such newspapers as shall be designated by the State Escheator.

§ 1151. Waiver of publication

The State Escheator may waive the publication of any notice required by this subchapter, except a notice required by section 1142, whenever in his opinion the cost of publishing such notice would be unreasonable in relation to the amount of abandoned property.

§ 1152. Penalty for failure to report or file

Any person failing to make any report or to file any affidavit required by the subchapter shall forfeit to the State of Delaware the sum of one hundred dollars for each day such report or affidavit shall be delayed or withheld, except that the State Escheator may extend the time for making any such report or filing any such affidavit and may waive the payment of any penalty or part thereof provided for by this section.

§ 1153. Penalty for fraudulent returns

The making of a willful false oath in any report required under the provisions of this subchapter shall be perjury and punishable as such according to law.

§ 1154. State Escheator to make regulations

The State Escheator may make such rules and regulations as he may deem necessary to enforce the provisions of this subchapter.

Article 3. Unclaimed or Unknown Owner Court Funds**§ 1160. Unclaimed or unknown owner court funds**

(a) The following property shall be deemed abandoned property:

(1) Any legacy, residue of intestate personal estate, distributive share or trust fund paid into the Court of Chancery by any executor, administrator or trustee because the person entitled thereto was absent from the State, unknown or incompetent to receive the same or because the shares of the persons entitled to receive the same were unknown; and as to which no action has been taken in any proceeding in the Court of Chancery to recover the same within a period of twenty years; provided, however, that if the Chancellor or Vice Chancellor shall be of the opinion that the person entitled to any funds deposited in or held by the Court of Chancery is living and intends to claim such funds when able, but is prevented from doing so by reasons beyond his control, the Chancellor or Vice Chancellor shall so certify to the State Escheator in lieu of the report otherwise required by this subchapter, and such funds shall not be deemed abandoned in any year in which such certification is made.

(2) Any money or other property held by the Court of Chancery, on account of the receivership or creditors' composition of any person or organization, for distribution to a creditor, owner, or shareholder, and as to which no claim or request for payment has been made by the person appearing to be entitled thereto, within 15 years after any order discharging the receiver or trustee; provided, however, that if the Chancellor or Vice Chancellor shall be of the opinion that the person entitled to any funds deposited in or held by the Court of Chancery is living and intends to claim such funds when able, but is prevented from doing so by reasons beyond his control, the Chancellor or Vice Chancellor shall so certify to the State Escheator in lieu

of the report otherwise required by this subchapter, and such funds shall not be deemed abandoned in any year in which such certification is made.

(b) Any abandoned property held or owing by any court or by the clerk of any court to which or to whom the right to receive the same is established to the satisfaction of such court or clerk shall cease to be abandoned.

(c) Any abandoned property defined by this section which, under the provisions of this section, would have become abandoned prior to January 1, 1956, shall be deemed to become abandoned on January 1, 1956.

§ 1161. Publication of list of abandoned property

(a) On or before the first day of February in each year, any court or any clerk of a court having abandoned property in its or his possession shall cause to be published a notice entitled: "NOTICE OF NAMES OF PERSONS APPEARING AS OWNERS OF CERTAIN UNCLAIMED PROPERTY HELD BY (name of court or title of officer)."

(b) As to all abandoned property payable in New Castle County, such notice shall be published at least once in a daily newspaper published in said county. As to all abandoned property payable in Kent County or Sussex County, such notice shall be published at least once in a newspaper published at least weekly in the county in which said abandoned property is payable.

(c) Such notice shall be classified as the State Escheator shall prescribe and shall set forth:

(1) the names and last known addresses, in alphabetical order, of all persons appearing to be entitled to any such abandoned property, as of the first day of January next preceding, amounting to twenty-five dollars or more, except the names of persons appearing to be the owners of abandoned property which since such date has ceased to be abandoned. With the consent of the State Escheator, the name and last

known address of any person may be omitted from such notice where special circumstances make it desirable that such information be withheld;

(2) such other information as the State Escheator may require; and

(3) a statement

(i) that a list of the names contained in such notice is on file and open to public inspection at a place designated therein;

(ii) that such unclaimed moneys or other property will be paid or delivered by him or it on or before the thirty-first day of March to persons establishing to his or its satisfaction their right to receive the same; and

(iii) that in the succeeding month of April and on or before the tenth day thereof, such unclaimed moneys or other property still remaining will be paid or delivered to the State Escheator and that he or it shall thereupon cease to be liable therefor.

§ 1162. Payment of abandoned property

(a) In such succeeding month of April, and on or before the tenth day thereof, the Court of Chancery shall pay or deliver to the State Escheator all property held by it and which was abandoned as specified in section 1160 (a) (1) as of the first day of January next preceding.

(b) In such succeeding month of April, and on or before the tenth day thereof, the Court of Chancery shall pay or deliver to the State Escheator and abandoned property specified in section 1160 (a) (2) which was so abandoned as of the first day of January next preceding.

§ 1163. Report to accompany payment

Each such payment of abandoned property pursuant to section 1162 shall be accompanied by a verified written report classified as the State Escheator shall prescribe, setting forth:

(1) The names and last known addresses, if any, of the persons entitled to receive such abandoned property;

(2) The title of any proceeding relating to such abandoned property; and

(3) Such other identifying information as the State Escheator may require.

Article 4. Unclaimed Property Held or Owing by Banking Organizations

§ 1170. Unclaimed property held or owing by banking organizations

(a) The following unclaimed property held or owing by banking organizations shall be deemed abandoned property:

(1) Any amounts due on deposits or any amounts to which a shareholder of a savings and loan association, building and loan association or credit union is entitled, held or owing by a banking organization, which shall have remained unclaimed for 25 years by the person or persons appearing to be entitled thereto, including any interest or dividends credited thereon, excepting:

(i) Any such amount which has been reduced or increased, exclusive of dividend or interest payment, within 25 years, or

(ii) Any such amount which is represented by a passbook not in the possession of the banking organization, which has been presented for entry of dividend or interest credit within 25 years, or

(iii) Any such amount with respect to which the banking organization has on file written evidence received within 25 years that the person or persons appearing to be entitled to such amounts had knowledge thereof, or

(iv) Any such amount payable only at or by a branch office located in a foreign country, or payable in currency other than United States currency, or

(v) Any amount held or owing by the banking organization as agent, or as trustee of an express trust (active or passive), for the purpose of making payment to holders of, or in respect of, stocks, bonds or other securities of a governmental or other public issuer, or of a corporation, association or joint stock company, other than a corporation, association or joint stock company which shall have discontinued the conduct of its business, or the corporate existence of which shall have terminated, without the right to receive such amount having passed to a successor or successors.

(2) Any amount held or owing by a banking organization for the payment of a negotiable instrument or a certified check whether negotiable or not, on which such organization is directly liable, which instrument shall have been outstanding for more than 25 years from the date it was payable or from the date of its issuance, if payable on demand; provided, however, the provisions of this paragraph (2) shall not apply:

(i) To any negotiable instrument payable outside the continental limits of the United States, or

(ii) To any instrument payable in currency other than United States currency, or

(iii) To any negotiable instrument issued to pay out any amount held or owing by the banking organization as agent, or as trustee of an express trust (active or passive), for the purpose of making payment to holders of, or in respect of, stocks, bonds or other securities of a governmental or other public issuer, or of a corporation, association or joint stock company which shall have discontinued the conduct of its business, or the corporate existence of which shall have terminated, without the right to receive such amount having passed to a successor or successors.

(3) Any surplus amounts arising from a sale by a banking organization of the contents of a safe or box, pursuant to the provisions of law.

(4) Any amount representing a dividend or other payment received by a banking organization or its nominee as the record holder of any stock, bond, or other security of any corporation, association or joint stock company, to which amount an unknown person (except a person entitled to such dividend or other payment upon the surrender of other outstanding securities) is entitled and which shall have remained unclaimed by the person entitled thereto for five years after receipt thereof by such banking organization or its nominee.

(5) Any amount which shall have become payable by a banking organization (other than a foreign banking corporation) to a holder or owner of its capital stock, and which shall have remained unclaimed for 25 years by the person or persons appearing to be entitled thereto.

(b) Any abandoned property held or owing by a banking organization to which the right to receive the same is established to the satisfaction of such banking organization shall cease to be deemed abandoned.

(c) Any abandoned property defined by this section which, under the provisions of this section would have become abandoned prior to June 30, 1956, shall be deemed to become abandoned on June 30, 1956.

§ 1171. Annual report of abandoned property

(a) On or before the first day of August in each year every banking organization shall make a verified written report to the State Escheator, which shall contain a true and accurate statement, as of the thirtieth day of June next preceding of all abandoned property specified in Section 1170, held owing by it.

(b)

(1) Such report shall, with respect to amounts specified in section 1170 (a) (1) which are abandoned property, set forth:

(i) The name and last known address, if any, of the person or persons appearing from the records of such banking organization to be the owner of any such abandoned property;

(ii) The amount appearing from such records to be due such person or persons;

(iii) The date of the last transaction with respect to such abandoned property;

(iv) The nature and identifying number, if any, of such abandoned property; and

(v) Such other identifying information as the State Escheator may require.

(2) Such report shall, with respect to amounts specified in section 1170 (a) (2) which are abandoned property, set forth:

(i) The name and last known address, if any, of the person or persons appearing from the records of such banking organization to be entitled to receive such abandoned property;

(ii) A description of such abandoned property including identifying numbers, if any, and the amount appearing from such records to be due or payable;

(iii) The amount of any interest or other increment due thereon;

(iv) The date such abandoned property was payable or demandable;

(v) The amount and identifying number of any such instrument where the payee thereof is unknown to the banking organization; and

(vi) Such other identifying information as the State Escheator may require.

(3) Such report shall, with respect to amounts specified in section 1170 (a) (3) which are abandoned property, set forth:

(i) The name and last known address, if any, of the person or persons appearing from the records of such banking organization to be the owner of any such abandoned property;

(ii) The articles sold, and price obtained therefor;

(iii) Such other information as the State Escheator may require.

(4) Such report shall, with respect to amounts specified in section 1170 (a) (4) which are abandoned property, set forth:

(i) The name and last known address, if any, of the person or persons appearing from the records of such banking organization to be the owner of any such abandoned property;

(ii) The amount appearing from such records to be due such person or persons;

(iii) The date when such property was received by the banking organization, and the date when it became payable to the owner;

(iv) A description of the stock or security on account of which such property was received;

(v) Such other identifying information as the State Escheator may require.

(5) Such report shall, with respect to amounts specified in section 1170 (a) (5) which are abandoned property, set forth:

(i) The name and last known address, if any, of the person or persons appearing from the records of such banking organization to be the owner of any such abandoned property;

(ii) The amount appearing from such records to be due such person or persons;

(iii) The date when such property became payable to the said owner;

(iv) A description of the capital stock on account of which the said property is payable; and

(v) Such other identifying information as the State Escheator may require.

(c) Such report shall be in such form as the State Escheator may prescribe. All names of persons appearing in the section of such report relating to deposits, appearing to be the owners thereof, shall be listed in alphabetical order. Abandoned property other than deposits listed in such report shall be classified in such manner as the State Escheator may prescribe, and names of persons appearing to be entitled to such abandoned property appearing in such report shall be listed alphabetically within each such classification.

(d) In case any banking organization shall on the thirtieth day of June in any year neither hold nor owe any abandoned property specified in section 1170, it shall on or before the tenth day of August next succeeding make a verified written report to the State Escheator so stating.

§ 1172. Publication of list of abandoned property

(a) Within thirty days after making a report of abandoned property pursuant to the provisions of section 1171, such banking organization shall cause to be published a notice entitled: "NOTICE OF NAMES OF PERSONS APPEARING AS OWNERS OF CERTAIN UNCLAIMED PROPERTY HELD BY (name of banking organization)".

(b) For all abandoned property payable in New Castle County, such notice shall be published at least twice in a daily newspaper published in said county. For all abandoned property payable in Kent County or Sussex County, such notice shall be published at least once in a newspaper published at least weekly in the county in which said abandoned property is payable.

(c) Such notice shall, in accordance with the classification prescribed by the State Escheator for the report pursuant to the provisions of section 1171, set forth:

(1) The names and last known addresses, which were in such report, of all persons appearing to be entitled to any such abandoned property amounting to twenty-five dollars or more; provided, however, that with the consent of the State Escheator the name and last known address of any person may be omitted from such notice where special circumstances make

it desirable that such information be withheld. Such names shall be listed in alphabetical order. If, however, such banking organization has reported abandoned property payable in more than one county, the names shall be listed alphabetically for each such county and such notice shall include only the names of the persons appearing to be entitled to abandoned property payable in such county.

(2) Such other information as the State Escheator may require, and

(3) A statement

(i) That a report of unclaimed amounts of money or other property held or owing by it has been made to the State Escheator and that a list of the names contained in such notice is on file and open to public inspection at the principal office or place of business of such banking organization in any county where any such abandoned property is payable;

(ii) That such unclaimed moneys or other property will be paid or delivered by it on or before the succeeding thirty-first day of October to persons establishing to its satisfaction their right to receive the same; and

(iii) That in the succeeding month of November, and on or before the tenth day thereof, such unclaimed moneys or other property still remaining will be paid or delivered to the State Escheator and that it shall thereupon cease to be liable therefor.

§ 1173. Payment of abandoned property

(a) In such succeeding month of November, and on or before the tenth day thereof, every banking organization shall pay or deliver to the State Escheator all abandoned property specified in such report, excepting such abandoned property as since the date of such report shall have ceased to be abandoned.

(b) Such payment shall be accompanied by a statement setting forth such information as the State Escheator may require relative to such abandoned property as shall have ceased to be abandoned.

§ 1174. Unclaimed property held by the State Bank Commissioner after receivership

(a) All amounts held by the State Bank Commissioner as receiver of a banking organization, pursuant to Title 5, section 131 of the Delaware Code, which shall be payable to depositors of such banking organization and which shall not have been claimed and paid within four years after receipt by the State Bank Commissioner shall be deemed abandoned property.

(b) Any such abandoned property held by the State Bank Commissioner to which the right to receive the same is established while in his hands shall cease to be deemed abandoned.

§ 1175. Payment of abandoned property after receivership

(a) Not later than the first day of February in each year the State Bank Commissioner shall pay to the State Escheator all such abandoned property held by him which shall have become abandoned property at any time prior to the first day of July next preceding, excepting such abandoned property as since such first day of July shall have ceased to be abandoned.

(b) Such payment shall be accompanied by a statement signed by the State Bank Commissioner setting forth the name and last known address of, and the amount owing to, each person appearing to be the owner of any such abandoned property, or if the name is unknown, the nature and identifying number of the indebtedness and the name of the banking organization or foreign banking corporation from which such abandoned property was received, together with such other identifying information as the State Escheator may require.

§ 1176. Reimbursement for instruments paid

Any banking organization which has paid to the State Escheator abandoned property held or owing for the payment of a negotiable instrument or a certified check may make payment to the person entitled thereto, upon presentation of the instrument by such person, and shall thereby be entitled to reimbursement of the amount paid to the State Escheator. Such re-

imbursement shall be made by the State Escheator after audit of a claim of the banking organization without the deduction of any service or other charge.

Section 2. There is appropriated the sum of \$15,000.00 to the State Escheator for the purpose of carrying out the provisions of this subchapter.

Section 3. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved August 2, 1955.

CHAPTER 508

REPEALING CIGAR TAX

AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE BY REPEALING THE CIGAR TAX.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 5304, Title 30 of the Delaware Code is repealed.

Approved August 4, 1955.

CHAPTER 509

RELATING TO RECORDATION OF INSTRUMENTS IN
KENT AND SUSSEX COUNTIESAN ACT TO AMEND CHAPTER 96, TITLE 9 OF THE DELA-
WARE CODE RELATING TO THE RECORDATION OF
INSTRUMENTS IN KENT AND SUSSEX COUNTIES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 9605 (d), Title 9 of the Delaware Code is amended by striking out all of said subsection and substituting in lieu thereof a new § 9605 (d) to read as follows:

(d) The recording of all instruments in Sussex County on and after September 1, 1953, as provided for in this section shall be accomplished by copying the original by means of an approved photo-copying machine and permanently binding or inserting in appropriate books, with proper identification, for the preservation of such records.

Section 2. The Levy Court of Kent County is authorized to sell, privately or publicly, any photo-copying machine or machines or equipment owned by Kent County.

NOTE: This bill became a law on August 4, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 510

RELATING TO LIEN INDICES IN NEW CASTLE COUNTY

AN ACT TO AMEND CHAPTER 19, TITLE 10, DELAWARE CODE BY PROVIDING FOR THE APPOINTMENT BY THE LEVY COURT OF NEW CASTLE COUNTY OF COMMISSIONERS TO EXAMINE CERTAIN LIEN INDICES IN NEW CASTLE COUNTY AND SATISFACTION THEREOF.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Section 1924, Title 10, Delaware Code is amended by striking out the words "Resident Associate Judge of New Castle County" and inserting in lieu thereof the words "Levy Court of New Castle County."

Section 2. Section 1926, Title 10, Delaware Code is amended by striking out the words "Resident Associate Judge of New Castle County" and "Resident Associate Judge" and inserting in lieu thereof the words "Levy Court of New Castle County."

NOTE: This bill became a law on August 4, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 511

RELATING TO MORTGAGE SATISFACTION IN
NEW CASTLE COUNTY

**AN ACT TO AMEND CHAPTER 19, TITLE 10, DELAWARE
CODE BY PROVIDING FOR THE APPOINTMENT BY
THE LEVY COURT OF NEW CASTLE COUNTY OF
COMMISSIONERS TO EXAMINE MORTGAGE SATIS-
FACTION IN NEW CASTLE COUNTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. Section 1927, Title 10, Delaware Code is amended by striking out the words "Resident Associate Judge of New Castle County" and "Resident Associate Judge" and inserting in lieu thereof the words "Levy Court of New Castle County."

NOTE: This bill became a law on August 4, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 512

STATE HIGHWAY DEPARTMENT

AN ACT TO AMEND CHAPTER 1, TITLE 17 OF THE DELAWARE CODE RELATING TO THE STATE HIGHWAY DEPARTMENT BY AFFECTING THE AWARDING OF CONTRACTS WITHOUT BIDS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Section 151 (b), Title 17 of the Delaware Code is hereby amended by striking out and repealing the figure "5" as it appears in the second line thereof and substituting and enacting in lieu thereof the figure "3".

NOTE: This bill became a law on August 4, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 513

STATE HIGHWAY DEPARTMENT

AN ACT TO AMEND CHAPTER 1, TITLE 17 OF THE DELAWARE CODE RELATING TO THE STATE HIGHWAY DEPARTMENT BY CHANGING THE NUMBER OF MEMBERS REQUIRED FOR CONCURRENCE IN THE APPOINTMENT OF A CHIEF ENGINEER.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Section 116 (a), Title 17 of the Delaware Code is hereby amended by striking out and repealing the figure "4" as it appears in the first line thereof and substituting and enacting in lieu thereof the figure "3".

NOTE: This bill became a law on August 4, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 514

STATE HIGHWAY DEPARTMENT

AN ACT TO AMEND CHAPTER 1, TITLE 17 OF THE DELAWARE CODE RELATING TO THE STATE HIGHWAY DEPARTMENT BY CHANGING THE NUMBER OF MEMBERS REQUIRED FOR A QUORUM.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Section 114, Title 17 of the Delaware Code is amended by striking out and repealing the word "Four" as it appears as the first word in the first line thereof and substituting and enacting in lieu thereof the word "Three".

NOTE: This bill became a law on August 4, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 515

STATE HIGHWAY DEPARTMENT

AN ACT TO AMEND CHAPTER 1, TITLE 17 OF THE DELAWARE CODE RELATING TO THE STATE HIGHWAY DEPARTMENT BY CHANGING THE NUMBER OF MEMBERS REQUIRED FOR CONCURRENCE IN THE APPOINTMENT OF A SECRETARY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Section 118, Title 17 of the Delaware Code is hereby amended by striking out and repealing the figure "4" as it appears in the first line thereof and substituting and enacting in lieu thereof the figure "3".

NOTE: This bill became a law on August 4, 1955 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 516

RELATING TO TEACHERS' BENEFITS

AN ACT TO AMEND CHAPTER 39, TITLE 14, DELAWARE CODE, RELATING TO TEACHERS' RETIREMENT AND DISABILITY BENEFITS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 3902, Title 14, Delaware Code, is amended to read as follows:

§ 3902. Retirement benefits

Teachers who were inactive in their profession on April 23, 1945, who, prior to that date, taught in the public schools of this State for 25 years or more and are no longer capable of teaching, and teachers who were inactive in their profession on April 23, 1945, who, prior to that date, taught in the public schools of this State for 15 years or more and who attain the age of 65, shall be entitled to receive a pension out of the fund continued by Section 3901 of this title for the duration of their respective lives. The amount of such pension shall be determined by the number of years of teaching service, as follows:

15 years of service, Seventy-five Dollars (\$75.00) per month;

16 to 20 years of service, Eighty Dollars (\$80.00) per month;

21 to 25 years of service, Ninety Dollars (\$90.00) per month;

26 or more years of service, One Hundred Dollars (\$100.00) per month.

Section 2. § 3903, Chapter 39, Title 14, Delaware Code, is hereby amended by striking out the figures "\$60.00" in the seventh and last line of said section and inserting in lieu thereof the figures "\$75.00".

Section 3. There is hereby appropriated to the State Board of Education the sum of \$65,000 for the purposes of this Act during the biennium ending June 30, 1957.

Section 4. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved August 4, 1955.

CHAPTER 517

APPROPRIATION

CAREY D. SAPP

AN ACT AUTHORIZING AND DIRECTING THE STATE HIGHWAY DEPARTMENT TO PAY THIRTY-FIVE HUNDRED DOLLARS TO CAREY D. SAPP FOR DAMAGE TO PROPERTY IN MILTON, SUSSEX COUNTY, DELAWARE, WIDENING UNION AND FEDERAL STREETS IN SAID TOWN.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Highway Department is hereby authorized and directed to pay the sum of Thirty-five Hundred Dollars (\$3500.00) within thirty days after the passage and approval of this act, to Carey D. Sapp for damages sustained by him to his property in the town of Milton, Sussex County, at the corner of Union and Federal Streets, in the repaving and widening of said Union and Federal Streets by the State Highway Department.

Section 2. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved August 4, 1955.

CHAPTER 518

CONTINGENCY APPROPRIATION

AN ACT MAKING APPROPRIATIONS FOR CERTAIN CONTINGENCIES, FOR THE RESPECTIVE YEARS OF THE BIENNIUM JULY 1, 1955 TO JUNE 30, 1957, AND PRESCRIBING LIMITATIONS UPON USE THEREOF AND THE POWERS AND DUTIES OF BUDGET COMMISSION IN RELATION THERETO.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The several amounts named in this act, or so much thereof as shall be necessary, are appropriated for the biennium ending June 30, 1957, to any agency as agency is defined in Section 6301, Title 29, Delaware Code.

Section 2. Such sums shall be disbursed pursuant to provisions of law, and only after determination by Budget Commission, and only for the purposes of paying expenses authorized to be incurred by any agency.

Section 3. A contingency shall be determined to exist only on declaration by the Governor to have been determined by him by and with the consent of the majority of the members of Budget Commission. Such determination may be made after claim and proof, 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 a statement setting forth all facts in support of a claim that a contingency exists, and supported by, in the case of a Board, Commission or Department, a certified copy of the minutes authorizing the claim and approving the facts set forth in support of the claim. In no case shall a determination be made when the total of contingencies of like kind will be in excess of the amount hereinafter specified for such contingency.

Section 4. A contingency shall exist only when an expenditure, not otherwise authorized by the General Appropriation Act or any Supplementary Appropriation Act and for which

funds have not otherwise been provided in the budget of any agency, has become necessary directly as result of an act of God, or for other cause beyond the control of said agency, or necessary to the general welfare, and only within the following designations:

(a) To replace any building or structure and/or equipment which may have been destroyed by fire, storm or disaster, 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 a result of such fire; to provide for repairs to buildings or equipment of an extraordinary nature; to repair or replace any boiler which shall have been damaged, destroyed or condemned, but in an amount not to exceed the actual cost of such repair or replacement, any department or agency of this State, may, upon submission of satisfactory proof of such emergency condition or condemnation, be authorized to expend all or any part of an amount not to exceed \$50,000 in each of the respective years of the biennium ending June 30, 1957.

(b) To provide funds for any unexpected increase in case load for Vocational Rehabilitation over and above those provided in the General Appropriation Act, the State Board for Vocational Education may expend all or any part of an amount not to exceed \$13,000 in each of the respective years of the biennium ending June 30, 1957.

(c) To provide for the payment of lost and/or outdated checks issued by any State Treasurer, the Auditor of Accounts may be authorized to expend for the redemption thereof all or any part of an amount not to exceed \$1500 in each of the respective years of the biennium ending June 30, 1957.

(d) To provide for the control of any outbreak of contagious diseases of poultry and/or livestock, the State Board of Agriculture may be authorized to expend all or any part of an amount not to exceed \$10,000, in each of the respective years of the biennium ending June 30, 1957.

(e) Upon satisfactory proof of a contingency, not otherwise herein provided for, the Governor may be authorized to expend or transfer to any agency, all or any part of an amount

not to exceed \$75,000 in each of the respective years of the biennium ending June 30, 1957.

(f) To provide for a deficiency in appropriations of any salary accounts, any State Agency, Department, Board or Commission may be authorized to expend all or any part of an amount not to exceed \$30,000 in each of the respective years of the biennium ending June 30, 1957.

(g) To provide for a deficiency in appropriations of any salaries, office expense, travel, equipment or repairs or replacements of accounting or tabulating equipment which may be required on account of additional duties assigned, the Auditor of Accounts may expend all or any part of an amount not exceeding \$10,000 in each of the respective years of the biennium ending June 30, 1957.

(h) To provide for this State's share of Salaries and Wages, Aid to Dependent Children-Grants, Aid to Disabled-Grants, Old Age Assistance-Grants and Child Welfare Service-Direct Care over and above those provided for in the General Appropriation Act, the Department of Public Welfare may expend all or any part of an amount not to exceed \$100,000 in each of the respective years of the biennium ending June 30, 1957.

(i) To provide for the payment of additional teachers, additional units, upgrading school personnel, additional health, clerical and custodial salaries in the event any school shall become eligible under the State Board of Education rules and regulations in effect January 1, 1955, and capital outlay, over and above those provided for in the General Appropriation Act, the State Board of Education may expend and/or transfer to various school districts all or any part of an amount for the purposes and not exceeding the amounts appearing below as follows:

	Year Ending June 30	
	1956	1957
(1) Additional Teachers—200 at \$3,740 each in the first year and \$3,900 each in second year	\$748,000.00	\$ 780,000.00

(2) Additional Units — 200 at \$550 each	110,000.00	110,000.00
(3) Upgrading Instructional Personnel	20,000.00	40,000.00
(4) Additional Clerks, Nurses, Janitors	35,000.00	55,000.00
(5) Additional Capital Outlay—200 units at \$50 each	10,000.00	10,000.00
(6) Additional Teachers—150 at \$3,740 each in second year ..		561,000.00
(7) Additional Units—150 at \$550 each		82,500.00
(8) Additional Capital Outlay—150 units at \$50 each		7,500.00
	<hr/>	<hr/>
	\$923,000.00	\$1,646,000.00

(j) To provide for the payment of expenses of hearings, surveys, unusual investigations and transcripts only, over and above those provided for in the General Appropriation Act, the Public Service Commission may expend all or any part of an amount not to exceed \$40,000 in each of the respective years of the biennium ending June 30, 1957; provided, however, no part of these amounts shall be used for salaries and wages.

(k) To provide funds for the general administration and operation of the State's participation in the Federal Social Security program and associated State programs, the State Treasurer is authorized to expend all or any part of an amount not to exceed \$8,500 in each of the respective years of the biennium ending June 30, 1957.

(l) To provide for deficiency in appropriation for the payment of benefits under the Delaware State Employees' Pension Act, the State Treasurer may expend all or any part of an amount not to exceed \$50,000 for the fiscal year ending June 30, 1956 and \$75,000 for the fiscal year ending June 30, 1957.

(m) To provide for the payment of special audit or audits made necessary as a result of unforeseen circumstances in connection with legal proceedings, trials or hearings, and for

transcripts, requisition, travel expenses and additional equipment incidental thereto, the Attorney General may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed \$10,000 in each of the respective years of the biennium July 1, 1955 to June 30, 1957.

(n) 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 Forty-Five Thousand Dollars (\$45,000.00) in each of the respective years of the biennium July 1, 1955 to June 30, 1957.

Section 5. The Auditor of Accounts shall keep actual detailed accounts of the transfers approved in the manner hereinbefore provided by Budget Commission. The Budget Commission shall submit to the next General Assembly a full and detailed statement of the nature of the contingencies for which transfers are authorized, the cause thereof, and a copy of the account maintained therefor by the said Auditor of Accounts.

Section 6. The Governor, Secretary of State, and 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 7. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Section 8. All Acts or parts of Acts inconsistent with this Act are repealed to the extent of such inconsistency only.

Approved August 15, 1955.

CHAPTER 519

CLAYTON

**AN ACT TO AMEND THE CHARTER OF THE TOWN OF
CLAYTON BY EXTENDING THE LIMITS OF SAID
TOWN.**

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each House concurring therein):

Section 1. The Charter of the Town of Clayton, Chapter 131, Volume 33, Laws of Delaware, is hereby amended by adding to Section 1 thereof the following paragraph:

In addition the limits of the Town of Clayton shall be extended to include within said Town the lands conveyed to The Town of Clayton by deed of Rebecca Dunn, single woman, dated April 17, 1943, and of record in the Office of the Recorder of Deeds of Kent County at Dover in Deed Record Book E, Volume 16, page 454.

Approved August 15, 1955.

CHAPTER 520

TRANSFER OF HIGHWAY FUNDS

AN ACT AUTHORIZING THE STATE HIGHWAY DEPARTMENT TO TRANSFER FUNDS FROM FUNDS APPROPRIATED FOR HIGHWAY CONSTRUCTION TO FUNDS APPROPRIATED FOR HIGHWAY MAINTENANCE IN AN EMERGENCY DUE TO UNEXPECTED OR UNUSUAL CLIMATIC CONDITIONS; LIMITATIONS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Highway Department is authorized to transfer funds appropriated for highway construction purposes by the General Appropriation Act for any biennium to the funds appropriated for the purpose of highway maintenance, provided (1) the Governor determines that due to unusual and unexpected climatic conditions an emergency has arisen which necessitates such transfer of funds; (2) that an affidavit signed by a majority of the Commissioners of the State Highway Department is filed with the Budget Commission, such affidavit stating in detail the nature of the emergency that has arisen and the necessity for the transfer of such funds; and (3) the Budget Commission authorizes such transfer.

Approved August 15, 1955.

CHAPTER 521

UNIVERSITY OF DELAWARE

AN ACT TO AMEND CHAPTER 51 OF THE DELAWARE CODE ENTITLED "UNIVERSITY OF DELAWARE" FOR THE PURPOSE OF GRANTING CONTINUING AUTHORITY TO ISSUE REVENUE BONDS FOR INCOME PRODUCING CAPITAL IMPROVEMENTS OF THE UNIVERSITY OF DELAWARE.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected to each House thereof concurring therein):

Section 1. That Chapter 51 of the Delaware Code be, and the same is hereby amended by adding three new sections thereto, which shall be numbered and designated as "SECTION 5115" to "SECTION 5117" inclusive as follows:

§ 5115. Authority to issue bonds

The Board of Trustees may provide by resolution, from time to time, for the issuance in the name of the University of Delaware of revenue bonds of the University, for the purpose of paying all or any part of the costs for income producing capital improvements including constructing and equipping income producing buildings and facilities together with incidental acquisition of land therefor, landscaping, walks, drives and utility installations deemed necessary by said Board for the sound expansion and development of the University. The principal and interest of such bonds shall be payable solely from University funds (other than State appropriated funds) specifically pledged in each case by said Board and no part of the revenues or funds of the University from other sources shall in any manner be expended for the purpose of defraying the costs thereof. The bonds of each issue shall be dated, shall bear interest at such rate or rates not exceeding four per centum per annum, payable semi-annually, shall mature at such time or times and may be made redeemable before maturity at such price or prices and under such terms and conditions as may be fixed by the Board of Trustees prior to the issuance of the bonds. The prin-

principal and interest of such bonds may be made payable in any lawful medium. The Board of Trustees shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the State. The bonds shall be signed by the President of the Board of Trustees and the seal of the University or a facsimile thereof shall be affixed thereto and shall be attested by the Secretary of the Board of Trustees, and any coupons attached thereto shall bear the facsimile signature of the President of the Board of Trustees. In case any officer whose signature or a facsimile thereof shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All revenue bonds issued under the provisions of this chapter shall have, and are hereby declared to have, as between successive holders, all the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of this State. Such bonds and the income therefrom shall be exempt from all taxation by the State of Delaware or by any political subdivision, agency or authority thereof. The bonds may be issued in coupon or in registered form or both as the Board of Trustees may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest, and for the reconversion of any bonds registered both as to principal and interest into coupon bonds. The Board of Trustees may sell such bonds either at public or private sale in such manner and for such price as it may determine to be for the best interests of the University, but no such sale shall be made at a price so low as to require the payment of interest on money received therefor at more than four per centum per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values. The proceeds of such bonds shall be used solely for the payment of the cost of the specified capital improvements and shall be disbursed in the same manner as other University Funds. If the proceeds of the bonds of any issue shall exceed the amount required for the purpose for which

such bonds are issued, the surplus shall be held for application to the payment of principal and interest of such bonds. Prior to the preparation of definitive bonds, the Board of Trustees may, under line restrictions, issue temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The Board of Trustees may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost. Such revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this chapter.

§ 5116. Bonds as legal investments for Institutions and Fiduciaries

Bonds issued under the provisions of this chapter are made securities in which all State and municipal officers and administrative departments, boards, and commissions of the State, all banks, bankers, savings banks, trust companies, saving 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 administrators, executors, guardians, trustees, and other fiduciaries, and all other persons whatsoever authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds, including capital belonging to them or within their control; and such bonds are made securities which may properly and legally be deposited with and received by any State, county or municipal officer or agency of the State for any purpose for which the deposit of bonds or other obligations of the State is authorized by law.

§ 5117. Credit of State not pledged

Revenue bonds issued under the provisions of this chapter shall be payable exclusively from specified funds of the University. All such bonds shall contain a statement on their face that The State of Delaware is not obligated to pay the same or the interest thereon and that the faith and credit of the State are not pledged to the payment of the principal or interest of

such bonds. The issuance of revenue bonds under the provisions of this chapter shall not directly or indirectly or contingently obligate the State to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

Approved August 15, 1955.

CHAPTER 522

STATE EMPLOYEES' PENSION PLAN

AN ACT TO AMEND TITLE 29, DELAWARE CODE, ENTITLED "STATE GOVERNMENT" IN REGARD TO THE STATE EMPLOYEES' PENSION PLAN.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 5523, Title 29, Delaware Code, is amended to read as follows:

§ 5523. Amount of benefits

The pension shall be payable monthly and, subject to the limitation that the monthly payment shall not exceed \$250 nor be less than \$75, the monthly payment shall be one-sixtieth of the monthly retiring base salary multiplied by the number of years, taken to the nearest twelfth part of a year, which the employee shall have served in covered employment during the period that ends on the date of retirement.

Section 2. This Act shall be effective as of May 10, 1955.

Approved October 12, 1955.

CHAPTER 523

APPROPRIATION

DELAWARE CITY FIRE COMPANY

**AN ACT APPROPRIATING MONEY TO DELAWARE CITY
FIRE COMPANY NO. 1 FOR THE MAINTENANCE AND
OPERATION OF A RESCUE TRUCK.**

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each House thereof concurring therein):

Section 1. There is hereby appropriated to Delaware City Fire Company No. 1 the sum of Seven Hundred Fifty Dollars (\$750.00) annually for each of the fiscal years beginning July 1, 1955, and July 1, 1956, to be used for the maintenance and operation of a rescue truck in the public service.

Section 2. The said sum of Seven Hundred Fifty Dollars (\$750.00) shall be paid by the State Treasurer to Delaware City Fire Company No. 1 for maintaining and operating a rescue truck in the public service within three months after the beginning of each of said fiscal years.

Section 3. This Act is a supplementary appropriation, and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved October 12, 1955.

CHAPTER 524

AN ACT TO AMEND CHAPTER 87, TITLE 9, OF THE DELAWARE CODE IN RELATION TO THE COLLECTION OF DELINQUENT TAXES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That Section 8704, Chapter 87, Title 9, Delaware Code be and the same is hereby amended by striking out and repealing the said section and inserting in lieu thereof a new section as follows:

§ 8704. Survival of prior liens

Liens or encumbrances against lands and tenements sold for taxes by the Receiver of Taxes and County Treasurer of Kent and Sussex County under the provisions of this chapter which were valid and subsisting liens or encumbrances at the time of the sale for taxes (other than the lien for the taxes for the collection of which such sale is made), shall not be discharged or any wise affected by such sale, and such sale shall be subject to such liens or encumbrances.

Section 2. That Section 8726, Chapter 87, Title 9, Delaware Code be and the same is hereby amended by striking out and repealing the said section and inserting in lieu thereof a new section as follows:

§ 8726. Title of property sold

Any real estate or interest therein sold under the provisions of this subchapter shall vest in the purchaser all the right, title and interest of the person in whose name the property was assessed, and/or all right, title and interest of the person or persons who are the owners thereof, and likewise freed and discharged from any liens and encumbrances, dower or curtesy or statutory right, in the nature of a dower or curtesy, whether absolute or inchoate, in or to the real estate.

Approved October 24, 1955.

CHAPTER 525

GEORGETOWN

**AN ACT TO AMEND CHAPTER 166, VOLUME 43, LAWS OF
DELAWARE, AS AMENDED, BY EMPOWERING THE
TOWN OF GEORGETOWN TO ESTABLISH AND ADMIN-
ISTER PENSION OR RETIREMENT FUNDS FOR TOWN
POLICE AND OTHER MUNICIPAL EMPLOYEES.**

*Be it enacted by the General Assembly of the State of
Delaware (two-thirds of the Members elected to each Branch
thereof concurring therein):*

Section 1. Section 2 (a), Chapter 166, Volume 43, Laws of Delaware, as amended, is further amended by adding a new paragraph at the end thereof to read as follows:

The Town shall have power to enact ordinances to establish pension or retirement funds for the police or other municipal employees or both of the Town of Georgetown, and to set aside special funds for those purposes which shall be administered in accordance with ordinances made and provided in that behalf and the laws of the State of Delaware.

Approved November 7, 1955.

CHAPTER 526

RELATING TO INSURANCE COMPANIES

AN ACT TO AMEND CHAPTER 27, TITLE 18, OF THE DELAWARE CODE RELATING TO TAXES AND FEES FOR INSURANCE COMPANIES, AGENTS AND BROKERS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 27, Title 18, Delaware Code, is hereby amended by striking out the first sentence of § 2711 and inserting in lieu thereof the following:

Every insurance company doing business in this state shall pay to the Insurance Commissioner on or before the first day of March, 1956, and on or before the first day of March of each year thereafter, in addition to other taxes, fees, and charges required by law, a tax equal to 2% of the gross premiums, less return and reinsurance premiums received from other companies or by an agent or agents of such company for such company, in cash or otherwise, from the insurance on insurable risks covering burglary, robbery, theft, automotive personal and property damage liability, and automotive medical payments within the limits of this state during the preceding calendar year.

Section 2. Chapter 27, Title 18, Delaware Code, is hereby amended by striking out the first sentence of § 2712 and inserting in lieu thereof the following:

Every insurance company doing business in this state shall in the year 1956 and annually thereafter, at the time that such company files its annual report as required by law, deliver to the Insurance Commissioner a full, detailed statement of all burglary, robbery, theft, automotive personal and property damage liability, and automotive medical payments business done by such company in this state for the year ending on the previous 31st day of December, which statement shall be verified by the

oath or affirmation of the president or vice-president and secretary or other officer of such company.

Approved November 7, 1955.

CHAPTER 527

APPROPRIATION

STATE BOARD FOR VOCATIONAL EDUCATION

**AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION
TO THE STATE BOARD FOR VOCATIONAL EDUCATION,
REHABILITATION DIVISION, TO FACILITATE
THE WORK OF THAT DIVISION UNDER EXPANDED
FEDERAL ASSISTANCE.**

WHEREAS, additional federal funds are available in connection with the rehabilitation program carried on by the State of Delaware, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of \$12,000 for the fiscal year ending June 30, 1956 and an additional sum of \$12,000 for the fiscal year ending June 30, 1957 is appropriated to the State Board for Vocational Education, Rehabilitation Division to carry on the program of that Division.

Section 2. This Act is a Supplementary Appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved November 7, 1955.

CHAPTER 528

APPROPRIATION

TO EXPAND STATE POLICE FORCE

AN ACT TO APPROPRIATE MONEY TO THE STATE HIGHWAY DEPARTMENT SO AS TO ENABLE IT TO EXPAND THE STATE POLICE FORCE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. In addition to any other money appropriated to the State Highway Department there is appropriated the sum of One Hundred Fifteen Thousand Five Hundred Forty-Seven Dollars and Twenty-Two Cents (\$115,547.22) for the fiscal year beginning July 1, 1955, and a further sum of One Hundred Sixty-Three Thousand Five Hundred Ninety-Five Dollars and Seventy-Eight Cents (\$163,595.78) for the fiscal year beginning July 1, 1956.

Section 2. The monies hereby appropriated shall be used by the State Highway Department for an expansion of the State Police Force of the Department up to a limit of one hundred and eighty (180) officers.

Section 3. The State Treasurer is directed to pay the funds hereby appropriated upon warrants signed by the proper officers of the State Highway Department.

Section 4. This bill 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, not otherwise appropriated.

Approved November 8, 1955.

CHAPTER 529

SCHOOL BUILDING PROGRAM ACT

AN ACT TO PROVIDE FOR THE ENLARGEMENT AND IMPROVEMENT OF THE SYSTEM OF FREE PUBLIC SCHOOLS OF DELAWARE; APPROPRIATING MONEY FOR SAID PURPOSES; AUTHORIZING THE FINANCING OF SUCH ENLARGEMENT AND IMPROVEMENT BY THE ISSUANCE OF BONDS AND BOND ANTICIPATION NOTES OF THE STATE AND BY CONTRIBUTIONS FROM CERTAIN SCHOOL DISTRICTS, AND THE CITY OF WILMINGTON, DEFINING SCHOOL DISTRICTS; AUTHORIZING THE ISSUANCE OF BONDS OF CERTAIN SCHOOL DISTRICTS AND THE CITY OF WILMINGTON FOR THE PURPOSE OF RAISING MONEY TO MAKE SUCH CONTRIBUTIONS; AND AUTHORIZING THE ACCEPTANCE OF FEDERAL FUNDS FOR BUILDING PURPOSES AND CREATING LOCAL SCHOOL BUILDING COMMISSIONS.

WHEREAS, there is continued and pressing need for certain construction for public school purposes in certain School Districts within the State of Delaware; and

WHEREAS, there are additional critical needs for school facilities that have been brought about by the phenomenal growth of enrollments in the public schools of the State; and

WHEREAS, certain School Districts of the State hereinafter mentioned have funds available for school construction purposes presently available by reason of state appropriation and/or from the proceeds of local school bond issues; and

WHEREAS, certain other School Districts hereinafter mentioned will provide funds for school construction purposes from local sources; and

WHEREAS, there is precedent of both partial and full state support for school construction programs as an element which places Delaware as a leader in education; NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each Branch concurring therein):

Section 1. Whenever used in this Act, unless a different meaning is indicated or required:

"School construction" means one or more of the following things: the acquisition, construction, reconstruction, alteration, remodeling, enlargement, equipment, including purchase of machinery necessary for the maintenance of grounds and buildings and of all educational supplies necessary for the initial operation of a school so built or altered or added to, and re-equipment of buildings and the acquisition and improvement of lands for free public school purposes in any school district.

"Total cost" means the maximum sum or sums of money which may be spent for school construction under this Act in a particular school district, provided that nothing contained in this Act shall prevent any school district from increasing said total cost by providing a larger amount from local sources than that stated as that district's local share, nor prevent the acceptance and use of any funds appropriated by the Congress of the United States for these purposes.

"State share" means that maximum sum of money which may be paid from state sources for school construction in a particular school district as provided in this Act.

"Local share" means the sum of money specified to render permissible the use of the state share for school construction within the particular school district.

"School district" means a school district, a special school district, the City of Wilmington, or any newly created school unit or area for which no board has yet been appointed or elected.

"School Building Commission" means one of the School Building Commissions created by Section 22 of this Act.

Section 2. There is hereby appropriated the sum of twenty-eight million twenty-one thousand nine hundred dollars

(\$28,021,900.00) or so much thereof as shall be required to carry out the purposes of this Act, to be expended as herein-after provided.

Section 3. For the purposes of providing funds out of which said appropriation of twenty-eight million twenty-one thousand nine hundred dollars (\$28,021,900.00) may be paid, the Governor, the State Treasurer, and the Secretary of State of the State of Delaware, herein sometimes referred to as "issuing officers", are hereby authorized and fully empowered to issue bonds of the State of Delaware in an aggregate principal amount not exceeding twenty-eight million twenty-one thousand nine hundred dollars (\$28,021,900.00).

Section 4. Said bonds shall be issued at one time or from time to time as the money is required, as the issuing officers shall determine. The bonds of each issue shall constitute a separate series. Each series of bonds shall mature in annual instalments, beginning not more than one year after the date of issue of the bonds of such series and ending not more than twenty years after such date of issue; and no such annual instalment shall be more than thirty percent greater in amount than the amount of the smallest prior instalment of the same series. Each series of bonds shall bear interest at a rate or rates not exceeding three percent per annum, payable semi-annually.

Section 5. Said bonds shall be sold by the issuing officers at not less than par and accrued interest, under such terms, conditions and regulations as the issuing officers may prescribe, after notice of such sale published at least once ten days or more before the date of sale in at least one newspaper published in the State of Delaware and in a financial journal published in the City of New York.

Section 6. In anticipation of the issuance of said bonds, the issuing officers may issue and sell notes of the State of Delaware at either public or private sale for not less than par and accrued interest. Said notes shall bear interest at a rate not exceeding three percent per annum. They may be renewed from time to time by the issuance and sale of new notes, but all such

notes shall mature and be paid not later than June 30, 1957. The total amount of said notes outstanding at any one time, together with the total amount of said bonds theretofore issued, shall not exceed twenty-eight million twenty-one thousand nine hundred dollars (\$28,021,900.00). Said notes may be redeemed at par and accrued interest prior to their maturity if the right of the State to do so shall have been reserved by an express provision in the notes. The principal of said notes shall be paid out of the proceeds of the sale of said bonds or notes.

Section 7. Said bonds and notes shall be direct general obligations of the State of Delaware, and the faith and credit of the State of Delaware are hereby pledged for the payment of the principal of and the interest on said bonds and notes as such principal and interest respectively become due. The principal of and the interest on said bonds and notes shall be exempt from taxation by the State of Delaware or by any political subdivision thereof for any purpose whatsoever.

Section 8. The said bonds and notes shall be signed in the name of the State of Delaware by the State Treasurer and shall be authenticated by the signatures or facsimile signatures of the Governor and Secretary of State, and they shall have the Great Seal of the State impressed thereon. Interest coupons attached to said bonds shall be authenticated by the signature or facsimile signature of the State Treasurer. The said bonds and notes may be issued notwithstanding that any of the officers signing them or whose facsimile signatures appear thereon or on the coupons of said bonds shall have ceased to hold office at the time of such issue or at the time of the delivery of said bonds or notes.

Section 9. Said bonds and notes shall recite that they are issued in pursuance of this Act and the Constitution of this State, and such recital shall be conclusive evidence of the validity of said bonds and notes. Any such bonds or notes containing such recital shall, in any suit, action or proceeding involving their validity, be conclusively deemed to be fully authorized by this Act and to have been issued, executed and delivered in conformity herewith and shall be incontestable for any cause. Said bonds and notes shall be in such form and in such denominations and may contain such other and further recital and

be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions as may be determined by said "issuing officers". The principal of and the interest on said bonds and notes shall be made payable at the Farmers' Bank of the State of Delaware at Dover.

Section 10. All moneys received from the sale of said bonds or notes shall be deposited by the State Treasurer in the Farmers' Bank of the State of Delaware at Dover and shall be used exclusively for the purpose of school construction in accordance with the provisions of this Act and for the purpose of paying the principal of notes issued under this Act.

Section 11. Any funds that shall accrue to any school district in this State from the Treasury of the United States for building purposes shall be deposited in the State Treasury and shall be allocated by the State Board of Education to the school district for which the funds are appropriated. The said funds shall be in addition to any other local share and/or state share.

Section 12. There is hereby appropriated to the State Treasurer of the State of Delaware such sums as shall be necessary during the biennium beginning July 1, 1955, and ending June 30, 1957, to pay interest on said bonds and notes and to pay the principal of said bonds. The Budget Appropriation Bill enacted and approved by the General Assembly at the One Hundred and Nineteenth Session, and at each and every subsequent biennial session thereof, shall contain under the Debt Service item provisions for the payment of the principal of and the interest on all bonds issued under this Act as such principal and interest respectively become due; and all such revenues of the State of Delaware that are not prohibited by constitutional provisions or committed by preceding statutes for other purposes are hereby pledged for the payment of said bonds and interest thereon. For the purpose of paying the costs and expenses incident to the issuance of said bonds and notes and interest on said notes there is hereby appropriated from the General Fund of the State to the issuing officers the sum of fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary for said purpose. All payments for expenses inci-

dent to the issuance of said bonds and interest on notes shall be paid by the State Treasurer upon warrants signed by the Secretary of State and approved by the Auditor of Accounts.

Section 13. The total maximum amount appropriated by Section 2 of this Act, the sum of twenty-eight million twenty-one thousand nine hundred dollars (\$28,021,900.00), or so much thereof as shall be necessary to carry out the provisions of this Act, shall be apportioned by the State Board of Education to the following named school districts according to the following tabulation of maximum totals and shares, or in the proportions represented by said maximum totals and shares:

NAME OF DISTRICT	MAXIMUM TOTAL COST	MAXIMUM STATE SHARE	MAXIMUM LOCAL SHARE
Alfred I. duPont #7	\$ 5,500,000	\$ 3,300,000	\$ 2,200,000
Caesar Rodney	800,000	480,000	320,000
Caesar Rodney, Star Hill-c	250,000	250,000	.....
Henry C. Conrad #131	200,000	120,000	80,000
Claymont	1,710,000	1,026,000	684,000
Delmar #163	422,000	253,200	168,800
Dover	1,245,000	747,000	498,000
Dover, Booker T. Washington-c	30,000	30,000	.....
Frankford #206-c	68,000	68,000	.....
Greenwood #91	600,000	360,000	240,000
Gumboro #37	90,000	54,000	36,000
William W. M. Henry #133-c	100,000	100,000	.....
Newport #21	250,000	150,000	100,000
Laurel	250,000	150,000	100,000
Laurel, Paul Lawrence Dunbar-c....	250,000	250,000	.....
Lewes	851,000	510,600	340,400
Louis L. Redding #120-c	190,000	190,000	.....
Marshallton #77	2,175,000	1,305,000	870,000
Middletown #60	1,480,000	888,000	592,000
Milford	2,500,000	1,500,000	1,000,000
Milford, Benjamin Banneker-c	85,000	85,000	.....
Millside, #132-c	491,400	491,400	.....
Mount Pleasant	3,198,000	1,918,800	1,279,200
New Castle	4,000,000	2,400,000	1,600,000
Newark	3,000,000	1,800,000	1,200,000
Newark, New London Avenue School-c	125,000	125,000	.....
Newport #106-c	900,000	900,000	.....
Rose Hill-Minquadale #47	1,285,500	771,300	514,200
Seaford, Frederick Douglass-c	213,000	213,000	.....
Selbyville #210-c	360,000	360,000	.....
Stanton #38	550,000	330,000	220,000
Smyrna	240,000	144,000	96,000

William C. Jason #192-c	80,000	80,000	.....
Selbyville #32	400,000	240,000	160,000
Eden #101	440,000	264,000	176,000
Frederica #32	20,000	12,000	8,000
Hockessin #29	168,000	100,800	67,200
Odessa #61	180,000	108,000	72,000
Wilmington	7,320,000	4,392,000	2,928,000
John G. Leach School-c	5,000	5,000	.....
Townsend #81	210,000	126,000	84,000
Commodore MacDonough #53	398,000	238,800	159,200
Felton #54	350,000	210,000	140,000
Bridgeville #90	125,000	75,000	50,000
Christiana #44	375,000	225,000	150,000
Lincoln #3	140,000	84,000	56,000
John M. Clayton #97	375,000	225,000	150,000
Bridgeville #220-c	90,000	90,000	.....
Ellendale #125	150,000	90,000	60,000
Rehoboth	310,000	186,000	124,000
TOTALS	\$44,544,900	\$28,021,900	\$16,523,000

The letter "c" following the name of a school in the table above indicates that a local share is not required before the state share shall be expended for the construction of such school.

Section 14. Except in the case of a school district for which a local share is not shown by the foregoing table, the State share apportioned to a school district shall not be expended unless the local share for such school district shall have been deposited with the State Treasurer on or before December 31, 1956.

No school construction shall be paid for with funds appropriated by this Act or with funds for which a state share is provided by this Act if:

(a) the cost of any classroom (which term shall not be construed to include any laboratory, shop, gymnasium, cafeteria, or other special purpose room) included in such construction exceeds thirty thousand dollars (\$30,000.00), or

(b) the cost of construction includes architects', engineers' or similar professional fees in excess of five percent of the cost of construction (exclusive of the cost of acquisition of land), or

(c) the cost of construction includes the cost of a swimming pool or any part thereof.

Section 15. Any school district which is entitled under the provisions of this Act to an apportionment of a state share and which is required to provide a local share is hereby authorized to issue its bonds for the purpose of raising money to pay its local share and raising such additional amount, if any, as such school district may desire to expend for school construction. If such bonds are issued, they shall be issued by the Board of Trustees or Board of Education of the school district pursuant to the provisions of Chapter 21, Title 14, Delaware Code, except in the case of the City of Wilmington, in which case the local share to be contributed by the Board of Public Education in Wilmington may be raised by the proper authorities of said City by issuing bonds pursuant to the provisions of Chapter 163, Volume 32, Laws of Delaware, as amended. Instead of issuing bonds as hereinbefore provided, any school district may pay its local share by using the proceeds of the sale of bonds heretofore authorized or issued, or by using gifts or any other moneys on hand which are not required by law to be used for some other purpose.

Section 16. The State Board of Education shall determine the present necessity for any school construction program in the said several school districts and, in so doing, shall take into consideration the number of pupils, actual or potential, in the school district, the feasibility and possibility of the consolidation of school districts, the present and future possibility of overcrowding of school facilities within the school district, the condition and quality of existing school facilities within the district, and all other matters and conditions pertinent to the determination of the present necessity of the school construction program, including the reasonable future development or retardation of the school district. In making a determination of necessity, the said State Board of Education shall do so on a basis calculated to maintain the desired standard of education within the school district. In making such determination of necessity, the State Board of Education shall have the authority to make a determination of necessity of a school construction program for a school district which will have a lesser total cost than the maximum total cost for such school district set

forth in Section 13 of this Act. Whenever a determination of necessity of a school construction program is made in an amount less than the total maximum cost for such school district as set forth in Section 13 of this Act, the state share and the local share shall be reduced in the proportions they bear to the total maximum cost set forth in that section.

Section 17. Whenever the State Board of Education shall make a determination of necessity for a school construction program within a school district, it shall certify that fact to the State Treasurer together with the amount of the total cost, the state share, and the local share, if any, and shall send a copy of such certification to the State Auditor of Accounts and the School Building Commission of such school district. Upon the receipt by the State Treasurer of the certification of said determination, the said school construction program shall be deemed to be authorized and the provisions of this Act for the issuance of state and local bonds to provide the funds for school construction programs shall be in full force and effect with respect to such school construction program, provided, however, that, except in cases where a local share is not required by Section 13 of this Act, such school construction program shall not be carried out until the local share shall have been deposited with the State Treasurer as provided in Section 13. The issuing officers may at any time after the State Treasurer receives such certificate proceed to issue bonds or notes of the State to provide the funds for the State share thereof, whether or not the requisite local share shall have been actually deposited with the State Treasurer pursuant to Section 13, but the proceeds of said bonds or notes shall not be expended until the requisite local share shall have been so deposited.

Section 18. After making the certificate required by Section 17 the said State Board of Education is hereby authorized and directed to consider the final plans, estimates of costs, and specifications of any school construction program and to approve or modify such plans, estimates and specifications, and also to amend such certificate, provided that nothing herein shall be construed to give said State Board of Education the authority to increase the total state share of such program beyond the maximum limit set forth in Section 13 of this Act. In the event that said certificate shall be amended as herein provided, the fact of

such amendment shall be communicated to the State Treasurer, and copies thereof shall be sent to the State Auditor of Accounts and the School Building Commission of the school district.

Section 19. In the event that two or more existing school districts shall consolidate themselves or be consolidated into one school district, the maximum total cost, the maximum state share, and the maximum local share of a school construction program for such consolidated district shall be the totals of said amounts appearing in Section 13 of this Act for the school districts so consolidating. Such consolidated district shall be deemed to be a school district within the meaning of this Act.

Section 20. The moneys paid to the State Treasurer by a school district as its local share pursuant to Section 13 of this Act shall be deposited by the State Treasurer in the Farmers' Bank of the State of Delaware at Dover and shall be expended only for school construction in such district. Each of said local shares shall be credited with interest when and to the same extent as the said Bank credits interest on deposits of other State moneys in said Bank.

Section 21. The moneys hereby appropriated for use in defraying the cost of any school construction program and the moneys hereby appropriated for the costs and expenses incident to the issuance of said bonds and notes shall not revert to the State Treasury at the end of any fiscal year but shall remain available for said purposes until the school construction program has been completed.

Section 22. There is hereby created a commission for each school district to be known as the "School Building Commission". The School Building Commission of each school district shall be composed of the members of the Board of Trustees or Board of Education of such school district and two members of the State Board of Education ex-officio, the latter two to be appointed by the State Board of Education, except (1) in the City of Wilmington, where the Board of Education in Wilmington shall be the School Building Commission, and except (2) in school districts which do not have Board of Trustees or Boards of Education, where the School Building Commission

shall be composed of three residents of the school district appointed by the Governor and two members of the State Board of Education appointed by the State Board of Education. No act of a School Building Commission shall be binding unless a majority of the members of such Commission shall concur therein.

Section 23. The State Board of Education shall render such assistance to School Building Commissions as they may request in the preparation of their tentative and final plans for school construction under this Act.

Section 24. The final plans, specifications and estimates of costs for school construction outside the City of Wilmington under this Act must be approved by the State Board of Education.

Section 25. It shall be the province and duty of the School Building Commission for any particular district to cause the school construction program authorized under this Act for such school district to be carried out. Such School Building Commission shall have power to make and enter into all contracts for school construction and for labor, materials, supplies, instrumentalities, furniture and equipment required to accomplish any such school construction program (including purchase of all educational supplies necessary for the initial operation of schools so built, altered, or added to), provided that no contract involving expenditure of five hundred dollars (\$500.00) or more shall be entered into unless the same shall be properly advertised and given to the lowest and best bidder therefor, the School Building Commission reserving the right to reject any and all bids.

Section 26. The School Building Commission in each school district shall supervise, or cause to be supervised by some one or more of its employees, the school construction program in such school district.

Section 27. The Secretary of the State Board of Education or a person designated by him shall be the Secretary of each of said School Building Commissions, except the School Building Commission in the City of Wilmington, and as such Secretary

he shall be the accountant of such School Building Commission. The School Building Commission shall cause such secretary to inaugurate and maintain a system of accounting which shall show in detail the expenditures of the School Building Commission, the cost of school construction, and such other details as the State Board of Education may from time to time require. Each School Building Commission shall have power to employ an engineer or engineers, an architect or architects, and such other employees as it shall deem essential to the proper and expeditious performance of its duties under this Act, to fix their salaries and length of service, and to dismiss them for any cause which it shall deem sufficient.

Section 28. Any School Building Commission may require a bond from any of its employees and any person contracting for school construction.

Section 29. All bills for the expenses of the School Building Commission of any school district for carrying out the school construction program of such school district under this Act, except the City of Wilmington, must be marked "approved", and such approval must be signed by the chairman or vice-chairman of such School Building Commission and attested by the Secretary or acting secretary of such Commission.

Section 30. The School Building Commission of each School district, except the City of Wilmington, shall, when and as funds are required (and not until then) for the payment of the expenses of carrying out the school construction program in such school district contemplated by this Act, including expenses of engineers, architects and other employees of such School Building Commission, draw warrants on the State Treasurer for the moneys required, which warrants shall be signed by the chairman or vice-chairman and attested by the secretary or acting secretary of such School Building Commission; such warrants shall be delivered to the State Auditor of Accounts, who shall thereupon deliver them to the State Treasurer, and the State Treasurer shall pay the same. In paying warrants as aforesaid the State Treasurer shall be governed by the certificate of the State Board of Education made as hereinbefore provided as to the cost of the School construction program in such school district and as to what portion of such cost shall be paid out of

the moneys hereby appropriated as the State's share of such cost and what portion thereof shall be paid out of the local share of the cost.

Section 31. The carrying out of school construction programs in the City of Wilmington shall be within the exclusive jurisdiction of the Board of Public Education in Wilmington. Said Board of Public Education in Wilmington is authorized and empowered to make all contracts and to do all things necessary or proper for the purpose of carrying out such construction programs in the City of Wilmington; provided that the cost thereof to be paid under this Act shall not exceed in the aggregate the total of the State share certified by the State Board of Education pursuant to Sections 17 and 18 of this Act and the local share deposited pursuant to Section 14 of this Act by the Board of Public Education in Wilmington; and provided further that all of the provisions of Sections 16, 17, and 18 of this Act relating to school construction programs shall apply to the school construction programs in the City of Wilmington.

Section 32. The Board of Public Education in Wilmington shall, when and as funds are required (and not until then) for the payment of the cost of school construction programs in the City of Wilmington carried out under the provisions of this Act, draw warrants on the State Treasurer for the moneys required, which warrants shall be signed by its president or vice-president and attested by its secretary or acting secretary; such warrants shall be delivered to the State Auditor of Accounts, who shall thereupon deliver them to the State Treasurer, and the State Treasurer shall pay the same out of the moneys made available for said purpose under the provisions of this Act.

Section 33. The Board of Public Education in Wilmington shall keep accurate detailed accounts of the cost of all school construction in the City of Wilmington under the provisions of this Act and of all moneys expended therefor. Such accounts shall be deemed to be public records.

Section 34. Whenever lands shall be required for school construction under this Act in the City of Wilmington, the Board of Public Education in Wilmington is authorized to select

and acquire such land. And whenever land shall be required for the carrying out of any school construction for any special school district outside of the City of Wilmington, the School Building Commission of such special school district is authorized to select and acquire such land. And whenever land shall be required for school construction under this Act in any other school district in this State the local School Building Commission is authorized to acquire such land.

Such land may be acquired by contract with the owner or owners thereof at a fair value or by condemnation proceedings instituted by the appropriate official body, but such condemnation proceedings shall not be instituted against any land, building, franchise, easement or other property of a public utility used by it in providing its service to the public.

The cost of such lands shall be deemed to be part of the cost of such school construction.

The title to any such lands acquired in any manner whatever shall be a fee simple title and shall be vested in the State Board of Education, except that the title to lands so acquired in the City of Wilmington or in any special school district shall be vested in the Board of Public Education in Wilmington or in the Board of Education of such special school district, as the case may be.

Section 35. Condemnation proceedings to acquire land as aforesaid in any case where such land cannot for any reason be acquired by contract with the owner or owners thereof for a fair or reasonable consideration may be instituted by the appropriate official body under the provisions of Section 2303, Title 14, Delaware Code.

Section 36. The funds appropriated and apportioned by this Act for particular school districts shall be in addition to and not in lieu of any funds which may be made available for any of the named school districts by a Supplementary School Building Program Act of 1955 or any other Act of the General Assembly.

Section 37. If any clause, sentence, section, provision or part of this Act shall be adjudged to be unconstitutional or in-

valid for any reason by any court of competent jurisdiction, such judgment shall not impair, invalidate or effect the remainder of this Act, which shall remain in full force and effect.

Section 38. This Act shall be known as the School Building Program Act of 1955.

Approved November 8, 1955.

CHAPTER 530

OLD AGE ASSISTANCE AND CHILD WELFARE SERVICE

AN ACT AUTHORIZING THE EXPENDITURE FOR CHILD WELFARE SERVICE OF CERTAIN FUNDS APPROPRIATED TO THE STATE BOARD OF WELFARE FOR OLD AGE ASSISTANCE.

WHEREAS, the 118th General Assembly has by various Acts appropriated to the State Board of Welfare for each of the fiscal years ending June 30, 1956, and June 30, 1957, the sum of \$258,000 for Child Welfare Service, Direct Care, and the sum of \$381,000 for Old Age Assistance; and

WHEREAS, the Board of Welfare has notified the members of the General Assembly that the appropriation for Old Age Assistance is greater than the expected need by about \$81,000 per year, while an additional \$80,000 per year may be used advantageously for Child Welfare Service; NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Board of Welfare is hereby authorized and empowered to expend for Child Welfare Service, Direct Care, in each of the fiscal years ending June 30, 1956, and June 30, 1957, a sum not exceeding \$80,000 of the moneys appropriated to the Board of Welfare by Acts of the 118th General Assembly for Old Age Assistance, anything contained in the Acts appropriating said moneys to the contrary notwithstanding.

Approved November 8, 1955.

CHAPTER 531

APPROPRIATION

STATE BOARD OF WELFARE

**AN ACT APPROPRIATING CERTAIN FUNDS TO THE STATE
BOARD OF WELFARE FOR AID TO THE DISABLED.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is hereby appropriated to the State Board of Welfare for each of the fiscal years ending June 30, 1956, and June 30, 1957, the sum of Thirty Thousand Five Hundred Dollars (\$30,500) to be used for Aid to the Disabled.

Section 2. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved November 8, 1955.

CHAPTER 532

TRAFFIC LIGHT FOR MINQUADALE FIRE COMPANY

AN ACT TO REQUIRE THE STATE HIGHWAY DEPARTMENT TO INSTALL A TRAFFIC LIGHT CONTROL FOR THE MINQUADALE FIRE COMPANY, INC., AT MINQUADALE, NEW CASTLE COUNTY, DELAWARE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Highway Department is hereby authorized and directed to install a traffic light control in the Fire Hall of the Minquadale Fire Company, Inc., at Minquadale, New Castle County, Delaware, which will, when operated, instantly cause the traffic lights on the duPont Highway nearest to the said Fire Hall to turn red for all traffic and stay red for a period of two minutes before returning to their normal operation.

Section 2. There is hereby appropriated to the State Highway Department the sum of \$650.00 for the sole purpose of installing the aforesaid traffic light control. Such sum shall be paid by the State Treasurer out of the General Fund from money not otherwise appropriated. Any portion of the said sum of \$650.00 which shall remain unused after the installation of the aforementioned control shall revert to the General Fund.

Approved November 8, 1955.

CHAPTER 533

RELATING TO STATE JUDICIARY PENSIONS

AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, (APPROVED MAY 18, 1955) BY CHANGING, FOR THE PURPOSE OF PROVIDING PENSIONS FOR ITS MEMBERS, THE MEANING AND COMPOSITION OF "THE STATE JUDICIARY"; BY CHANGING THE METHOD OF DETERMINING THE AMOUNT OF PENSION OF A RETIRING MEMBER THEREOF BY INCLUDING IN HIS YEARS OF SERVICE ALL YEARS SERVED AS A JUDGE PRIOR AND SUBSEQUENT TO HIS BECOMING, AS A RESULT OF THIS ACT, A MEMBER OF THE STATE JUDICIARY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 29, Delaware Code, is amended by striking out § 5603 and enacting in lieu thereof a new § 5603, as follows:

§ 5603. State Judiciary; meaning; composition; requirements for pension benefits

(a) The term "State Judiciary" wherever used in this Chapter and for the purposes of this Chapter means the aggregate number of Judges who, at any given time, meet all the requirements and possess all the qualifications set forth herein.

For the purposes of this Chapter, any Judge is a member of the State Judiciary who:

1. Was appointed by the Governor and confirmed by the Senate; and
2. Now does or may hereafter receive his entire remuneration as Judge in the form of a salary paid by the State of Delaware; and
3. Presides over a Court of Record; and

4. Is prohibited by law, during his tenure of office, from engaging in the private practice of law or from engaging in any other gainful occupation or political activity.

Each member of the State Judiciary who shall accept the provisions of this Chapter shall, upon his involuntary retirement from the State Judiciary after serving at least twelve years as a Judge, receive an annual pension from the State, payable to him in equal monthly installments, commencing when he has attained the age of 65 years, or commencing upon involuntary retirement in case he has reached the age of 65 years prior to such retirement, and continuing during the remainder of his lifetime.

(b) Each member of the State Judiciary who shall accept the provisions of this Chapter shall, upon his retirement from the State Judiciary, whether voluntary or involuntary, after serving at least 24 years as a Judge, or after having reached the age of 72 years and having served at least 12 years as a Judge, receive an annual pension from the State, payable to him in equal monthly installments, commencing upon the date of retirement and continuing during the remainder of his lifetime.

(c) If a member of the State Judiciary shall become permanently disabled, physically or mentally, while in office, he shall, from and after the ascertainment of such incapacity in the manner hereafter set forth, receive an annual pension from the State, payable in equal monthly installments during the remainder of his lifetime. A member of the State Judiciary may be deemed to be permanently physically or mentally incapacitated to perform the duties of his office after the Trustees have considered a certificate to that effect signed by the Chief Justice of the Supreme Court, or if the Chief Justice shall be the subject of such certificate then by the Senior Justice of the Supreme Court, and by three persons duly licensed to practice medicine or surgery in this State who have been actively engaged in such practice in this State for at least ten (10) years immediately preceding the signing of such certificate; said three persons to be previously designated by the Trustees.

Section 2. Title 29, Delaware Code, is further amended by striking out § 5604 and enacting in lieu thereof a new § 5604 as follows:

§ 5604. Amount of pensions; method of determining

The amount of the annual pensions shall be determined by first arriving at the retiring member's average annual compensation during his highest paid five consecutive years for his services as a Judge and multiplying this by two percent (2%), and then multiplying the product thus obtained by the total number of years of service as a Judge (including fractions of years), including all years of service of the retiring Judge both prior and subsequent to his becoming a member of the State Judiciary and both prior and subsequent to his filing a declaration of acceptance of the provisions of this Chapter in accordance with § 5606 hereof.

Section 3. Title 29, Delaware Code, is further amended by striking out § 5606 and enacting in lieu thereof a new § 5606 as follows:

§ 5606. Acceptance of provisions; result

(a) Each new member of the State Judiciary, whether by appointment and confirmation or as a result of this Act, may accept the provisions of this Chapter by written declaration to that effect within 30 days following his becoming a member of the State Judiciary. The declaration of acceptance shall be filed in the office of the Secretary of State. Upon the filing of such written declaration by a member of the State Judiciary, the benefits of this Chapter shall be available to him. Any Judge who was, prior to the approval of this Act, a member of the State Judiciary, who has not already done so, may file his written declaration of acceptance of the provisions of this Chapter within 30 days after this Act becomes law.

(b) Any declaration of acceptance of this Chapter as hereinbefore provided shall constitute an authorization and direction by the member of the State Judiciary making the same that if a certificate of permanent physical or mental incapacity of such member shall be thereafter filed as provided for in § 5603 (c) of this Chapter, such certificate shall, without any further act by such member, be deemed to constitute a resignation by such member, effective immediately after the filing of such

certificate. A declaration of acceptance shall also authorize deductions for the contributions provided for in § 5602 of this Chapter.

Approved November 8, 1955.

CHAPTER 534

CHANGING NAME OF DELAWARE COLONY

AN ACT TO AMEND CHAPTER 55, TITLE 16, DELAWARE CODE, BY CHANGING THE NAME OF THE DELAWARE COLONY FOR THE FEEBLE MINDED AT STOCKLEY TO "HOSPITAL FOR THE MENTALLY RETARDED AT STOCKLEY, DELAWARE".

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 55, Title 16, Delaware Code, is amended by striking out the phrases "Delaware Colony for the Feeble Minded at Stockley", and "Delaware Colony", and the word "Colony" wherever the same appear therein and substituting in lieu thereof the following words "Hospital for the Mentally Retarded at Stockley, Delaware".

Section 2. Chapter 55, Title 16, Delaware Code, is amended by striking out the words "feeble minded" wherever the same appear therein and substituting the words "mentally retarded".

Approved November 8, 1955.

CHAPTER 535

APPROPRIATION

DELAWARE VETERANS' MILITARY PAY COMMISSION

AN ACT TO APPROPRIATE FUNDS TO THE DELAWARE VETERANS' MILITARY PAY COMMISSION TO PAY CERTAIN VALID CLAIMS OF VETERANS OF WORLD WAR II WHICH ARE BARRED BY THE LAPSE OF TIME.

WHEREAS some Veterans of World War II, who are entitled to receive payment under Chapter 1, Volume 47, Laws of Delaware, did not receive that payment solely because they did not file a claim in time, and

WHEREAS the Commission left in the State Treasury unused \$1,000,000.00 of allotted funds and in addition turned back over \$78,000.00 and

WHEREAS it is felt that those who served their Country and their State should not be deprived of their bonus payment solely because they did not file in time

Now Therefore:

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That the Delaware Veterans' Military Pay Commission as reactivated by House Bill No. 629 as passed by the 118th General Assembly of the State of Delaware is hereby authorized and directed to make payments to those Veterans who were eligible under the terms of Chapter 1, Volume 47, Laws of Delaware, but were barred solely by the failure to file by January 1, 1951 or because processing had not been completed by June 30, 1951, provided however that each claimant so claiming must file such a claim with the Delaware Veterans' Military Pay Commission before January 30, 1957.

Section 2. The sum of \$90,000.00 is hereby appropriated to the Delaware Veterans' Military Pay Commission for the purposes of payments to Veterans under this Act and for the Purpose of defraying expenses incurred in the administration of this Act. All money not used by January 30, 1957 shall revert to the General Fund of the State of Delaware at that time.

Section 3. This Act is a Supplementary Appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware from monies not otherwise appropriated.

Approved November 8, 1955.

CHAPTER 536

RECORDING FEES IN KENT AND SUSSEX COUNTIES

AN ACT TO AMEND CHAPTER 96, TITLE 9, DELAWARE CODE, WITH RESPECT TO RECORDING FEES IN KENT AND SUSSEX COUNTIES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 9618, Title 9, Delaware Code, is hereby amended by adding at the end thereof the following two paragraphs:

For filing conditional sale contract and entering
required information \$1.75

For noting satisfaction of conditional sale contract,
to be paid when contract is filed \$.25

Approved November 14, 1955.

CHAPTER 537

AUTHORIZING BOND ISSUE FOR MOUNT PLEASANT
SCHOOL DISTRICT

AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF THE MOUNT PLEASANT SPECIAL SCHOOL DISTRICT TO BORROW A SUM OF MONEY UPON THE FAITH AND CREDIT OF THE SCHOOL DISTRICT FOR THE PURPOSE OF PURCHASING LAND UPON WHICH A HIGH SCHOOL IS TO BE CONSTRUCTED.

WHEREAS the Board of Education of the Mount Pleasant Special School District has obtained an option agreement to purchase a tract of land within the school district on which to build a high school; and

WHEREAS in accordance with the prior approval of the Board of Education of the State of Delaware, the Board of Education of the Mount Pleasant Special School District has expended the sum of Five Thousand Dollars (\$5,000.00) as consideration for the option agreement that contains terms favorable to the said Special School District; and

WHEREAS funds required to purchase the said land under the option agreement are authorized under legislation now pending before the General Assembly but the benefit of the option agreement and the consideration expended therefor will be lost unless funds are made available promptly; NOW, THEREFORE,

Be it enacted by the 118th General Assembly of the State of Delaware:

Section 1. Anything in the Delaware Code of 1953 and acts amendatory thereof notwithstanding the Board of Education of the Mount Pleasant Special School District is authorized and empowered to borrow sums totaling not more than One Hundred Twenty-Five Thousand Dollars (\$125,000.00) and to pledge the full faith and credit of the school district to the repayment of the said sums.

Approved November 15, 1955.

CHAPTER 538

RELATING TO PUBLIC ASSISTANCE

AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE, RELATIVE TO APPROPRIATIONS BY THE COUNTIES FOR GENERAL ASSISTANCE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 513 (c), Chapter 5, Title 31, Delaware Code, is amended to read as follows:

(c) The cost of General Assistance shall be a charge against the counties of the State and apportioned according to the number of recipients from each county.

For the purpose of providing General Assistance under this chapter the Levy Court of each county shall appropriate for each fiscal year an amount equal to the estimated needs in that county for this category of assistance as determined by the Department of Public Welfare.

The Department shall furnish the Levy Court of each county with an estimate of needs for each fiscal year not later than two months prior to the beginning of each fiscal year. The Department shall furnish the Levy Court of each county supplementary estimates of need not later than 30 days prior to the beginning of each fiscal year quarter to enable each county to meet any changing conditions not foreseen in the annual estimate.

The Receiver of Taxes and County Treasurer of each county shall pay into the State Public Welfare Fund on or before the first day of each month an amount equal to one-third of the estimated needs for the fiscal year quarter as set forth in the quarterly estimate submitted by the Department.

Each quarterly estimate prepared for each county by the Department shall set forth actual expenditures for the preceding quarter and compensating adjustments shall be made in

the estimated needs for the future quarter either increasing or decreasing estimated needs for the future quarter, thus maintaining county fund requirements on a current basis.

The Treasurer of each county shall be furnished by the Department a listing by name, address, and amount paid, of each recipient eligible for General Assistance each month, as well as a detailed statement of administrative costs chargeable to the individual county, such lists to be used for the purposes of this chapter only and information from them to be disclosed solely for purposes directly connected with the administration of assistance.

The State shall monthly reimburse each county to the extent of one-half the amount expended by the county for General Assistance grants and administration allocable to that county.

The estimated amount of the State's portion shall be included in the annual appropriations made by the General Assembly.

If, at any time, there would be a deficit in the funds required to be provided by the Levy Court of any county for General Assistance, chargeable to the county, such deficit shall be paid out of the State Treasury upon requisition of the Department and shall be deducted by the State Treasurer from the amount to be paid to the county in reimbursement of the amount expended by it, as provided in this section.

Approved December 1, 1955.

CHAPTER 539

APPROPRIATION

BOARD OF POST MORTEM EXAMINERS

AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF POST MORTEM EXAMINERS TO PROVIDE FOR ALL EXPENSES OF THE OFFICE EXCLUSIVE OF THE SALARY OF THE STATE MEDICAL EXAMINER.

WHEREAS, a Board of Post Mortem Examiners and the post of State Medical Examiner were created by the 118th General Assembly of the State of Delaware, and

WHEREAS, this act provided for the salary of the Medical Examiner but did not name an amount for expenses of the office, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of \$10,000 for the fiscal year ending June 30, 1956 and a like sum of \$10,000 for the fiscal year ending June 30, 1957 is appropriated to the Board of Post Mortem Examiners to take care of all expenses authorized by the Act creating the Board of Post Mortem Examiners, exclusive of the salary of the State Medical Examiner.

Section 2. This is a Supplementary Appropriation Act and the funds hereby appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved December 1, 1955.

CHAPTER 540

MILLSBORO

AN ACT TO AMEND CHAPTER 203, VOLUME 25, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 177, VOLUME 36, LAWS OF DELAWARE, BY EMPOWERING THE TOWN OF MILLSBORO TO ESTABLISH AND ADMINISTER PENSION OR RETIREMENT FUNDS FOR TOWN POLICE AND OTHER MUNICIPAL EMPLOYEES.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members elected to each Branch thereof concurring therein):

Section 1. Section 4, Chapter 203, Volume 25, Laws of Delaware, as amended by Chapter 177, Volume 36, Laws of Delaware, is further amended by adding a new paragraph at the end thereof to read as follows:

To enact ordinances to establish pension or retirement funds for the police or other municipal employees or both of the Town of Millsboro, and to set aside special funds for those purposes which shall be administered in accordance with ordinances made and provided in that behalf and the laws of the State of Delaware.

Approved December 1, 1955.

CHAPTER 541

INCREASING SALARY OF KENT COUNTY RECEIVER
OF TAXES AND COUNTY TREASURERAN ACT TO AMEND CHAPTER 84, TITLE 9 OF THE DELA-
WARE CODE RELATING TO THE SALARY OF THE
RECEIVER OF TAXES AND COUNTY TREASURER OF
KENT COUNTY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 8405 (2), Title 9 of the Delaware Code is amended by striking out the figures "\$2400" as they appear therein and by inserting in lieu thereof the figures "\$4000".

Section 2. This Act shall not take effect until the expiration of the term of office of the Receiver of Taxes and County Treasurer of Kent County who was elected at the general election held in the year 1954.

Approved December 1, 1955.

CHAPTER 542

APPROPRIATION

UNIVERSITY OF DELAWARE SCHOLARSHIPS

AN ACT TO APPROPRIATE FUNDS TO THE UNIVERSITY OF DELAWARE FOR THE PURPOSE OF ESTABLISHING SCHOLARSHIPS AT THE UNIVERSITY OF DELAWARE TO BE AWARDED TO STUDENTS DESIROUS OF ENTERING THE TEACHING PROFESSION.

WHEREAS a scholarship fund to the amount of \$10,000. per year has been enacted and re-enacted by past sessions of the General Assembly of Delaware, and

WHEREAS students are now enrolled in the University of Delaware with assistance derived from these past enactments; and

WHEREAS the current fund will by law expire, unless re-enacted on June 30, 1955; and

WHEREAS the necessary supply of teachers is not now available through the University of Delaware for supplying the school Districts of Delaware and consequently it is necessary to increase the number of students afforded an opportunity to study toward the teaching profession at the University of Delaware; and

WHEREAS the University of Delaware has used monies from other scholarship funds to assist the teacher training scholarships program; and

WHEREAS to meet expanding needs and enrollment additional sums are needed, NOW THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The amount of twenty-one thousand dollars (\$21,000.00) is hereby appropriated to the University of Dela-

ware for the fiscal year beginning July 1, 1955 and the amount of twenty-one thousand dollars (\$21,000.00) for the fiscal year beginning July 1, 1956 for use as teacher-training scholarships.

Section 2. The scholarships herein provided for shall not be for any fixed amount per student but shall be made available to students upon a basis of economic need, academic achievement and general citizenship.

Section 3. The scholarships herein provided for shall be administered in the University of Delaware by the General University Student Aid Program.

Section 4. Scholarship grants shall be for one year or semester and renewal shall be contingent upon application by the student and upon the same qualifications for which the scholarship was first granted to the student.

Section 5. 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 December 1, 1955.

CHAPTER 543

APPROPRIATION

DELAWARE COMMISSION FOR THE BLIND

**AN ACT APPROPRIATING MONEY TO THE DELAWARE
COMMISSION FOR THE BLIND FOR DIRECT PAY-
MENTS TO THE NEEDY BLIND OF THE STATE OF
DELAWARE.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. There is hereby appropriated to the Delaware Commission for the Blind the sum of Seven Thousand Dollars (\$7,000) for the fiscal year beginning July 1, 1955, and ending June 30, 1956; and the sum of Seven Thousand Dollars (\$7,000) for the fiscal year beginning July 1, 1956 and ending June 30, 1957, to be used as direct financial aid to the needy blind of the State of Delaware.

Section 2. 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 December 1, 1955.

CHAPTER 544

REORGANIZATION OF DELAWARE MEMORIAL
BRIDGE DIVISION

AN ACT TO AMEND CHAPTER 3, TITLE 7, DELAWARE CODE ENTITLED "THE DELAWARE MEMORIAL BRIDGE" AS AMENDED BY CHAPTER 492 VOLUME 50 LAWS OF DELAWARE (SENATE SUBSTITUTE NO. 1 FOR SENATE BILL NO. 472 AS AMENDED) BY REORGANIZING AND RECONSTITUTING THE DELAWARE MEMORIAL BRIDGE DIVISION OF THE STATE HIGHWAY DEPARTMENT AS THE DELAWARE INTERSTATE HIGHWAY DIVISION AND BY THE APPOINTMENT OF THE MEMBERS THERETO.

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

Section 1. That Chapter 3, Title 7, Delaware Code as amended by Chapter 492 Volume 50 Laws of Delaware (Senate Substitute No. 1 for Senate Bill 472, as amended) be and the same is further amended by striking out and repealing Section 2 of Chapter 492, Volume 50 Laws of Delaware (Senate Substitute No. 1 for Senate Bill No. 472) and enacting and inserting in lieu thereof a new Section 2 as follows:

Section 2. The Delaware Interstate Highway Division shall consist of three members, composed of a Director, who shall be the presiding officer of the Division and two associate members, any or all of whom may be members of the State Highway Department. There is hereby appointed, viz. Garrett E. Lyons, Director of said Division, Leroy F. Hawke, associate member of said Division and J. Henry Topkis, associate member of said Division, to serve until July 27, 1959. In the event of a vacancy resulting from death, resignation or disqualification of the Director or of an associate member named herein, such vacancy shall be filled for the unexpired term by a person to be selected by the remaining members of The Delaware Interstate Highway Division. Thereafter, upon the expiration of the term of any such appointee a successor shall be appointed by the State Highway Department for a term of four (4) years, and in the

event of a vacancy for any cause at any time thereafter it shall be filled in like manner but only for the unexpired term. No more than two members shall be affiliated with the same political party. All appointments shall continue until the successors have been qualified. Any persons appointed to the Division may be appointed to succeed himself. The Director and associate members shall serve without compensation, but shall receive their actual expenses incurred while engaged in the affairs of the Division. The Secretary of the State Highway Department shall be Secretary of the Division provided however that the said Secretary may appoint a deputy to act in his stead. The Chief Engineer of the State Highway Department shall be Chief Engineer of the Division provided however that the said Chief Engineer may appoint a deputy to act in his stead. The Division shall have power to establish by-laws, rules and regulations for its own government and procedure, and to make and enter into all contracts and agreements deemed necessary or incident to the performance of its duties and the exercise of the powers conferred by the laws of this State. The Division may employ engineers, financial advisers, attorneys and all other persons deemed necessary for the performance of its duties and the execution of its powers, and may prescribe the duties and fix the compensation of all such agents or employees.

NOTE: This bill became a law on December 5, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 545

DEPARTMENT OF ELECTIONS FOR NEW CASTLE
COUNTY

AN ACT TO REPEAL THE ACT OF MAY 18, 1955, ENTITLED "AN ACT AMENDING CHAPTER 1, TITLE 15, OF THE DELAWARE CODE BY ABOLISHING THE PRESENT DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY AND CREATING A NEW DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY", WHICH ACT WAS DENOMINATED SENATE BILL NO. 255, AS AMENDED; TO RATIFY THE ACTS OF THE BOARD OF ELECTIONS FOR NEW CASTLE COUNTY APPOINTED PURSUANT TO THE ACT OF MAY 18, 1955, AFORESAID AND TO AMEND CHAPTER 1, TITLE 15 OF THE DELAWARE CODE BY INCREASING THE MEMBERSHIP OF THE DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY AND APPOINTING SEVEN PERSONS TO FILL THE VACANCIES THEREBY CREATED AND PRESENTLY EXISTING AND TO FURTHER AMEND SAID CHAPTER 1, TITLE 15 OF THE DELAWARE CODE BY CHANGING THE ORGANIZATION DATE OF THE DEPARTMENT.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The Act of May 18, 1955 Entitled "An Act Amending Chapter 1, Title 15 of the Delaware Code by Abolishing the Present Department of Elections for New Castle County and Creating a New Department of Elections for New Castle County" is hereby repealed, and the Department of Elections for New Castle County created by 15 Del. C. § 103, as said section appeared before the enactment of the Act of May 18, 1955, aforesaid, is re-established and restored as if said Act of May 18, 1955, had never been enacted.

Section 2. Any and all Acts performed by the Department of Elections created by the Act of May 18, 1955, are hereby ratified and affirmed.

Section 3. 15 Del. C. § 103 is amended by striking out after the words "consist of" in the second line of subsection (a) thereof all the remaining provisions of 15 Del. C. § 103 and inserting in lieu thereof the following:

17 members. The members heretofore appointed by the Governor and confirmed by the Senate, and serving unexpired terms, shall continue to be members of said Department until the expiration of their terms of office as follows:

Wayne C. Brewer, until April 1, 1959
James P. Broomall, until April 1, 1959
Harry E. Vincent, until April 1, 1959
Mrs. Hannah Buckley, until July 1, 1959
Robert A. Groves, until April 1, 1959
Ambrose McAlevy, until July 1, 1959
Robert L. Meli, until July 1, 1959
Leon H. Ryan, until April 1, 1959
Edward Slaughter, until August 10, 1959
George I. Sylvester, Jr., until July 1, 1959

There is hereby appointed, in addition to the present members heretofore appointed by the Governor, confirmed by the Senate, and serving unexpired terms as aforesaid, seven additional members, to serve until October 1, 1961, viz:

Fred Heinold
Carl J. Scott
Leslie Ford
Sigmund Schorr
William McClafferty
Martin Devine
Joseph Grabowski

(b) Each of the two principal political parties shall at all times be represented by at least seven members of the Department.

(c) Upon the expiration of the term of any member of the Department, the Governor shall appoint a successor for a term of six years from the date of the expiration of the term of his predecessor.

Section 4. 15 Del. C. § 109 is amended by striking the words "fourth Monday in April" as they appear in the first line thereof, and substituting the words "first Monday in November".

NOTE: This bill became a law on December 5, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 546

DEPARTMENT OF ELECTIONS FOR KENT COUNTY

AN ACT TO REPEAL THE ACT OF THE 118TH GENERAL ASSEMBLY DESIGNATED AS HOUSE BILL NO. 405, AS AMENDED; TO RATIFY THE ACTS OF THE DEPARTMENT OF ELECTIONS FOR KENT COUNTY APPOINTED PURSUANT TO SAID HOUSE BILL NO. 405, AS AMENDED, AND TO AMEND CHAPTER I, TITLE 15 OF THE DELAWARE CODE BY INCREASING THE MEMBERSHIP OF THE DEPARTMENT OF ELECTIONS FOR KENT COUNTY AND APPOINTING FIVE PERSONS TO FILL THE VACANCIES THEREBY CREATED

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The act of the 118th General Assembly designated as House Bill No. 405, as amended, is hereby repealed, and the Department of Elections for Kent County created by Section 104, of Title 15, Delaware Code, is re-established and restored as if said House Bill No. 405 had never been enacted.

Section 2. Sections 101 and 106 of Title 15 are restored and re-enacted as if said House Bill No. 405 had never been enacted.

Section 3. Section 104 (a) of Title 15, Delaware Code, is amended by inserting the words, "except as hereinafter provided" in line 4 at the end of the first sentence of said Section 104 (a), of Title 15, Delaware Code.

Section 4. Section 104 (a), of Title 15, Delaware Code, is amended by the following words at the end thereof:

In addition to the 3 members appointed by the Governor to the Department of Elections for Kent County, five additional members are appointed herewith, to serve until July 1, 1959, viz:

W. Frank Hazel
L. Winfred Hughes
Roland Wilkinson, Sr.
George B. Vincent, Jr.
J. Harry Latchum

Each of these additional members shall have the same rights, privileges and duties as a member of the Department of Elections for Kent County as the members appointed by the Governor pursuant to Section 104 (a), of Title 15, Delaware Code.

Section 5. Each and every act of the Department of Elections for Kent County created by the aforementioned House Bill No. 405, as amended, is hereby ratified and affirmed.

NOTE: This bill became a law on December 5, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 547

DELAWARE ALCOHOLIC CONTROL COMMISSION

AN ACT PERTAINING TO ALCOHOLIC LIQUORS AND PROVIDING FOR THE REORGANIZATION, COMPOSITION, MEMBERSHIP AND POWERS OF THE COMMISSION CALLED THE "DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION", FOR THE RATIFICATION OF THE ACTS OF THE COMMISSION CREATED BY CHAPTER 393 OF VOLUME 50 LAWS OF DELAWARE, REPEALING SAID CHAPTER 393 OF VOLUME 50 LAWS OF DELAWARE AND ABOLISHING THE OFFICES THEREIN CREATED, AND AMENDING CHAPTER 3 OF TITLE 4 OF THE DELAWARE CODE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 393 of Volume 50 Laws of Delaware (Senate Bill No. 286, as amended, of the 118th General Assembly) is hereby repealed. The Delaware Alcoholic Beverage Control Commission and the offices of members of The Delaware Alcoholic Beverage Control Commission created by said Chapter 393 of Volume 50 Laws of Delaware are hereby abolished.

Section 2. All acts, actions and decisions of The Delaware Alcoholic Beverage Control Commission created by Chapter 393 of Volume 50 Laws of Delaware; all acts, actions and decisions of the members of The Delaware Alcoholic Beverage Control Commission created by said chapter; and all discretions and judgments exercised by The Delaware Alcoholic Beverage Control Commission and the members thereof, as recorded or reflected in the minutes or other records of the Commission, are hereby ratified, confirmed, approved and declared to be valid and effective acts, actions, decisions and judgments of such Commission and the members thereof: provided, however, that nothing contained in this section shall be deemed to deprive or in any way limit or affect the right which any person may have under law to appeal from any order or decision of such Commission.

Section 3. § 301 of Title 4 of the Delaware Code is amended to read as follows:

§ 301. Name; composition; qualifications; appointment; term; compensation; vacancy; quorum

(a) The Delaware Liquor Commission that existed on June 29, 1955 is reestablished and continued with all of the powers, duties and property that it had on that date. The name of such Commission is changed to "Delaware Alcoholic Beverage Control Commission".

(b) The Commission shall consist of five members, two of whom shall be residents of New Castle County, one of whom shall be a resident of Kent County, one of whom shall be a resident of Sussex County, and one of whom shall be a member-at-large resident at any place in the State. No more than three members of the Commission shall belong to the same political party. Each member of the Commission shall be when appointed a citizen of the United States, a qualified voter of the State of Delaware, and a resident of the State of Delaware for at least three years preceding the date of his appointment. Each member of the Commission appointed from a county of the State shall during his term of office be a resident of that county.

(c) George J. Schulz, who was the sole member of the Commission on June 29, 1955, shall continue to be and is hereby appointed a member of the Commission as member-at-large until the expiration of the term of office to which he was last appointed by the Governor. There are hereby appointed, as additional members of the Commission, the following persons, viz.: J. Edward Truitt of New Castle County for a term expiring on May 15, 1959; T. Brinton Holloway of Kent County for a term expiring on May 15, 1960; Isaac Leroy Smith of Sussex County for a term expiring on May 15, 1961; and John M. Conway of New Castle County for a term expiring on May 15, 1962.

(d) Upon the expiration of the term of any member, the Governor, by and with the consent of a majority of the members elected to the Senate, shall appoint a successor for a term of five years from the date of expiration of the term of his prede-

cessor. No appointment of a member to succeed a member whose term of office has expired shall be complete or effective unless and until the nominee has been confirmed by the Senate.

(e) In case of a vacancy in the Commission for any reason other than the expiration of the term of office, the remaining members of the Commission shall fill such vacancy for the unexpired term by selecting a properly qualified person.

(f) Each member of the Commission shall receive compensation at the rate of \$25.00 for each meeting of the Commission attended by him plus his travel expenses. Meetings for which compensation shall be paid to each member shall not exceed twenty-four in number in any one year.

(g) Three members of the Commission shall constitute a quorum. A majority of the members present at any meeting and constituting a quorum shall be sufficient for any action by the Commission.

Section 4. The paragraph numbered "(9)" of § 304 of Title 4 of the Delaware Code is amended to read as follows:

(9) Appoint, employ or dismiss every officer or employee necessary for the carrying out of the work of the Commission, fix their salaries or remunerations, and assign them their official titles and duties, and engage the services of experts and of persons engaged in the practice of a profession. All officers and employees appointed by the Commission shall have the police powers of constables and other police officers of the State, counties and other subdivisions of the State and they shall be conservators of the peace throughout the state and may suppress all acts of violence and enforce the provisions of this title.

NOTE: This bill became a law on December 5, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 548

REORGANIZATION OF STATE HIGHWAY DEPARTMENT

AN ACT PERTAINING TO THE STATE HIGHWAY DEPARTMENT AND PROVIDING FOR ITS REORGANIZATION, COMPOSITION AND MEMBERSHIP, FOR THE RATIFICATION OF THE ACTS OF THE STATE HIGHWAY DEPARTMENT CREATED BY CHAPTER 268 OF VOLUME 50 LAWS OF DELAWARE, REPEALING SAID CHAPTER 268 OF VOLUME 50 LAWS OF DELAWARE AND ABOLISHING THE OFFICES THEREIN CREATED, AND AMENDING CHAPTER 1 OF TITLE 17 OF THE DELAWARE CODE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 268 of Volume 50 Laws of Delaware (Senate Bill No. 285, as amended, of the 118th General Assembly) is hereby repealed. The State Highway Department and the offices of members of the State Highway Department created by said Chapter 268 of Volume 50 Laws of Delaware are hereby abolished.

Section 2. All acts and actions of the State Highway Department created by Chapter 268 of Volume 50 Laws of Delaware and all acts and actions of the members of such State Highway Department created by such Chapter 268, as recorded or reflected in the minutes or other records of the Department, are hereby ratified, confirmed, approved and declared to be valid and effective acts and actions of the Department and the members thereof, including, without limiting the generality of the foregoing, the act or action of such Department and the members thereof in appointing Garrett E. Lyons as Director and Leroy F. Hawke and J. Henry Topkis as associate members of the Delaware Interstate Highway Division pursuant to Section 2 of Chapter 492 of Volume 50 Laws of Delaware (Senate Bill No. 472 of the 118th General Assembly).

Section 3. § 111 of Title 17 of the Delaware Code is amended to read as follows:

§ 111. Composition; appointment; term; qualifications; vacancy

(a) The State Highway Department that existed on June 8, 1955 is reestablished and continued with all of the powers, duties and property that it had on that date or which were thereafter conferred upon or acquired by the Department created by Chapter 268 of Volume 50 Laws of Delaware.

(b) The Department shall consist of twelve members. There shall be three resident members from each county and three members-at-large resident at any place in the State. No more than two resident members from any county and no more than eight members of the Department shall belong to the same political party. Each member of the Department shall be, when appointed, a citizen of the United States, a qualified voter of the State, and a resident of the State for at least three years preceding the date of his appointment. Each member of the Department appointed as a resident member from a county of the State shall during his term of office be a resident of that county. A member of the Department shall not be during his term of office a member of any state, county or district political committee.

(c) Upon the expiration of the term of any member of the Department, the Governor, by and with the consent of a majority of the members elected to the Senate, shall appoint a successor for a term of six years from the date of expiration of the term of his predecessor. No appointment of a member to succeed a member whose term of office has expired shall be complete or effective unless and until the nominee has been confirmed by the Senate.

(d) In case of a vacancy in the Department for any reason other than the expiration of the term of office, the remaining members of the Department shall fill such vacancy for the unexpired term by selecting a properly qualified person.

Section 4. § 114 of Title 17 of the Delaware Code is amended to read as follows:

§ 114. Quorum

A majority of the members of the Department shall constitute a quorum. A majority of the members present at any

meeting and constituting a quorum shall be sufficient for any action by the Department.

Section 5. § 116 (a) of Title 17 of the Delaware Code is amended by deleting from the first line thereof the commas and the words "at least 3 members concurring".

Section 6. § 118 of Title 17 of the Delaware Code is amended by deleting from the first line thereof the commas and the words "at least 3 members concurring".

Section 7. § 151 (b) of Title 17 of the Delaware Code is amended by substituting the words "two-thirds of the" for the figure "5" in the second line of said § 151 (b).

Section 8. The members of the Department who were serving as such on June 8, 1955 shall continue to be and are hereby appointed as members of the Department until the expiration of the respective terms of office to which they were last appointed by the Governor. Each of such persons is designated as a resident member of the Department for the County of his residence. There are hereby appointed, as additional members of the Department the following persons, viz:

Robert D. Thompson of Sussex County, for a term expiring on May 1, 1958, hereby designated as a member-at-large; Edward Kelly of Kent County, for a term expiring on May 1, 1959, hereby designated as a resident member for Kent County; Thurman Adams of Sussex County, for a term expiring on May 1, 1960, hereby designated as a resident member for Sussex County; Samuel J. Fox of Kent County, for a term expiring on May 1, 1961, hereby designated as a member-at-large; and Benjamin Ableman of New Castle County, for a term expiring on May 1, 1962, hereby designated as a member-at-large.

Section 9. On the first Monday after this Act becomes effective, at 3 o'clock P. M., the members of the Department shall convene at the offices of the Department at Dover. The members appointed by this Act shall present a certified copy of this Act and the same shall be accepted as sufficient evidence of their authority to hold the offices to which they were respective-

ly appointed by this Act. At such meeting the members shall elect one of their members to be chairman of the Department.

NOTE: This bill became a law on December 5, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 549

REORGANIZATION OF DEPARTMENT OF ELECTIONS
FOR SUSSEX COUNTY

AN ACT TO REPEAL THE ACT OF THE 118TH GENERAL ASSEMBLY DESIGNATED AS HOUSE BILL NO. 369, AS AMENDED: TO RATIFY THE ACTS OF THE DEPARTMENT OF ELECTIONS FOR SUSSEX COUNTY APPOINTED PURSUANT TO SAID HOUSE BILL NO. 369, AS AMENDED, AND TO AMEND CHAPTER 1, TITLE 15 OF THE DELAWARE CODE BY INCREASING THE MEMBERSHIP OF THE DEPARTMENT OF ELECTIONS FOR SUSSEX COUNTY AND APPOINTING TWO PERSONS TO FILL THE VACANCIES THEREBY CREATED.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The act of the 118th General Assembly designated as House Bill No. 369, as amended, is hereby repealed, and the Department of Elections for Sussex County created by Section 104, of Title 15, Delaware Code, is re-established and restored as if said House Bill No. 369 had never been enacted.

Section 2. Sections 102, 104 and 106 of Title 15 are restored and re-enacted as if said House Bill No. 369 had never been enacted.

Section 3. Section 104 (a) of Title 15, Delaware Code, is amended by inserting the words, "except as hereinafter provided" in line 4 at the end of the first sentence of said Section 104 (a), of Title 15, Delaware Code.

Section 4. Section 104 (a), of Title 15, Delaware Code, is amended by adding the following words at the end thereof:

In addition to the 3 members appointed by the Governor to the Department of Elections for Sussex County, two additional members are appointed herewith, to serve until July 1, 1959, viz:

J. Fred Miles
Donald Hickman

Each of these additional members shall have the same rights, privileges and duties as a member of the Department of Elections for Sussex County as the members appointed by the Governor pursuant to Section 104 (a), of Title 15, Delaware Code.

Section 5. Each and every act of the Department of Elections for Sussex County created by the aforementioned House Bill No. 369, as amended is hereby ratified and affirmed.

NOTE: This bill became a law on December 5, 1955 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

CHAPTER 550

**PERMITTING GENERAL ASSEMBLY MEMBERS TO DRAW
PENSIONS WHILE SERVING IN GENERAL ASSEMBLY****AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE
CODE, SO AS TO PERMIT MEMBERS OF THE GENERAL
ASSEMBLY TO CONTINUE TO DRAW A STATE PEN-
SION WHILE SERVING IN THE GENERAL ASSEMBLY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 5508, Title 29, Delaware Code, is amended by
adding the following sentence at the end thereof:

Nothing herein contained shall prevent a member of the
General Assembly from receiving any pension which he may
be entitled to under the provisions of this chapter and at the
same time receiving the compensation provided for by law for
members of the General Assembly.

Approved December 13, 1955.

CHAPTER 551

SMYRNA

AN ACT TO AMEND "AN ACT TO REINCORPORATE THE TOWN OF SMYRNA" AS AMENDED AND RELATING TO THE NUMBER AND TERM OF OFFICE OF THE MEMBERS OF THE TOWN COUNCIL, AND THE DUTIES AND POWERS OF THE ALDERMAN, AND THE FISCAL YEAR, AND THE POLICE AND JAIL, AND CONTRACTS TO BE ADVERTISED, AND THE POWER AND AUTHORITY OF COUNCIL TO BORROW MONEY.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members of each Branch thereof concurring therein):

Section 1. Chapter 166, Volume 41, Laws of Delaware, is amended by striking out the first paragraph of Section 3 and inserting in lieu thereof a new first paragraph of Section 3 which shall be as follows:

Section 3. MAYOR, COUNCIL, QUALIFICATIONS, TERM, NOMINATION AND ELECTION. The government of said Town and the exercise of all powers conferred (except as otherwise provided) shall be vested in a Mayor and in a Town Council composed of six (6) members, all seven of which officers shall be elected at large. The Mayor and members of Council shall be citizens of said Town at least twenty-one years of age and the owners of real estate within said Town duly assessed in their own names on the County and Town assessment lists in force when they are nominated. The term of the Mayor shall be two years and the terms of all Councilmen shall be three years from the last Tuesday in February following their respective election and until their respective successors shall be duly elected and qualified.

Section 2. Further amend Chapter 166, Volume 41, Laws of Delaware, by striking out the second paragraph of Section 3 and inserting in lieu thereof a new second paragraph of Section 3 which shall be as follows:

At the annual Town election on the last Monday in February in the year 1956, there shall be elected four members of council, two of said members whose terms shall be for two years to succeed the two members whose present terms will then expire, and two of said members whose terms shall be for three years; and at the annual Town election on the last Monday in February in the year 1957, there shall be elected a Mayor whose term shall be for two years to succeed the Mayor whose present term will then expire, two councilmen whose terms shall be for three years to succeed the councilmen whose present terms will then expire, and thereafter the successors of the Mayor whose term will expire at the election then held shall be elected for a term of two years and the successors of the two councilmen whose terms will expire at the election then held shall be elected for a term of three years each.

Section 3. Further amend Chapter 166, Volume 41, Laws of Delaware, by deleting the word "four" where the same appears in the first line of the third paragraph of Section 3 and by substituting in lieu thereof the word "six".

Section 4. Amend Chapter 192, Volume 36, Laws of Delaware, by deleting the words "provided, however, that he shall not impose any fine exceeding One Hundred Dollars, exclusive of costs, and shall not impose any jail sentence of more than five days, and shall have no jurisdiction in civil matters exceeding Five Hundred Dollars, exclusive of costs.", where the same appear in Section 7 under the title of Duties and Powers of Alderman.

Section 5. Amend Chapter 176, Volume 40, Laws of Delaware, by deleting the words "for any time not exceeding five days" where the same appear in Section 24 under the title of Police and Jail.

Section 6. Further amend Chapter 192, Volume 36, Laws of Delaware, by deleting the first sentence in Section 13 and substituting in lieu thereof a new first sentence which shall be as follows:

The fiscal year of the said Town shall begin the first day of January in each year and shall end with the next succeeding thirty-first day of December.

CHAPTER 551

SMYRNA

AN ACT TO AMEND "AN ACT TO REINCORPORATE THE TOWN OF SMYRNA" AS AMENDED AND RELATING TO THE NUMBER AND TERM OF OFFICE OF THE MEMBERS OF THE TOWN COUNCIL, AND THE DUTIES AND POWERS OF THE ALDERMAN, AND THE FISCAL YEAR, AND THE POLICE AND JAIL, AND CONTRACTS TO BE ADVERTISED, AND THE POWER AND AUTHORITY OF COUNCIL TO BORROW MONEY.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members of each Branch thereof concurring therein):

Section 1. Chapter 166, Volume 41, Laws of Delaware, is amended by striking out the first paragraph of Section 3 and inserting in lieu thereof a new first paragraph of Section 3 which shall be as follows:

Section 3. MAYOR, COUNCIL, QUALIFICATIONS, TERM, NOMINATION AND ELECTION. The government of said Town and the exercise of all powers conferred (except as otherwise provided) shall be vested in a Mayor and in a Town Council composed of six (6) members, all seven of which officers shall be elected at large. The Mayor and members of Council shall be citizens of said Town at least twenty-one years of age and the owners of real estate within said Town duly assessed in their own names on the County and Town assessment lists in force when they are nominated. The term of the Mayor shall be two years and the terms of all Councilmen shall be three years from the last Tuesday in February following their respective election and until their respective successors shall be duly elected and qualified.

Section 2. Further amend Chapter 166, Volume 41, Laws of Delaware, by striking out the second paragraph of Section 3 and inserting in lieu thereof a new second paragraph of Section 3 which shall be as follows:

At the annual Town election on the last Monday in February in the year 1956, there shall be elected four members of council, two of said members whose terms shall be for two years to succeed the two members whose present terms will then expire, and two of said members whose terms shall be for three years; and at the annual Town election on the last Monday in February in the year 1957, there shall be elected a Mayor whose term shall be for two years to succeed the Mayor whose present term will then expire, two councilmen whose terms shall be for three years to succeed the councilmen whose present terms will then expire, and thereafter the successors of the Mayor whose term will expire at the election then held shall be elected for a term of two years and the successors of the two councilmen whose terms will expire at the election then held shall be elected for a term of three years each.

Section 3. Further amend Chapter 166, Volume 41, Laws of Delaware, by deleting the word "four" where the same appears in the first line of the third paragraph of Section 3 and by substituting in lieu thereof the word "six".

Section 4. Amend Chapter 192, Volume 36, Laws of Delaware, by deleting the words "provided, however, that he shall not impose any fine exceeding One Hundred Dollars, exclusive of costs, and shall not impose any jail sentence of more than five days, and shall have no jurisdiction in civil matters exceeding Five Hundred Dollars, exclusive of costs.", where the same appear in Section 7 under the title of Duties and Powers of Alderman.

Section 5. Amend Chapter 176, Volume 40, Laws of Delaware, by deleting the words "for any time not exceeding five days" where the same appear in Section 24 under the title of Police and Jail.

Section 6. Further amend Chapter 192, Volume 36, Laws of Delaware, by deleting the first sentence in Section 13 and substituting in lieu thereof a new first sentence which shall be as follows:

The fiscal year of the said Town shall begin the first day of January in each year and shall end with the next succeeding thirty-first day of December.

Section 7. Further amend Chapter 192, Volume 36, Laws of Delaware, by deleting the words "Three Hundred Dollars" where the same appear in the fifth and sixth lines of Section 25 and substituting in lieu thereof the following words: "One Thousand Dollars".

Section 8. Further amend Chapter 192, Volume 36, Laws of Delaware, by deleting the words "Ten Thousand Dollars" where the same appear in the fourth line of Section 26 and substituting in lieu thereof the following words: "Twenty Thousand Dollars".

Approved December 19, 1955.

CHAPTER 552

RELATING TO PUBLIC SERVICE COMMISSION FEES

**AN ACT TO AMEND SUBCHAPTER I OF CHAPTER 1,
TITLE 26, DELAWARE CODE, BY AUTHORIZING AND
DIRECTING THE PUBLIC SERVICE COMMISSION TO
MAKE CERTAIN CHARGES AND FEES.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Subchapter I of Chapter 1, Title 26, Delaware Code, is amended by adding thereto a new section, as follows:

§ 113. Charges and fees

The Commission is authorized and directed to make the following charges:

- (a) For copying of papers, testimonies and records 25¢ per page;
- (b) For certifying a copy of any paper, testimony or record \$2.00;
- (c) For preparing and certifying to the Superior Court any record in an appeal \$10.00;
- (d) For the filing of each securities certificate or each application for a certificate of public convenience, registration certificate, permit or license \$10.00;
- (e) For inspection by the Commission, an inspection fee of \$10.00 for an original inspection and \$2.00 for any subsequent inspection;
- (f) The charge for any services rendered by the Commission not expressly provided in this section shall be fixed by the Commission.

Approved December 19, 1955.

CHAPTER 553

PROVIDING FOR SCHOOL CONSTRUCTION IN
RICHARDSON PARK SCHOOL DISTRICT**AN ACT TO AMEND CHAPTER 529, VOLUME 50, LAWS OF
DELAWARE, SO AS TO PROVIDE THAT RICHARDSON
PARK SCHOOL DISTRICT BE PERMITTED TO FINANCE
CAPITAL IMPROVEMENTS THEREUNDER AND AP-
PROPRIATING THE NECESSARY FUNDS.**

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each Branch concurring therein):

Section 1. Section 13, Chapter 529, Volume 50, Laws of Delaware, is amended by adding the following words and figures to the table as the same appears therein:

Name or District	Maximum Total Cost	Maximum State Share	Maximum Local Share
Richardson Park # 20 . .	\$525,000	\$315,000	\$210,000

FURTHER AMEND Section 13 by striking out the totals as the same appear therein and substituting the following totals:

	Maximum Total Cost	Maximum State Share	Maximum Local Share
TOTALS:	\$45,069,900	\$28,336,900	\$16,733,000

Section 2. FURTHER AMEND Chapter 529, Volume 50, Laws of Delaware, by striking out the words and figures "twenty-eight million twenty-one thousand nine hundred dollars (\$28,021,900.00)" wherever the same appear therein and substituting the following words and figures "twenty-eight million three hundred thirty-six thousand nine hundred dollars (\$28,336,900.00)"

Approved December 19, 1955.

CHAPTER 554

PENSIONS FOR MEMBERS OF STATE JUDICIARY

AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, ENTITLED "PENSIONS FOR MEMBERS OF THE STATE JUDICIARY".

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 5602 (a), Title 29, Delaware Code, is amended to read as follows:

§ 5602. State Judiciary Retirement Fund; contributions; use

(a) The State Judiciary Retirement Fund shall be established and maintained by the Trustees. The State Treasurer shall act as the Trustees' agent in the care of the assets of the Fund. Each member of the State Judiciary who elects to accept the provisions of this chapter shall contribute each year 5% of that portion of his annual salary which does not exceed \$7,500 to the Fund. Such contributions shall be prorated on a monthly basis.

Section 2. The first paragraph of § 5603 (a), Title 29, Delaware Code, is amended to read as follows:

§ 5603. State Judiciary defined; composition; requirements for pension benefits

(a) The term "State Judiciary" as used in this chapter includes the Judges mentioned in Article IV, Section 2, of the Constitution of Delaware, and any other Judge of a Court of record who:

1. Is appointed by the Governor and confirmed by the Senate; and
2. Receives his entire remuneration as Judge in the form of a salary paid by the State of Delaware; and

3. Is, by law during his tenure of office either prohibited from practicing law, or else prohibited from engaging in any other gainful occupation.

Section 3. § 5607 (a), Title 29, Delaware Code, is amended to read as follows:

§ 5607. Manner of making claim for benefits

(a) A judge entitled to benefits under section 5603 (a) of this chapter may make claim therefor by giving notice in writing to the Trustees that he has attained the age of 65 years and desires to receive such benefits.

Section 4. § 5607 (d), Title 29, Delaware Code is amended to read as follows:

(d) Upon receipt of any notice hereinabove mentioned, the Trustees shall consider the retirement and if they find that benefits are due under this chapter they shall notify the State Treasurer who shall make payments of benefits hereunder out of the State Judiciary Retirement Fund or out of funds transferred for the purpose from the General Fund, as provided in section 5602 of this title.

Section 5. Chapter 56, Title 29, Delaware Code, is amended by adding thereto a new section as follows:

§ 5610. Relationship of judicial pensions to other pensions; Social Security

(a) No Judge entitled to a pension under this chapter shall be entitled to any other pension payable by the State under any law of the State.

(b) Nothing contained in this chapter shall prevent any Judge from participating on the same basis as other State employees in the Social Security program except that federal Social Security payments to which a Judge may become entitled shall not be deducted from any pension payments made under this chapter.

Section 6. This act shall be effective as of November 8, 1955.

Approved December 19, 1955.

CHAPTER 555

RELATING TO PRIMARY ELECTIONS

AN ACT TO AMEND CHAPTER 31, TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That Title 15 Delaware Code be and the same is hereby amended by striking out and repealing § 3148 thereof and substituting and enacting in lieu thereof the following new section:

§ 3148. The Compensation of the officers and clerks for holding primary elections shall be \$12.50 for each Judge and Clerk and \$15.00 for each Inspector at each primary election.

Approved December 19, 1955.

CHAPTER 556

RELATING TO REGISTRATION OF VOTERS

AN ACT TO AMEND CHAPTER 11, TITLE 15 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF VOTERS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 1105 (a) Title 15, Delaware Code, is hereby amended by striking out the words "the months of July and August" as they appear therein and substituting and enacting in lieu thereof the following:

"The month of July and on the first Saturday of the month of August."

Section 2. § 1501, Title 15 of the Delaware Code is amended by adding at the end thereof a new subsection to read as follows:

(c) For the purposes of the general registration to be held in the year 1956 only, each Department shall make the appointments specified in subsection (a) in the month of February 1956 and the Department shall make its appointments from a list of 10 persons for each election district supplied by the County Executive Committee of each of the two principal parties by the first day of February in the year 1956. Each Department shall have the power to make appointments of additional registration officers for any election district, not exceeding four in number in addition to the three registration officers appointed under the provisions of subsection (a), at any time during the period beginning on February 1, 1956, and ending on October 20, 1956. Such additional appointments shall be made from the lists supplied by the County Executive Committee of each of the two principal parties, and not more than a majority of the total number of registration officers appointed for any one election district shall be of the same political faith. If the lists of names are not furnished to the Department, then the Department may appoint some suitable and qualified person

or persons as additional registration officers. The additional registration officers shall have the same powers and duties as the Assistant Registrars have under the provisions of this title.

Approved December 19, 1955.

CHAPTER 557

RELATING TO NEW CASTLE COUNTY DEPARTMENT
OF ELECTIONS

**AN ACT TO AMEND CHAPTER 1 OF TITLE 15, DELAWARE
CODE BY CHANGING THE ORGANIZATION DATE OF
THE DEPARTMENT OF ELECTIONS FOR NEW CASTLE
COUNTY TO CONFORM TO THE NEW SYSTEM OF
REGISTRATION.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. Title 15 Delaware Code § 109, as amended is amended by striking out the words appearing immediately after the words "In New Castle County on the" and immediately before the words "in each odd-numbered year" as they appear in the first and second lines thereof, and inserting in lieu thereof the words "fourth Monday in December".

Approved December 19, 1955.

CHAPTER 558

APPROPRIATION

SUSSEX MEMORIAL POST AT MILLSBORO

AN ACT APPROPRIATING MONEY TO SUSSEX MEMORIAL POST NO. 7422, V. F. W. AT MILLSBORO, WITH WHICH TO OPERATE AND MAINTAIN AN AMBULANCE.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each House thereof concurring therein):

Section 1. There is appropriated unto the Sussex Memorial Post No. 7422, V. F. W. at Millsboro, the sum of Seven Hundred Fifty Dollars (\$750.00) annually for each of the fiscal years beginning July 1, 1955, and beginning July 1, 1956, to be used for the operation and maintenance of its ambulance in the public service.

Section 2. Said sum of Seven Hundred Fifty Dollars (\$750.00) annually, shall be paid by the State Treasurer to said Sussex Memorial Post No. 7422, V. F. W. at Millsboro; and a certificate of the Secretary of said Sussex Memorial Post No. 7422, V. F. W. at Millsboro, to the effect that said Post does operate and maintain an ambulance in the public service shall be sufficient authority for the payment of said sum of Seven Hundred Fifty Dollars (\$750.00) by the State Treasurer to said Post.

Section 3. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved January 23, 1956.

CHAPTER 559

UNEMPLOYMENT COMPENSATION

AN ACT TO AMEND TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION TO CORRECT AN OMISSION IN SECTION 3302 (17) (A), AS AMENDED, OF TITLE 19 PERTAINING TO THE DEFINITION OF "WAGES".

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 3302 (17) (A), Title 19, Delaware Code, as amended by Chapter 117 of Volume 50 Laws of Delaware, is further amended by inserting in the first paragraph after "section 3314" the words and figures "and sections 3345 and 3348".

Approved January 25, 1956.

CHAPTER 560

CHANGING SALARIES OF REGISTRATION OFFICERS

AN ACT TO AMEND CHAPTER 15, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION OFFICERS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That § 1511, Title 15, Delaware Code, be and the same is hereby amended by striking out and repealing the figures "\$12.50" as they appear in subsections (a), (b) and (c) thereof and substituting and enacting in lieu thereof in each subsection the figures "\$17.50".

NOTE: This bill became a law on February 4, 1956 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 561

TAKING OF SHELLFISH

AN ACT TO AMEND CHAPTER 25, TITLE 7, DELAWARE CODE, RELATIVE TO THE USE OF CERTAIN DEVICES FOR TAKING SHELLFISH IN REHOBOTH AND INDIAN RIVER BAYS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 25, Title 7, Delaware Code, is hereby amended by adding thereto a new section, as follows:

§ 2507. Motor-powered rakes for taking clams; Rehoboth and Indian River Bays

(a) No person shall take any clams in Rehoboth Bay or Indian River Bay with any rake, dredge, appliance, or device operated by motor power or towed or hauled by a boat propelled by motor power.

(b) Whoever violates the provisions of this section shall be fined not less than \$200 nor more than \$500.

Approved February 7, 1956.

CHAPTER 562

NEWARK

AN ACT TO AMEND AN ACT ENTITLED "AN ACT CHANGING THE NAME OF THE 'TOWN OF NEWARK' TO THE 'CITY OF NEWARK' AND ESTABLISHING A CHARTER THEREFOR" BY CHANGING THE PROVISIONS FOR ANNEXATION OF CONTIGUOUS TERRITORY.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected to each House concurring therein):

Section 1. Section 3, Chapter 152, Volume 48, Laws of Delaware, is hereby amended by striking out all of said section and inserting in lieu thereof the following:

Section 3. ANNEXATION.

The Council of the City of Newark shall have power to annex, by ordinance, any territory contiguous to the City of Newark whenever requested to do so by the owners of two-thirds or more of the area included within the territory proposed to be annexed.

Approved February 7, 1956.

CHAPTER 563
APPROPRIATION
BOARD OF EDUCATION

**AN ACT APPROPRIATING FUNDS TO THE STATE BOARD
OF EDUCATION FOR ALLOCATION TO THE SCHOOL
DISTRICTS OF THE STATE FOR THE PURPOSE OF
INCREASING THE APPROPRIATIONS TO THE DIS-
TRICTS FOR CAPITAL OUTLAY.**

WHEREAS, the State Board of Education recommended that the amount for each unit of pupils for "Capital Outlay" be \$100; and

WHEREAS, the amount appropriated for the purpose is \$50, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is hereby appropriated to the State Board of Education the sum of \$140,900 for the fiscal year beginning July 1, 1955 and ending June 30, 1956, and the further sum of \$152,450 for the fiscal year beginning July 1, 1956 and ending June 30, 1957.

Section 2. The funds so appropriated or so much as may be needed shall be allocated to the several school districts of the State and to the State Board of Education for the 1-2-3 teacher schools of the State Board Unit on the basis of \$50 for each unit of pupils in such districts in each fiscal year.

Section 3. All funds not allocated in accordance with the provisions of Section 2 of this Act shall revert to the General Fund at the end of each fiscal year.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the money so appropriated shall be paid by the State Treasurer from the General Fund of the State of Delaware.

NOTE: This bill became a law on February 11, 1956 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 564

APPROPRIATION

BOARD OF EDUCATION

AN ACT APPROPRIATING FUNDS TO THE STATE BOARD OF EDUCATION FOR ALLOCATION TO THE SCHOOL DISTRICTS OF THE STATE FOR THE PURPOSE OF INCREASING THE APPROPRIATIONS TO THE DISTRICTS.

WHEREAS, the State Board of Education recommended that the amount for each unit of pupils for "All Other Costs" be \$650; and

WHEREAS, the amount appropriated for the purpose is \$550, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is hereby appropriated to the State Board of Education the sum of \$281,800 for the fiscal year beginning July 1, 1955 and ending June 30, 1956, and the further sum of \$304,900 for the fiscal year beginning July 1, 1956 and ending June 30, 1957.

Section 2. The funds so appropriated or so much as may be needed shall be allocated to the several school districts of the State and to the State Board of Education for the 1-2-3 teacher schools of the State Board Unit on the basis of \$100 for each unit of pupils in such districts in each fiscal year.

Section 3. The funds shall be used for all school costs except salaries, debt service, capital outlay, and transportation of pupils to and from the regular sessions of school as provided for in the appropriation to the State Board of Education for this purpose.

Section 4. All funds not allocated in accordance with the provisions of Section 2 of this Act shall revert to the General Fund at the end of each fiscal year.

Section 5. This Act shall be known as a supplementary appropriation act and the money so appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

NOTE: This bill became a law on February 11, 1956 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 565

APPROPRIATION

DELAWARE COMMISSION OF SHELL FISHERIES

AN ACT TO APPROPRIATE FUNDS TO THE DELAWARE COMMISSION OF SHELL FISHERIES FOR INCIDENTAL EXPENSES IN CONNECTION WITH CHANNEL IMPROVEMENTS IN THE REHOBOTH BAY AND INDIAN RIVER AREA.

WHEREAS, the 117th General Assembly appropriated \$20,000 for the State's contribution toward the cost of the construction or improvement of a channel across Rehoboth Bay to a proposed channel leading from Millsboro through Indian River to the Indian River Inlet, AND

WHEREAS, previous State appropriations together with Federal funds which have recently become available are sufficient to carry out the proposed improvements and the above mentioned \$20,000 appropriation will be permitted to revert to the General Fund of the State of Delaware, AND

WHEREAS, the availability of Federal funds is conditioned upon the State of Delaware assuming certain incidental expenses in connection with the said improvements, NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of \$5,000 is appropriated to the Delaware Commission of Shell Fisheries for the purpose of carrying out any duties which the State of Delaware is required to assume in connection with the channel improvements in or near Rehoboth Bay and Indian River in Sussex County.

Section 2. This Act is a Supplementary Appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

NOTE: This bill became a law on February 11, 1956 without the approval of the Governor and in accordance with Section 18, Article 3, of the Constitution of Delaware.

CHAPTER 566

AUTHORIZING STATE TREASURER TO PAY FUNDS TO
NEW CASTLE COUNTY LEVY COURTAN ACT AUTHORIZING THE STATE TREASURER TO PAY
CERTAIN FUNDS TO THE LEVY COURT OF NEW
CASTLE COUNTY.

WHEREAS, the State Treasurer has received a check from the Corps of Engineers of the United States Army in the amount of \$675.37 representing a portion of the income which the United States has derived from leasing certain federal lands along the Delaware and Chesapeake Canal, AND

WHEREAS, under the applicable federal statute (68 Stat. 1266; 33 USCA § 701 c-3) the General Assembly is authorized to use the funds for certain governmental expenses within the county where the leased lands are located, AND

WHEREAS, there appears to be some doubt as to whether the State Treasurer can turn the funds over to the Levy Court of New Castle County without specific legislative authorization; NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected thereto concurring therein):

Section 1. The State Treasurer is hereby authorized and instructed to turn over and pay to the Levy Court of New Castle County the \$675.37 forwarded to the State of Delaware by the Corps of Engineers of the United States Army in connection with revenues derived from the leasing of land along the Delaware and Chesapeake Canal in New Castle County.

Approved February 21, 1956.

CHAPTER 567

SUBURBAN PARK COMMUNITY

AN ACT TO AMEND CHAPTER 6, TITLE 9, DELAWARE CODE, RELATING TO SUBURBAN PARK COMMUNITY AND ELECTION, AND COUNTY BONDS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 626 (b), Chapter 6, Title 9, Delaware Code, is amended by striking the words "Thirty days" as they appear on next to the last line of said subsection (b) and by substituting in lieu thereof the words "Sixty days".

Section 2. § 629, Chapter 6, Title 9, Delaware Code, is amended to read as follows:

§ 629. Limitation on cost of park and improvements

If the estimated cost of the park or recreation area and improvements submitted by the Commission shall exceed five (5) per cent of the total assessed value of all real property and improvements in said suburban park community, as reflected by the books of the Board of Assessment for the County, then the Levy Court shall not be authorized to proceed under this chapter.

Section 3. § 630 (a), Chapter 6, Title 9, Delaware Code, is amended by striking the word "complete" as it appears in the second line of said subsection (a).

Section 4. § 630, Chapter 6, Title 9, Delaware Code, is amended by adding a new subsection to said section to be known as subsection (c).

(c) Every citizen who resides in the proposed suburban park community in which the election is being held and who would be entitled at the time of the holding of such election to register and vote in any election district of which the proposed suburban park community is a part, at a general election, if such

general election were held on the day of such election in the proposed suburban park community, may vote at such election whether or not he is at the time a registered voter.

Section 5. § 631, Chapter 6, Title 9, Delaware Code, is amended to read as follows:

§ 631. Notice of election

Notice of the time and place of such election shall be published at least fifteen (15) days before the date of election in a newspaper of general circulation in the proposed suburban park community and be posted at not less than four (4) conspicuous public places in the proposed suburban park community. The notice shall state that the purpose of the election is to determine whether a majority of the Legal Voters resident in said community is in favor of the issuance of bonds by the Levy Court to cover the total cost for the acquisition of the park or recreation area and of the improvements contemplated. The notice shall contain a brief description of the proposed improvements and shall also state the maximum principal amount of such bonds, the maximum rate of interest to be borne by such bonds, and the amount of such bonds payable in each fiscal year, and shall set forth the aggregate amount required to be raised by tax in each fiscal year for the payment of the principal of such bonds and the interest thereon computed at such maximum rate.

Section 6. § 632, Chapter 6, Title 9, Delaware Code, is amended to read as follows:

§ 632. Place of holding election; times; manner of voting

The Election shall be held at such place in the proposed suburban park community as the Levy Court shall designate and the polls shall be open from nine o'clock A. M. to seven-thirty o'clock P. M. of the day of the election. The Voting shall be by printed ballot, which shall give the Voter an opportunity clearly to indicate his consent or objection to the issuance of bonds for the improvement contemplated. Such printed ballot shall state the maximum principal amount of such bonds, the maximum rate of interest to be borne by such bonds, and the amount of such bonds payable in each fiscal year, and shall set

forth the aggregate amount required to be raised by tax in each fiscal year for the payment of the principal of such bonds and the interest thereon computed at such maximum rate. A majority of votes cast shall decide the matter. The Clerk of the Levy Court shall act as Judge of the Election.

Section 7. § 650 (a), Chapter 6, Title 9, Delaware Code, is amended by striking the words "New Castle County" from the ninth line of said subsection (a) and by substituting in lieu thereof the word "County".

Approved February 29, 1956.

CHAPTER 568

ESCHEATS

AN ACT TO AMEND CHAPTER 11, TITLE 12, DELAWARE CODE, ENTITLED ESCHEATS PERTAINING TO UNCLAIMED LIFE INSURANCE FUNDS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 11, Title 12, Delaware Code, is amended by adding the following new subchapter:

SUBCHAPTER III. UNCLAIMED LIFE INSURANCE FUNDS**§ 1180. Scope**

This subchapter shall apply to unclaimed funds, as defined in section 1181 hereof, of any life insurance company doing business in this State where the last known address, according to the records of such company, of the person entitled to such funds is within this State, provided that if a person other than the insured or annuitant be entitled to such funds and no address of such person be known to such company or if it be not definite and certain from the records of such company what person is entitled to such funds, then in either event it shall be presumed for the purposes of this subchapter that the last known address of the person entitled to such funds is the same as the last known address of the insured or annuitant according to the records of such company.

§ 1181. Definitions

The term "unclaimed funds" as used in this subchapter means and includes all monies held and owing by any life insurance company doing business in this State which shall have remained unclaimed and unpaid for seven years or more after it is established from the records of such company that such monies became due and payable under any life or endowment insurance policy or annuity contract which has matured or terminated. A life insurance policy not matured by actual proof

of the prior death of the insured shall be deemed to be matured and the proceeds thereof shall be deemed to be "due and payable" within the meaning of this subchapter if such policy is in force when the insured shall have attained the limiting age under the mortality table on which the reserve is based. Monies otherwise admittedly due and payable shall be deemed to be "held and owing" within the meaning of this subchapter although the policy or contract shall not have been surrendered as required.

§ 1182. Annual report of unclaimed funds

(a) Every such life insurance company shall on or before the first day of May of each year make a report in writing to the State Escheator of all unclaimed funds, as hereinbefore defined, held and owing by it on the thirty-first day of December next preceding, provided, however, such report shall not be required to include amounts of less than five dollars which on the effective date of this subchapter shall have been unclaimed and unpaid for more than ten years, or amounts which have been paid to another state or jurisdiction prior to the effective date of this subchapter.

(b) Such report shall be signed and sworn to by an officer of such company and shall set forth:

1. In alphabetical order the full name of the insured or annuitant, his last known address according to the company's records, and the policy or contract number;
2. The amount appearing from the company's records to be due on such policy or contract;
3. The date such unclaimed funds became payable;
4. The name and last known address of each beneficiary or other person who, according to the company's records, may have an interest in such unclaimed funds; and
5. Such other identifying information as the State Escheator may require.

§ 1183. Publication of list of unclaimed funds

(a) On or before the first day of September following the making of such reports under section 1182, every such life insurance company shall cause to be published notices based on the information contained in such reports and entitled: "NOTICE OF CERTAIN UNCLAIMED FUNDS HELD AND OWING BY LIFE INSURANCE COMPANIES."

(b) For all unclaimed funds payable to a person appearing to be entitled to such funds whose last known address is located in New Castle County, such notice shall be published at least twice in a daily newspaper published in that county. For all unclaimed funds payable where such last known address is located in Kent County or Sussex County, such notice shall be published at least once in a newspaper published at least weekly in the county in which unclaimed funds are payable.

(c) Each such notice shall set forth in alphabetical order the names of the insureds or annuitants under policies or contracts where the last known address of the person appearing to be entitled to such funds is in the county of publication, together with:

1. The amount reported due and the date it became payable;
2. The name and last known address of each beneficiary or other person who, according to the company's reports, may have an interest in such unclaimed funds; and
3. The name and address of the company.

The notice shall also state that such unclaimed funds will be paid by the company to persons establishing to its satisfaction before the following first day of December their right to receive the same, and that not later than the following twentieth day of December such unclaimed funds still remaining will be paid to the State Escheator who shall thereafter be liable for the payment thereof.

(d) Publication as required herein may be waived in the discretion of the State Escheator where the amount involved in a particular policy or contract does not exceed \$50.

§ 1184. Payment for publication

Any amounts paid by a life insurance company to newspapers for any publication of names as required by this subchapter may be charged against all unclaimed funds held or owing by such life insurance company at the time of such publication.

§ 1185. Payment to State Escheator

(a) All unclaimed funds contained in the report required to be filed by section 1182 of this subchapter, excepting those which have ceased to be unclaimed funds, less the amount paid for publication under section 1184, shall be paid over to the State Escheator on or before the following twentieth day of December.

(b) The State Escheator shall have the power, for cause shown, to extend for a period of not more than one year the time within which a life insurance company shall file any report and in such event the time for publication and payment required by this subchapter shall be extended for a like period.

§ 1186. Custody of unclaimed funds in State; insurers indemnified

Upon the payment of such unclaimed funds to the State Escheator, the State of Delaware shall assume, for the benefit of those entitled to receive the same and for the safety of the money so paid, the custody of such unclaimed funds, and the life insurance company making such payment shall immediately and thereafter be relieved of and held harmless by the State from any and all liability for any claim or claims which exist at such time with reference to such unclaimed funds or which thereafter may be made or may come into existence on account of or in respect to any such unclaimed funds.

§ 1187. Reimbursement for claims paid by insurers

Any life insurance company which has paid monies to the State Escheator pursuant to the provisions of this subchapter may make payment to any person appearing to such company, in accordance with its customary rules and regulations govern-

ing the payment of claims, to be entitled thereto and upon proof of such payment the State Escheator shall forthwith reimburse such company for such payment out of the Special Trust Fund in his custody or, in the event such Special Trust Fund shall be insufficient, out of the General Fund of the State.

§ 1188. Special trust fund; administration

Upon receipt of any unclaimed funds from life insurance companies by the State Escheator, he shall pay forthwith three-fourths of the amount thereof into the General Fund for the use of the State. The remaining one-fourth shall be administered by him as a Special Trust Fund for the purposes of this subchapter, and deposited in a separate account in the Farmer's Bank of the State of Delaware. At the end of each calendar year, any unclaimed funds which shall have been a part of such Special Trust Fund for a period of seven years or more shall be paid into the General Fund for the use of the State, provided that the Special Trust Fund shall never be so reduced to less than twenty thousand dollars.

§ 1189. Determination and review of claims

(a) Any person claiming to be entitled to unclaimed funds paid to the State Escheator may file a claim at any time with such official. The State Escheator shall possess full and complete authority to accept or reject any such claim. If he rejects such claim or fails to act thereon within 90 days after receipt of such claim, the claimant may within four months thereafter apply for a hearing and determination of his claim by the State Tax Board. The procedure before the State Tax Board for such hearing shall be the same as that provided for by section 326 (a) and (b) of Title 30; and the Board shall have the same power to compel the attendance of witnesses and the production of evidence as is provided in section 326 of Title 30.

(b) Within thirty days after notice of a decision upon such hearing, the State Escheator or any claimant may appeal such decision to the Court of Chancery, upon notice to all parties to the proceedings before the State Tax Board, and upon such other notice as the Court of Chancery may order.

(c) The Court of Chancery may make such rules as it may deem proper for the perfection, hearing and determination of such appeals.

§ 1190. Payment of allowed claims

Any claim which is accepted by the State Escheator or ordered to be paid by him by the State Tax Board or the Court of Chancery shall be paid out of the Special Trust Fund in his custody or, in the event such Special Trust Fund shall be insufficient, it shall be paid out of the General Fund.

§ 1191. Records required

The State Escheator shall keep in his office a public record of each payment of unclaimed funds received by him from any life insurance company. Such record shall show in alphabetical order the name and last known address of each insured or annuitant, and of each beneficiary or other person who, according to the company's reports, may have an interest in such unclaimed funds, and with respect to each policy or contract, its number, the name of the company, and the amount due.

§ 1192. Other acts not applicable

No other provisions of this Code relating to escheat or abandoned or unclaimed funds shall apply to life insurance companies, nor shall any statute hereafter enacted so apply unless specifically made applicable by its terms.

§ 1193. Penalty for failure to report or file

Any life insurance company failing to make any report required by the subchapter shall forfeit to the State of Delaware the sum of one hundred dollars for each day such report shall be delayed or withheld, except that the State Escheator may extend the time for making any such report or filing any such affidavit and may waive the payment of any penalty or part thereof provided for by this section.

§ 1194. Penalty for fraudulent returns

The making of a willful false oath in any report required under the provisions of this subchapter shall be perjury and punishable as such according to law.

Approved February 29, 1956.

CHAPTER 569

PENALTIES FOR OPERATION OF MOTOR VEHICLES
WHILE UNDER THE INFLUENCE OF INTOXICANTS

AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES" IN REGARD TO PENALTIES FOR OPERATION OF A VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR NARCOTICS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 4111 (a), Title 21, Delaware Code, is amended to read as follows:

§ 4111. Operation of vehicle while under the influence of intoxicating liquor or narcotics

(a) Whoever operates a motor vehicle while under the influence of intoxicating liquor or of any drug shall be fined, for the first offense, not less than \$200 nor more than \$1,000, or imprisoned not less than 60 days nor more than 6 months, or both. For each subsequent like offense, he shall be fined not less than \$500 nor more than \$2,000, and imprisoned not less than 60 days nor more than 18 months. A suspended sentence shall not be granted those convicted for a second offense under this section.

Approved February 29, 1956.

CHAPTER 570

AUTHORIZING OR PERMITTING OPERATION OF MOTOR
VEHICLE BY ANOTHER PERSON**AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES" IN RESPECT TO AUTHORIZING OR KNOWINGLY PERMITTING ANOTHER TO OPERATE A VEHICLE IN VIOLATION OF THE LAW.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2745, Title 21, Delaware Code, is amended to read as follows:

§ 2745. Authorizing or permitting the operation of a motor vehicle by another

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

Approved February 29, 1956.

CHAPTER 571

PENALTIES FOR SPEEDING

AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES" IN REGARD TO PENALTIES FOR VIOLATIONS OF SPEED LIMITS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 4126, Title 21, Delaware Code, is amended by adding the following at the end thereof.

(c) Whoever violates any provision of this section shall, for the first offense, be fined not less than \$25 nor more than \$200, or be imprisoned not less than 10 nor more than 30 days, or both. For each subsequent violation of this section he shall be fined not less than \$50 nor more than \$400, or imprisoned not less than 15 nor more than 60 days, or both.

Approved February 29, 1956.

CHAPTER 572

RELATING TO RESTRICTED LICENSES OF MOTOR
VEHICLE LICENSES

AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES" BY REPEALING THE PROVISIONS PERMITTING THE ISSUANCE OF RESTRICTED OPERATORS LICENSES BEFORE THE EXPIRATION OF ONE YEAR TO THOSE WHOSE LICENSE WAS REVOKED FOR CAUSE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2735, Title 21, Delaware Code, is amended by repealing the second and third sentences thereof.

Approved February 29, 1956.

CHAPTER 573

RELATING TO REPORTING MOTOR VEHICLE ACCIDENTS

AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES" IN RESPECT TO THE DUTY TO REPORT ACCIDENTS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 4151 (a), Title 21, Delaware Code, is amended to read as follows:

§ 4151. Duty to report accidents; evidence

(a) The driver of any vehicle involved in an accident resulting in injury or death to any person or property damage to an apparent extent of \$25 or more shall, immediately after complying with the requirements of section 4149 or 4150 of this title, report such accident to the nearest State Police Station except that when such accident occurs within the City of Wilmington such report shall be made to the Department of Public Safety in that city.

Approved February 29, 1956.

CHAPTER 574

AUTHORIZING USE OF FUNDS FOR HOSPITAL FOR
MENTALLY RETARDEDAN ACT TO AMEND CHAPTER 322, VOLUME 50, DELA-
WARE LAWS, IN RESPECT TO THE USE OF CERTAIN
FUNDS APPROPRIATED THEREUNDER.

WHEREAS, Chapter 322, Volume 50, Delaware Laws, commonly referred to as the General Appropriation Bill contained an appropriation to the Delaware Commission for the Feeble Minded in the sum of \$100,000 for each year of the biennium to be used for "Repairs and Replacements", AND

WHEREAS, the Delaware Commission for the Feeble Minded was succeeded by the State Board of Trustees of the State Hospital at Farnhurst, AND

WHEREAS, up to \$25,000 of the said appropriation has been allocated for the repair of two cottages at the Hospital for the Mentally Retarded at Stockley, Delaware for the use of employees, AND

WHEREAS, it has been found that it would be more economical to construct new buildings, NOW THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Board of Trustees of the State Hospital at Farnhurst may use up to \$25,000 of the funds previously appropriated to the Delaware Commission for the Feeble Minded by Chapter 322, Volume 50, Delaware Laws, for "Repairs and Replacements" to build new buildings at the Hospital for the Mentally Retarded at Stockley, Delaware. Any provision of the law which would limit or forbid the use of the said funds for the purpose set forth in this act is repealed but only to the extent that it limits or prohibits the particular expenditure herein authorized.

Approved February 29, 1956.

CHAPTER 575

PROVIDING FOR ERECTION OF A MEMORIAL AT
DELAWARE MEMORIAL BRIDGE AND PROVIDING
FOR ISSUANCE OF BONDS

AN ACT TO AMEND CHAPTER 3, TITLE 17, DELAWARE CODE, RELATING TO THE AUTHORITY OF THE STATE HIGHWAY DEPARTMENT TO ISSUE REVENUE BONDS TO DEFRAY THE COST OF CONSTRUCTION OF A BRIDGE OVER THE DELAWARE RIVER, BY INCREASING THE AGGREGATE OF THE BONDS THAT MAY BE ISSUED THEREUNDER AND TO AUTHORIZE AND EMPOWER THE DELAWARE INTERSTATE HIGHWAY DIVISION, SUCCESSOR OF THE STATE HIGHWAY DEPARTMENT FOR THE OPERATION AND CONTROL OF THE DELAWARE MEMORIAL BRIDGE, TO ERECT AT A COST NOT IN EXCESS OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) A SUITABLE MEMORIAL ON OR ADJACENT TO THE DELAWARE MEMORIAL BRIDGE AND TO ISSUE ADDITIONAL REVENUE BONDS NOT TO EXCEED SAID AMOUNT FOR THAT PURPOSE.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected to each House concurring therein):

Section 1. § 318, Chapter 3, Title 17, Delaware Code, relating to the authority of The State Highway Department to issue revenue bonds to defray the cost of construction of a bridge over the Delaware River, as amended, be and the same is hereby further amended by striking out the words and figures "Forty-Six Million Four Hundred Thousand Dollars (\$46,400,000)" wherever the same appear in said chapter and section, and by substituting in lieu thereof the words and figures "Forty-Six Million Five Hundred Fifty Thousand Dollars (\$46,550,000)".

Section 2. The Delaware Interstate Highway Division, successor of The State Highway Department for the operation and control of The Delaware Memorial Bridge, is authorized and empowered to issue not exceeding One Hundred Fifty Thousand

Five Dollars (\$150,000) Revenue Bonds pursuant to the provisions of Chapter 3, Title 17, Delaware Code, as amended, for the purpose of erecting a fitting and suitable memorial on or adjacent to The Delaware Memorial Bridge, to improve and complete said bridge as a memorial in commemoration of the supreme sacrifice of all residents of the State of Delaware and of the State of New Jersey who died while serving in the armed forces of the United States during World War II and during the Korean Campaign and in honor of all persons who lost their lives in the construction of said bridge.

Section 3. Said memorial shall contain plaques or slabs of marble, bronze or other suitable material which shall be inscribed as follows:

A. One plaque or slab shall contain the names of all the residents of the State of Delaware who died while serving in the armed forces of the United States during World War II;

B. One plaque or slab shall contain the names of all the residents of the State of Delaware who died while serving in the armed forces of the United States during the Korean Campaign;

C. One plaque or slab shall contain the names of all the persons who lost their lives in the construction of The Delaware Memorial Bridge;

D. One plaque or slab shall pay tribute, in an appropriate manner, to all the residents of New Jersey who died while serving in the armed forces of the United States during World War II; and

E. One plaque or slab shall pay tribute, in an appropriate manner, to all the residents of the State of New Jersey who died while serving in the armed forces of the United States during the Korean Campaign.

Section 4. All acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed to the extent of such inconsistency.

Approved February 29, 1956.

CHAPTER 575

PROVIDING FOR ERECTION OF A MEMORIAL AT
DELAWARE MEMORIAL BRIDGE AND PROVIDING
FOR ISSUANCE OF BONDS

AN ACT TO AMEND CHAPTER 3, TITLE 17, DELAWARE CODE, RELATING TO THE AUTHORITY OF THE STATE HIGHWAY DEPARTMENT TO ISSUE REVENUE BONDS TO DEFRAY THE COST OF CONSTRUCTION OF A BRIDGE OVER THE DELAWARE RIVER, BY INCREASING THE AGGREGATE OF THE BONDS THAT MAY BE ISSUED THEREUNDER AND TO AUTHORIZE AND EMPOWER THE DELAWARE INTERSTATE HIGHWAY DIVISION, SUCCESSOR OF THE STATE HIGHWAY DEPARTMENT FOR THE OPERATION AND CONTROL OF THE DELAWARE MEMORIAL BRIDGE, TO ERECT AT A COST NOT IN EXCESS OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) A SUITABLE MEMORIAL ON OR ADJACENT TO THE DELAWARE MEMORIAL BRIDGE AND TO ISSUE ADDITIONAL REVENUE BONDS NOT TO EXCEED SAID AMOUNT FOR THAT PURPOSE.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected to each House concurring therein):

Section 1. § 318, Chapter 3, Title 17, Delaware Code, relating to the authority of The State Highway Department to issue revenue bonds to defray the cost of construction of a bridge over the Delaware River, as amended, be and the same is hereby further amended by striking out the words and figures "Forty-Six Million Four Hundred Thousand Dollars (\$46,400,000)" wherever the same appear in said chapter and section, and by substituting in lieu thereof the words and figures "Forty-Six Million Five Hundred Fifty Thousand Dollars (\$46,550,000)".

Section 2. The Delaware Interstate Highway Division, successor of The State Highway Department for the operation and control of The Delaware Memorial Bridge, is authorized and empowered to issue not exceeding One Hundred Fifty Thousand

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Dollars (\$150,000) Revenue Bonds pursuant to the provisions of Chapter 3, Title 17, Delaware Code, as amended, for the purpose of erecting a fitting and suitable memorial on or adjacent to The Delaware Memorial Bridge, to improve and complete said bridge as a memorial in commemoration of the supreme sacrifice of all residents of the State of Delaware and of the State of New Jersey who died while serving in the armed forces of the United States during World War II and during the Korean Campaign and in honor of all persons who lost their lives in the construction of said bridge.

Section 3. Said memorial shall contain plaques or slabs of marble, bronze or other suitable material which shall be inscribed as follows:

A. One plaque or slab shall contain the names of all the residents of the State of Delaware who died while serving in the armed forces of the United States during World War II;

B. One plaque or slab shall contain the names of all the residents of the State of Delaware who died while serving in the armed forces of the United States during the Korean Campaign;

C. One plaque or slab shall contain the names of all the persons who lost their lives in the construction of The Delaware Memorial Bridge;

D. One plaque or slab shall pay tribute, in an appropriate manner, to all the residents of New Jersey who died while serving in the armed forces of the United States during World War II; and

E. One plaque or slab shall pay tribute, in an appropriate manner, to all the residents of the State of New Jersey who died while serving in the armed forces of the United States during the Korean Campaign.

Section 4. All acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed to the extent of such inconsistency.

Approved February 29, 1956.

CHAPTER 576

APPROPRIATION

FOR TRAINING VOLUNTEER FIREMEN

**AN ACT TO AMEND CHAPTER 397, VOLUME 50, LAWS OF
DELAWARE, MAKING AN APPROPRIATION TO THE
STATE BOARD OF VOCATIONAL EDUCATION FOR
THE TRAINING OF VOLUNTEER FIREMEN.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. Chapter 397, Volume 50, Laws of Delaware, is hereby amended by striking out Section 1 of said Act and inserting in lieu thereof the following:

Section 1. There is hereby appropriated to the State Board of Vocational Education the sum of Two Thousand Four Hundred Dollars (\$2,400.00) for the biennium beginning July 1, 1955, and ending June 30, 1957, to be expended by the said Board only for the training of volunteer firemen.

Approved February 29, 1956.

CHAPTER 577

RELATIVE TO STATE PENSIONS FOR
GENERAL ASSEMBLY MEMBERS

AN ACT TO AMEND CHAPTER 550, VOLUME 50, LAWS OF
DELAWARE, RELATIVE TO STATE PENSIONS OF
MEMBERS OF THE GENERAL ASSEMBLY.

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. Chapter 550, Volume 50, Laws of Delaware, is
hereby amended by adding thereto the following section:

Section 2. This chapter shall be effective as of July 1, 1955.

Approved February 29, 1956.

CHAPTER 578

SMYRNA

AN ACT AUTHORIZING "THE TOWN OF SMYRNA" TO BORROW NOT IN EXCESS OF TWO HUNDRED THOUSAND DOLLARS (\$200,000) AND TO ISSUE BONDS THEREFOR FOR THE PURPOSE OF THE EXTENSION AND IMPROVEMENT OF THE WATER AND SEWER SYSTEMS, THE ELECTRICAL DISTRIBUTION SYSTEM AND THE STREETS OF THE TOWN OF SMYRNA.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the Members elected to each Branch of the Legislature concurring therein):

Section 1. That The Town of Smyrna, a municipal corporation created by and existing under the laws of the State of Delaware, be and it is hereby authorized and empowered to borrow on the faith and credit of The Town of Smyrna a sum of money not in excess of Two Hundred Thousand Dollars (\$200,000) for the purpose of the extension and improvement of the water and sewer systems, the electrical distribution systems and the streets of The Town of Smyrna.

Section 2. That the Mayor and Council of The Town of Smyrna, for any one or more of the purposes set forth in Section 1 of this Act, shall have full power and authority to issue bonds of The Town of Smyrna to an amount not exceeding in the aggregate the sum of Two Hundred Thousand Dollars (\$200,000) and that said bonds shall be known as Smyrna Water and Sewer, and/or Electrical and/or Street Bonds, Series of 195..., the year in which the bonds are issued, the title of said bonds to state therein the purpose or purposes for which they are issued, but omitting from the title of said bonds any of the said authorized purpose or purposes for which the Mayor and Council decide not to issue any of said bonds.

Section 3. That the said bonds shall be issued in one or more series, shall bear interest date or dates, shall mature at such time or times, not exceeding twenty-five (25) years from

their respective dates, shall bear interest at such rate or rates not exceeding four per centum per annum, shall be payable at such time or times and at such place or places and shall be in such denominations and shall contain such other provisions all as the Mayor and Council of The Town of Smyrna may duly provide by resolution and as shall be set forth in the said bonds.

The said bonds may be or may not be coupon bonds and may be registered or not registered as the Mayor and Council shall deem advisable. The bonds may be issued in serial form and with or without callable provision or provisions at par and at accrued interest, at such interest date or dates and upon the expiration of such period or periods of time thereafter, as the Mayor and Council may by resolution provided and as shall be set forth in the bonds and if the bonds contain any callable provision, the redemption shall be made upon such notice and in such manner and at such time or times as the Mayor and Council shall provide by resolution and as shall be set forth in the bonds. Interest on all bonds shall cease from the redemption date or the maturity date, as the case may be, and all other details and provisions of the bonds shall be as provided by resolution of the Mayor and Council and as set forth in the bonds.

Section 4. That the Mayor and Council of The Town of Smyrna shall direct and effect the preparation and sale of the bonds which are authorized by this Act, at such time or times, at such price or prices, not less than par, and upon such terms as the Mayor and Council shall deem advisable and provide by resolution, and the moneys arising from the sale of such bonds shall be used for the carrying out of any one or more of the purposes for which the said bonds are issued, provided that the expenses of the bond issue may be paid from the moneys arising from the sale of the bonds.

Section 5. That the form of said bonds and the form of any coupons which may be attached thereto shall be as prescribed by resolution of the Mayor and Council and all such bonds shall be signed by the Mayor of The Town of Smyrna and by the Treasurer of The Town of Smyrna and shall be sealed with the corporate seal of the said municipal corporation and the said bonds shall be exempt from all state, county and municipal taxation. As the said bonds, and any coupons thereto originally at-

tached, shall be paid, the same shall be cancelled as the Mayor and Council may direct. Facsimile signatures of the Mayor of The Town of Smyrna and of the Treasurer of The Town of Smyrna may be imprinted upon any and all coupons that may be attached to the bonds, in lieu of the signatures of the said Mayor and of said Treasurer in their own original handwriting, but the bonds shall each be signed by the said Mayor and the said Treasurer in their own original handwriting.

Section 6. That the Mayor and Council of The Town of Smyrna are hereby authorized and required to levy and raise by taxation in each and every year such sums of money as may be required to pay the interest on said bonds while all or any of said bonds remain unpaid, and also to levy and raise by taxation from time to time such sum or sums of money as shall be needed to establish such sinking fund as the Mayor or Council may at their discretion authorize for the redemption of the said bonds, or any of them, at or before their maturity and such sum or sums of money as shall be required to otherwise pay and redeem any or all of said bonds at or before their maturity, in accordance with the terms of said bonds. Taxes for interest on said bonds and for the payment of said bonds shall be levied and raised as taxes for general municipal purposes in the said Town are levied and raised, and shall be in addition to the taxes levied and raised for any and all other municipal purposes.

Section 7. That the bonds authorized by this Act may be issued at one time and in one series, or at different times in different series as the Mayor and Council may from time to time determine, and authority to issue and sell bonds under this Act shall not be deemed to be exhausted until the aggregate of the amount of bonds issued under this Act shall be Two Hundred Thousand Dollars (\$200,000). However, the authority to issue bonds under this Act shall terminate on December 31, 1957 and if any part of the bonds so authorized by this Act have not actually been issued by December 31, 1957, then all authority to issue the remaining bonds so authorized by this Act shall cease. The bonds authorized to be issued under this Act shall be in addition to all present existing and outstanding bonds of The Town of Smyrna and also in addition to any bonds which may hereafter be issued as a refunding of any or all of the present outstanding bonds of The Town of Smyrna.

Section 8. That the faith and credit of The Town of Smyrna are hereby pledged for the due payment of the interest and of the bonds that may be issued under the provisions of this Act.

Section 9. That before any bonds shall be issued under the provisions of this Act, the said bond issue shall be approved by a referendum vote of the qualified voters of The Town of Smyrna. Notice of the holding of such referendum election shall be authorized by resolution of the Mayor and Council, published once a week for at least three consecutive weeks in a newspaper published in The Town of Smyrna, and if there be none such then in a newspaper published elsewhere in Kent County, Delaware. Such notice shall set out in summary form the amount and the purpose or purposes of such bond issue, the date and place of the holding of such referendum election and the hours the polls will be open, and the polls shall be open at least five (5) hours.

At such referendum election every resident and also every nonresident taxable of said Town, of the age of twenty-one years or upwards, who has by the time of voting paid all town taxes theretofore assessed to him, and/or assessed against the property he owns at the time of the referendum election, shall be entitled to vote and shall have one vote for each dollar, or fractional part of a dollar, of taxes paid by him according to the last town assessment and tax payment records preceding the referendum election. The Judge of the election shall note on the outside of each ballot, before he deposits the ballot in the ballot box, the number of votes to which each voter is entitled in accordance with the Town assessment and tax records.

In cases of jointly owned property, the votes of the owners of shares or interests therein shall be in accordance with their respective shares or interests, or if all owners of a property appear at the polls and so consent, all of the votes may be cast by the owner of any share or interest therein, except that the spouse first voting may cast all the votes in reference to property held by husband and wife, as tenants by the entirety. If both husband and wife, holding property as tenants by the entirety, present themselves to vote at the same time, each shall have the right to vote one-half of the votes to which they are entitled as the joint owners of such property. Life tenants shall have the

entire vote as to the property so held by them for life, and holders of remainder or other like interests only shall have no vote by reason thereof.

The Mayor and Council shall provide sufficient official ballots which shall have printed thereon "FOR BOND ISSUE" and "AGAINST BOND ISSUE". Each voter shall indicate his preference by making a clearly legible mark by pencil or in ink opposite the words showing his preference, or by merely striking out the alternative to which he is opposed, or by said mark of preference and also by striking out the alternative to which he is opposed. Any other writing and/or form of marking a ballot, except the number of votes noted thereon by the Judge, shall render such ballot void. No voting by proxy shall be permitted.

The Mayor and Council shall, prior to the date of the referendum, appoint one Judge and two tellers to pass upon the qualifications and number of votes of each voter and to conduct the referendum election, and a majority of the election officers so appointed who are present at the opening of the polls shall fill any vacancy among the election officers. A majority of the election officers shall be sufficient to decide the qualifications and the number of votes to which any voter is entitled. The Mayor and Council, prior to the date of the referendum election, shall designate either the Town Manager or other town employee familiar with the Town assessment and tax payment records to be present during the entire period of the election with the last Town assessment and tax payment records for the inspection of the election officers. The referendum election shall be held no sooner than thirty days after the approval of this Act by the Governor and may be held at such time thereafter as the Mayor and Council shall designate after first determining the need and extent of the present and probable future municipal requirements and after having first obtained such estimates of the probable cost of the same as the Mayor and Council deem necessary for their guidance.

The referendum election shall be held at such suitable place in the said Town as the Mayor and Council shall designate in such published note and the hours of the opening and closing of

the polls may be so advertised either as Eastern Standard Time or as Daylight Saving Time, whichever may be in general use in the said Town as of the date selected for such referendum election. The Judge of the election shall, in the case of a tie vote on the bond issue, cast the deciding ballot, otherwise such Judge of the election shall refrain from voting, but the election tellers may vote. The Mayor and Council may also appoint two or more clerks to assist the Judge and tellers. The election teller shall keep a separate tally sheet and their tally sheet shall be compared and must agree as to the total votes cast "FOR THE BOND ISSUE" and the total votes cast "AGAINST THE BOND ISSUE" and any difference between such tally sheets shall be resolved by the Judge of the election. Both tally sheets shall then be certified and signed as correct by at least two of the election officers and shall be delivered to the Mayor, or if he not be available, to the Secretary of Council, or if he also not be available, to any other member of the Council immediately following the counting of the ballots, the comparison of the tally sheets and the certification that the same are in agreement.

The Mayor and Council shall at the next regular meeting after the election, or at a special meeting at the discretion of the Mayor and Council, duly receive the result of the referendum election and shall make such result a part of the minutes of such regular or special meeting, whereupon if a majority of the votes cast were "FOR THE BOND ISSUE" this Act thereupon immediately shall become effective and the bonds herein provided may be issued and sold as in this Act provided, providing no bond shall be issued after December 31, 1957 under the authority of this Act, but if at such referendum election the majority of the votes cast were "AGAINST THE BOND ISSUE", then no bonds shall be issued nor shall any money be borrowed under the authority of this Act.

Section 10. That a statement appearing in the bonds, which may be issued lawfully under the provision of this Act, to the effect that the bonds have been duly authorized, shall be deemed and held to be conclusive evidence in favor of the lawful holder of any of said bonds that the terms and conditions of this Act have been fully met and complied with.

Approved February 29, 1956.

CHAPTER 579

RELATING TO EXPENDITURE OF CONTINGENCY
FUNDS BY STATE DEPARTMENT OF WELFAREAN ACT TO AMEND CHAPTER 518, VOLUME 50, LAWS OF
DELAWARE, COMMONLY KNOWN AS "THE CONTIN-
GENCY FUND ACT" IN RESPECT TO THE EXPENDI-
TURE OF CERTAIN CONTINGENCY FUNDS BY THE
DEPARTMENT OF PUBLIC WELFARE.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 518, Volume 50, Laws of Delaware, commonly known as "The Contingency Fund Act" and entitled in full AN ACT MAKING APPROPRIATIONS FOR CERTAIN CONTINGENCIES, FOR THE RESPECTIVE YEARS OF THE BIENNIUM JULY 1, 1955 TO JUNE 30, 1957, AND PRESCRIBING LIMITATIONS UPON THE USE THEREOF AND THE POWERS AND DUTIES OF BUDGET COMMISSION IN RELATION THERETO is amended by striking out Section 4 (h) thereof and substituting a new Section 4 (h) to read as follows:

(h) To provide for this State's share of Salaries and Wages, replacement of not more than eleven automobiles in the fiscal year ending June 30, 1956, the replacement of not more than seven automobiles in the fiscal year ending June 30, 1957, Aid to Dependent Children-Grants, Aid to Disabled-Grants, Old Age Assistance-Grants and Child Welfare Service-Direct Care over and above those provided for in the General Appropriation Act, the Department of Public Welfare may expend all or any part of an amount not to exceed \$100,000 in each of the respective years of the biennium ending June 30, 1957.

Approved February 29, 1956.

CHAPTER 580

MIDDLETOWN

AN ACT TO AMEND "AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN" AND RELATING TO THE ESTABLISHMENT OF A POLICE PENSION FUND.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members of each Branch thereof concurring therein):

Section 1. Chapter 128, Volume 33, Laws of Delaware, is hereby amended by adding a new paragraph thereto as follows:

The Town Council shall have power to enact ordinances to establish a pension or retirement fund for the police of the Town of Middletown, and to set aside a special fund for that purpose which shall be administered in accordance with ordinances made and provided in that behalf and the laws of the State of Delaware.

Approved February 29, 1956.

CHAPTER 581

INCREASING SALARY OF NEW CASTLE COUNTY
RECEIVER OF TAXES AND COUNTY TREASURER

AMEND CHAPTER 84, TITLE 9, DELAWARE CODE RELAT-
ING TO RECEIVERS OF TAXES AND COUNTY TREA-
SURERS.

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. That § 8405 (1), Chapter 84, Title 9, Delaware Code be and the same is hereby amended by striking out and repealing the figures "4,200" as they appear therein and substituting and enacting in lieu thereof the figures "7,000".

Section 2. This act shall become effective January 1, 1957.

Approved February 29, 1956.

CHAPTER 582

DELAWARE CITY WATER SUPPLY

AN ACT TO AMEND CHAPTER 539, VOLUME 20, LAWS OF DELAWARE, RELATING TO THE WATER SUPPLY FOR DELAWARE CITY.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members of each Branch thereof concurring therein):

Section 1. Amend Chapter 539, Volume 20, Laws of Delaware by striking out Sections 1, 2, 3, 4 and 5 thereof and substituting the following four sections:

Section 1. The Mayor and Council of Delaware City are hereby authorized and empowered to grant by ordinance hereafter to be passed by them permission to private party or parties the privilege for a term of twenty years to establish water works within the limits of Delaware City with sufficient capacity and an ample supply of pure water for domestic purposes and for protecting the said city against fire.

Section 2. The Mayor and Council of Delaware City are hereby authorized and empowered to contract with a water company for a term of twenty years, with options to the company to renew same for additional periods of ten years each, for an ample supply of water for protecting said city against fire and flushing gutters, etc., the same to be at a cost of not more than Three Hundred Dollars (\$300) per annum. The Mayor and Council of Delaware City under no circumstances to relieve the water company from responsibility for any damage they may do to private property, the said contract with the water company not to be signed by The Mayor and Council of Delaware City until after it is submitted to the citizens at a town meeting for their approval or rejection.

Section 3. The Mayor and Council of Delaware City shall not be required to grade the streets for the purpose of laying the water pipes.

Section 4. At the expiration of the term of twenty years or any extensions thereof, the Mayor and Council of Delaware City may, at their option, upon written notice at least one year prior to expiration of contract or any extensions or renewals thereof, purchase the water plant and appurtenances erected in pursuance of said agreement at a price agreed upon by three of five arbitrators, two of said arbitrators to be selected by the party owning the plant, two by the Mayor and Council of Delaware City, and the other by the resident county judge of the Superior Court. Should the Mayor and Council of Delaware City fail to serve written notice of the intent to purchase the water plant and appurtenances as above provided, the contract shall be automatically renewed for an additional term or terms of ten years each.

Approved February 29, 1956.

CHAPTER 583

TRANSFERRING FUNDS FROM POLICE DIVISION TO
MOTOR VEHICLE DIVISION

AN ACT TRANSFERRING CERTAIN UNUSED FUNDS APPROPRIATED SPECIALLY TO THE STATE POLICE DIVISION OF THE STATE HIGHWAY DEPARTMENT FROM THAT ACCOUNT TO THE SALARIES AND WAGES ACCOUNT OF THE MOTOR VEHICLE DIVISION OF THE STATE HIGHWAY DEPARTMENT.

WHEREAS, the 118th General Assembly appropriated by a Special Appropriation a certain sum of money to the State Police Division to be used for Salaries for the proposed increase in the State Police force, and

WHEREAS, the State Police Division has been delayed in the proposed increase and therefore \$38,000.00 of the aforementioned sum will revert to the General Fund of the State Treasury on June 30, 1956, and

WHEREAS, the Wages and Salaries Account of the Motor Vehicle Division of the State Highway Department is already overdrawn,

NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That the sum \$38,000.00 remaining unexpended of the money previously appropriated to the State Police Division of the State Highway Department by Special Appropriation of the 118th General Assembly, be and the same is hereby transferred from the State Police Division of the State Highway Department being account No. 120-1230-31 to the Salaries and Wages Account of the Motor Vehicle Division of the State Highway Department, being account No. 101-1220-01.

\$19,000.00 of the funds transferred to be for the year 7/1/55 to 6/30/56 and the other \$19,000.00 to be for the year 7/1/56 to 6/30/57.

Section 2. The State Police Division of the State Highway Department is hereby authorized and directed to transfer the aforementioned funds from the said account No. 120-1230-31 to Account No. 101-1220-01 and is hereby relieved of any further responsibility for these funds as soon as the transfer is effected.

Approved February 29, 1956.

CHAPTER 584

AUTHORIZING SECRETARY OF STATE TO CORRECT
TYPOGRAPHICAL ERRORS IN PRINTING SESSION LAWSAN ACT TO AMEND TITLE 29, DELAWARE CODE, ENTITLED
"STATE GOVERNMENT" IN RESPECT TO THE
CORRECTION OF TYPOGRAPHICAL ERRORS IN CON-
NECTION WITH THE PRINTING OF SESSION LAWS.

WHEREAS, the Secretary of State is charged with the duty of printing the enactments of the General Assembly, AND

WHEREAS, the Secretary of State has previously been authorized to correct obvious typographical errors in connection with the printing of the Session Laws, AND

WHEREAS, an amendment to the statute governing the printing of the Session Laws enacted by the 118th General Assembly omitted the sentence which authorizes the Secretary of State to correct such errors, AND

WHEREAS, it was not the intention of the General Assembly to repeal this provision, AND

WHEREAS, the right to correct typographical errors before the publication of the Session Laws is in the public interest,
NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 907 (a), Title 29, Delaware Code, is amended by adding the following sentence:

In the preparation of the Session Laws for printing, the Secretary of State may correct obvious typographical errors but if there is any doubt as to whether a typographical error exists, the Secretary of State shall print the laws as enacted without correction.

Approved February 29, 1956.

CHAPTER 585

AUTHORIZING NEWARK SPECIAL SCHOOL DISTRICT
TO BORROW MONEY**AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF
THE NEWARK SPECIAL SCHOOL DISTRICT TO BOR-
ROW A SUM OF MONEY UPON THE FAITH AND
CREDIT OF THE SCHOOL DISTRICT FOR THE PUR-
POSE OF MEETING ITS FINANCIAL COMMITMENTS.**

WHEREAS the Levy Court of New Castle County did forward to the Board of Education of the Newark Special School District a resolution duly adopted on September 13, 1955 stating that the amount of the assessment for tax purposes in the Third District, Pencader Hundred, Brookside Park, had been reduced by the sum of \$1,961,400; and

WHEREAS the Third District of Pencader Hundred, Brookside, is included in the Newark Special School District for tax purposes; and

WHEREAS the Board of Education of the Newark Special School District relying on an assessment submitted to the said Board previous to May, 1955 did, during the month of May, 1955 fix a tax rate based on the larger assessment; and

WHEREAS the funds now available by reason of said reduction in assessment are insufficient to meet the contractual obligations of the Newark Special School District; and

WHEREAS, by reason of said reduction, in the original assessment, the said Newark Special School District will need an additional sum of \$7800 to meet its contractual obligations;
NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Anything in the Delaware Code of 1953 and Acts amendatory thereof notwithstanding the Board of Education of Newark Special School District is hereby authorized and

empowered to borrow sums totaling not more than SEVENTY-EIGHT HUNDRED DOLLARS (\$7800.00) and to pledge the full faith and credit of the School District to the repayment of the said sum and/or sums.

Approved February 29, 1956.

CHAPTER 586

RELATING TO UNEMPLOYMENT COMPENSATION

AN ACT TO AMEND TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION, BY CHANGING CERTAIN OF THE ADMINISTRATIVE PROVISIONS THEREOF.

Be it enacted by the General Assembly of the State of Delaware:

§ 3105, Title 19, Delaware Code, is amended to read as follows:

§ 3105. Compensation of chairman and other commissioners

The chairman of the Commission shall be paid a salary of \$9,000 per year. Each of the other members of the Commission shall be paid a salary of \$4,000 per year and shall devote to the duties of their offices such time as is necessary for the satisfactory execution thereof. The salaries of the chairman and other Commissioners shall be paid from the unemployment compensation administration fund provided for in section 3164 of this title, and not from any funds appropriated by the General Assembly.

Approved February 29, 1956.

CHAPTER 587

APPROPRIATION

STATE BOARD OF EDUCATION FOR TRANSPORTATION

AN ACT MAKING AN APPROPRIATION TO THE STATE BOARD OF EDUCATION TO PROVIDE FOR THE COSTS OF THE TRANSPORTATION OF SCHOOL CHILDREN FOR THE FISCAL YEAR ENDING JUNE 30, 1956, OVER AND ABOVE THE APPROPRIATIONS AVAILABLE TO THE STATE BOARD OF EDUCATION FOR THAT PURPOSE.

WHEREAS, due to the rapid increase in the number of pupils eligible for transportation, the cost of providing this service will be in excess of the funds which are available to the State Board of Education for the year ending June 30, 1956, NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is appropriated to the State Board of Education the sum of \$25,000 over and above the amounts already appropriated to be used only for the purpose of paying the costs and expenses of transportation of public school children for the fiscal year ending June 30, 1956.

Section 2. This Act is a Supplementary Appropriation and the funds hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved March 6, 1956.

CHAPTER 588

IMPROVEMENT OF PUBLIC SCHOOLS

AN ACT TO AMEND CHAPTER 529, VOLUME 50, LAWS OF DELAWARE, ENTITLED "AN ACT TO PROVIDE FOR THE ENLARGEMENT AND IMPROVEMENT OF THE SYSTEM OF FREE PUBLIC SCHOOLS OF DELAWARE; APPROPRIATING MONEY FOR SAID PURPOSES; AUTHORIZING THE FINANCING OF SUCH ENLARGEMENT AND IMPROVEMENT BY THE ISSUANCE OF BONDS AND BOND ANTICIPATION NOTES OF THE STATE AND BY CONTRIBUTIONS FROM CERTAIN SCHOOL DISTRICTS, AND THE CITY OF WILMINGTON, DEFINING SCHOOL DISTRICTS; AUTHORIZING THE ISSUANCE OF BONDS OF CERTAIN SCHOOL DISTRICTS AND THE CITY OF WILMINGTON FOR THE PURPOSE OF RAISING MONEY TO MAKE SUCH CONTRIBUTIONS; AND AUTHORIZING THE ACCEPTANCE OF FEDERAL FUNDS FOR BUILDING PURPOSES AND CREATING LOCAL SCHOOL BUILDING COMMISSIONS", BY PROVIDING THAT LOCAL SHARES OF SCHOOL DISTRICTS MAY BE DEPOSITED WITH THE STATE TREASURER ON OR BEFORE DECEMBER 31, 1957.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected thereto concurring therein):

Section 1. Section 14, Chapter 529, Volume 50, Laws of Delaware, is amended by striking out the first paragraph thereof, and by inserting in lieu of said first paragraph a new first paragraph as follows:

Section 14. Except in the case of a school district for which a local share is not shown by the foregoing table, the State share apportioned to a school district shall not be expended unless the local share for such school district shall have been deposited with the State Treasurer on or before December 31, 1957.

Approved March 6, 1956.

CHAPTER 589

PERMITTING SCHOOL DISTRICTS TO ISSUE BOND
ANTICIPATION NOTES**AN ACT TO AMEND CHAPTER 529, VOLUME 50, LAWS OF
DELAWARE, TO PERMIT SCHOOL DISTRICTS TO ISSUE
BOND ANTICIPATION NOTES IN CONNECTION WITH
CAPITAL IMPROVEMENTS.**

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected to each House concurring therein):

Amend Section 15, Chapter 529, Volume 50, Laws of Delaware by adding the following new paragraphs at the end thereof:

After a favorable local referendum authorizing the sale of local school bonds and in anticipation of the issuance of said bonds, the Board of Trustees or Board of Education of a school district may issue and sell notes of the school district at either public or private sale for not less than par and accrued interest. Said notes shall bear interest at a rate not exceeding three percent per annum. They may be renewed from time to time by the issuance and sale of new notes, but all such notes shall mature and be paid not later than June 30, 1958. Said notes shall be signed by the President and one member of the Board of Trustees or Board of Education of the district and shall be payable at the Farmers Bank of the State of Delaware in the county in which the district is located. All provisions of law pertaining to local school bonds and not inconsistent with the provisions of this Act shall apply to notes issued hereunder.

The total amount of said notes outstanding at any one time, together with the total amount of said bonds theretofore issued, shall not exceed that portion of the total authorized bonded indebtedness of the school district for which bonds have been authorized by local referendum within the district.

Said notes may be redeemed at part and accrued interest prior to their maturity if the right of the school district to do

so shall have been reserved by an express provision in the notes. The principal of said notes shall be paid out of the proceeds of the sale of said bonds or notes.

Approved March 6, 1956.

CHAPTER 590

APPROPRIATION

ALCOHOLIC BEVERAGE CONTROL COMMISSION

**AN ACT TO APPROPRIATE FUNDS TO THE DELAWARE
ALCOHOLIC BEVERAGE CONTROL COMMISSION TO
DEFRAY CERTAIN EXPENSES.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That the sum of Five Thousand and Eleven Dollars (\$5,011.00) for each of the fiscal years ending June 30, 1956, and June 30, 1957, is hereby appropriated to the Delaware Alcoholic Beverage Control Commission to defray the following expenses:

Salaries			\$3,000.00
Mileage.....	New Castle Co.	\$460.00	
	Kent County	598.00	
	Sussex County	953.00	\$2,011.00
			<hr/>
			\$5,011.00

Section 2. This Act is a Supplementary Appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware from monies not otherwise appropriated.

Approved March 7, 1956.

CHAPTER 591

SUPPLEMENTARY APPROPRIATION

AN ACT MAKING CERTAIN SUPPLEMENTARY APPROPRIATIONS FOR THE EXPENSES OF CERTAIN STATE AGENCIES FOR EACH OF THE FISCAL YEARS ENDING JUNE 30, 1956, AND JUNE 30, 1957.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to the proper conduct of the business of the agencies named herein, are appropriated and authorized to be paid out of the Treasury of this State by the respective departments and divisions of State Government, and other specified spending agencies, subject to the provisions of Part VI, Title 29, Delaware Code, and for the periods specified. 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; provided, however, that no funds shall revert which are encumbered pursuant to Section 6521, Title 29, Delaware Code, and provided further that vouchers for payment of obligations entered into prior to the end of the fiscal year may be presented for approval within twelve (12) days after the end of the fiscal year.

The several amounts hereby appropriated are as follows:

	Year Ending June 30	
	1956	1957
Alexis I. duPont		
Capital Outlay	\$ 50.00	\$ 50.00
All Other Costs	550.00	550.00
Claymont		
Salaries		
Instructional	\$17,500.00	\$18,300.00
Capital Outlay	150.00	150.00
All Other Costs	1,650.00	1,650.00

Mt. Pleasant

Salaries

Instructional	\$18,660.00	\$19,260.00
Janitorial	1,750.00	1,850.00
Capital Outlay	500.00	500.00
All Other Costs	5,500.00	5,500.00

Newark

Salaries

Clerical	\$ 755.00	\$ 755.00
Instructional	58,520.00	61,020.00
Janitorial	6,225.00	6,525.00
Capital Outlay	800.00	800.00
All Other Costs	8,800.00	8,800.00

New Castle

Salaries

Instructional	\$ 9,945.00	\$10,425.00
Capital Outlay	200.00	200.00
All Other Costs	2,200.00	2,200.00

Dover

Salaries

Clerical	\$ 207.00	\$ 207.00
Instructional	940.00	940.00
Capital Outlay	250.00	250.00
All Other Costs	2,750.00	2,750.00

Caesar Rodney

Capital Outlay	\$ 50.00	\$ 50.00
All Other Costs	550.00	550.00

Harrington

Salaries

Clerical	\$ 375.00	\$ 375.00
Instructional	8,530.00	8,850.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Milford

Salaries

Instructional	\$13,147.00	\$13,147.00
Janitorial	4,500.00	4,500.00
Capital Outlay	150.00	150.00
All Other Costs	1,650.00	1,650.00

Georgetown		
Salaries		
Instructional	\$ 2,314.00	\$ 2,474.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00
Seaford		
Salaries		
Clerical	\$ 200.00	\$ 200.00
Instructional	12,494.00	12,704.00
Capital Outlay	250.00	250.00
All Other Costs	2,750.00	2,750.00
Laurel		
Salaries		
Janitorial	\$10,525.00	\$13,425.00
Rehoboth		
Salaries		
Instructional	\$ 680.00	\$ 680.00
Alfred I. duPont No. 7		
Salaries		
Clerical	\$ 463.00	\$ 463.00
Instructional	23,620.00	24,740.00
Janitorial	4,375.00	4,575.00
Health	1,460.00	1,540.00
Capital Outlay	450.00	450.00
All Other Costs	4,950.00	4,950.00
Richardson Park No. 20		
Capital Outlay	\$ 100.00	\$ 100.00
All Other Costs	1,100.00	1,100.00
Newport No. 21		
Salaries		
Clerical	\$ 496.00	\$ 496.00
Capital Outlay	100.00	100.00
All Other Costs	1,100.00	1,100.00
Stanton No. 38		
Salaries		
Administrative	\$ 200.00	\$ 200.00
Clerical	505.00	505.00
Janitorial	2,425.00	2,525.00
Health	1,420.00	1,500.00
Capital Outlay	150.00	150.00
All Other Costs	1,650.00	1,650.00

Delaware City No. 52

Capital Outlay	\$ 50.00	\$ 50.00
All Other Costs	550.00	550.00
Salaries		
Instructional	2,710.00	2,870.00

Rose Hill No. 47

Salaries		
Instructional	\$10,400.00	\$10,880.00
Janitorial	2,500.00	2,600.00
Health	1,380.00	1,460.00
Capital Outlay	300.00	300.00
All Other Costs	3,300.00	3,300.00

Middletown No. 60

Salaries		
Instructional	\$ 2,540.00	\$ 2,700.00

Marshallton No. 77

Salaries		
Administrative	\$ 680.00	\$ 680.00
Clerical	383.00	383.00
Instructional	39,366.00	40,966.00
Capital Outlay	450.00	450.00
All Other Costs	4,950.00	4,950.00

Townsend No. 81

Salaries		
Instructional	\$ 1,220.00	\$ 1,320.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Oak Grove No. 130

Salaries		
Clerical	\$ 1,913.00	\$ 2,033.00
Janitorial	1,875.00	1,975.00
Capital Outlay	150.00	150.00
All Other Costs	1,650.00	1,650.00

H. C. Conrad No. 131

Salaries		
Administrative	\$ 200.00	\$ 200.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Middletown No. 120-C

Salaries

Instructional	\$ 1,520.00	\$ 1,520.00
Capital Outlay	100.00	100.00
All Other Costs	1,100.00	1,100.00

Clayton No. 119

Salaries

Administrative	\$ 3,740.00	\$ 3,900.00
Instructional	202.00	202.00

Felton No. 54

Salaries

Instructional	\$ 3,370.00	\$ 3,530.00
Janitorial	1,700.00	1,800.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Wm. Henry No. 133-C

Salaries

Instructional	\$ 2,026.00	\$ 2,186.00
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Delmar No. 163

Salaries

Instructional	\$ 732.00	\$ 732.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

J. M. Clayton No. 97

Salaries

Instructional	\$ 2,672.00	\$ 2,832.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Lord Baltimore No. 28

Salaries

Clerical	\$ 118.00	\$ 118.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Millsboro No. 23

Salaries

Clerical	\$ 438.00	\$ 438.00
Janitorial	850.00	850.00

Milton No. 8

Salaries

Clerical	\$ 278.00	\$ 278.00
Instructional	4,224.00	4,384.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Selbyville No. 32

Salaries

Administrative	\$ 480.00	\$ 480.00
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Millsboro No. 204-C

Salaries

Instructional	\$ 1,280.00	\$ 1,280.00
Capital Outlay	50.00	50.00
All Other Costs	550.00	550.00

Wm. Jason No. 192-C

Salaries

Administrative	\$ 480.00	\$ 480.00
Janitorial	1,850.00	1,950.00

Section 2. In order to provide for salaries of additional school personnel and/or other costs of public education for which adequate provision has not been made in other appropriation acts, there is hereby appropriated to the State Board of Education for the fiscal year beginning July 1, 1955, and ending June 30, 1956, the sum of \$263,182.00; and for the fiscal year beginning July 1, 1956, and ending June 30, 1957, the sum of \$350,970.00. Expenditures and/or transfers from this appropriation are to be made only upon approval of the Budget Commission.

Section 3. In order to put into effect the provisions of House Bill No. 318, "An Act Providing for the Pay of Teachers and Other School Employees During Absence for Certain Reasons", there is hereby appropriated to the State Board of Education for its use or transfer to school districts for the fiscal year beginning July 1, 1955, and ending June 30, 1956, the sum of \$50,000.00; and for the fiscal year beginning July 1, 1956, and ending June 30, 1957, the sum of \$50,000.00; such sums to be in addition to those already appropriated in House Bill No. 219 for payments for substitute teachers.

Section 4. Except as otherwise provided, the transfer of any funds herein appropriated by this Act to any Salary Account, or to any Salaries and Wages Account, or to any other agency, is prohibited. Transfers to other accounts may be made, but only with the approval of the Budget Commission.

Section 5. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved March 7, 1956.

CHAPTER 592

AUTHORIZING KENT COUNTY LEVY COURT TO
SELL STATE LANDS

AN ACT AUTHORIZING THE LEVY COURT OF KENT COUNTY TO CONVEY ITS RIGHT, TITLE AND INTEREST IN CERTAIN LANDS TO THE STATE OF DELAWARE FOR \$10,000 TO BE PAID TO THE LEVY COURT OF KENT COUNTY TOGETHER WITH A RIGHT OF WAY TO BE GRANTED BY THE STATE OF DELAWARE TO KENT COUNTY OVER CERTAIN STATE LANDS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The Levy Court of Kent County is hereby authorized and empowered to execute and deliver unto The State of Delaware a legal deed conveying to The State of Delaware free of all liens and encumbrances, for the sum of Ten Thousand Dollars (\$10,000), all its right, title and interest in and to

All that certain tract, piece and parcel of land, situate in the corporate limits of the City of Dover in East Dover Hundred, Kent County and the State of Delaware, and being more particularly bounded and described as follows, to-wit:

BEGINNING at a point, a corner for lands now or late of H. A. Culbreth and Ella Murphy, said corner being North 8 degrees 29 minutes West 205.49 feet from a point on the Northerly side of Water Street, which said point on Water Street is located North 81 degrees 42 minutes 26 seconds East 213.29 feet from the Easterly side of State Street; thence from said point of beginning by other lands of Ella Murphy North 8 degrees 29 minutes West 71.05 feet to a line for lands now or late of James M. Satterfield; thence thereby the two following courses and distances: (1) North 81 degrees 16 minutes 08 seconds East 112.73 feet and (2) North 80 degrees 56 minutes 22 seconds East 188.17 feet to a line for lands of the State of Delaware; thence thereby South 7 degrees 45 minutes 18 seconds East 71.94 feet to the aforesaid line for lands now or late of H. A. Culbreth; thence thereby South 81 degrees 13 minutes 55 seconds West 299.97

feet to the first described point and place of beginning; containing in all 0.492 Acres of land, be the same more or less;

The above description being written from the plot of a survey of Price and Price, their drawing No. 1829;

BEING a part of the same lands which were conveyed to Ella Murphy by Sanford Murphy and Bradford Murphy by deed recorded in the office of the Recorder of Deeds in and for Kent County in Deed Record Book E, Vol. 6, Page 166.

Section 2. In addition to the payment of Ten Thousand Dollars (\$10,000) as provided in Section 1, The State of Delaware is authorized and empowered to execute and deliver to The Levy Court of Kent County a deed conveying an easement, with the right of ingress, egress and regress over and upon a road in the City of Dover, Kent County, Delaware, to be built by the State, following a course to be surveyed by the State, thirty-five (35) feet in width, five (5) feet of which shall be used for utilities, running from Water Street in a northerly direction along the eastern boundaries of lands of William Bradford and Lucinda Shakespeare and lands belonging to the State of Delaware for the use of The Levy Court of Kent County, not conveyed by this Act, to the southern boundary of lands late of James M. Satterfield.

Section 3. The Deed of Conveyance to be delivered in connection with the sale of said lands and premises shall be in the name of "The Levy Court of Kent County", Party of the First Part, and shall be executed for and on behalf of said "The Levy Court of Kent County" by the President thereof, attested by the Clerk of the Peace and acknowledged by the President before a Notary Public of The State of Delaware.

Section 4. Any and all monies to be derived from the sale of said lands and premises shall be deposited to the General Fund of The Levy Court of Kent County and expended therefrom by said Court in the usual manner.

Approved March 9, 1956.

CHAPTER 593

APPROPRIATION

STATE BOARD OF CORRECTIONS

**AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD
OF CORRECTIONS FOR THE FISCAL YEAR ENDING
JUNE 30, 1957.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. The sum of \$75,000 is appropriated to the State Board of Corrections for the fiscal year ending June 30, 1957 to be used for the State Correctional System established under an earlier act of the 118th General Assembly.

Section 2. This Act is a Supplementary Appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved May 29, 1956.

CHAPTER 594

STATE EMPLOYEES PENSIONS

AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, ENTITLED "EMPLOYEES' PENSION PLAN" IN RESPECT TO THE EFFECT OF AMENDMENTS TO SAID CHAPTER.

WHEREAS, the 118th General Assembly has enacted a number of amendments to Chapter 55, Title 29, Delaware Code, AND

WHEREAS, some doubt has arisen as to whether the amendments were meant to apply to employees who had already retired under the provisions of Chapter 55, AND

WHEREAS, it was the intent of the General Assembly that the amendments to the pension laws should apply both to those who had already retired and those who thereafter retire, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Subchapter I, Chapter 55, Title 29, Delaware Code, is amended by adding the following new section at the end thereof:

§ 5527. Effect of amendments

Any amendment to Chapter 55 of this title shall be deemed to apply to State employees who had retired prior to the effective date of the amendment and also to State employees retiring after the effective date of the amendment unless the bill containing the amendment specifically provides otherwise, but nothing contained in this section shall be construed so as to reduce the pension payments already properly awarded a former State employee.

Section 2. In order to carry out the intent of the 118th General Assembly as expressed in this Act the State Treasurer

shall review, recompute and adjust the pensions received from the State of Delaware by all persons who have heretofore retired and been awarded a pension under the provisions of the State Pension Plan as it is set forth in Chapter 55, Title 29, Delaware Code and in the prior statutes on which the said chapter is based. The State Treasurer shall give effect to all enactments of the 118th General Assembly in recomputing the said pensions. Such recomputation shall be completed by July 1, 1956.

Approved June 6, 1956.

CHAPTER 595

APPROPRIATION

FOR PROTECTING BEACHES

AN ACT TO PROVIDE FOR PROTECTING THE BEACH OR STRAND FROM EROSION OPPOSITE, IN FRONT OF, OR NEAR THE TOWN OF LEWES, ALONG THE DELAWARE BAY SHORE, AT KITTS HUMMOCK, AT WOODLAND BEACH, AT PICKERING BEACH AND AT SLAUGHTER BEACH.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The State Highway Department is authorized and directed to provide, erect, construct and build such groins, jetties, banks, dikes, dunes, bulkheads and make any other repairs or take any other measures necessary along the beach or strand opposite, in front of, or near the Town of Lewes, at Kitts Hummock, at Woodland Beach, at Pickering Beach and at Slaughter Beach 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 Thirty-five Thousand Dollars (\$35,000) is appropriated for use at Lewes Beach, a sum not in excess of Twelve Thousand and Five Hundred Dollars (\$12,500) is appropriated for use at Kitts Hummock, a sum not in excess of Two Thousand Five Hundred Dollars (\$2,500) is appropriated for use at Woodland Beach, a sum not in excess of Two Thousand and Five Hundred Dollars (\$2,500) is appropriated for use at Pickering Beach and a sum not in excess of Ten Thousand Dollars (\$10,000) is appropriated for use at Slaughter Beach, for such purposes, and the State Treasurer is directed to pay the same upon proper voucher drawn from time to time by the State Highway Department for purposes hereinbefore set forth.

Section 3. In the event that all or any part of said sums shall remain unexpended on June 30, 1955, or on June 30, 1956,

they shall not revert to the General Fund of the State Treasury, but shall remain available for said purposes up to and including June 30, 1957.

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 of Delaware.

Approved June 7, 1956.

CHAPTER 596

PROVIDING FOR REPAIRS TO BOARDWALK AT
REHOBOTH BEACH**AN ACT PROVIDING FOR REPAIRS, REPLACEMENTS AND
ADDITIONS TO THE BOARDWALK IN THE CITY OF
REHOBOTH BEACH, IN SUSSEX COUNTY, AND AP-
PROPRIATING MONEY THEREFOR.**

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected to each Branch thereof concurring therein):

Section 1. The State Highway Department of the State of Delaware, by and through its Chief Engineer, or such other officer or employee as it may select, and The Commissioners of Rehoboth, by and through the City Manager of the municipality, are empowered and directed promptly to investigate and examine the boardwalk in the City of Rehoboth Beach, in Sussex County, and to determine the necessity and extent of repairs, replacements and additions thereto, and to make in writing detailed estimates of the cost and expense.

Section 2. Upon determination of necessity and estimation of costs, the Department and The Commissioners, as soon as may be, shall proceed to have the necessary work done either by the Department and the City, or by contract, and if by contract, the provisions of Section 43 of the Charter of the City of Rehoboth Beach relating to public competitive building shall be applicable.

Section 3. Should any difference of opinion as to the extent or cost of the necessary work, or the manner of performance, arise the decision of the Department shall control.

Section 4. Upon completion of the work the Department and The Commissioners shall approve and accept the work in writing, in duplicate, and one copy of the approval shall be filed with the Department and one copy with The Commissioners.

Section 5. The sum of \$10,000 is appropriated for the purpose herein stated for the fiscal year 1955-1956, and the further

sum of \$10,000 is appropriated for the purpose herein stated for the fiscal year 1956-1957, and the State Treasurer is directed to disburse the amount appropriated, or so much as may be necessary, upon proper vouchers drawn and signed by the Department and by The Commissioners of Rehoboth; and it is expressly provided that the money appropriated shall not revert to the general fund of the State Treasury, but shall remain available for the use and purpose herein declared until the directions hereof shall have been fully accomplished; Provided, However, that if any part of the money appropriated shall remain unexpended after full accomplishment of the work, such unexpended amount shall revert to the State Treasury.

Section 6. This Act shall be known as a Supplementary Appropriation Act, and all the money hereby appropriated shall be paid out of the general funds of the State Treasury not otherwise appropriated.

Approved June 7, 1956.

CHAPTER 597

APPROPRIATION

DELAWARE STATE HOSPITAL

AN ACT TO AUTHORIZE THE INCREASE OF SALARIES OF CERTAIN EMPLOYEES OF THE DELAWARE STATE HOSPITAL AND MAKING AN APPROPRIATION THEREFOR.

WHEREAS, Delaware State Hospital has become extremely handicapped because of the shortage of Aides and Attendants in the Nursing Department, and

WHEREAS, it has been impossible to obtain desirable candidates for such services, and

WHEREAS, the State Hospitals of neighboring States compensate their Aides and Attendants by approximately 35% more than the Delaware State Hospital, and

WHEREAS, the Delaware State Hospital is in an area where industrial plants create a great demand for employees and with whom it is now impossible to compete, and

WHEREAS, the Delaware State Hospital original Budget-request for "Salaries and Wages" was reduced by \$125,500.00 for the fiscal year ending June 30, 1956 and by \$264,500.00 for the fiscal year ending June 30, 1957,

NOW THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That the Delaware State Hospital is authorized to increase the salaries of those Aides and Attendants who are qualified according to the approved standards, by a minimum of 10% thus giving opportunity for the Delaware State Hospital to employ men and women, some of whom will make this service a career.

Section 2. In order to meet the additional expense pursuant to the provisions of Section 1, there is hereby appropriated the sum of \$110,000.00 for the fiscal year ending June 30, 1957, in addition to the provisions for the Delaware State Hospital in the present budget.

Section 3. 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 June 7, 1956.

CHAPTER 598

APPROPRIATION

INSURANCE COMMISSIONER

**AN ACT MAKING A SUPPLEMENTARY APPROPRIATION
TO THE STATE INSURANCE COMMISSIONER FOR
THE PURPOSE OF PAYING ADDITIONAL NECESSARY
PREMIUMS FOR INSURANCE ON STATE PROPERTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. The sum of Fifty Thousand Dollars (\$50,000) is hereby appropriated to the State Insurance Commissioner for the biennium ending July 1, 1957 for the purpose of paying additional necessary insurance premiums on State Property.

Section 2. 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 June 12, 1956.

CHAPTER 599

**PROVIDING FOR ADDITIONAL CAPITAL IMPROVEMENTS
TO NEWARK SPECIAL SCHOOL DISTRICT**

AN ACT TO AMEND CHAPTER 529, VOLUME 50, LAWS OF DELAWARE, SO AS TO PROVIDE THAT NEWARK SPECIAL SCHOOL DISTRICT BE PERMITTED TO FINANCE ADDITIONAL CAPITAL IMPROVEMENTS THEREUNDER AND APPROPRIATING THE NECESSARY FUNDS.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each Branch concurring therein):

Section 1. Section 13, Chapter 529, Volume 50, Laws of Delaware as amended, is further amended by striking out the following words and figures as the same appear therein:

NAME OF DISTRICT	MAXIMUM TOTAL COST	MAXIMUM STATE SHARE	MAXIMUM LOCAL SHARE
Newark	\$3,000,000	\$1,800,000	\$1,200,000

and substituting the following words and figures:

NAME OF DISTRICT	MAXIMUM TOTAL COST	MAXIMUM STATE SHARE	MAXIMUM LOCAL SHARE
Newark	\$5,750,000	\$3,450,000	\$2,300,000

FURTHER AMEND Section 13 by striking out the totals as the same appear therein and substituting the following totals:

	MAXIMUM TOTAL COST	MAXIMUM STATE SHARE	MAXIMUM LOCAL SHARE
TOTALS	\$47,819,900	\$29,986,900	\$17,833,000

Section 2. FURTHER AMEND Chapter 529, Volume 50, Laws of Delaware, as amended, by striking out the words and figures "twenty-eight million, three hundred thirty-six thousand nine hundred dollars (\$28,336,900)" wherever the same appear

therein and substituting the following words and figures "twenty-nine million, nine hundred eighty-six thousand nine hundred dollars (\$29,986,900)".

Approved June 21, 1956.

CHAPTER 600
APPROPRIATION
FOR STUDENT DRIVER TRAINING

**AN ACT MAKING AN APPROPRIATION TO THE STATE
BOARD OF EDUCATION FOR STUDENT DRIVER
TRAINING.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The following sums are appropriated to the State Board of Education for the expansion of its student driver training program for the fiscal year beginning July 1, 1956 and ending June 30, 1957:

Salaries	\$16,000
Travel	1,200
Other Costs	800
Equipment	600

TOTAL: \$18,600

Section 2. This Act is a Supplementary Appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved June 21, 1956.

CHAPTER 601

APPROPRIATION

STATE HIGHWAY COMMISSION

AN ACT TO APPROPRIATE FUNDS TO THE STATE HIGHWAY COMMISSION TO BE USED IN ACCORDANCE WITH THE PROVISIONS OF SENATE BILL NO. 387 AS PASSED BY THE 118TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE ENTITLED AN ACT TO AMEND CHAPTER 1, TITLE 17 OF THE DELAWARE CODE RELATING TO JURISDICTION, POWERS AND DUTIES OF THE STATE HIGHWAY DEPARTMENT.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That there is hereby appropriated to the State Highway Department the sum of \$150,000.00 for the fiscal year ending June 31, 1957. This money to be used solely for maintenance of streets and roads as indicated and designated in Senate Bill No. 387 as passed by the 118th General Assembly of the State of Delaware entitled "An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to Jurisdiction, Powers and Duties of the State Highway Department".

Section 2. This Act is a Supplementary Appropriation and the money appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware from monies not otherwise appropriated.

Approved June 21, 1956.

CHAPTER 602**APPROPRIATION****SALARY SUPPORTED SCHEDULES FOR SCHOOL
EMPLOYEES****AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE
CODE, ENTITLED "STATE SUPPORTED SALARY
SCHEDULES FOR SCHOOL EMPLOYEES", AND TO
PROVIDE APPROPRIATIONS THEREFOR.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. Chapter 13, Title 14, Delaware Code, is hereby amended by striking out said Chapter and enacting in lieu thereof a new Chapter 13, as follows:

**CHAPTER 13. STATE SUPPORTED SALARY SCHEDULES
FOR SCHOOL EMPLOYEES****§ 1301. Definitions**

As used in this chapter—

"District" means a school district, a special school district, or the school district of the City of Wilmington;

"Preparation", "bachelor's degree", "master's degree", "doctor's degree", "principal", "superintendent", "elementary school", and "secondary school" shall have the meanings defined by the State Board of Education.

§ 1302. Application of chapter

This chapter applies to every School District and Special School District and to the School District of the City of Wilmington.

This Chapter also applies to those teachers, secretaries, senior secretaries, and clerks who are employed directly by the State Board of Education.

§ 1303. State supported uniform salary schedules and classifications

The salary schedules and classifications set forth in this chapter shall be permanent State supported uniform salary schedules and classifications which shall govern, subject to the provisions of Section 1304 of this title, the amounts of the salaries that shall be paid in each District to the employees covered by the schedules.

§ 1304. Salaries in excess of State supported uniform salary schedules

Nothing contained in this Chapter shall prevent any Board of Education or Board of School Trustees from paying an additional amount of salary to any employee, if the additional amount is supplied by other funds than those supplied by State appropriations.

§ 1305. Salary schedule and classification for teachers

(a) Teachers who hold appropriate certificates and whose salaries are paid for 10 months per year shall receive annual salaries according to the following schedule:

Years of Experience	No Degree	Bachelor's Degree	Master's Degree or Bachelor's Degree Plus 30 Graduate Credits	Master's Degree Plus 30 Graduate Credits	Doctor's Degree
0	2,800	3,200	3,600	4,000	4,400
1	3,000	3,400	3,800	4,200	4,600
2	3,200	3,600	4,000	4,400	4,800
3	3,400	3,800	4,200	4,600	5,000
4	3,600	4,000	4,400	4,800	5,200
5	3,800	4,200	4,600	5,000	5,400
6	4,000	4,400	4,800	5,200	5,600
7	4,200	4,600	5,000	5,400	5,800
8	4,400	4,800	5,200	5,600	6,000
9	4,600	5,000	5,400	5,800	6,200
10	4,700	5,100	5,500	5,900	6,300
11	4,800	5,200	5,600	6,000	6,400
12	4,900	5,300	5,700	6,100	6,500
13	5,000	5,400	5,800	6,200	6,600
14	5,100	5,500	5,900	6,300	6,700

The term "30 Graduate Credits" as used in the above classification shall mean 30 semester hours of study in accordance with rules and regulations of the State Board of Education or the Board of Public Education in the City of Wilmington as the case may be.

(b) A teacher who is employed for more than 10 months per year and paid accordingly shall receive a payment of one-tenth of the amount designated in the schedule set forth in subsection (a) of this section for such teacher for each additional month of employment per year.

§ 1306. Salary schedule for chief school officer of a District

A superintendent or principal of a District, who is the chief school officer of his District and who holds a certificate appropriate for his position shall receive as a salary the amount for which he qualifies under Section 1316 and the schedule set forth in Section 1305 (a) and (b) of this title plus an annual amount to be determined in accordance with the following schedule:

Years of Administrative Experience	Number of Teachers					
	2-5	6-11	12-25	26-39	40-69	70 plus
0	\$200	\$ 200	\$ 400	\$ 600	\$ 800	\$1,000
1	300	300	550	800	1,050	1,300
2	400	400	700	1,000	1,300	1,600
3	500	500	850	1,200	1,550	1,900
4	500	600	1,000	1,400	1,800	2,200
5	500	700	1,150	1,600	2,050	2,500
6	500	800	1,300	1,800	2,300	2,800
7	500	1,000	1,500	2,000	2,500	3,000

The number of teachers used in the calculations of the salary of a principal or superintendent shall not include the principal or superintendent.

§ 1307. Salary schedule for principal who is subordinate to a chief school officer

A principal who is subordinate to a chief school officer in a District shall receive as a salary the amount for which he qualifies under Section 1316 and the schedule set forth in Section

1305 (a) and (b) of this title plus an annual amount stated in the appropriate subdivision of this section.

A. For a principal in charge of an elementary or secondary school who spends more than one-half his school time in teaching, add annual amounts as follows:

Years of Administrative Experience	Number of Teachers		
	2-7	8-14	15 or more
0	\$100	\$100	\$100
1	125	160	200
2	150	220	300
3	175	280	400
4	200	350	500

B. For a principal in charge of an elementary or secondary school or schools within the district, who spends less than one-half his school time in teaching, add annual amounts as follows:

Years of Administrative Experience	Number of Teachers				
	15-19	20-29	30-39	40-59	60 or more
0	\$ 200	\$ 400	\$ 600	\$ 900	\$1,200
1	400	600	800	1,100	1,400
2	600	800	1,000	1,300	1,600
3	800	1,000	1,200	1,500	1,800
4	1,000	1,200	1,400	1,700	2,000

C. In a district with 75 teachers or more, there may be employed an administrative assistant who shall be paid a salary in accordance with the last column in "B" above.

A teacher who is counted in subdivisions A or B of this section shall not be counted in more than one calculation if his time is divided between two schools. The number of teachers shall not include the principal.

§ 1308. Salary schedule for Senior Secretaries

Senior secretaries who have the qualifications required by the rules of the State Board of Education shall be paid a basic salary of \$200 per month, plus \$10 per month for each year of experience up to a maximum of \$350 per month for senior secretaries having 15 or more years of experience.

§ 1309. Salary schedule for secretaries

Secretaries who have the qualifications required by the State Board of Education shall be paid a basic salary of \$175 per month, plus \$10 per month for each year of experience up to a maximum of \$325 per month for secretaries having 15 or more years of experience.

§ 1310. Salary schedule for school nurses

School nurses who are employed for 10 months shall receive salaries according to the following schedule:

Years of Experience	Registered Nurse with Provisional Certificate	Registered Nurse with Regular Certificate	Certified Nurse with Bachelor's Degree
0	\$2,600	\$2,800	\$3,200
1	2,800	3,000	3,400
2	3,000	3,200	3,600
3	3,200	3,400	3,800
4	3,400	3,600	4,000
5	3,600	3,800	4,200
6	3,800	4,000	4,400
7	4,000	4,200	4,600
8	4,200	4,400	4,800
9	4,400	4,600	5,000
10	4,500	4,700	5,100
11	4,600	4,800	5,200
12	4,700	4,900	5,300
13	4,800	5,000	5,400
14	4,900	5,100	5,500

§ 1311. Salary schedule for school custodians

School custodians who have the qualifications required by the State Board of Education and who work and are paid for 12 months per year shall be paid as follows:

Years of Experience	Chief Custodian	Fireman	Custodian-Fireman	Custodian
0	\$3,350	\$2,750	\$2,650	\$2,450
1	3,500	2,900	2,800	2,600
2	3,650	3,050	2,950	2,750
3	3,800	3,200	3,100	2,900
4	..	3,350	3,250	3,050
5	..	3,400	3,300	3,100

The above salaries shall be increased for special training as defined and credited by the State Board of Education as follows:

Chief Custodian	\$400
Custodian-Fireman	300
Custodian	200

§ 1312. Experience

(a) In the case of a teacher, superintendent or principal, the term "years of experience" in determining salary in accordance with Section 1305, means years of service in a public school or a regularly organized private school. Ninety-one days in any school year shall constitute one year of experience, but not more than one year of experience may be credited for any one calendar year. Years of service in the armed forces of the United States shall be counted also as years of experience in accordance with the rules and regulations adopted by the State Board of Education in this respect.

(b) In the case of personnel whose salaries are based wholly or in part upon Sections 1306, 1307, 1308, 1309, 1310, and 1311, experience shall be evaluated by the State Board of Education, taking into consideration the number of months and the nature of the services rendered.

§ 1313. Salaries of employees who fail to meet State Board's Qualifications

Any person employed by a District who does not meet the qualifications set up by the State Board of Education shall not receive any salary paid in part by State funds unless such person's salary shall be at least \$200 less per year than the amounts provided in the appropriate salary schedule in this chapter.

§ 1314. Limitations on salary increases and decreases

(a) The salary paid from State funds to any person employed by a District on June 14, 1956, shall not be increased more than \$300 in any one year by reason of the application of any salary schedule contained in this chapter, nor shall the amount of any salary paid from State funds exceed the amount provided in the appropriate salary schedule, and it shall be the duty of each school board to certify upon request of the Auditor, Budget Commission, or State Board of Education that the schedules and the rules and regulations of the State Board of Education regarding salary schedules are being fully complied with.

(b) The salary paid from State funds to any person employed by a District on June 14, 1956, shall not be reduced by reason of the application of any salary schedule contained in this chapter, except in the case of a change in classification.

(c) The salary paid from State funds to any person employed by a District after June 30, 1956, shall not be greater than that which he would receive had he been employed on June 14, 1956.

§ 1315. Rules and regulations

The State Board of Education may make such rules and regulations as it deems appropriate to make the application of the salary schedules contained in this chapter uniform throughout the State.

§ 1316. Determination of number of employees and months of employment

The State Board of Education shall determine the number and months of employment in a school year of the personnel employed in each District whose salaries may be paid out of State funds under any salary schedule contained in this chapter, except teachers whose salaries are paid for 10 months per year.

§ 1317. Method of salary payments

Teachers and principals who are employed for ten months per year shall have the option of being paid in ten (10) or twelve (12) equal monthly payments, provided that such employees shall indicate their preference at the time of signing their contract for the ensuing school year and that the method of salary payment so designated shall not be changed during the period of the aforementioned contract.

§ 1318. Sick leave and absences for other reasons

(a) Teachers and other employees shall be allowed ten (10) days of sick leave per year with full pay, and any unused days of such leave shall be accumulated to the employee's credit up to a limit of forty (40) such days.

(b) In the case of a death in the immediate family of the employee, there shall be no deduction of salary of said employee for an absence not to exceed five (5) calendar days. Members of the immediate family shall be defined as: father, mother, brother, sister, son, daughter, husband, wife, parent-in-law, or any relative who resides in the same household, or any person with whom the employee has made his or her home. This absence shall be in addition to other leaves granted the employee.

(c) In the case of critical illness in the immediate family as described above, an employee may be absent without loss of pay for a period of three (3) calendar days. The days so lost are to be counted in the sick leave of the employee.

(d) In case of the death of a near relative, there shall be no deduction in the salary of the employee for absence on the

day of the funeral. A near relative shall be defined as: first cousin, grandfather, grandmother, aunt, uncle, niece, nephew, brother-in-law, or sister-in-law. This absence shall be in addition to other leaves granted the employee.

§ 1319. Records of absences; proof

Each employing board shall keep an accurate record of the absences from duty and reasons therefor of all employees for whatsoever reason and may require a statement from the employee when absent because of illness to the effect that he or she was unable to perform his or her duties during the period of absence. The Board may request a physician's certificate if in its judgment this is necessary.

§ 1320. Deduction for unexcused absence

For each day's absence without good and sufficient reason accepted by the employing board, the board shall deduct 1/20th of the monthly salary of the employee for each day of such absence.

Section 2. To carry out the provisions of this Act there is hereby appropriated to the State Board of Education the sum of Eight Hundred Seventy-Eight Thousand Four Hundred Dollars (\$878,400.00) for the fiscal year beginning July 1, 1956 and ending June 30, 1957.

Section 3. No provisions of this Act shall become effective until July 1, 1956.

Section 4. This Act is a Supplementary Appropriation, and the money hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved June 22, 1956.

CHAPTER 603

PROVIDING FOR LIMITED ACCESS HIGHWAY

AN ACT TO AMEND TITLE 17, ENTITLED "HIGHWAYS" OF THE DELAWARE CODE TO PROVIDE FOR THE PLANNING, DESIGNATION, ESTABLISHMENT, USE, REGULATION, ALTERATION, IMPROVEMENT, MAINTENANCE, AND VACATION OF CONTROLLED-ACCESS FACILITIES; THE ACQUISITION OF LANDS REQUIRED THEREFOR; THE RESTRICTION OF INTERSECTIONS AND CONTROL OF APPROACHES; THE ESTABLISHMENT OF LOCAL SERVICE ROADS; THE PROHIBITION OF CERTAIN ACTS THEREON AND PROVISION FOR PENALTIES THEREFOR; AND FOR OTHER PURPOSES.

Be it enacted by the General Assembly of the State of Delaware:

SECTION 1. Chapter 1 of Title 17 of the Delaware Code is amended by adding thereto the following subchapter to be designated Subchapter V, "Controlled-Access Highways" containing the following sections to be designated as § §171 to 180 of Title 17:

§ 171. Declaration of policy

The legislature hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety, and for the promotion of the general welfare.

§ 172. Definition of a controlled-access facility

For the purposes of this subchapter, a controlled-access facility is defined as a highway or street especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a controlled right or easement of access, light, air, or view by reason of the fact that their property abuts upon such controlled-access facility or for any other reason. Such highways or

streets may be freeways open to use by all customary forms of street and highway traffic; or they may be parkways from which trucks, busses, and other commercial vehicles shall be excluded.

§ 173. Authority to establish controlled-access facilities

The Department, acting alone or in cooperation with any other governmental agency or political subdivision of this State or with any Federal, State, or local agency of any other State having authority to participate in the construction and maintenance of highways, is hereby authorized to plan, designate, establish, regulate, vacate, alter, improve, maintain, and provide controlled-access facilities for public use wherever the Department is of the opinion that traffic conditions, present or future, will justify such special facilities: Provided, That within cities and towns such authority shall be subject to such municipal consent as may be provided by law. The Department, in addition to the specific powers granted in this act, shall also have and may exercise, relative to controlled-access facilities, any and all additional authority now or hereafter vested in it relative to highways or streets within its jurisdiction. The Department may regulate, restrict, or prohibit the use of such controlled-access facilities by the various classes of vehicles or traffic in a manner consistent with § 172 of this title.

§ 174. Design of controlled-access facility

The Department is authorized to so design any controlled-access facility and to so regulate, restrict, or prohibit access as to best serve the traffic for which such facility is intended. In this connection the Department is authorized to divide and separate any controlled-access facility into separate roadways by the construction of raised curbings, central dividing sections, or other physical separations, or by designating such separate roadways by signs, markers, stripes, and the proper lane for such traffic by appropriate signs, markers, stripes, and other devices. No person shall have any right of ingress or egress to, from, or across controlled-access facilities to or from abutting lands, except at such designated points at which access may be permitted, upon such terms and conditions as may be specified from time to time.

§ 175. Acquisition of property and property rights

For the purposes of this act, the Department may acquire private or public property and property rights for controlled-access facilities and service roads, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation in the same manner as such units are now or hereafter may be authorized by law to acquire such property or property rights in connection with highways and streets within its jurisdiction. All property rights acquired under the provisions of this act shall be in fee simple. In connection with the acquisition of property or property rights for any controlled-access facility or portion thereof, or service road in connection therewith, the Department may, in its discretion, acquire an entire lot, block, or tract of land, if, by so doing, the interests of the public will be best served, even though said entire lot, block, or tract is not immediately needed for the right-of-way proper.

§ 176. New and existing facilities; grade-crossing eliminations

The Department may designate and establish controlled-access highways as new and additional facilities or may designate and establish an existing street or highway as included within a controlled-access facility. The State or any of its subdivisions shall have authority to provide for the elimination of intersections at grade of controlled-access facilities with existing State and county roads, and city or town streets, by grade separation or service road, or by closing off such roads and streets at the right-of-way boundary line of such controlled-access facility; and after the establishment of any controlled-access facility, no highway or street which is not part of said facility shall intersect the same at grade, except as a temporary expedient, for which a separate resolution for each individual location shall be approved by a duly executed resolution of the Department. No city or town street, county or State highway, or other public way shall be opened into or connected with any such controlled-access facility without the consent and previous approval of the agency having jurisdiction over such controlled-access facility. Such consent and approval shall be given only if the public interest shall be served thereby.

§ 177. Authority of local units to consent

The Department is authorized to enter into agreements with other States, counties, towns, or with the Federal Government, respecting the financing, planning, establishment, improvement, maintenance, use, regulation, or vacation of controlled-access facilities or other public ways in its jurisdiction, to facilitate the purposes of this Act.

§ 178. Local service roads

In connection with the development of any controlled-access facility the Department is authorized to plan, designate, establish, use, regulate, alter, improve, maintain, and vacate local service roads and streets or to designate as local service roads and streets any existing road or street, and to exercise jurisdiction over service roads in the same manner as is authorized over controlled-access facilities under the terms of this act, if, in their opinion, such local service roads and streets are necessary or desirable. Such local service roads or streets shall be of appropriate design, and shall be separated from the controlled-access facility proper by means of all devices designated as necessary or desirable by the proper authority.

§ 179. Unlawful use of controlled-access facilities; penalties

It is unlawful for any person (1) to drive a vehicle over, upon, or across any curb, central dividing section, or other separation or dividing line on controlled-access facilities; (2) to make a left turn or a semicircular or U-turn except through an opening provided for that purpose in the dividing curb section, separation, or line; (3) to drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation section, or line; (4) to drive any vehicle into the controlled-access facility from a local service road except through an opening provided for that purpose in the dividing curb or dividing section or dividing line which separates such service road from the controlled-access facility proper. Any person who violates any of the provisions of this section shall be punished by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), or by imprisonment for not less than 5 days nor more than 90 days, or by both such fine and imprisonment.

§ 180. Limit of Authority

The authority granted to the Department in this act at this time is to be restricted to New Castle County.

Approved June 22, 1956.

CHAPTER 604

APPROPRIATION
STATE WELFARE HOME AND HOSPITAL FOR
CHRONICALLY ILL AT SMYRNA

AN ACT APPROPRIATING FUNDS TO THE STATE WELFARE HOME AND HOSPITAL FOR THE CHRONICALLY ILL AT SMYRNA TO OBTAIN A CONNECTION WITH THE SMYRNA MUNICIPAL SEWER DISPOSAL PLANT AND AUTHORIZING AN AGREEMENT IN RESPECT THERETO.

WHEREAS, one of the purposes of the Delaware Water Pollution Control Act is to "control any existing pollution", and

WHEREAS, the sewage discharged from the State Welfare Home and Hospital for the Chronically Ill, Smyrna, Delaware, is causing pollution of Mill Creek, and

WHEREAS, the City of Smyrna has constructed a municipal sewerage disposal plant with adequate capacity to accommodate the Welfare Home, and

WHEREAS, the cost of providing and maintaining a separate sewerage treatment works for the hospital would be greater than the cost of using the municipal facilities, and

WHEREAS, the 117th General Assembly appropriated \$50,000 for the construction of a Sewerage Disposal Plant at the State Welfare Home, and

WHEREAS, the sum appropriated was not adequate to construct a modern Sewerage Disposal Plant, and

WHEREAS, the \$50,000 was permitted to revert to the General Fund on July 1, 1955, although the need for such plant continues to be urgent, and

WHEREAS, the City of Smyrna is willing to connect the Welfare Home with the sewerage plant for the sum of \$50,000,

said sum to include the necessary pipe lines, NOW, THEREFORE;

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The sum of \$50,000 is appropriated to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna and the said Board is authorized to enter into an agreement with the City of Smyrna whereby such funds shall be turned over to the City in return for the privilege of connecting the Welfare Home with the municipal sewer disposal plant. The agreement shall also contain provisions satisfactory to the said Board whereby the Welfare Home may continue to use such plant upon terms not less favorable than those granted the taxpayers of the municipality. Upon the signing of a satisfactory agreement the said Board is authorized to turn the \$50,000 over to the City of Smyrna.

Section 2. This Act is a Supplementary Appropriation and the money shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved June 29, 1956.

CHAPTER 605

APPROPRIATION

STATE FIRE MARSHAL

**AN ACT MAKING AN APPROPRIATION TO THE STATE
FIRE MARSHAL FOR THE CONSTRUCTION OF CER-
TAIN BUILDINGS ON STATE LAND FOR TRAINING
OF VOLUNTEER FIREMEN.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is hereby appropriated to the State Fire Marshal the sum of Five Thousand Dollars (\$5,000) for the construction of buildings for the training of volunteer firemen on land owned by the State of Delaware near the Town of Camden, Kent County, Delaware.

Section 2. This is a Supplementary Appropriation Act, and the money hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved June 29, 1956.

CHAPTER 606

AUTHORIZING APPROPRIATION OF COUNTY MONEYS
FOR MAINTENANCE OF RESCUE SQUAD

AN ACT AUTHORIZING THE LEVY COURT OF NEW
CASTLE COUNTY TO APPROPRIATE COUNTY MON-
EYS TO CERTAIN FIRE COMPANIES FOR THE MAIN-
TENANCE OF A RESCUE SQUAD.

*Be it enacted by the General Assembly of the State of
Delaware (three-fourths of all the Members elected to each
Branch thereof concurring therein):*

Section 1. The Levy Court of New Castle County is hereby
authorized and directed to appropriate the sum of Five Hundred
Dollars (\$500.00) annually to each of the following volunteer
fire companies to be used for the maintenance of its rescue squad:

Delaware City Fire Company No. 1;
Goodwill Fire Company, New Castle, Delaware;
Wilmington Manor Fire Company.

Section 2. The said sum of Five Hundred Dollars (\$500.00)
shall be paid by the Levy Court of New Castle County to the said
fire companies on the first day of July of each year.

Approved June 29, 1956.

CHAPTER 607

CONSTITUTIONAL AMENDMENT

**AN ACT AGREEING TO THE PROPOSED AMENDMENT TO
ARTICLE THREE OF THE CONSTITUTION OF THE
STATE OF DELAWARE.**

WHEREAS, an amendment to the Constitution of the State of Delaware was proposed to the 117th General Assembly as follows:

"AN ACT TO AMEND ARTICLE THREE OF THE CONSTITUTION OF THE STATE OF DELAWARE.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each Branch concurring therein):

Section 1. Section 18 of Article 3 of the Constitution of the State of Delaware is amended by striking out the whole of the last sentence in Section 18 and substituting the following: 'Every order and resolution to which the concurrence of both Houses of the General Assembly may be necessary, except on a question of adjournment and those matters dealing solely with the internal or administrative affairs of the General Assembly, shall be presented to the Governor, and before the same shall take effect be approved by him, or being disapproved by him, shall be repassed by three-fifths of all the members elected to each House of the General Assembly, according to the rules and limitations prescribed in the case of a bill'.", AND

WHEREAS, the said proposed amendment was agreed to by two-thirds of all the members elected to each House in the said 117th General Assembly, NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each Branch concurring therein):

Section 1. The said proposed amendment is agreed to and adopted and shall forthwith become a part of the Constitution.

Effective May 6, 1955.

CHAPTER 608

CONSTITUTIONAL AMENDMENT

AN ACT PROPOSING CERTAIN AMENDMENTS TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE JUDICIARY.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each House agreeing thereto):

Section 1. Article IV, Section 13 of the Constitution of the State of Delaware is amended by striking out all of that Section and inserting in lieu there of a new Section 13 to read as follows:

Section 13. The Chief Justice of the Supreme Court, or in case of his absence from the State, or incapacity, the Senior Associate Justice of the Supreme Court, or in case of his absence from the State, or incapacity, the remaining Associate Justice of the Supreme Court, shall be the administrative head of all the Courts in the State, and shall have general administrative and supervisory powers over all the Courts. Such powers shall include but shall not be limited to the following:

(1) Upon the approval of a majority of the Justices of the Supreme Court to adopt rules for the administration of justice and the conduct of the business of any or all the Courts in this State: Provided, however, that any other of the Courts in this State may from time to time, subject to the exercise of the power in this paragraph (1) conferred upon the Justices of the Supreme Court, adopt rules of pleading, practice and procedure applicable to such Court.

(2) Upon written request made by the Chancellor, or in his absence or incapacity by the Vice-Chancellor, or upon the written request made by the President Judge of the Superior Court and of the Orphans' Court, or in his absence or incapacity by the Senior Associate Judge, to designate one or more of the State Judges (including the Justices of the

Supreme Court) to sit in the Court of Chancery, the Superior Court, or the Orphans' Court, as the case may be, and to hear and decide such causes in such Court and for such period of time as shall be designated. It shall be the duty of the State Judge so designated to serve according to such designation as a Judge of the Court designated. The provisions of this paragraph shall not be deemed to limit in any manner the powers conferred upon the judges of the Superior Court under Section 14 of this Article.

Section 2. Article IV, Section 5 of the Constitution of the State of Delaware is amended by striking out all of that Section and inserting in lieu thereof a new Section 5 to read as follows:

Section 5. The President Judge of the Superior Court and the Orphans' Court and the four Associate Judges thereof shall compose the Superior Court and the Orphans' Court, as hereinafter prescribed. In each of the said courts the President Judge when present shall preside and in his absence the senior Associate Judge present shall preside.

One Judge shall constitute a quorum of the said courts, respectively, except in the Superior Court sitting to try a criminal case involving a charge of capital felony, when three judges shall constitute a quorum, and except in the Superior Court sitting to try cases of prosecution under Section 8 of Article V of this Constitution, when two Judges shall constitute a quorum. One Judge may open and adjourn any of said courts.

Section 3. Article IV, Section 6 of the Constitution of the State of Delaware is amended by striking out all of that Section and inserting in lieu thereof a new Section 6 to read as follows:

Section 6. Subject to the provisions of Section 5 of this Article, two or more sessions of the Superior Court and of the Orphans' Court may at the same time be held in the same County or in different Counties.

Section 4. Article IV, Section 10 of the Constitution of the State of Delaware is amended by striking out all of that Section and inserting in lieu thereof a new Section 10 to read as follows:

Section 10. The Chancellor and the Vice Chancellor or Vice Chancellors shall hold the Court of Chancery. One of them, respectively, shall sit alone in that court. This court shall have all the jurisdiction and powers vested by the laws of this State in the Court of Chancery. In any cause or matter in the Court of Chancery that is initiated by an application to a Judge of that Court, the application may be made directly to the Chancellor or a Vice Chancellor. Causes or proceedings in the Court of Chancery shall be decided, and orders or decrees therein shall be made by the Chancellor or Vice Chancellor who hears them, respectively.

CHAPTER 609

CONSTITUTIONAL AMENDMENT

**AN ACT PROPOSING AN AMENDMENT TO SECTION 9 OF
ARTICLE 3 OF THE CONSTITUTION OF THE STATE
OF DELAWARE RELATING TO THE LENGTH OF THE
UNEXPIRED TERM TO WHICH A SUCCESSOR IS
ELECTED.**

Be it enacted by the General Assembly of the State of Delaware (two-thirds of the Members elected to each Branch concurring therein):

Section 1. Section 9, Article 3 of the Constitution of the State of Delaware is amended by repealing the third paragraph and inserting in lieu thereof a new third paragraph to read as follows:

"In case of vacancy in an elective office, except as aforesaid, a person shall be chosen to said office for the unexpired term at the next general election, unless the vacancy shall happen within two months next before such election, in which case the election for said office shall be held at the second succeeding general election".

CHAPTER 610

CONSTITUTIONAL AMENDMENT

AN ACT TO AMEND ARTICLE 5, SECTION 4A OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO ABSENTEE VOTING.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected to each House concurring therein):

Section 1. Article 5, § 4A of the Constitution of the State of Delaware is amended by striking out and repealing said section and by inserting and enacting a new § 4A to read as follows:

§ 4A. General laws for absentee voting

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 his or her sickness or physical disability, may cast a ballot at such general election to be counted as provided by law.

CHAPTER 611

CONSTITUTIONAL AMENDMENT

AN ACT PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE APPOINTMENT OF MEMBERS OF THE STATE JUDICIARY BY REQUIRING THE GOVERNOR TO ADDRESS A PUBLIC LETTER TO THE PRESIDENT OF THE SENATE STATING THE NAME OF THE PERSON HE INTENDS TO APPOINT AT LEAST TEN DAYS PRIOR TO THE SUBMISSION OF SUCH PERSON'S NAME TO THE SENATE FOR CONFIRMATION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the Members elected to each Branch thereof concurring therein):

Section 1. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by adding an additional paragraph to said Section 3 of said Article IV to read as follows:

"Fourth, before sending the name of any person to the Senate for confirmation as the appointment of the Governor to a vacancy in any Judicial Office as aforesaid, the Governor shall, not less than ten (10) days before sending the name of such person to the Senate for confirmation, address a public letter to the President of the Senate informing him that he intends to submit to the Senate for confirmation as an appointment to such vacancy the name of the person he intends to appoint."

CHAPTER 612

CONSTITUTIONAL AMENDMENT

**AN ACT PROPOSING AN AMENDMENT TO SECTION 17 OF
ARTICLE II OF THE CONSTITUTION OF THE STATE OF
DELAWARE RELATING TO LOTTERIES.**

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members of each Branch thereof concurring therein):

Section 1. Article 2 of the Constitution of the State of Delaware is hereby amended by adding a new section, to be known as Section 17A thereto to read as follows:

Section 17A. The game of Bingo shall be lawful when sponsored and conducted by Volunteer Fire Companies, Veteran's Organizations, Religious or Charitable Organizations, or by Fraternal Societies provided the net receipts or profits arising from the conducting or operating of such Bingo games by the aforementioned Companies, Organizations, or Societies are used solely for the promotion or achievement of the purposes of such Companies, Organizations, or Societies, and provided further that the aforementioned Companies, Organizations or Societies are operated in a manner so as to come within the provisions of Section 170 of the U. S. Revenue Code and Regulations promulgated thereunder by the U. S. Secretary of the Treasury.

1. The General Assembly shall provide by law for the submission to the vote of the qualified electors of the several districts of the State, or any of them, mentioned in subparagraph 2 of Section 17A of this article, at the General Election held in 1958, the question whether the playing of the game of "Bingo" shall be licensed or prohibited within the limits thereof; and in every district in which there is a majority against license, no organization, mentioned in Section 17A, shall thereafter sponsor or permit the playing of "Bingo", within said district, until at a subsequent submission of such question a majority of votes shall be cast in said district for license. Whenever a majority of all the members elected to each House of the General Assembly

by the qualified electors in any district named in subparagraph 2 of Section 17A of this Article shall request the submission of the question of license or no license to a vote of the qualified electors in said district, the General Assembly shall provide for the submission of such question to the qualified electors in such district at the next general election thereafter.

2. Under the provisions of this Article, Sussex County shall comprise one district, Kent County shall comprise one district, the City of Wilmington, as its corporate limits now are or may hereafter be extended, one district, and the remaining part of New Castle County, one district.

3. The General Assembly shall provide necessary laws to carry out and enforce the provisions of this Article, enact laws governing the game of "Bingo" under the limitations of this Article, and may provide such penalties as may be necessary to enforce same.

CHAPTER 613

CONSTITUTIONAL AMENDMENT

**AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF
THE CONSTITUTION OF THE STATE OF DELAWARE,
RELATING TO APPOINTMENTS BY STATE JUDGES.**

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all of the Members elected to each House concurring therein):

Section 1. Article IV of the Constitution of the State of Delaware is amended by adding thereto the following new section:

§ 36. No appointment to a public office under this State or any political subdivision thereof shall be made by the State judges, or any of them, except to such offices as are directly concerned with the administration of justice in the courts.

CHAPTER 614

CONSTITUTIONAL AMENDMENT

AN ACT PROPOSING A CERTAIN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE JUDICIARY.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each House agreeing thereto):

Section 1. Article IV, Section 25 of the Constitution of the State of Delaware is repealed; provided, however, that until the effective date of legislation enacted by the General Assembly dealing with the subject matter of said Section 25, the existing provisions of said section shall continue in full force and effect.

CHAPTER 615

CONSTITUTIONAL AMENDMENT

**AN ACT PROPOSING AN AMENDMENT TO SECTION 25 OF
ARTICLE II OF THE CONSTITUTION OF THE STATE
OF DELAWARE, RELATING TO ZONING.**

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each House concurring therein):

Section 1. Article II of the Constitution of the State of Delaware is hereby amended by striking out Section 25 of said Article and inserting in lieu thereof a new section, as follows:

Section 25. The General Assembly may enact laws under which municipalities and each county may adopt zoning ordinances, laws or rules limiting and restricting to specified districts and regulating therein buildings and structures according to their construction and the nature and extent of their use, as well as the use to be made of land in such districts for other than agricultural purposes; and the exercise of such authority shall be deemed to be within the police power of the State.

CHAPTER 616

ELIMINATING LIMIT ON ARCHITECT'S FEES IN
SCHOOL CONSTRUCTION COSTS**AN ACT TO AMEND SECTION 14 OF HOUSE SUBSTITUTE
NO. 1 FOR HOUSE BILL NO. 447 PERTAINING TO
SCHOOL CONSTRUCTION COSTS.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. The Act of the 118th General Assembly approved November 8, 1955, known as House Substitute No. 1 for House Bill No. 447 with Senate Amendment No. 1, is hereby amended by deleting the subparagraph designated (b) of Section 14 of said Act and by redesignating the subparagraph designated (c) of said Section as (b).

Approved July 3, 1956.

CHAPTER 617

APPROPRIATION

PERMITTING CAESAR RODNEY SCHOOL DISTRICT TO
FINANCE ADDITIONAL IMPROVEMENTS

**AN ACT TO AMEND CHAPTER 529, VOLUME 50, LAWS OF
DELAWARE, TO PROVIDE THAT CAESAR RODNEY
SPECIAL SCHOOL DISTRICT BE PERMITTED TO
FINANCE ADDITIONAL CAPITAL IMPROVEMENTS
THEREUNDER AND APPROPRIATING THE NECES-
SARY FUNDS.**

*Be it enacted by the General Assembly of the State of
Delaware (three-fourths of all the Members elected to each
Branch concurring therein):*

Section 1. Section 13, Chapter 529, Volume 50, Laws of Delaware, is hereby amended by striking out the figures "250,000", where the same appear under the headings "Maximum Total Cost" and "Maximum State Share" opposite the words, "Caesar Rodney, Star Hill-c", in the tabulation of maximum totals and shares, and inserting in lieu thereof the figures "290,000".

Section 2. Chapter 529, Volume 50, Laws of Delaware, is hereby further amended by changing the words and figures showing the total Maximum Total Cost and Maximum State Share in Section 13 and in other sections of said chapter to reflect the increase in the amount of \$40,000 of the authorization for the Caesar Rodney Special School District as provided in Section 1.

Approved July 9, 1956.

CHAPTER 618

APPROPRIATION

STATE HIGHWAY DEPARTMENT FOR MOSQUITO
ERADICATION**AN ACT APPROPRIATING CERTAIN MONEYS TO THE
STATE HIGHWAY DEPARTMENT FOR THE PURPOSE
OF AIDING AND ASSISTING IN THE CONTROL AND
ERADICATION OF MOSQUITOES.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. There is appropriated the sum of Two Thousand Five Hundred Dollars (\$2,500.00) for the fiscal year ending June 30, 1956 and the additional sum of Ten Thousand Dollars (\$10,000.00) for the fiscal year ending June 30, 1957 to the State Highway Department for the purpose of aiding and assisting in the control and eradication of mosquitoes in this State. The funds hereby appropriated shall be paid out of the General Fund of the State Treasury from time to time upon warrants issued by the Department.

Section 2. This is a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury.

Approved July 9, 1956.

CHAPTER 619

RESPECTING PENSIONS FOR FAMILY COURT
EMPLOYEES

AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, ENTITLED "STATE EMPLOYEES' PENSION PLAN" IN RESPECT TO THE EMPLOYEES OF THE FAMILY COURT OF THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY.

WHEREAS, the 118th General Assembly changed the Family Court for New Castle County from a Court supported by county and municipal funds into a State Court supported by State funds and in so doing changed the name of the Court to the Family Court of the State of Delaware in and for New Castle County, AND

WHEREAS, the employees of said Court thereby lost whatever credits they may have acquired toward a municipal or county pension, AND

WHEREAS, it is the desire of the 118th General Assembly that the said employees shall receive State pension credit for the time spent in the employ of the Court as it was previously constituted, NOW, THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 5522, Title 29, Delaware Code, is amended by changing the heading thereof to read as follows:

§ 5522. Credit for time served by certain employees

Section 2. § 5522, Title 29, Delaware Code, is amended by adding thereto the following new paragraph:

Any employee of the Family Court of the State of Delaware in and for New Castle County who was employed by the Court as it was previously constituted under the name of the Family Court for New Castle County shall receive full credit in com-

puting the number of years service required to receive pension benefits and in computing pension benefits within the meaning of this chapter, for the time he was employed by the Family Court for New Castle County without regard to the lapse of time between his employment with the prior Court and his subsequent employment with the Family Court of the State of Delaware in and for New Castle County.

Section 3. This Act shall be effective as of May 22, 1955.

Approved July 9, 1956.

CHAPTER 620

PROVIDING FOR DREDGING IN MISPELLION RIVER

**AN ACT ALLOWING THE FEDERAL GOVERNMENT TO
DREDGE CERTAIN PORTIONS OF THE MISPELLION
RIVER.**

WHEREAS it is desired to grant to The Federal Government the right to dredge all of the Mispillion River except the oyster beds, and

WHEREAS these oyster beds are located in the Mispillion River between the old Mispillion Light House and the headwaters of the Mispillion River, and

WHEREAS it is the intent of this act to in fact prohibit the dredging of the said oyster beds,

NOW THEREFORE

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The United States of America is hereby granted authority and permission to dredge the Mispillion River from the mouth to the Washington Street Bridge in the City of Milford, provided that such dredging shall follow the established channel for a distance of three and one-half miles up said river from Mispillion Light.

Approved July 9, 1956.

CHAPTER 621

AUTHORIZING TREASURER TO REFUND CIGAR TAX
STAMP MONEY TO DEALERS

AN ACT AUTHORIZING AND DIRECTING THE STATE TREASURER TO REFUND TO CIGAR DEALERS MONEY PAID OUT FOR CIGAR TAX STAMPS WHICH STAMPS REMAIN AFFIXED TO UNSOLD MERCHANDISE AND FOR UNUSED CIGAR TAX STAMPS RETURNED TO THE STATE TAX DEPARTMENT.

WHEREAS, the 118th General Assembly passed Senate Bill No. 115 and the Governor approved it on August 8, 1955, and

WHEREAS, some question has been raised with regard to the intent of the Legislature as to cigar tax stamps which remain affixed to unsold merchandise and

WHEREAS, some question has been raised with regard to the intent of the Legislature as to cigar tax stamps which remain unused and are returned to The State Tax Department, and

WHEREAS, it was the intent of the Legislature that the money paid for these stamps should be refunded,

NOW THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That the State Treasurer, upon proper verification by the State Tax Department, is authorized and directed to refund to cigar dealers the money paid out for cigar tax stamps which remain affixed to unsold merchandise and for cigar tax stamps which remain unused and are returned to The State Tax Department.

Approved July 9, 1956.

CHAPTER 622

PERMITTING A SUIT IN TORT AGAINST STATE OF
DELAWARE

**AN ACT TO WAIVE THE SOVEREIGN IMMUNITY OF THE
STATE OF DELAWARE AND PERMIT A SUIT IN TORT
AGAINST THE STATE OF DELAWARE BY COASTAL
TANK LINES, INC., ALICE B. DORSEY, LEIGHTON S.
DORSEY, BEATRICE P. DORSEY AND WILLIAM G.
DORSEY, ARISING OUT OF A COLLISION WITH A VE-
HICLE OF THE DELAWARE NATIONAL GUARD ON
AUGUST 2, 1955.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. That sovereign immunity of the State of Delaware is hereby waived for the sole and exclusive purpose of permitting a suit in tort against the State of Delaware by Coastal Tank Lines, Inc., Alice B. Dorsey, Leighton S. Dorsey, Beatrice P. Dorsey, and William G. Dorsey, or any of them, on any cause of action against the State of Delaware arising out of a collision with a vehicle of the Delaware National Guard on August 2, 1955.

Section 2. The causes of action above referred to shall accrue as of the date of the passage of this act.

Approved July 9, 1956.

CHAPTER 623

PROVIDING FOR RABIES IMMUNIZATION IN
NEW CASTLE COUNTY**AN ACT TO AMEND TITLE 7, DELAWARE CODE, ENTITLED
"CONSERVATION" SO AS TO REQUIRE RABIES IM-
MUNIZATION FOR ALL DOGS IN NEW CASTLE COUN-
TY NORTH OF THE DELAWARE AND CHESAPEAKE
CANAL.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 1701 (b), Title 7, Delaware Code, is amended
to read as follows:

(b) Upon application and payment of the license tax an applicant shall be entitled to receive a dog license provided that residents of New Castle County north of the Delaware and Chesapeake Canal must present a veterinarian's certificate of current rabies immunization of the dog for which a license is sought prior to the issuance of such license. Each dog license shall show the date on which the tax is paid. The Commission shall also issue with each license a metal license tag showing the year for which the license is paid and the serial number of the license. The tag shall be of a design to be adopted by the Board of Game and Fish Commissioners, and shall be attached to a substantial collar by the owner of such dog and shall be worn by such dog at all times. If any such tag should be lost a new tag shall forthwith be secured from the Board of Game and Fish Commissioners for which tag an additional license tax of twenty-five cents shall be paid.

Approved July 9, 1956.

CHAPTER 624

RELATING TO PENSIONS FOR CITY OF WILMINGTON
EMPLOYEES

**AN ACT TO AMEND CHAPTER 237, VOLUME 46, LAWS OF
DELAWARE, RELATING TO THE ELIGIBILITY OF EM-
PLOYEES OF THE CITY OF WILMINGTON FOR PEN-
SIONS.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. Chapter 237, Volume 46, Laws of Delaware, as amended, be and it hereby is further amended by striking out and repealing all of Section 16 thereof.

Approved July 9, 1956.

CHAPTER 625

RELATING TO EMPLOYEES' PENSIONS

AN ACT TO AMEND CHAPTER 17, TITLE 9, OF THE DELAWARE CODE RELATING TO EMPLOYEES' PENSIONS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That § 1702 Title 9 of the Delaware Code be and the same is hereby amended by striking out and repealing subsection "(d)" thereof.

Approved July 9, 1956.

CHAPTER 626

CITY OF WILMINGTON EMPLOYEES' PENSIONS

AN ACT TO AMEND CHAPTER 237, VOLUME 46, LAWS OF DELAWARE, AS AMENDED, ENTITLED "CITY OF WILMINGTON EMPLOYEES' RETIREMENT ACT", BY EXTENDING THE SAME TO COVER FORMER EMPLOYEES WHO WERE NOT ELIGIBLE FOR PENSION BENEFITS ON JULY 1, 1947.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members elected to each Branch concurring therein):

Section 1. That Chapter 237, Volume 46, Laws of Delaware, as amended, be further amended by enacting and inserting after Section 4 thereof a new section to be known as Section 4A., as follows, to-wit:

Section 4A. Any person living on July 1, 1947 who has been employed by the Agencies providing for "covered employment" as defined in Section 3 of this Chapter, as amended, and who is not now so employed, but who had been so employed continuously without any interruptions, except allowable interruptions as defined in Section 4 of this Chapter, for twenty years or more any time prior to July 1, 1947, and has been retired without pay, and has been separated from said employment through no fault of his own, shall receive, on and after his 65th birthday, the pension benefits provided for by this Chapter to the same extent as other present, or retired employees.

Approved July 13, 1956.

CHAPTER 627

RELATING TO NARCOTIC DRUGS

AN ACT TO AMEND TITLE 16 CHAPTER 47 OF THE DELAWARE CODE RELATING TO NARCOTIC DRUGS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. That Section 4704 (A) Title 16 of the Delaware Code and the same is hereby amended by striking out the period at the end of the first sentence thereof and adding in lieu thereof the following:

“, or an oral prescription in pursuance to regulations promulgated by The United States Commissioner of Narcotics under Federal Narcotics Statutes.”

Approved July 13, 1956.

CHAPTER 628

RELATING TO ABANDONED OR UNCLAIMED PROPERTY

**AN ACT TO AMEND CHAPTER 11, TITLE 12, DELAWARE
CODE, RELATING TO ABANDONED OR UNCLAIMED
PROPERTY.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. That Chapter 11, Sub-chapter 2, Article 4, Section 1171 (b) (1) (iii) Title 12, of the Delaware Code is hereby amended by striking out and repealing Sub-section (iii) of Sub-paragraph (1) Sub-paragraph (b) of Section 1171 thereof and inserting in lieu thereof a new Sub-section (iii) of sub-paragraph (1) Sub-paragraph (b) of Section 1171 as follows:

“(iii) the date of the last transaction with respect to such abandoned property if such date is subsequent to December 31, 1909.”

Approved July 13, 1956.

CHAPTER 629

PERMITTING SPOUSES OF MEMBERS OF ARMED
FORCES TO REGISTER BY ABSENTEE
REGISTRATION

AN ACT TO AMEND TITLE 15, SECTIONS 1901 AND 1907
OF THE DELAWARE CODE BY ADDING SPOUSES OF
MEMBERS OF THE ARMED FORCES TO THE CLASS
OF PERSONS ALLOWED TO REGISTER BY ABSENTEE
REGISTRATION.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. 15 Del. C. Section 1901 (a) is hereby amended by inserting the words, "or who is the spouse of any of the persons above enumerated", immediately after the words "or who has received official notice of induction or acceptance into any such services", and immediately preceding the words "and whose name does not already appear as a registered voter" as those words now appear in said section.

Section 2. 15 Del. C. Section 1901 (b) is hereby amended by inserting the words, "or is the spouse of such person, and in all other respects a qualified elector" immediately preceding the words "may also register in said election district under the provisions of section 1906 of this title" as those words presently appear in said section.

Section 3. 15 Del. C. Section 1901 (b) (2) is hereby amended by inserting the words "or is the spouse of such person" immediately after the word "registration".

Section 4. 15 Del. C. Section 1901 (b) (3) is hereby amended by inserting the words "or is the spouse of such person" immediately after the words "one year or more prior to such day".

Section 5. 15 Del. C. Section 1901 (b) (3) is hereby amended by inserting the words "or is the spouse of such person" immediately after the words "six months or more prior to such day".

Section 6. 15 Del. C. Section 1907 is amended by adding a new paragraph immediately before the words "that I was a resident of said election district", as follows:

"☐ I am the spouse of a person in one of the above categories".

Approved July 13, 1956.

CHAPTER 630

**RELATING TO SALARIES OF KENT AND SUSSEX
COUNTIES DEPARTMENT OF ELECTION SECRETARIES****AN ACT TO AMEND CHAPTER 1, TITLE 15, DELAWARE
CODE, RELATIVE TO THE SALARIES OF THE SECRE-
TARIES OF THE DEPARTMENTS OF ELECTIONS IN
KENT AND SUSSEX COUNTIES.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 112 (b), Title 15, Delaware Code, is hereby amended by striking out the second sentence and inserting in lieu thereof the following:

In Kent and Sussex Counties the salaries of the respective secretaries shall not be less than \$2,500 per year.

Approved July 13, 1956.

CHAPTER 631

RELATIVE TO PRIMARY ELECTION DISTRICTS

AN ACT TO AMEND CHAPTER 31, TITLE 15, DELAWARE CODE, RELATIVE TO PRIMARY ELECTION DISTRICTS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 3109, Title 15, Delaware Code, is hereby amended to read as follows:

§ 3109. Primary election districts; conduct of primary elections

The county Departments of Elections shall, at least two weeks before a primary election, determine and establish primary election districts, each of which shall consist of one or more entire election districts in the same representative district.

The county Departments of Elections and the election officers shall conduct the primary elections in the same way that general elections are conducted and in accordance with the applicable provisions of this title, except that the voting machines shall be operated so that the only levers open to each voter shall be the levers for candidates of the party of the voter's party affiliation as shown by the voter's original permanent registration record.

In the event that there is a contest in only one party in a primary election district, all of the primary election officers and clerks for that district shall be of the same party affiliation as the party in which there is a contest, and they shall be selected by that party's county committee and the Department shall be notified of the names selected at least one week before the primary election. Where there is a contest in more than one party in a primary election district, the primary election officers and clerks shall be chosen by the Department of Elections from among the election officers and clerks selected for the general election for the election district or districts contained in the primary election district, and for each such primary election district the election officers and clerks shall be divided as equally as possible between the two principal parties.

Section 2. § 3128, Title 15, Delaware Code, is amended by inserting the word "primary" between the word "each" and the words "election district" in said section.

Approved July 13, 1956.

CHAPTER 632

RELATING TO SUPERVISORY AND ADMINISTRATIVE
EMPLOYEES OF BOARD OF EDUCATION

AN ACT TO AMEND TITLE 14, DELAWARE CODE, ENTITLED "EDUCATION" TO PROVIDE A UNIFORM SALARY SCHEDULE FOR CERTAIN ADMINISTRATIVE AND SUPERVISORY EMPLOYEES OF THE STATE BOARD OF EDUCATION AND THE BOARD OF EDUCATION OF THE CITY OF WILMINGTON WHO ARE NOT COVERED BY PREVIOUSLY ENACTED SCHEDULES AND APPROPRIATING FUNDS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Amend Chapter 13, Title 14, Delaware Code, by adding a new section thereto as follows:

§ 1321. Salary schedule for supervisors, directors and assistant superintendents employed by the State Board of Education and the Board of Education of the City of Wilmington

(a) Each administrator or supervisor employed by the State Board of Education or the Board of Education of the City of Wilmington shall receive as an annual salary, the amount for which he qualifies under the schedule set forth in section 1305 (a) and 1305 (b) of this title, plus an amount to be determined in accordance with the following formula:

(1) Supervisors not in charge of a program: a basic amount of \$200 the first year with \$200 added each year for an additional seven years;

(2) Supervisors in charge of a program: a basic amount of \$600 the first year with \$300 added each year for an additional seven years;

(3) Directors: a basic amount of \$1000 the first year with \$500 added each year for an additional seven years;

(4) Assistant superintendents: a basic amount of \$2000 the first year with \$700 added each year for an additional seven years.

(b) The title, training and experience of employees of the State Board of Education and of the Board of Education of the City of Wilmington shall be classified in accordance with the rules and regulations of the State Board of Education and the Board of Education of the City of Wilmington, respectively.

(c) The limitations contained in section 1314 (a) of this title shall apply to increases provided herein for employees covered by the formula contained in this section during the fiscal year ending June 30, 1957. Thereafter total annual increases for employees covered by the formula contained in this section shall be the increment listed herein provided however such increase shall not be less than \$300 per year.

Section 3. To carry out the provisions of this Act, there is hereby appropriated to the State Board of Education the sum of \$24,900 for the fiscal year beginning July 1, 1956 and ending June 30, 1957.

Section 3. This Act shall become effective July 1, 1956.

Section 4. This Act is a Supplementary Appropriation and the money hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 13, 1956.

CHAPTER 633

INCREASING PERMITTED GROSS LOAD OF MOTOR
VEHICLES EQUIPPED WITH THREE AXLES

AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELA-
WARE CODE RELATING TO THE MAXIMUM GROSS
LOAD IN VEHICLES EQUIPPED WITH THREE AXLES.

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. § 4503 (h) is amended by striking out the figures
"40,000" and inserting in lieu thereof the figures "46,000".

Approved July 16, 1956.

CHAPTER 634

PROVIDING FOR SPECIAL TAX ON HOUSE TRAILERS

AN ACT TO AMEND TITLE 21, DELAWARE CODE, ENTITLED "MOTOR VEHICLES" TO PROVIDE FOR A SPECIAL TAX ON HOUSE TRAILERS WHICH REMAIN WITHIN THE STATE MORE THAN THIRTY DAYS.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all Members elected thereto concurring therein):

Section 1. Part IV, Title 21, Delaware Code, is amended by adding thereto the following new chapter:

CHAPTER 68. TAX ON HOUSE TRAILERS**§ 6801. Definition**

As used in this chapter—

"House trailer" includes any vehicle not propelled by its own power generally capable of being drawn on a public highway by a motor vehicle which is or can be used as a home or living abode of one or more persons either temporarily or permanently including:

1. Vehicles not actually used as a residence, and
2. Vehicles not capable of immediate motion due to removal of wheels, connection to tanks or pipes not a part of the trailer and other temporary and correctable conditions.

§ 6802. Tax

A tax of \$15 is imposed on each house trailer which has been in the State for a total of 30 days or more. Such tax when paid shall entitle the owner thereof to a tax stamp good until the following July 1.

§ 6803. Dealers' house trailers not taxed

House trailers held by licensed dealers for sale in the regular course of business and not occupied by any person as a dwelling place shall not be subject to the provisions of this chapter.

§ 6804. Collection of tax, disposition of proceeds, date due, expiration

The tax imposed by this chapter shall be collected by the Motor Vehicle Department through the sale of an annual tax stamp to the owners of house trailers.

The Motor Vehicle Commissioner shall cause appropriate stamps to be printed and placed on sale at each county office of the Motor Vehicle Department. The proceeds from the sale of such stamps shall be forwarded to the State Treasurer periodically for the General Fund.

Each house trailer which is in the State on July 1, 1956 and which has been in the State for 30 days during the preceding 12 months must have such stamp displayed prominently on or at one of the windows on July 1, 1956. Thereafter any other house trailer remaining in the State for 30 days shall have such stamp on display on or before the thirty-first day of its stay in this State. In computing the 30 day period each day a trailer remains in the State shall be counted even if such days are intermittent and not continuous. The tax stamps herein provided for shall expire July 1 of each year. After January first each year the cost of such stamps will be reduced to \$10. New stamps will be required on July first of each year for all house trailers previously having such stamps and for all other trailers remaining 30 days or more.

§ 6805. Records required of landowners and others; penalties

The owner of any land on which any house trailer is located or those operating any trailer camp shall keep such records as to the house trailers on the land as may be required by the Motor Vehicle Commissioner for the proper enforcement of this chapter. Whoever fails to carefully and properly keep the records required by this section shall be fined \$15 for each trailer located on his land or in his trailer camp whether or not such trailer was

subject to the tax imposed by this chapter.

§ 6806. Penalties

The owner of any house trailer subject to the tax imposed by this chapter who fails to pay such tax shall be required to pay the tax due and shall be fined \$50 or imprisoned 5 days or both. For a second such offense he shall be fined \$100 or imprisoned 10 days or both.

The owner of any house trailer who paid the tax but fails to display the tax stamp as herein required shall be fined \$15.

Approved July 16, 1956.

CHAPTER 635

WILMINGTON POLICE PENSION FUND

AN ACT RELATING TO POLICE PENSION FUND OF THE CITY OF WILMINGTON, REPEALING CHAPTER 329 VOLUME 49 LAWS OF DELAWARE AND REAFFIRMING CHAPTER 113 VOLUME 32 LAWS OF DELAWARE AS AMENDED.

WHEREAS, The General Assembly of the State of Delaware enacted into law Chapter 329 Volume 49 Laws of Delaware which act was intended to amend Chapter 113 Volume 32 Laws of Delaware but which act, as a result of an error, stated in its context that it repealed Chapter 128, Volume 29, Laws of Delaware which Chapter had in fact already been repealed by Chapter 113, Volume 32, Laws of Delaware.

NOW THEREFORE

Be it enacted by the General Assembly of the State of Delaware (2/3 of each Branch concurring therein):

Section 1. That Chapter 329, Volume 49 Laws of Delaware is hereby repealed.

Section 2. That section 1 of Chapter 113, Volume 32 Laws of Delaware as amended both prior and subsequent to the passage of Chapter 329, Volume 49 Laws of Delaware is hereby reaffirmed and reenacted as fully and completely as if Chapter 329, Volume 49 Laws of Delaware had never been enacted.

Approved July 16, 1956.

CHAPTER 636

WILMINGTON POLICE PENSION PLAN

AN ACT TO AMEND CHAPTER 113, VOLUME 32, LAWS OF DELAWARE, RELATING TO POLICE PENSION FUND OF THE CITY OF WILMINGTON.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of each Branch concurring therein):

Section 1. Chapter 113, Volume 32, Laws of Delaware is hereby amended by striking out all of the first paragraph of Section 1 thereof and substituting in lieu thereof the following new paragraphs:

Section 1. Whenever a member of the Bureau of Police of the Department of Public Safety shall have become disabled or incapacitated from injuries received while in the active performance of official duty and whenever any member of said Bureau, who has performed faithful continuous service as such member for a period of not less than fifteen (15) years, shall have become permanently incapacitated from performing such regular active duty, he may be retired by the Directors of the Department of Public Safety from the regular active service and placed upon the retired list and all members of said Bureau who shall have performed faithful continuous service as such member for a period of at least twenty (20) years, shall, upon their own application, be placed upon the retired list whether they are disabled or not. Each person so retiring shall be entitled to receive from the sum herein established an amount equal to one-half of the amount of his salary at the time of retirement, plus two per cent (2%) of such retiring salary, multiplied by the number of years of service in excess of twenty (20) years, so long as he may remain upon the retired list, provided that each such person shall receive a minimum pension payment of not less than a sum of One Hundred and Fifty Dollars (\$150.00) per month, regardless of his salary at the time of his retirement, said sum to be paid monthly, provided said sum shall be sufficient for the payment of all persons entitled to receive same, and in case it shall not be sufficient for that pur-

pose at any time, then the claim of all persons entitled shall abate proportionately, but said sum at no time shall be reduced below the sum of one hundred thousand dollars (\$100,000.00).

Any widow of any member of the police force of the City of Wilmington whose husband shall have been entitled to a pension, shall receive as a monthly payment a minimum amount of Seventy-Five Dollars (\$75.00). This provision shall also apply to widows of pensioners whether the same now are presently receiving pensions or will receive a pension payment in the future.

Approved July 17, 1956.

CHAPTER 637

RELATING TO SAMPLE BALLOTS FURNISHED
COUNTY CHAIRMEN

AN ACT TO AMEND TITLE 15, SECTION 5011 OF THE DELAWARE CODE BY DECREASING THE NUMBER OF SAMPLE BALLOTS FURNISHED TO THE COUNTY CHAIRMAN OF EACH POLITICAL PARTY TO FIFTEEN FOR EACH ELECTION DISTRICT.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. 15 Del. C. Section 5011 (b) is hereby amended by striking out all of said section and substituting therefor the following:

(b). The Clerk of the Peace shall deliver to the County Chairman of each political party, free of charge, fifteen sample ballots for each election district in the County.

Approved July 17, 1956.

CHAPTER 638

PERMITTING STANTON SCHOOL DISTRICT TO FINANCE
ADDITIONAL CAPITAL IMPROVEMENTS

AN ACT TO AMEND CHAPTER 529, VOLUME 50, LAWS OF DELAWARE, AS AMENDED, SO AS TO PROVIDE THAT STANTON SCHOOL DISTRICT BE PERMITTED TO FINANCE ADDITIONAL CAPITAL IMPROVEMENTS THEREUNDER AND APPROPRIATING THE NECESSARY FUNDS.

Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected to each House thereof concurring therein):

Section 1. Section 13, Chapter 529, Volume 50, Laws of Delaware, as amended, is amended by striking out the following words and figures as they appear therein:

Name of District	Maximum TOTAL COST	Maximum STATE SHARE	Maximum LOCAL SHARE
Stanton #38	\$550,000	\$330,000	\$220,000

and substituting the following words and figures:

Name of District	Maximum TOTAL COST	Maximum STATE SHARE	Maximum LOCAL SHARE
Stanton #38	\$1,770,000	\$1,062,000	\$708,000

FURTHER AMEND Section 13, as amended, by striking out the totals as the same appear therein and substituting the following totals:

	Maximum TOTAL COST	Maximum STATE SHARE	Maximum LOCAL SHARE
TOTALS:	\$49,039,900	\$30,718,900	\$18,321,000

Section 2. Chapter 529, Volume 50, Laws of Delaware, is further amended by changing the words and figures showing the MAXIMUM TOTAL COST, the MAXIMUM STATE SHARE and the MAXIMUM LOCAL SHARE in Section 13 and in other sections of said chapter to reflect the increased amounts shown in Section 1 of this Act.

Approved July 17, 1956.

CHAPTER 639

APPROPRIATION

STATE HIGHWAY DEPARTMENT FOR MOSQUITO
CONTROL**AN ACT MAKING AN APPROPRIATION TO THE STATE
HIGHWAY DEPARTMENT FOR MOSQUITO CONTROL.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. There is hereby appropriated to the State Highway Department the sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000) for the purchase of spray materials and equipment, hiring of personnel, payment for services, and such other and further measures as may be suitable or desirable for combating and controlling mosquitoes in the State of Delaware during the remainder of 1956.

Section 2. This is a Supplementary Appropriation Act, and the moneys hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 17, 1956.

CHAPTER 640

RELATING TO NON-RESIDENT FISHING LICENSES

AN ACT TO AMEND CHAPTER 5, TITLE 7, DELAWARE CODE, BY RELIEVING NON-RESIDENTS FROM THE REQUIREMENT OF OBTAINING A LICENSE TO FISH IN REHOBOTH BAY, INDIAN RIVER, AND INDIAN RIVER BAY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 507, Title 7, Delaware Code, is hereby amended by striking out the whole of subsection "(a)" and inserting in lieu thereof the following, also to be designated as subsection "(a)":

(a) Non-residents other than aliens may lawfully fish in the Delaware River, Delaware Bay, Atlantic Ocean, Indian River Inlet, Rehoboth Bay, Indian River Bay and Indian River without being licensed hereunder.

Approved July 31, 1956.

CHAPTER 641

PROVIDING FOR REPAIRING AND MAINTAINING
DELAWARE STREET WHARF IN NEW CASTLEAN ACT TO AMEND CHAPTER 353, VOLUME 50, LAWS OF
DELAWARE, WITH RESPECT TO THE INSTALLATIONS
TO BE REPAIRED AND MAINTAINED.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 353, Volume 50, Laws of Delaware, is amended by striking out the period at the end of Section 1 of said Chapter, inserting a semi-colon, and adding thereto the following:

Delaware Street Wharf, located in the City of New Castle, New Castle County.

Section 2. Chapter 353, Volume 50, Laws of Delaware, is further amended by inserting in Section 2, following the words "Red Lion Hundred," and immediately preceding the words "all in New Castle County," the following words:

Delaware Street Wharf in the City of New Castle,

Approved July 31, 1956.

CHAPTER 642

APPROPRIATION

STATE BOARD OF EDUCATION FOR MAINTENANCE
AND CONSTRUCTION OF SCHOOL BUILDINGS**AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD
OF EDUCATION FOR THE MAINTENANCE AND IM-
PROVEMENT OF SCHOOL BUILDINGS OF THE STATE
OF DELAWARE.**

Be it enacted by the General Assembly of the State of Delaware:

Section 1. In addition to any other funds appropriated to the State Board of Education or other Boards of Education or School Trustees in the State, there is hereby appropriated an amount not to exceed Six Hundred Twenty-Five Thousand Dollars (\$625,000.00) for the year ending June 30, 1957, for the purpose of maintaining and improving public school buildings and grounds in a condition conducive to the health, safety, and welfare of the pupils.

Section 2. The amounts appropriated shall be expended by the State Board of Education or allotted to school districts according to rules and regulations of the State Board of Education.

Section 3. In determining the present necessity for any improvement in a school district and in allotting the funds to the various school districts, the State Board of Education shall consider (1) the immediate necessity of the repairs or improvements, (2) the ability of the district to provide for the repairs or improvements requested from any and all other funds available to the district, (3) the amount of the funds which the district has budgeted from its State appropriation for the maintenance of its school buildings, (4) the age and present value of the school property, (5) the permanency of the buildings or grounds to be improved, (6) the number of pupils to be benefited, (7) the reasonable future development or retardation of the school district, and/or any other condition which may arise.

Section 4. The State Board of Education is authorized to defray the cost of supervision and administration of this Act and by so doing to use the amount of Twenty-Five Thousand Dollars (\$25,000.00) for the year ending June 30, 1957.

Section 5. In letting contracts, the State Board of Education and/or school districts shall be governed by Section 6702, Title 29, Delaware Code.

Section 6. The State Board of Education is authorized to maintain a reserve of at least Twenty Thousand Dollars (\$20,000.00) for unforeseen emergencies.

Section 7. The sums hereby appropriated shall not revert to the General Fund of the State at the end of any fiscal year, but shall be available to the State Board of Education for carrying out the purposes of this Act.

Section 8. All contracts excepting those excluded from the operation of Section 6702 (a), Title 29, Delaware Code, by Section 6702 (b) thereof shall be accompanied by proof of possession of workmen's compensation and public liability insurance.

Section 9. This Act is a supplementary appropriation and the money so appropriated shall be paid by the State Treasurer out of the General Fund of the State of Delaware.

Approved July 31, 1956.

CHAPTER 643

SUPPLEMENTARY APPROPRIATIONS TO STATE
AGENCIES

AN ACT MAKING CERTAIN ADDITIONAL AND SUPPLEMENTARY APPROPRIATIONS FOR THE EXPENSES OF CERTAIN STATE AGENCIES FOR EACH OF THE FISCAL YEARS ENDING JUNE 30, 1956, AND JUNE 30, 1957.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to the proper conduct of the business of the agencies named herein, are appropriated to the respective agencies of the State, subject to the provisions of Title 29, Delaware Code, and for the periods specified. All portions of the sums appropriated 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:

AGENCIES	Year Ending June 30	
	1956	1957
State Board of Registration for Professional Engineers and Land Surveyors		
Salaries and Wages		\$ 1,800.00
Office Expense	\$ 725.00	2,000.00
Travel		50.00
Equipment		100.00
	725.00	3,950.00
Board of Boiler Rules		
Salaries and Wages		1,200.00

Adjutant General		
Repairs and Replacements		12,000.00
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Labor Commission of Delaware		
Salaries and Wages		1,000.00
Office Expense		2,300.00
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		3,300.00
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Delaware Harness Racing Commission		
Operations		3,997.00
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State Treasurer		
Survivor's Pensions	4,229.74	21,400.00
State Employee's Pensions	10,000.00	25,000.00
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	14,229.74	46,400.00
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University of Delaware		200,000.00
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State Board of Education		
To be allocated to school districts and special school districts in- curring extraordinary legal ex- penses		35,000.00
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Total.....	\$14,954.74	\$305,847.00
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Section 2. The transfer of any funds herein appropriated to any Salary Account, or to any Salaries and Wages Account, or to any other agency, is prohibited. Transfers to other accounts may be made, but only with the approval of the Budget Commission.

Section 3. This is a Supplementary Appropriation Act, and the sums hereby appropriated shall be paid out of the General Fund of the State of Delaware.

Approved July 13, 1956.

CHAPTER 644

RELATING TO SALE OF PUBLIC LANDS

AN ACT TO AMEND CHAPTER 45, TITLE 7 OF THE DELAWARE CODE BY REQUIRING PUBLIC NOTICE AND PUBLIC SALE OF PUBLIC LANDS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 4508, Title 7 of the Delaware Code is amended by adding thereto the following:

Any public land sold shall be sold only at public auction after at least 10 days prior public notice. Such public notice shall be given in all 3 counties of this State. Notice in each County shall be in the same manner required for county tax sales in each respective county, including publication and posting of hand bills. Any land so sold shall be sold only to the highest bidder at the sale for the amount of that highest bid.

NOTE: This bill became a law on July 31, 1956 without the approval of the Governor and in accordance with Section 18, Article 3 of the Constitution of Delaware.

Resolutions

CHAPTER 645

SENATE JOINT RESOLUTION

IN REFERENCE TO GOVERNMENT LOANS TO POULTRY GROWERS.

WHEREAS, it has come to the attention of the General Assembly that certain agencies of the United States government have been pursuing a policy of lending money to individuals and companies for the purpose of increasing poultry production and,

WHEREAS, the great majority of all poultry in this State is raised through the use of private capital, and

WHEREAS, the poultry growing industry has suffered and is suffering adverse consequences as a result of over production of poultry throughout the country. NOW, THEREFORE,

BE IT RESOLVED *by the Senate of the 118th General Assembly of the State of Delaware (the House of Representatives concurring therein) as follows:*

1. That the State of Delaware deplores the policy of these agencies of the United States government in making loans of federal funds for the purpose of increasing poultry production and facilities throughout the country which policy has had adverse effects upon the poultry growing industry of this State that is and always has been financed by private capital.

2. That the Secretary of the Department of Agriculture is requested to review the policy of these agencies in making such loans toward the end of cessation of the making of such

loans, and, AN EFFORT BE MADE TO COLLECT ALL LOANS NOW DUE AND OVERDUE, AND,

3. That a certified copy of this Resolution be sent to the Secretary of the Department of Agriculture and to each member of this State's delegation in the Congress of the United States.

Approved March 2, 1955.

CHAPTER 646

SENATE JOINT RESOLUTION

ADOPTING THE SOUTHERN REGIONAL EDUCATION
COMPACT.

WHEREAS, on February 8, 1948, the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, by their respective governors, entered into a written Compact relative to the development and maintenance of regional educational services and schools in the Southern States in the professional, technological, scientific, literary, and other fields, so as to provide greater educational advantages and facilities for the citizens of the several States who reside within such region; and

WHEREAS, West Virginia has since become a party to said Compact, and

WHEREAS, the said Compact has been amended in certain respects, a copy of which Compact as amended is as follows:

THE REGIONAL COMPACT

(As amended)

WHEREAS, The States who are parties hereto have during the past several years conducted careful investigation looking toward the establishment and maintenance of jointly owned and operated regional educational institutions in the Southern States in the professional, technological, scientific, literary and other fields, so as to provide greater educational advantages and facilities for the citizens of the several States who reside within such region; and

WHEREAS, Meharry Medical College of Nashville, Tennessee, has proposed that its lands, buildings, equipment, and the net income from its endowment be turned over to the Southern States, or to an agency acting in their behalf, to be operated as a regional institution for medical, dental and nursing education

upon terms and conditions to be hereafter agreed upon between the Southern States and Meharry Medical College, which proposal, because of the present financial condition of the institution, has been approved by the said States who are parties hereto; and

WHEREAS, The said States desire to enter into a compact with each other providing for the planning and establishment of regional educational facilities;

NOW, THEREFORE, in consideration of the mutual agreements, covenants and obligations assumed by the respective States who are parties hereto (hereinafter referred to as "States"), the said several States do hereby form a geographical district or region consisting of the areas lying within the boundaries of the contracting States which, for the purposes of this compact, shall constitute an area for regional education supported by public funds derived from taxation by the constituent States and derived from other sources for the establishment, acquisition, operation and maintenance of regional educational schools and institutions for the benefit of citizens of the respective States residing within the region so established as may be determined from time to time in accordance with the terms and provisions of this compact.

The States do further hereby establish and create a joint agency which shall be known as the Board of Control for Southern Regional Education (hereinafter referred to as the "Board"), the members of which Board shall consist of the Governor of each State, *ex officio*, and three additional citizens of each State to be appointed by the Governor thereof, at least one of whom shall be selected from the field of education. The Governor shall continue as a member of the Board during his tenure of office as Governor of the State, but the members of the Board appointed by the Governor shall hold office for a period of four years except that in the original appointments one Board member so appointed by the Governor shall be designated at the time of his appointment to serve an initial term of two years, one Board member to serve an initial term of three years, and the remaining Board member to serve the full term of four years, but thereafter the successor of each appointed Board member shall serve the full term of four years.

Vacancies on the Board caused by death, resignation, refusal or inability to serve, shall be filled by appointment by the Governor for the unexpired portion of the term. The officers of the Board shall be a Chairman, a Vice Chairman, a Secretary, a Treasurer, and such additional officers as may be created by the Board from time to time. The Board shall meet annually and officers shall be elected to hold office until the next annual meeting. The Board shall have the right to formulate and establish by-laws not inconsistent with the provisions of this compact to govern its own actions in the performance of the duties delegated to it including the right to create and appoint an Executive Committee and a Finance Committee with such powers and authority as the Board may delegate to them from time to time. The Board may, within its discretion, elect as its Chairman a person who is not a member of the Board, provided such person resides within a signatory State, and upon such election such person shall become a member of the Board with all the rights and privileges of such membership.

It shall be the duty of the Board to submit plans and recommendations to the States from time to time for their approval and adoption by appropriate legislative action for the development, establishment, acquisition, operation and maintenance of educational schools and institutions within the geographical limits of the regional area of the States, of such character and type and for such educational purposes, professional, technological, scientific, literary, or otherwise, as they may deem and determine to be proper, necessary or advisable. Title to all such educational institutions when so established by appropriate legislative actions of the States and to all properties and facilities used in connection therewith shall be vested in said Board as the agency of and for the use and benefit of the said States and the citizens thereof, and all such educational institutions shall be operated, maintained and financed in the manner herein set out, subject to any provisions or limitations which may be contained in the legislative acts of the States authorizing the creation, establishment and operation of such educational institutions.

In addition to the power and authority heretofore granted, the Board shall have the power to enter into such agreements or arrangements with any of the States and with educational

institutions or agencies, as may be required in the judgment of the Board, to provide adequate services and facilities for the graduate, professional, and technical education for the benefit of the citizens of the respective States residing within the region, and such additional and general power and authority as may be vested in the Board from time to time by legislative enactment of the said States.

Any two or more States who are parties of this compact shall have the right to enter into supplemental agreements providing for the establishment, financing and operation of regional educational institutions for the benefit of citizens residing within an area which constitutes a portion of the general region herein created, such institutions to be financed exclusively by such States and to be controlled exclusively by the members of the Board representing such States provided such agreement is submitted to and approved by the Board prior to the establishment of such institutions.

Each State agrees that, when authorized by the legislature, it will from time to time make available and pay over to said Board such funds as may be required for the establishment, acquisition, operation and maintenance of such regional educational institutions as may be authorized by the States under the terms of this compact, the contribution of each State at all times to be in the proportion that its population bears to the total combined population of the States who are parties hereto as shown from time to time by the most recent official published report of the Bureau of the Census of the United States of America; or upon such other basis as may be agreed upon.

This compact shall not take effect or be binding upon any State unless and until it shall be approved by proper legislative action of as many as six or more of the States whose Governors have subscribed hereto within a period of eighteen months from the date hereof. When and if six or more States shall have given legislative approval to this compact within said eighteen months period, it shall be and become binding upon such six or more States 60 days after the date of legislative approval by the Sixth State and the Governors of such six or more States shall forthwith name the members of the Board from their States as hereinabove set out, and the Board shall then meet on call of

the Governor of any State approving this compact, at which time the Board shall elect officers, adopt by-laws, appoint committees and otherwise fully organize. Other States whose names are subscribed hereto shall thereafter become parties hereto upon approval of this compact by legislative action within two years from the date hereof, upon such conditions as may be agreed upon at the time. Provided, however, that with respect to any State whose constitution may require amendment in order to permit legislative approval of the Compact, such State or States shall become parties hereto upon approval of this Compact by legislative action within seven years from the date hereof, upon such conditions as may be agreed upon at the time.

After becoming effective this compact shall thereafter continue without limitation of time; provided, however, that it may be terminated at any time by unanimous action of the States and provided further that any State may withdraw from this compact if such withdrawal is approved by its legislature, such withdrawal to become effective two years after written notice thereof to the Board accompanied by a certified copy of the requisite legislative action, but such withdrawal shall not relieve the withdrawing State from its obligations hereunder accruing up to the effective date of such withdrawal. Any State so withdrawing shall *ipso facto* cease to have any claim to or ownership of any of the property held or vested in the Board or to any of the funds of the Board held under the terms of this compact.

If any State shall at any time become in default in the performance of any of its obligations assumed herein or with respect to any obligation imposed upon said State as authorized by and in compliance with the terms and provisions of this compact, all rights, privileges and benefits of such defaulting State, its member on the Board and its citizens shall *ipso facto* be and become suspended from and after the date of such default. Unless such default shall be remedied and made good within a period of one year immediately following the date of such default this compact may be terminated with respect to such defaulting State by an affirmative vote of three-fourths of the members of the Board (exclusive of the members representing the State in default), from and after which time such State

shall cease to be a party to this compact and shall have no further claim to or ownership of any of the property held by or vested in the Board or to any of the funds of the Board held under the terms of this compact, but such termination shall in no manner release such defaulting State from any accrued obligation or otherwise affect this compact or the rights, duties, privileges or obligations of the remaining States thereunder.

IN WITNESS WHEREOF this Compact has been approved and signed by Governors of the several States, subject to the approval of their respective legislatures in the manner hereinabove set out, as of the 8th day of February, 1948, NOW, THEREFORE

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. The above Compact is hereby approved and the State of Delaware is declared to be a party hereto, subject to the approval of the States now party to the Compact, and agreements, covenants, and obligations therein are binding upon the State of Delaware.

Section 2. Upon approval by the Compact States the Governor shall sign an engrossed copy of the Compact and of this resolution and sufficient copies be provided so that every State party to the Compact shall have engrossed copies.

Approved April 5, 1955.

CHAPTER 647

SENATE JOINT RESOLUTION

IN REFERENCE TO THE VISIT OF THE EARL DE LA WARR, AND COUNTESS DE LA WARR.

WHEREAS, in the year 1610 Captain Samuel Argall sailed under orders from Sir Thomas West, Lord de la Warr, Governor of Virginia to the Island of Bermuda for supplies; and

WHEREAS, in a heavy storm he was blown off his course into a strange body of water which he named in honor of his superior, Lord de la Warr; and

WHEREAS, the name of his Lordship was first applied to the Delaware Bay, then the Delaware River and later to this State; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the 118th General Assembly (the House of Representatives concurring therein):

That the members of the General Assembly extend cordial greetings to the Earl and Countess de la Warr during their visit in the State named for his distinguished ancestor, and

That in recognition of their visit the Senate and the House of Representatives shall meet in joint session in the Senate Chamber at 2:30 P. M. D. S. T. on Friday, May 13, 1955 and invite His Excellency, J. Caleb Boggs, Governor of the State of Delaware to extend greetings at that time on behalf of the State to the Earl and Countess de la Warr.

Approved May 20, 1955.

CHAPTER 648

SENATE 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 the House of Representatives of the State of Delaware, in General Assembly met:

That Vernon B. Derrickson, Walter L. Wheatley 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 for the Principal Office at Dover; and that Aaron Finger, Charles F. Krug and Eugene Lammot 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 Charles D. Murphy, Jr., John G. Townsend, Jr., and William A. B. Dodd 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 June 28, 1955.

CHAPTER 649

SENATE CONCURRENT RESOLUTION

IN REFERENCE TO THE ACUTE NEED FOR HIGHWAY IMPROVEMENTS IN THE AREA OF THE DOVER AIR FORCE BASE.

WHEREAS, the Department of Defense of the United States Government is expanding very rapidly the Dover Air Force Base located to the south and east of Dover, Delaware along U. S. Traffic Route No. 113, and

WHEREAS, the activities at the Base are overtaking and will continue to overtax the existing highway facilities serving the Air Force Base, and

WHEREAS, the State of Delaware fully recognizes the highway problems that are being created and is in full accord that highway improvements along U. S. Traffic Route 113 and the Lebanon Road to the westward are urgently needed, and

WHEREAS, the State Highway Department of the State of Delaware has examined this critical highway problems very carefully and finds that there are insufficient local financial means at the present time to cope with the problem and to provide the improvements necessary to care for the traffic problems created solely by the expansion of the Dover Air Force Base; NOW, THEREFORE,

BE IT RESOLVED *by the Senate of the 118th General Assembly of the State of Delaware (the House of Representatives concurring therein)* as follows:

1. That the Department of Defense of the United States Government and/or the Bureau of Public Roads of the Department of Commerce of the United States Government be and they are hereby requested to seek means to provide to the State of Delaware special sums of money that will materially aid the State of Delaware in improving highway facilities in the area of the Dover Air Force Base in the very near future.

2. That the proper federal agency be authorized to release to the State of Delaware special funds sufficient to meet at least 50% of the cost of the improvement work necessary on U. S. Traffic Route 113 and 33 1/3% of the cost of improvement work necessary on the Lebanon Road and if no such special funds are at present available that legislation be introduced into the Congress of the United States to accomplish this purpose.

3. That copies of this Resolution be directed by the Secretary of the Senate to the Secretary of the Department of Defense, the Commissioner of the Bureau of Public Roads of the Department of Commerce, and to each member of Delaware's delegation in the Congress of the United States.

Approved April 18, 1955.

CHAPTER 650

SENATE CONCURRENT RESOLUTION

**RECOGNITION OF THE EASTERN ORTHODOX CHURCH
AS A MAJOR FAITH IN DELAWARE.**

WHEREAS, the Eastern Orthodox Church is a major faith in the State of Delaware; and

WHEREAS, the said Eastern Orthodox Church is not generally included among the religious confessions of the State of Delaware; and

WHEREAS, it is the desire of the General Assembly to properly recognize the Eastern Orthodox Church as another major faith; and

WHEREAS, it is desired hereby to also express approval of such an Act as evidenced by the United States Senate Bill No. S. 3872 as introduced in the 83rd Congress on August 16, 1954,

NOW, THEREFORE

BE IT RESOLVED *by the Senate of the 118th General Assembly of the State of Delaware (the House of Representatives concurring therein)* as follows:

1. That the Eastern Orthodox Church be recognized as a major faith in the State of Delaware; and

2. That it be included among the religious confessions of this State; and

3. That the forms and official papers of the State, and local government units which refer to the major faiths and now limit same to Protestants, Catholics and Jews, be changed to: Protestants, Catholics, Jews and Eastern Orthodox; and

BE IT FURTHER RESOLVED that all media of communication and individuals are hereby requested to include the Eastern Orthodox Church when referring to the major faiths; and

BE IT FURTHER RESOLVED that the text of this resolution be spread upon the Journals of both Houses of the 118th General Assembly and that copies hereof be sent to the members of the Congressional delegation from the State of Delaware.

Approved April 29, 1955.

CHAPTER 651

HOUSE JOINT RESOLUTION

CONSTITUTING A COMMISSION TO CONSIDER THE PRESERVATION OF THE OLD COURT HOUSE AT NEW CASTLE AND REPORT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY.

WHEREAS, the old Court House at New Castle, Delaware, was the colonial capitol of Delaware for many years prior to the existence of Delaware as an independent State and was the scene of much of the early history of the State and is therefore a pre-eminent landmark of the State of Delaware and is owned by the State of Delaware; and

WHEREAS, due to physical deterioration over a period of time and neglect caused by lack of funds to maintain the building in proper physical condition, the building now faces possible destruction or loss by fire and the ravages of time; and

WHEREAS, it is proper for the State to assume the responsibility of the preservation of its historic landmarks; and

WHEREAS, Historic New Castle, Inc., a private charitable corporation has at its own expense obtained complete architectural and historical data concerning the old Court House in New Castle, which data and information can be made the basis for a plan of preservation of the old Court House building;

NOW, THEREFORE, BE IT ENACTED *by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That within ten days after the approval of this resolution the Governor be and he is hereby authorized and requested to appoint nine persons to be and compose the New Castle Old Court House Commission. Said nine persons shall include three persons to be designated by the Speaker of the House, three persons to be designated by the President Pro Tempore of the Senate, and three persons to be designated by the Governor.

Section 2. That it shall be the duty of the New Castle Old Court House Commission to consider the feasibility and advisability of the State of Delaware undertaking the preservation of the Old Court House in New Castle and to report back to this General Assembly on or before the 30th day following the approval of this resolution its conclusions and recommendations with respect to the preservation of the Old Court House in New Castle.

Approved March 7, 1955.

CHAPTER 652

HOUSE JOINT RESOLUTION

APPOINTING A BILL CLERK FOR THE HOUSE OF REPRESENTATIVES AND A BILL CLERK FOR THE SENATE TO SERVE DURING THE 118TH SESSION OF THE GENERAL ASSEMBLY.

BE IT RESOLVED by the House of Representatives and the Senate of the 118th Session of the General Assembly of the State of Delaware that S. Elwood Veasey be and he is hereby appointed Bill Clerk for the House of Representatives to serve during the present session of the House of Representatives; and that Clarence Reihm be and he is hereby appointed Bill Clerk for the Senate to serve during the present session of the Senate, in accordance with section 903, Title 29, Delaware Code.

Approved March 9, 1955.

CHAPTER 653

HOUSE JOINT RESOLUTION

**APPOINTMENT OF COMMISSION TO STUDY ENABLING
LEGISLATION TO SUPPLEMENT HOUSE BILL NUM-
BER 245 WHICH PROPOSES AMENDMENT TO STATE
CONSTITUTION SO AS TO PERMIT PLAYING OF
BINGO BY CERTAIN TAX EXEMPT ORGANIZATIONS.**

WHEREAS an Act proposing an amendment to Section 17 of Article II of the Constitution of the State of Delaware relating to Lotteries, being House Bill Number 245 was introduced in the House of Representatives of the 118th General Assembly on Friday, March 4, 1955, and

WHEREAS it is the desire of the Members of the 118th General Assembly to make certain that the final passage of the Constitutional Amendment is accompanied by strong and effective controls relating to the playing of bingo; NOW, THEREFORE,

BE IT RESOLVED *by the Members of the House of Representatives of the 118th General Assembly, the Senate joining therein,* that in the event House Bill Number 245 passes this General Assembly a commission consisting of seven (7) citizens of this State shall be appointed to study and investigate enabling legislation so as to properly supervise and control the playing of bingo in this State; said commission to report to the 119th General Assembly its recommendations as to legislation to accompany the enactment of the Constitutional Amendment, and

BE IT FURTHER RESOLVED that the Speaker of the House of Representatives of the 118th General Assembly is authorized and directed to appoint two (2) members of the commission established hereunder, the President Pro-Tem of the Senate is authorized and directed to appoint two (2) members of this commission, and the Governor of the State of Delaware is authorized to appoint three (3) members of this commission, provided, however, that should the Governor fail or refuse to appoint any members to this commission within fifteen (15) days after the initial passage of House Bill Number 245, then

and in that event the Speaker of the House is authorized and directed to appoint two (2) of the three (3) members authorized to be appointed by the Governor and the President Pro-Tem of the Senate is authorized and directed to appoint the remaining member, and in the event that the Governor appoints members to the commission, but less than the number authorized, the Speaker of the House of Representatives is authorized and directed to appoint such members, and in the event any person so appointed resigns, dies or otherwise can no longer serve on said commission such vacancy or vacancies shall be filled by a majority vote of the remaining members of the commission and in the event that the said remaining members of the commission cannot agree, then such vacancy or vacancies shall be filled by the chairman of said commission, and

BE IT FURTHER RESOLVED that the commission established hereunder give earnest and serious consideration to the following suggestions and recommendations of the Assembly:

1. That a Bingo Control Commission be established which shall consist of five (5) citizens of this State, who shall hold no other public office, and who shall be appointed by the Governor, with the advice and consent of the Senate, not more than three (3) of whom shall be members of any one (1) political party, and that the Commission shall serve without compensation but shall be entitled to be reimbursed for their actual expenses within the limits of available appropriations.

2. That the Bingo Commission powers and duties be set forth, with a view to authorizing the commission to investigate, to supervise and to enforce the administration of bingo.

3. That the members of the commission have the power to compel attendance of witnesses at hearings, cause production of books and documents relating to transactions connected with the holding and conducting of bingo games.

4. That the Bingo Licensing Commission be authorized to adopt, amend, and repeal rules and regulations governing the issuance and amendment of bingo licenses and the holding, operating and conducting of bingo games under such licenses to

the end that such licenses shall be issued to qualified licensees only and that said bingo games shall be fairly and properly conducted for the purpose and in the manner prescribed in the proposed laws, and to prevent bingo from being conducted for commercial purposes, and the commission shall prescribe forms of applications for licenses, amendments of licenses, reports of the conduct of games and other matters incident to the administration of said laws.

5. The Bingo Commission should have the duty to carry on continuous study and investigation of the operation of the Bingo Licensing law and the administration thereof for the purpose of ascertaining from time to time any defects in said laws which may be discovered, for the purpose of formulating and recommending improvements and changes in said laws which the commission may determine to be desirable to prevent abuses and evasions and to guard against the use of the laws as a cloak for the carrying on of organized gambling, and to insure that the said laws be in such form and be so administered so as to serve the true purposes for which they were enacted, namely, the operation and conduct of bingo for religious, charitable, educational purposes and for volunteer fire companies.

Approved August 2, 1955.

CHAPTER 654

HOUSE CONCURRENT RESOLUTION

MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CONSIDER FAVORABLY AN INCREASE OF SALARY FOR EMPLOYEES OF THE UNITED STATES POST OFFICE.

WHEREAS, the responsibility of increasing the salaries of Employees of the United States Post Office rests fully upon the shoulders of the United States Congress; and

WHEREAS, the Employees who maintain this vital communication establishment have not received a wage increase since 1951, even in the face of continued rise in the cost of living; and

WHEREAS, the spendable income of Post Office Employees today is at least \$600.00 behind the spendable income they had in 1939; and

WHEREAS, the Post Office Employees' productivity has increased tremendously over the past years, with a savings of hundreds of millions of dollars, proving beyond a doubt that these Employees are not only entitled to an increase but they are by all standards deserving of one; and

WHEREAS, there has been introduced Senate Bill number 1 and House of Representatives Bill number 1826 in the United States Congress providing for an increase of 10 per cent or \$400.00 per annum, whichever is greater; and

WHEREAS, the Post Office Employees are more than justifiably entitled to at least this increase; NOW, THEREFORE,

BE IT RESOLVED *by the House of Representatives of the State of Delaware, the Senate concurring therein*, that the 118th General Assembly of the State of Delaware urges and requests the Congress of the United States to enact the proposed legislation before the Congress relative to an increase of salary to Post Office Employees; and

BE IT FURTHER RESOLVED that the Senators and the Representatives of the United States are hereby respectfully requested to exert every effort and utilize all facilities at their disposal to further said action; and

BE IT FURTHER RESOLVED that copies of this resolution shall forthwith be transmitted to the presiding officer of each House and to the Chairman of the House and Senate Post Office & Civil Service Committee of the United States Congress and to each Senator and Representative from the State of Delaware.

Approved March 21, 1955.

CHAPTER 655

HOUSE CONCURRENT RESOLUTION

**TO EXPRESS THE GRATITUDE OF THE CITIZENS OF THE
STATE OF DELAWARE TO DR. SALK FOR HIS SUC-
CESSFUL RESEARCH COMBATING POLIOMYELITIS.**

WHEREAS, poliomyelitis has killed or crippled countless thousands of children and adults throughout the world and

WHEREAS, many years of human research has finally resulted in the discovery by Dr. Jonas E. Salk of a vaccine which will largely prevent polio,

NOW, THEREFORE, BE IT RESOLVED *by the General Assembly of the State of Delaware* that the General Assembly speaking for the citizens of Delaware hereby expresses the congratulations and heartfelt gratitude of the citizens of the State of Delaware to Dr. Jonas E. Salk and those associated with him for the great advance which they have made for the betterment of mankind everywhere by their successful research which has culminated in a vaccine to combat polio, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journals of the House and Senate and that a copy be mailed to Dr. Salk.

Approved May 5, 1955.

CHAPTER 656

HOUSE CONCURRENT RESOLUTION

REQUESTING SCHOOL AUTHORITIES TO PROPERLY SUPERVISE BURNING OF REFUSE ON SCHOOL PROPERTY.

WHEREAS, a serious situation has arisen in Delaware because of the failure of School Authorities to take the necessary steps to see that fires on school premises or adjacent thereto under the control of the School Authorities are properly under control, and

WHEREAS, this neglect or failure on the part of School Authorities has resulted in damage to property of persons in this State and could result in further loss of property and injury to persons in this State, NOW, THEREFORE,

BE IT RESOLVED *by the House of Representatives of the State of Delaware, the Senate concurring therein*, that the 118th General Assembly of Delaware urges and requests School Authorities in Delaware to take proper action to see that fires on school premises or adjacent thereto are under proper control at all times, and

BE IT FURTHER RESOLVED that School Authorities be requested to place on property under their control the necessary receptacles for the purposes aforesaid, and that an attendant be present to supervise any burning of trash or other paraphernalia on the school properties, and

BE IT FURTHER RESOLVED that sufficient copies of this Resolution be sent to the Superintendent of the State Board of Education for distribution to school principals under his control, and to the Superintendents of any other school districts not under the control of the State Board of Education for proper distribution to the responsible officers in the various schools throughout the State of Delaware.

Approved May 19, 1955.

Proclamations

CHAPTER 657

STATE OF DELAWARE EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the people of Delaware were privileged to inspect some of the fine vegetables and other produce grown on farms within the State at the Kent and Sussex County Fair last week, and

WHEREAS, the State of Delaware makes a great contribution to the food supply of the entire nation through its productivity and advanced methods of farming, and

WHEREAS, each year National Vegetable Week is sponsored throughout the United States by the Vegetable Growers Association of America in order to call attention to the importance of vegetables to the physical and economic health of our nation:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the period of August 3 to 10, 1953, as

NATIONAL VEGETABLE WEEK

in Delaware, and do urge that suitable steps be taken to encourage continued research in the production and marketing of vegetable products and in the celebrating of this annual event.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) twenty-eighth day of July, in the year of Our
Lord One thousand nine hundred and fifty-three
and of the Independence of the United States
the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 658

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Delaware Association of Police has shown great interest in the youth of our state, and has developed programs for boys which tend to curb juvenile delinquency and promote good citizenship; and

WHEREAS, for the past six years the Delaware Association of Police has sponsored a Pushmobile Derby in Wilmington, Delaware, in which youths from all areas of the state competed for worthwhile awards and at the same time were taught the principles of sportsmanship while in competition; and

WHEREAS, the seventh annual pushmobile derby has been scheduled by this organization of men, who aside from their duties as officers of the law, devote much time to the promotion of youth activities throughout the state:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Saturday, August 15, 1953, be known as

PUSHMOBILE DERBY DAY IN DELAWARE

I further urge that the public attend this event to be held on Lea Boulevard, Wilmington, and give their encouragement to both the contestants and sponsors. Through the interest shown by our citizens the D. A. P. will know that their efforts in the promotion of better future citizens is appreciated by all.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-eighth day of July in the year of Our
Lord One thousand nine hundred and fifty-three
and of the Independence of the United States
the one hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 659

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, employment in the State of Delaware is at an all-time high and the yearly income of our citizens had the highest national average in 1952; and

WHEREAS, our male and female workers are to be congratulated on their records of productivity and achievement in all the fields in which they are engaged; and

WHEREAS, it is fitting to pay tribute to the loyalty and devotion of these citizens as they progress in their chosen fields of endeavor:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, hereby proclaim that Monday, September 7, 1953, shall be observed as

LABOR DAY

in the State of Delaware and that our State and National Flags be displayed in honor of the occasion. I further urge that representatives of workers' organizations, employers and all concerned with the continuing program of our ever-growing industries take this occasion to pay tribute to those citizens whose labor helps to provide our recognized high standards.

It is also my sincere hope that with the cessation of hostilities in Korea all of our efforts in the days ahead may be turned to the production of materials for the advancement of peace and prosperity within this state and throughout the world.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-fourth day of August in the year of
Our Lord One thousand nine hundred and fifty-
three and of the Independence of the United
States the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 660

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the skill, ingenuity and courage of the American worker to overcome seemingly hopeless odds, and his determination through organization, to resist encroachments upon his liberties and to raise the standard of living for himself and his fellow toilers have been major factors in providing the comforts, security and happiness we enjoy today; and

WHEREAS, these benefits are enjoyed to such an extent in no other part of the earth, as is evidenced through continuous reports of spreading starvation and suffering of untold millions in other lands; and

WHEREAS, due credit must be given to those pioneers in organization such as the American Federation of Labor for their able leadership in providing workmen throughout the nation to be woven together in a great production team; and

WHEREAS, the symbol of this unity and the productivity which it has achieved through employer-employee cooperation is the Union Label, it is only fitting that each year a period be set aside in tribute to what organized labor has done for us all; and

WHEREAS, the Union Label is labor's guarantee of expert craftsmanship and is our assurance that the product was manufactured, or the services rendered, under conditions which will preserve, protect and extend the benefits which have accrued to workers:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the period of September 7 to September 13, 1953, as

UNION LABEL WEEK

and call upon all citizens to give their full cooperation to this effort to focus attention upon the importance of the Union Label, as an example of fine workmanship, honest endeavor and fair play.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Third day
(Great Seal) of September in the year of Our Lord One thousand nine hundred and fifty-three and of the Independence of the United States of America the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 661

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is the duty of the state to be on the alert concerning the health and welfare of its citizens, and provide for them those services which cannot be secured by ordinary visits to the family physician; and

WHEREAS, after years of research and study there are still many dread diseases for which no specific remedy has been found, but which may be checked to prevent further suffering and possible death; and

WHEREAS, the State of Delaware, through the General Assembly and interested agencies have arranged facilities to provide a chest X-Ray for every citizen over the age of fifteen years; and

WHEREAS, this opportunity for a check upon the dread disease of tuberculosis will be available to the citizens of Delaware at appointed times and places beginning in Dover on September 9, 1953, and continuing through December 19, 1953:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare the above designated dates as a period of

MOBILIZATION FOR HEALTH

and I urge that everyone above the age of fifteen years take advantage of this opportunity to have a chest X-Ray with the hope that we will be able to wage a more efficient war on tuberculosis and kindred ills.

I further urge that all our citizens, individually or banded together in civic, fraternal, church or other groups, come to the aid of our officials in fully informing the public of the simple

nature of this program, yet stressing its importance and the great good that may result from it.

I view with pride the fact that Delaware is to become the First State to undertake this type of survey for all its people. With the whole-hearted support of each individual we will be able to take those remedial steps which may save years of suffering and prolong many lives.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 fourth
(Great Seal) day of September in the year of Our Lord One
Thousand nine hundred and fifty-three and of
the Independence of the United States of Amer-
ica the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 662

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Seventeenth Day of September marked the 166th anniversary of the signing of the Constitution of the United States of America; and

WHEREAS, by a joint resolution approved February 29, 1952, the Congress of the United States of America has designated September 17th of each year as Citizenship Day, a day of recognition of those coming of age or by naturalization, who will now enjoy the privileges and bear the responsibilities of citizenship; and

WHEREAS, we should be more aware than ever of the profound meaning of the Constitution and remember that through it we enjoy the blessing of individual freedom; and

WHEREAS, the President of the United States of America has issued a proclamation calling for the observance of this day:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Thursday, September 17, 1953, be observed in the First State as

CITIZENSHIP DAY

and I hereby direct that the Flag of Our Country and the State Flag be displayed on all official state buildings in recognition of this double dedication to life, liberty and the pursuit of happiness.

I further urge that officials on all levels, as well as patriotic, religious, civic, educational and other interested organizations, arrange appropriate ceremonies on Citizenship Day to summon to the minds of all of us a keener awareness of our rights and responsibilities as citizens.

I also call upon our citizens to renew and reaffirm their allegiance to the Constitution of the United States of America and pledge once more that they will keep it inviolate from all outward attacks so that we may fortify in our hearts that spiritual unity which is our greatest strength.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed, at Dover, this tenth day
of September in the year of Our Lord One
Thousand nine hundred and fifty-three and of
the Independence of the United States of America
the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER '663
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, there are various programs promulgated for our youth to encourage them to learn more about their own environment and the communities, states and nation in which they live; and

WHEREAS, among such programs is one co-sponsored by Kiwanis International and the National Kids' Day Foundation, where unusual opportunities are provided for youngsters to promote health, safety and civic enlightenment; and

WHEREAS, the Kiwanis Clubs in Delaware have undertaken such a program in which children in the respective areas where clubs are maintained will be greatly benefited:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do declare that Saturday, September 26, 1958, be observed as

KIDS' DAY IN DELAWARE

and I urge all those citizens who may be approached, give their whole-hearted support to our state's Kiwanis Clubs in order that the utmost benefit can be derived by our young people through this program.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 day of September in the year of Our Lord One thousand nine hundred and fifty-three and of the Independence of the United States the One hundred and seventy-eighth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 664
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, automobile accidents are taking an appalling and tragic toll on our highways; and

WHEREAS, October, November and December are the most dangerous driving months of the year, with the automobile averaging to kill 800 and injure more than 30,000 Americans each and every week; and

WHEREAS, it is of paramount and vital importance to bring automobile accidents under control in order to protect life and limb of our neighbors, our families and ourselves; and

WHEREAS, in an effort to stem this tide of death and grief, there has been established the Governor's Highway Safety Committee to promote a campaign of enforcement, education and engineering in an effort to halt the terrible loss of life on our own State Highways:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate Wednesday, September 30, 1953, as

TRAFFIC MEMORIAL DAY

and call upon all our citizens to observe the day by pledging utmost efforts to stop needless maiming and slaughter on our highways, and I do further suggest that Traffic Memorial Day be observed through editorials in the press and on the radio, through the pulpit, school and public gatherings.

Also, that we pause for 30 seconds of silence and prayer at midday to express our grief at the tragic toll in automobile accidents; and that all of us promise to obey the traffic laws of our state in order that this campaign may fulfill its mission.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 twenty-first
(Great Seal) day of September in the year of Our Lord One
Thousand nine hundred and fifty-three and of
the Independence of the United States of America
the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 665

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the pharmacists in the State of Delaware are among the outstanding servants of the public through their diligence and devotion to duty; and

WHEREAS, the lives of our citizens are dependent upon their skills in interpreting the prescriptions recommended by physicians which must be precisely followed and instructions for administration must conform exactly as ordered; and

WHEREAS, the aforementioned pharmacists strive through constant education and organized effort the maintenance and improvement of their high standards:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the week of October 4 to October 10, 1953, be observed as

PHARMACY WEEK IN DELAWARE

I call upon our citizens to reflect upon the many instances when these men and women have served so faithfully to better the physical, mental and moral status of our people. During this week let us renew our efforts to better appreciate their services to individuals, physicians and hospitals throughout the state and take note of the unselfish devotion with which they follow their profession.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-

(Great Seal) second day of September in the year of Our
Lord One thousand nine hundred and fifty-three
and of the Independence of the United States
the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 666
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, opportunities for gainful employment are the ambition of all workers, consistent with each worker's abilities and interests, and such opportunities are prevalent under the American system of free choice; and

WHEREAS, experience has taught that physically handicapped workers perform efficiently when they are prepared and trained for suitable jobs; and

WHEREAS, there is a continuing need for greater understanding of effective methods for the placement of physically handicapped workers in suitable occupations, and this can be accomplished through community programs of education and promotion; and

WHEREAS, there is a great shortage of skilled labor in the State of Delaware and this skilled labor market can be considerably increased by the training of physically handicapped for opportunities to which they are adaptable:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that the week of October 4 to 10, 1953, be observed in Delaware as

EMPLOY THE PHYSICALLY HANDICAPPED WEEK

and I call upon employers of male and female labor, in all our fields of endeavor to give serious consideration to employing more of our physically handicapped citizens in those occupations where they can be of best service.

I further urge that this be made a continuing program in the state, and that all of our agencies adaptable to such programs, together with civic, veteran and other groups, keep be-

fore the public at all times the desirability of helping these individuals. This will enable them to become useful citizens, capable of self-support and enjoying the full spirit of belonging in the community, which they so justly deserve.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-eighth day of September in the year of Our Lord One thousand nine hundred and fifty-three and of the Independence of the United States the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 667
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, of all the elements of danger to which humanity is exposed, fire inflicts one of the costliest tolls in lives and property damages annually; and

WHEREAS, much of this death and destruction can often be traced to hasty action or plain carelessness on the part of individuals; and

WHEREAS, many citizens are affected annually either through personal grief, financial loss or increased insurance rates in areas where hazards prevail or lack of proper fire fighting facilities are found; and

WHEREAS, despite the splendid work of our volunteer fire fighting units in rural areas and professionals in larger areas, who constantly strive by warning, investigation and education to eliminate such hazards and practices which often lead to horrible conclusions;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that the week of October 4 to 10, 1953, be widely observed in our state as

FIRE PREVENTION WEEK

I call on all our volunteer and paid firemen to continue their splendid program of education through the schools, industrial plants and by visits to homes to call attention to the great economic setback suffered annually by fires, both large and small. I also urge that our public and parochial school teachers and all in authority, including leaders in civic organizations and service clubs, take cognizance of this week by reporting to our citizens the necessary steps to be taken to assure greater precaution and to prevent reoccurrence of these dread disasters.

It would seem appropriate at this time to call attention to our Civil Defense program and urge volunteers to join disaster units, where proper fire fighting methods are a part of the training. This volunteer training will be useful, not only in time of national emergency, but will greatly aid should fire or other disaster strike a given community.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 thirtieth
(Great Seal) day of September in the year of Our Lord One
thousand nine hundred and fifty-three and of the
Independence of the United States the One
hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 668
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, Delaware as one of the thirteen original colonies will forever owe a debt of gratitude to those who stood by the side of our forefathers in the battle for freedom and equality; and

WHEREAS, numbered among the patriots of other nations who came to the defense of the principles for which we fought during the American Revolution was Brigadier General Casimir Pulaski, the 174th anniversary of whose death will be marked on Sunday, October 11, 1953; and

WHEREAS, General Pulaski paid the supreme sacrifice at Savannah, Georgia, in his valliant effort to promote right over tyranny:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, by virtue of the laws of the state, do proclaim Sunday, October 11, 1953, as

PULASKI MEMORIAL DAY

and I urge that all of our citizens join with those of Polish-American ancestry in paying tribute to the great cause for which this patriot lived and died. I further urge that the flags of our country and state be appropriately displayed on this day, and that our people join in ceremonies honoring the memory of this great man.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 thirtieth

(Great Seal) day of September in the year of Our Lord One thousand nine hundred and fifty-three and of the Independence of the United States the One hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 669

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, for the Sixteenth Year the United States Postal Service will mark National Letter Writing Week, from October 4 to October 10, 1953; and

WHEREAS, a national effort will be made to spread the slogan of the Postmaster General's Office, namely "Letters Bring Happiness"; and

WHEREAS, it will be an excellent time during this week to renew old acquaintances or acquire new ones by writing a friendly note to some relative or friend with whom contact has been lost, or a contribution to international good will may be made by addressing a letter to a friend, dignitary or official of a nation overseas with whom we may have had contact; and

WHEREAS, this week will also serve to bring happiness to our members in the Armed Forces by writing letters to those of our loved ones who may be serving away from home, either in the United States or some foreign land:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the week of October 4 to 10, 1953, be observed in Delaware as

NATIONAL LETTER WRITING WEEK

At this time we can also pay tribute to our faithful mail carriers, who daily bring us world events and news through publications which they distribute and the personal letters for which all of us look. It is also a time to note the services offered by our local post offices and the United States Post Office, in keeping contact with the great flow of our nation's business. Through the various services rendered by the Post Office Department, commerce is maintained at a steady pace and personal as well as business contacts are continually renewed.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) October in the year of Our Lord One thousand
nine hundred and fifty-three and of the Inde-
pendence of the United States the One hundred
and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 670
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, for centuries men and women have best expressed the thoughts within their inner souls by presenting their sentiments in verse or rhyme; and

WHEREAS, this form of expression has been steadfast in providing inspiration, guidance and peace of soul for individuals everywhere; and

WHEREAS, poets have greatly contributed to the moral uplift and spiritual well-being of many of our own citizens, who through study of the written word—have found new energy and encouragement; and

WHEREAS, Delaware poets have and are making a profound contribution in this very limited field of expression and we should extend laurels to them for their creative genius and understanding:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Thursday, October 15, 1953, as

DELAWARE POETRY DAY

and I call on our newspapers, churches, schools, libraries, clubs and radio stations to provide displays, stress the reading and study of the works of our Delaware poets, both past and present, in order that we may further benefit from the wisdom of their work.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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

(Great Seal) October in the year of Our Lord One thousand
 nine hundred and fifty-three and of the Inde-
 pendence of the United States the One hundred
 and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 671
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the Delaware Congress of Parents and Teachers, organized in 1911, has made consistent progress in its efforts to promote Child Welfare through the cooperative efforts of more than 22,000 parents and teachers; and

WHEREAS, it is believed that the standards attained by our public schools are in direct ratio to the interest displayed in them by parents, proving that good home-school relations are indispensable in molding happy, alert young people; and

WHEREAS, the Delaware Congress of Parents and Teachers represents the highest hopes and best efforts of Delaware citizens to preserve the finest aspects of American heritage of freedom for their children; and

WHEREAS, this organization has expressed its aims as "for every child these benefits, 'better homes, better schools, better communities'"—it is well for us all to encourage the largest possible membership in this group, devoted to the interests of our public schools:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate the month of October, 1953, as

PARENT-TEACHER MEMBERSHIP ENROLLMENT
MONTH

for the Delaware Congress of Parents and Teachers, in recognition of their 42 years of service in this field. I call upon all citizens of the state to aid and encourage this constructive, forward-looking program.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed, at Dover, this Third day
of October in the year of Our Lord One thousand
nine hundred and fifty-three and of the Inde-
pendence of the United States the One hundred
and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 672

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, National Business Women's Week will be celebrated throughout the nation from October 11 to October 17, 1953; and

WHEREAS, the theme of National Business Women's Week, "The Ramparts We Build", is a vital principle in a great, free and democratic country; and

WHEREAS, the organization of the National Federation of Business and Professional Women's Clubs, Inc., is contributing much toward the advancement of business and industry; and

WHEREAS, the Delaware Federation of Business and Professional Women's Clubs, Inc., as an affiliate of the National Federation, is likewise contributing much toward the improvement and progress of business, industry and civic needs in our community:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week beginning October 11 to 17, 1953, as

BUSINESS WOMEN'S WEEK

and urge our leaders of business and industry to join in this observance.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 fifth day

(Great Seal) of October in the year of Our Lord One thousand
nine hundred and fifty-three and of the Inde-
pendence of the United States the One hundred
and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 673
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the progress, prosperity and national security of the United States depend upon the conservation, through their wisest and most efficient use, of our rich heritage of natural resources and

WHEREAS, Petroleum, which supplies the American people with a large part of their power needs, is one of this nation's most precious natural resources and

WHEREAS, the two million Americans engaged in the oil business use the most up-to-date conservation practices in finding, producing, refining, transporting and marketing petroleum products and

WHEREAS, the conservation of all other resources, such as topsoil, water, food, fibres, rubber and scarce strategic metals and chemicals needed by civilians and their Armed Services is made possible on a large scale through the employment of machines powered and lubricated by oil and by the growing use of plastics, synthetic rubber and other products made from petrochemicals and

WHEREAS, residents of our community who are engaged in the oil business are desirous of illustrating their contributions to conservation, and to explain their activities and the activities of their competitive, progressive businesses.

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware do hereby proclaim the week of October 11th to 17th, inclusive, to be

DELAWARE OIL PROGRESS WEEK

and do call to the serious consideration of all citizens the many services and contributions which oil men who live and work

amongst us have made and are making to the betterment of our public, social, business and private lives, as well as to the security of our beloved country.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Seventh day of October in the year of Our Lord, One thousand nine hundred and fifty-three, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 674
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the National Guard of the State of Delaware is in the process of reorganizing for the defense of the State and Nation from aerial attack, and

WHEREAS, the National Guard of the State of Delaware can only continue an effective military organization through the universal support of, and encouragement by, all the people of the State of Delaware, and

WHEREAS, the National Guard is embarking upon a recruiting campaign for its ground and air forces and wishes at this time to call to the attention of all men between the ages of 17 and 55 the desirability of joining the Delaware National Guard and the Delaware Air National Guard.

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the month of November as

NATIONAL GUARD MONTH

and urge each male citizen between the ages of 17 and 55 favorably consider the National Guard and enlistment therein.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 day of October in the year of Our Lord, One thousand nine hundred and fifty-three, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

(Great Seal)

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 675

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the citizens of the State of Delaware as well as others throughout the nation anxiously await the outcome of the present armistice and negotiations in Korea; and

WHEREAS, it was hoped that the 1918 cease-fire armistice halting World War I would bring an end to all wars; and

WHEREAS, events following that Armistice were such that a new and fearful group of would-be world conquerors in the form of dictators arose to destroy the hopes and prayers of peaceful people; and

WHEREAS, today the United Nations is debating a way to find peaceful settlement to claims of nations whom the aftermath of World War II found ruthless in their quest for power and world domination; and

WHEREAS, it is fitting that we mark November 11, 1918, as a day of remembrance when hopes for peace were high and people welcomed home with open arms the heroes who fought for Democracy;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Wednesday, November 11, 1953, be observed in the State as

ARMISTICE DAY

On this day I urge that each citizen recount the sacrifices made by our gallant fighting sons on the battlefields of Europe and that they join in a moment's silent tribute to those who paid the supreme sacrifice. Meanwhile the national and state flags should be flown in tribute to this day. I further hope that our veterans, patriotic and civic organizations will hold fitting exer-

cises to recall that joyous day 35 years ago. May we all join in our prayers on this day of remembrance to call on Almighty God to crown the efforts of those concerned with peace in the world, and to spare us from the horrible fate which another world conflict would assuredly produce.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Fourth day
of November in the year of Our Lord One
thousand nine hundred and fifty-three, and of
Independence of the United States of America,
the one-hundred and seventy-eighth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 676

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the time has come when another harvest has been gathered and a grateful people wishes to pay homage to Almighty God for their rich blessings; and

WHEREAS, it is proper that we look back to the days of our first settlers, who despite hardships, potential enemies and even death, continued their struggle to establish a new land; and

WHEREAS, following in their footsteps, we have endeavored to carry on their principles and precepts in our continued struggle to remain a free and independent people, and to aid others in achieving that same degree of freedom; and

WHEREAS, in this particular year we should give thanks to the Almighty that another bloody conflict in which our sons were called upon to protect and preserve our hard-won liberties has ended;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and proclaim Thursday, the Twenty-sixth Day of November, 1953, as a

DAY OF PRAYER AND THANKSGIVING

and urge all our citizens to gather in their houses of worship to give thanks for the many bounties which have been bestowed upon them. I further hope, that gathered together in our homes with our families and friends, we may ponder on the truth that here is the foundation on which our great nation was built.

Furthermore, let this also be a day of prayer for peace in the world and in acknowledgment of the special blessings given to us in the State of Delaware. Let us fly our State and National Colors with deep devotion and gratitude.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 November in the year of Our Lord One
thousand nine hundred and fifty-three, and of
the Independence of the United States of Amer-
ica, the one-hundred and seventy-eighth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 677

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, we look to the women of our communities for leadership in many fields, including the activities in our churches, schools, hospitals and philanthropic organizations; and

WHEREAS, the "Lady of the House" is of all importance to her family, because of her manifold duties as mother, housekeeper, dietitian, teacher, spiritual leader and cook; and

WHEREAS, this combination of duties should entitle our women to a designation all of their own—and the suggestion has been made that the appropriate title would be "Homemaker";

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and proclaim the week of November 19 through November 26, 1953, as

HOMEMAKERS WEEK IN DELAWARE

During this week I urge that all of us—especially the male citizens of the state—give sober thought to the great part played in their lives by those who prepare our daily bread and bestow upon us many comforts, loving care and fill us with confidence as we go about our tasks. During this Thanksgiving season it is especially appropriate that we mark a period to give thanks for that great personality and good companion—the Homemaker.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State

(Great Seal)

to be hereunto affixed at Dover, this Eighteenth day of November in the year of Our Lord One thousand nine hundred and fifty-three, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 678

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, by the unanimous action of thirty colonial patriots, gathered in convention at the state capital in Dover on December 7, 1787, the Constitution of the United States was first ratified; and

WHEREAS, through that ratification, Delaware proudly claimed the title of "First State" and has enjoyed the privileges and prerogatives of that important position for the past 166 years; and

WHEREAS, this same action placed our white star first in the upper left hand corner of the blue field in our National emblem; and

WHEREAS, Delawareans have guarded this proud heritage through the years, and have faithfully preserved many of the public buildings, old homes and precious records associated with the founding and birth of a new land; and

WHEREAS, the General Assembly of Delaware, by resolution adopted on November 29, 1933, authorized and directed that the Governor issue an annual proclamation calling attention to this historic occasion and give it deserved recognition;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate and proclaim Monday, December 7, 1953, as

DELAWARE DAY

and I request that we do all in our power on this occasion to bring full significance of this act by our forefathers to the attention of all students in our schools, colleges and universities. Let it also be the subject for discussion at civic, fraternal and like gatherings.

It is also my sincere hope that on the Sunday preceding we give thanks in our houses of worship for this firm foundation bequeathed to all of us. In recognition of this day let us gratefully display the flags of our Nation and State and let us make use of the State Song, "Our Delaware", on every appropriate occasion.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) third day of November in the year of Our Lord
One thousand nine hundred and fifty-three, and
of the Independence of the United States of
America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 679
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the citizens of Delaware, like those of every other area in the United States, wish to acknowledge with their deepest respect and gratitude, the sacrifices made by all those who have lost dear ones in the service of our nation; and

WHEREAS, we will mark the twelfth anniversary of that day of infamy—December 7, 1941—with memories of the great and tragic loss involved in the world conflict which followed; and

WHEREAS, we are not unmindful that another host of young men died on the altar of freedom on Korea, with the fate of some still undetermined;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the week of December 7 through 12, 1953, be observed as

GOLD STAR FAMILY WEEK

and I urge that our people participate in the spirit of this week and attend the ceremonies to be held in connection with it, as an expression of our respect, gratitude and affection for the parents, wives, brothers and sisters who have lost loved ones in the service of our country.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-third day of November in the year of Our Lord One thousand nine hundred and fifty-three, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 680

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is important to call upon the American people to act concertedly and with determination to uphold the sacred principles of American Unity, upon which Our Bill of Rights is based and defend them from all attackers; and

WHEREAS, the State of Delaware, as the First to ratify the Constitution of the United States, also was among the early supporters of the first ten amendments to that Constitution which assured us of privileges not granted in many nations in the world; and

WHEREAS, the Bill of Rights shall not be used as a means to distort and destroy the basic principles upon which the amendments were based; and

WHEREAS, we must continue to protect the American Way of Life and Government and assure that it is not undermined by foreign propaganda, the ideology of which is diametrically opposed to that of the United States of America:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, following the example set in 1941 and 1946 by Joint House Resolutions in the Congress of the United States, do hereby proclaim that Tuesday, December 15, 1953, be observed in Delaware as

BILL OF RIGHTS DAY

I call upon our citizens to display the Flag of the United States and the State of Delaware on all appropriate buildings and flag staffs on that day and I invite the people of the state to observe the day with appropriate ceremonies and prayers.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eleventh
(Great Seal) day of December in the year of our Lord One
thousand nine hundred and fifty-three, and of
the Independence of the United States of Amer-
ica, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 681

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is extremely necessary to continue the battle against poliomyelitis (better known as infantile paralysis) in order to spare the lives and limbs of our loved ones; and

WHEREAS, much progress has been made through education, scientific research and ministering to the afflicted through the generous contributions of American citizens everywhere; and

WHEREAS, Delawareans have always responded kindly when a call for action is forthcoming from those who serve our state in this great crusade; and

WHEREAS, hope arises that preventive measures may be developed through the new vaccine, gamma globulin, we must realize that the basis of this hope is still largely in the experimental stage and is not yet fully developed; and that large sums are still needed to further that development; and

WHEREAS, it is imperative that until such measures are found which will prevent or cure this dread disease we must all come to the aid of this worthy cause;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that January, 1954, be observed as

MARCH OF DIMES MONTH IN DELAWARE

I know that because of our close relationship in this small state, where each realizes the suffering which infantile paralysis brings to our neighbors, we will do all in our power to make the campaign a success.

It is my sincere hope that the workers will be met with a warm heart and an open purse as this drive proceeds during the month.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 thirty-
(Great Seal) first day of December in the year of Our Lord
One thousand nine hundred and fifty-three, and
of the Independence of the United States of
America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 682 ·

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, C. Douglass Buck, 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, J. Caleb Boggs, Governor of the State of Delaware do hereby issue this proclamation according to the provisions of Sections 511 and 512, of Title 8, of the Delaware Code of 1953, 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. Braver Company, A. Goldberg, Inc., A. H. Goody, Inc., A. J. Ramone Co., Inc., ABC Publications, Inc., Ace Products Corporation, Acme Reporters, Inc., Admiralty Lines, Inc., Adolf Schleicher and Associates, Ltd., Agee Manufacturing Co., Inc., Air Freight, Inc., Air Rome, Inc., Air Terminals, Inc., Aircraft Inspection Research Corp., Airdar Corporation, Airline Management Corporation, Airport Advertising, Inc., Airport Properties, Inc., Alabama Packing Company, Alabama Sales Corporation, Alba Refining Corporation, Alert Beverage Company, The, Alexandria Linoleum Shop, Inc., Alfred R. Layton, Inc., All-Store Products, Inc., All-Vac Steam Control Systems, Incorporated, Allenco, Inc., Allfoods Brokers Corporation, Allied Interests, Inc., Alpha Printing Corporation, Ambassador Employment Service, Inc., Ambassador Motor Tours, Incorporated, American Aerial Atlas & Allied Services, Inc., American Business Service Company, American Commercial Company, American Cooperative Club Plan, Inc., The, American Exchange International, Inc., American & Foreign Corporation, American Friends of The Swedish University of ABO, Inc., American-German Trading Corporation, American Guaranty Company, American Hardmetal Research and Development Corporation,

American International Corporation, American Milk Company, American Near Eastern Finance & Engineering Corp., American Nicaro Corporation, American Patent & Trade-Mark Bureau of Washington, D. C., Inc., American Peat Moss Corporation, American Pedestrian Association, Inc., American Swiss Corporation, American Women's Club of Shanghai, American X-Ray & Medico-Scientific Supplies Corporation, Amfell Rod & Gun Club, Anbar Amusement Corporation, Andco, Inc., Anson Group Corporation, Anvac, Inc., Anvil Realty and Investment Company, Apichella Motors, Inc., Apollo Amusement Company, Inc., Appliance Sales Corporation, Archie E. Bandler, Inc., Arden Court, Inc., Arecibo Distilling Company, Arlington Music Corporation, Arrow Hardware Co., Art Instrument Company, Inc., Art Stone Rental Service, Inc., Arthur I. Fink, Inc., Associated Body & Fender Specialists, Inc., Association of Auditors and Controllants, Athletic Association of Dover, Delaware, Atlanta Jewish Welfare Fund, Inc., Atlantic City Steel Pier Company, Atlantic Investors, Inc., Atlantic Newspapers, Inc., Atlas Automobile Finance Corporation of Delaware, Atlas Bearing Corporation, Atlas Housing Corporation, Atlas Sirk-Lipton-Mayer Productions, Inc., Atoka Oil & Gas Company, Austin Stewart Corporation, Auth-Loffler, Inc., Auto-Chlor System, Atlanta, Inc., Automatic Dialing Corporation, Automatic Heating Equipment & Supply Co., Automatic Web Guide Distributing Company, Automotive Equipment Co., Inc., Automotive Improvement, Inc., Autoxygen Corporation of America, Auxiliary Drive Equipment Corporation, Avonwold Oil Corporation, The, Avrum, Inc., Allied Western Oil Corp., Aluminum Builders Materials Company, Alomitape Sales Corporation, American Forum Foundation, Inc., American Oil Producers, Inc., Angler Investment Corporation.

B. F. L. Enterprises, Inc., B. & G. Mfg. & Sales Corp., B. G. Research & Development Corp., B. and L. Corporation, B. & M. Sales Company, Incorporated, B. & R. Securities Corporation, B. W. C. Corporation, B & W Television Sales and Service, Inc., Badger Leasing Corporation, Bank of Knowledge, Inc., Bankers National Investing Corporation, Bar-Kal, Inc., Bari Building Supply Co., Inc., Barker Bake Shops Incorporated, Barr's Columbia Grill, Inc., Barrett Enterprises, Inc., Barry Farms Development Company, The, Bazaar Food Shop, Inc., Bea's Food Market, Inc., Beater Bleach Corporation, Beauchamp

Associates, Ltd., Bell Realty and Investment Corporation, Bellemoor Heights, Inc., Beneficial Loan Society, Benjamin Franklin Office Bldg. Co., Inc., Benton Associates, Inc., Berger Hosiery Co., Inc., Berger Hosiery Stores, Inc., Betsy Oil Company, Inc., Biddle Company, Inc., Birmingham Foundries, Inc., Bisignal Broadcasting Company, Blair Shop, Inc., The, Blue Banner Co., Inc., Blue Hill Coal Corporation, Blue Ribbon Mineral Water Crystals, Inc., Bolitho Contracting Co., Inc., Bond Equipment & Transportation Corporation, Bonnar's Inc., Book Mart, Inc., Bookman, Inc., Boss Tweed-Clipper Mines, Inc., Bowers Company-Robot Laundry Machinery Division, The, Bowser Tube, Inc., Bra-Bon Electric Co., Inc., Bradford Builders, Inc., Brandywine Men's Club, Inc., Bril Associates Incorporated, Brinson's Variety Stores, Inc., Broderick Rubber Co., Inc., Brunson Corporation, Budget Building Supplies, Inc., Budget Meat Plan, Inc., Builrite, Inc., Burnell Machine Company, Inc., Business Associates, Inc., Business Maintenance Association, Inc., Butler-Zizinia Corporation, Buyers, Inc., Buzzard Hill Mine, Inc., Buzy Bee Curb Service Restaurants, Inc.

C. E. Warner Company, C. F. Wheeler, Builder, Inc., C. W. Capps & Company, Cadillac Construction Corporation, Cairns Agricultural Engineering Co., Inc., Cairns Agricultural Research Foundation, Inc., California Abrasives, Inc., Calumet Tool Supply, Inc., Camden Construction Company, Inc., Campaigns, Inc., Campbell's Auto Sales, Inc., Canadian Expositions Company, Cananea Island and Port Improvement Corporation, Canned Pea Association, Canterbury Corporation, Cape Hatteras Navigation Co., Inc., Capital Chemical & Mfg. Co. Inc., Capital City Republican Club, Capital Research, Incorporated, Capital Trailer Sales, Inc., Capitol Amusements, Inc., Capitol Refrigeration Service Company, Inc., Capstan Machine Corp., Carbagel Industries Corporation, Carbosand Corporation, Carl-Fine, Inc., Carroll Foundation, Inc., Casserole Kitchenette, Inc., Castmaster Fishing Reel Corporation, Ceebee Corporation, Central Industrial Services Corporation, Century Services Corporation, Chandler's Valet, Inc., Charles A. Wheeler, Inc., Chazco Sales Co., Inc., Chemshares, Inc., Chester County Auxiliary Association, Chester H. Braselton Corporation, Chester Import Company, Ltd., The, Chesterfield Land Corporation, Chicago Industries, Inc., Chimeboard, Inc., China Photo Supply Company, Inc., Christmas Copper Corporation, Christensen Corporation, Chrom-

icon Corporation, Cideo, Inc., Cinamerica, Inc., Cincinnati Broadcasters, Inc., City Baggage Transfer Co., City Finance Company, Northwest, Clagett Construction Co., Inc., Clarence Vinson Post No. 3238, Veterans of Foreign Wars of The United States, Incorporated, Clarkson, Inc., Cleveland & Buffalo Steamship Company, Clough Associates, Inc., Club Bali, Inc., Club Olympia, Inc., Co-Ed Cola Company, Co-Operative Investment Company, Coastal Sportsmen's Association, Coconut Products, Inc., Collom Company, The, Columbia Minerals, Inc., Colwill Company, Comad Optics, Inc., Comco Limestone Company, Inc., Commonwealth Development Company, Inc., Conditioned-Aire Corporation, Congress Heating and Engineering Corp., Inc., Congress Oil Company, Inc., Connecticut Galleries, Inc., Connecticut Variable Gear Company, Ltd., Consolidated Uranium Mines, Inc., Construction Enterprises, Incorporated, Constructor's International Corporation, Continental Engineering Company, Inc., Continental Enterprises, Inc., Continental and Overseas Air Travel, Inc., Contract Auto Rental, Inc., Convalescent Lift Corporation, Cordillera Corporation, Credit Information Bureau, Inc., Crest Hill Manors, Inc., Crest, Inc., Cuban American Cattle Corporation, Custom Cars Corporation, Cuvelier & Montant, Incorporated, Cy Martin, Inc., Continental "Borvish" Company.

D. & T. Contractors, Inc., D. & W. Corporation, Dare Cosmetics, Inc., Darling & Company, Incorporated, Davey Poulenc Co., Inc., David Roberts Sales, Inc., Dayton Television Co., De Luxe Cab Company, Dealers Insurance Agency, Inc., Dejanikus Washington News Agency, Inc., The, Delaware Aircraft Industries, Incorporated, Delaware Finishing Company, Inc., Delaware Oyster Farms, Inc., Delaware Storm Windows Corporation, Delta Oak Flooring Corporation, Democratic Club of The First, Second, Third and Fourth Districts, Inc., Demountable Harp Manufacturing Company, Denmark Light & Telephone Corporation, Dewar Manufacturing Company, Diamond Motors, Inc., Diamond State Motors, Inc., Diamond State Raceway, Inc., Dictatype Shorthand Machine Company, Inc., Dinner Bell Inn, Inc., Discomat Corporation, District of Columbia Hospital Ambulance Service, Inc., District & Suburban Realty Exchange, Inc., Dixieland Petroleum Corporation, Dixieland Royalties, Inc., Dr. Crandall's Therapeutic and Health Institute, Inc., Dojama Eastern Corporation, Dolphin, Inc., Dominion Prairie

Oil Company, Don A. Loftus & Associates, Inc., Dorothy Schuyler Hairdressers, Inc., Dorothy Stowe Studios Incorporated, Doughten-Chevrolet, Inc., Douglas Mills, Inc., Dual Drive Development Corporation, Duke-Whitney Gas and Oil Corporation, Duncan Storm, Ltd., Dupont Plaza Beauty Salon, Inc., Dwarf Sandwich Shops, Inc.

E. G. Watershaw, Inc., E-Komimo Manufacturing Corporation, E. Lawrence Phillips, Inc., Eacho Fish Company, Inc., Earl E. Stuart, Inc., East Haynesville Production Company, East New Castle Auto Wrecking Company, East Side Cabs, Inc., Eastern Corporation, Eastern Harness Racing Club, Inc., Eastern Purchasing Company, Inc., Eastern Transportation Company, Eastern United States Polo League and Atlantic Coast Polo League, Inc., Edwin Kruse Anderson, Inc., Ehrlich's Inc., Electric Devices Corporation, Ellis Brothers, Inc., Em-El Enterprises, Inc., Em. Jay Holding Corp., Emanuel Morrone, Inc., Emergency Lighting Corporation of America, Enesco Corporation, Engineering Corporation of America, Enterprises Management Corp., Ethcor, Inc., Euro-American Navigation Co., Inc., European American Commerce Association, Even-Air Corporation, Ever Fine, Inc., Evers Furniture Company, Inc., Ewing Homes, Inc., Exchange International Corporation, Exclusive Brands, Inc., Executive Country Club of Washington, D. C., Inc., Export and Import Journal Incorporated, Ezion Fair Baptist Church, Inc., Edge Moor Gardens Civic Association.

F. J. Harrington & Co., Inc., Facsimile and Electronics Corporation, Fairfax Linoleum Service, Inc., Fairmont Park, Inc., Fairview Enterprise and Realty Company, Farmaide Products Company, Federal Consulting Service, Inc., Federal Wall Paper, Inc., Fine Arts Outdoor Inc., First International Securities Company, Incorporated, First Investment Company, Fishing Research Corporation, Fitz Cosmetics Incorporated, Five States Royalty Investment Corporation, 5485 Everett, Inc., Flower Bell Ralty Co., Fluid Seal Corporation, Fluorescent Plastics, Inc., Flying H, Inc., 4615 Corporation, France Corporation, Francis Consolidated Mining & Milling Corp., Frankford Feather Co., Inc., Franklin Mills, Inc., Fraternal Hall, Inc., French-American Engineering Corporation, French Street Situation, Inc., Friedlander's Mobil Service, Inc., Friends of Boston University Foundation, Inc., The, Friends of Education, Inc., Friends of Science,

Inc., Frozen Food Specialties, Inc., Fullers Earth Corporation of America, Fur Masters, Inc., Futura, Inc.

G. B. S. Service, Incorporated, G & L Trading Corporation, Games Distributing Corporation, Garden Package Corporation, Gasoline Key Club of America, Inc., Gaylin Building Corporation, General American Credits, Inc., General Gas Reserves Corporation, General Insurance & Accounts Service, Inc., General Panel Corporation of California, General Poultry Corporation, General Real Estate & Trading Corporation, George B. Mahler, Inc., George E. Boyle, Inc., George V. Riley Company, Inc., Geo. W. Heuer Co., Georgetown University Shop, Inc., Gilbert Process Corporation, Gilchrist & Company, Glass House, Inc., The, Glove American Commercial & Financial Company, Ltd., The, Globe Gas & Oil Co., Good Hope Manor Homes, Inc., Goodhope Manor, Inc., Gordon Kennedy, Inc., Gorrell Publications Inc., Gould Valet, Inc., Grand Brotherhood of Taxi-Cab Drivers of America, Inc., The, Graphic House Inc., Greater Las Vegas Apartments, Inc., Green, Inc., Greenhill Institute, Inc., Guaranty Development Co., Inc., Guaranty Roofing Co., Inc., Guest House Trailer Sales, Inc., Guild Corporation, The, Gold Uranium Corporation.

H. A. Laskey Insurance Agency, Inc., H. & S. Builders, Inc., Haje's Driv-In, Inc., Hampa Realty Corporation, Hansen Patents Inc., Harbelach Syndicate, Inc., The, Harco Engineering Company, Inc., Hardico Corporation, The, Harris and Brown, Inc., Harry C. Sharp, Inc., Hartman Engineering, Inc., Harvey Estates, Inc., Hawthorne Realty Corporation, Hayden's Restaurant, Inc., Head & Thomas Service Station, Inc., Hellers Tourist Courts, Inc., Hensdelle Apartments, Inc., HerClay Associates, Inc., Hightower Oil & Refining Corporation, Home Decorators, Inc., Homeowners Honest Service of Harford County, Incorporated, Honduran Mining Corporation, Horseshoe Bar Branch, Inc., Housing Publications, Inc., Hovey-King Co., Inc., Howard E. Knott, Inc., Hoya Inn, Inc., Hydro-Oils, Ltd., Hydrojet Corporation, The, Hygrade Beverage, Inc.

Ideal Laundry Service, Inc., Illinois Vegetable Oil Corporation, Impex Corporation, Independent Amusement Enterprises, Inc., Independent Merchant Exporters Association, Industrial Oil and Gas Company, Industrial Sales Corporation, Institute for Propaganda Analysis, Inc., Institutional Procurement Service, Ltd., Insulating Glass Corp, Insurance Service, Inc., Inter-

continental Petroleum Company, International Air Conditioning Associates, Inc., International Civil Defense Consultants, Inc., International Construction Corporation, International Enterprises, Ltd., International Industrial Consultants, Inc., International Institute of China, Incorporated, The, International Management & Engineering Corporation, International Metals and Mining Company, International Music Enterprises, Inc., International Oil Corporation, International Oil and Tankers Corp., International Registry, Inc., International Richwood, Inc., International Royalties Corporation, International Sales Engineers, Inc., International Suppliers Corporation (China), International Training Aids, Inc., Interstate River Air Lines, Inc., Intra-coastal Carriers, Inc., Investigations, Inc., Iron Cap Copper Corporation, Island Packers, Inc., Ivanhoe Willis, Inc.

J. & J. Properties, Inc., J. L. Sola Company, Inc., Jack Pry Corporation, Jackson Corporation, Jacob Bean Securities Company, James B. Seward, Inc., Java America Export Company, Javelina Oil & Gas Co., Jean d'Henner, Parfumeur, Inc., Jefferson Surplus Co., Inc., Jet Petroleum & Gas Co. Inc., Jiff-E-Steaks Co., Inc., Jim Murphy's Inc., John Heldmyer, Jr., Inc., John W. Buckman Estate, Inc., Jonas-Frank & Company, Inc., Joseph Fisher, Inc., Joseph Pignataro Company, Inc.

K. C. G. Corporation, Kamet, Incorporated, Karda Corporation of Delaware, Karda Oil Co., Karda Oil & Gas Co., Kassan-Stein, Incorporated, Keim Produce Company, Kent Garden Apts., Inc., Kentucky Oil & Distributing Corporation, Keystone Boys' Camp, Inc., King Athletic Club, King Electric Manufacturing Corp., King-Universal Corporation, Kohlman Enterprises, Inc.

L and M, Inc., La-Salle Athletic Club, Inc., La Salle Machinery Company, La Salle Printing Company of Atlanta, La Salle Printing Company of Cleveland, La Salle Printing Company of Des Moines, La Salle Printing Company of Illinois, La Salle Printing Company of Kansas City, Missouri, La Salle Printing Company of Nashville, La Salle Printing Company of St. Louis, La Salle Printing Company of Springfield, Ohio, La Societe Du Carillon De Nemours, Lake Champlain Vacation Camp, Inc., The, Lane Shops of H St., Inc., Langevin Company Incorporated, The, Larelu, Inc., Laskaris Holding Company, Latham Health Institute, Inc., Laurel Building Supply Co., Lawyers' Dairy

Publishing Co., Inc., Lee Hoffman Hotels, Inc., Lefier Corporation, Leiby Farms, Inc., Lenape Tribe No. 6 of the Improved Order of Red Men of Delaware, Leo's Enterprise Corporation, Leonard Chemical Company, Leonard Music, Inc., Lethalite Research Foundation, Inc., Lewes Construction Company, Inc., Liberty Athletic Club, Inc., Liberty Builders, Inc., Linette Institute of America, Lisoil Corporation, Live-Pak Seafoods, Inc., Lloyds of Delaware, Inc., Loew Drug Co., Inc., LowCost Homes, Inc., Lowell Contracting Corporation, Lucas-Sakell Manufacturing Co., Inc., Lucille Black Sand Company, Ludale, Inc., Lynch Feed Service, Inc., Lyons Garage Co., Luther Burbank Youth Foundation, Inc., Liquilock, Inc.

M. E. Self Drilling Co., Inc., M and M Construction Co., M. R. Piland, Inc., Macmar Corporation, Madeoy Optical Company, Inc., Madison Building Company, Magnesium Products, Incorporated, Magnetic Power, Inc., Mahler Corporation, Mal-It Camera Manufacturing Company, Inc., Mandilian Rug and Renovating Company, Manning-Winthrop Corporation, Manor House, Inc., Maple View Farm, Inc., Mar-Ton Distributors, Inc., Marbay Corporation, March Manufacturing Company, Inc., Marketing Publications, Inc., Marrocco, Inc., Marstan Corporation, The, Marver Metal Mfg. Co., Material Progress Corporation, Maumee Leasing Corp, Mayflower Products Co., Inc., Mazer Roofing and Heating Company, McClure & Titus, Inc., Melontone Corporation, The, Melville L. Brown Associates, Incorporated, Memphis Cotton Mills, Inc., Mercamer Corporation, Metallurgical Chrome & Magnesium Corporation, Metalpack Corporation, Metro Publishers, Inc., Metropolitan Lumber Company, Mid-American Truck Rentals, Inc., Mid-South Oil Corporation, Millbrook Realty & Development Co., Miller-Brown Coal Corporation, Milton Beyer Inc., Minas Geraes Iron Company, Miracaloy Corporation, The, Miracle Collection Agency, Inc., Mission Oil of Oklahoma, Inc., Mobilfone Corporation of America, Modern Artware Company, Modern Interiors, Inc., Modern Products Corporation, Modern Wood Letter Signs, Inc., Moderncraft, Inc., Moldenhauer Corporation, Monitor Sales, Inc., Moore Trading Company, Ltd., Morline Distributing Corporation, Morris & McLeod, Inc., Morton Lawrence, Ltd., Mt. Pleasant Pharmacy Home Service, Inc., Mountain Industries, Inc., Murray King, Inc., Mushroom Products, Inc., M. G. Van Arsdale, Inc., Marcel Rood, Incorporated.

Nagoh Corporation, National Association of Home Equipment, National Beverage Food Co., Inc., National Capital Distributors, Inc., National Earmuff Corporation, National Education Foundation, Inc., National Evaluators, Inc., National Exhibitors Film Corporation, National Folk Music Festival, Inc., National Health Food Company, National Industrial Gas Transmission Corporation, National Recording Corporation, Nationwide Home Equipment Corp., Nesmith Company, The, Netherlands Travel Bureau, Inc., The, Networks Corporation, Nevada Coalition Gold Mines Company, New Castle County Social Club, Inc., New Castle Machine Co., New England Airlines, Inc., New Jersey Sports Arena, Inc., New York Upholstering Co., Inc., Newark Engineering Company, Nez Perce Holding Co., "No-Cost-To-You Plan", Inc., Noonan Bros., Inc., Norlina Oil Development Co., Inc., North American Chinchilla Farm, Inc., North American Motors, Inc., North Mountain Peat Moss Co., Inc., Nutro Sales Corporation, Nymill Associates, Inc., National Household Products, Inc., National Television and Manufacturing Corporation.

Ocean View Poultry Carriers, Inc., Oil Engine Corporation, Oilship Transportation Co., Okley Manufacturing Co., Inc., Loson European Travel Organization, Inc., 1430 G St., N. E. Co-Operative Apartments, Inc., Ordnance, Inc., Orinoco Valley Land Company, Orodial U. S. Foods Corporation, Ortolano Apts., Inc., Oswald Motors, Inc., Overlook Sewer Corporation, Ozaphane Corporation of America, Ozo-Ray Process Corporation.

P. T. C. Construction Corporation, Pacific Coast Pulp and Paper Corporation, Pacific Western Properties, Inc., Pak Plastics, Incorporated, Palm Valley Land and Improvement Company, Palm Valley Ranch, Inc., Palmer Manufacturing Co., Inc., Pan American Banking Corporation, Pan-American Color Photo Corporation, Pan-American Publishing, Inc., Panos Real Estate Company, Incorporated, The, Pantex Cleaners, Incorporated, Papanicolas Investments, Inc., Paper Products, Inc., Paqua Corporation, Parker, Callahan & Wheelock, Incorporated, Patabar, Inc., Patricia Stevens of Philadelphia, Inc., Paul Lawrence Dunbar Lodge, Inc., The, Peabody Securities Company, Penn Amusement Co., Inc., Penn-Ken Gas and Oil Corporation, Penn-York Pipe Line Corporation, Pennco Heating Equipment, Inc., Pennor

Company, Pennrite Company, Pennsylvania Oil Terminal, Inc., People's Lobby, Inc., The, Peoples' University Press, Inc., The, Personal Contact Advertising Company, Perx Corporation, Pet Food Distributors, Inc., Petinco Systems, Incorporated, Philadelphia Acceptance Corporation, Philippine-American Tobacco Corporation, Philippine Development Corporation, Piccadilly Waffle Shop, Incorporated, Picturehaven, Inc., Pilgrimage Air Transport, Inc., Piling Associates, Inc. of Delaware, Pioneer News Service, Inc., Plaid Room, Inc., Plastic Automatic Cap-Seal Corporation, Plastics Industrial Products Company, Pleasant Hills Mfg. and Supply Co., Plykrome Corporation, The, Plymouth Restaurant, Inc., Polich & Finney, Inc., Porta-Lite Manufacturing Co., Inc., Porta-Stand Company, The, Post-All Sales Company of America, Potomac Paper Products, Inc., Power Plant Service, Inc., Preferred Products, Inc., Presidential Cup Games, Inc., Prexy's International, Inc., Pride of Delaware Loyal Orange Lodge No. 202 of The Ladies Loyal Orange Association of the United States of America, Inc., Prince Georges Terminal Corporation, Printing Plates, Inc., Produce Market Building Corporation, Profem, Incorporated, Protein Products Company, Prudential Credit Corporation, Pullman Car Employees Association of The Repair Shops, The, Pure Cement Company, Pursell Construction Corporation, Pw Construction Company, Px Military Stores, Inc., Prot-Egg Products, Inc.

Queen's Liquors, Inc., Quitman Veneer Company, Quonset Inn, Inc.

R. B. Russell Plastering Company, R. C. Dupont Glider Club, R. John Hugh Productions, Inc., R. Johnson & Sons, Inc., R. & L. Vending Corporation, Rare Metals Mining Corporation, Ray-Jet Incorporated, Ray's Motor Sales, Inc., Ray-Suns Packing Company, Inc., The, Raymond De-Icer Corporation, Raymond Industries, Inc., Rca Mining Enterprises, Inc., Realty Realization Corporation, Reedlin Company, Refractories Improvement Company, Reliance Homes, Inc., Relnar Corporation, Rental Washing Machine Services, Inc., Resonaire, Inc., Rialto Small Business Men's Club, The, Rim Theatres, Inc., Risk, Incorporated, Riverdel, Inc., Riverside Fire Co. No. 1, Inc., Roadside Gardens, Inc., Robert Killough, Inc., Roma Importing Co., Roosevelt Cleaners of Washington, D. C., Inc., Rosehill Dairy,

Inc., Rosson-Wells, Inc., Rotor Mfg. Company, Round Oak Corporation, Rountree Services, Inc., Royal Grill, Inc., Royal Television & Electronics, Inc., Russell Hauling Company, Ryniker Hat Corporation, Radiant Glass Appliance Corporation.

S. C. Furnace Corporation, S S Brigadier General Absalom Baird, Ltd., S & S Restaurants, Inc., S & W Development Co., St. Clair Furs, Inc., Samarkand, Incorporated, Sara-Trail Insurance Company, Satex Marine & Industrial Service Corporation, Schurr Electric Company, Schwartz Investment Company, Inc., Scientific School of Jewelry Repairing, Inc., Scientific Soil Products Inc., Scott Industries, Inc., Seaboard Broadcasting Corporation, Seaboard Distributors, Inc., Seaboard Engineering Corporation, Seadrome Patents, Inc., Seafood Marketers, Inc., Seafood Construction Co., Selbyville Sports Club, Service, Inc., Seven Seas Export Company, Inc., 7750 South Shore Corporation, Shamrock Corporation, The, Shawe-Foley, Inc., Shelley Homes Corp., Shelton Motor Co., Sherone Hotel, Inc., Ships Stores, Inc., Show Globe of America Inc., Sidney Sherman Co., Inc., Signet Realty Corporation, Silver Avenue Realty Company, Silver Mart, Inc., Silver Spring Grill, Inc., Silvery Theatres Corporation, Simmel-Mesurvey Television Productions, Inc., Sinaloa Mining Company, 6200 Bar & Grill, Inc., Skysailing Corporation, The, Slip-Top Corporation, Small Homes Development Corporation, Smartwear, Inc., Smith and Strevig Pharmacists, Incorporated, Snax, Inc., Soda-Cola Company, Somerset Market, Inc., Son-El Sewing Center, Inc., Southern Discount Company, Inc., Southland Development Company, Southland Steel Corporation, Southwest Bancshares Corporation, Specialty Paper Products, Inc., Speedrill Corporation, The, Sportsmen Flyers, Inc., Springbrook Forest, Inc., Standard Products Company, Inc., Standard Pump Corporation, Standard Sheet Metal Co., Standard Chard Radio Productions, Inc., States of The Union Newscast, Inc., Stebbins Speedways Corp., Sterilseat Corporation of America, Sterling's Lighting Fixture Co., Sterling Royalties Company, Stern Equipment Company, Stewart Products Corporation, Stoker Parts Company, Stonybrook Homes, Inc., Stop-Fire, Inc., Strand Theatre Company, Strategic Metals, Inc., Suburban Development Corporation, Sudemak Corporation, Summer Kitchen Products Company, The, Summerdale Garden Apts., Inc., Sun-Kraft, Inc., Sun Laboratories, Inc.,

Sunlight Market, Inc., Superior Coal Co., Superior Development Corporation, Superior Home Improvement Company, Suplie Surgical Supply Co., Supple Foundation Soles, Inc., Supreme Check Cashing Corporation, Sussex Dredging Company, Incorporated, Sussex Racing Club, Inc., Swift-Lift, Inc., Swiss "Borvisk" Company, Syndicate Holding Company, Steel City Optical Corporation.

T. F. C. Corp., T. J. Harris, Inc., T-V Manufacturers, Inc., T. & W. Corporation, Tamburello Company, Inc., The, Tampa Downs Racing Association, Tanger Investment Company, Tasdelite Products, Inc., Tax Records System, Incorporated, Teddy Bear Shoppes, Inc., Tel-A-Tale Sales Company, Inc., Telecasting Counselors and Producers, Inc., Telemetron Corporation, Teleparencies, Inc., Telequiz Corporation, Television Salons, Inc., Texall Corporation, Texoil, Inc., Textstyle Corporation, Theodore W. Foster & Bro. Sales Corp., Thomas Corporation, The, Threefold Building Products Corporation of Delaware, The, Timbey Corporation, Tire Maintenance Corporation, Titanic Manufacturing Corporation, Tivoli Restaurant, Inc., Todd Banking Corporation, Traders Brokerage Company, Trailer Rentals, Inc., Trans-Tec Corporation, Transfer & Terminal Corporation, Travellers Book Shop, Inc., Travis Petroleum Company, Tri-County Distributors, Inc., Tri-County, Inc., Tri-State Distributors, Inc., Tri-State Duplicating Co., Inc., Tri-State Food Service Equipment Co., Trimble-Olson Company, Inc., Triway Realty Company, Inc., Troco Lubricating Company, Inc., The, Tropics Building Corporation, Tube Rite Laboratories, Inc., Tulsa Fishing Reel Corporation, Turnstile Food Systems, Inc., Twentieth Century Homes, Inc., Twistix Co., Inc., 2909 Sheridan Road, Inc.

U. S.-Adriatic Line, Inc., U. S. Ferro-Metals Corporation, U. S. Overseas Trading Co. Inc., Union Mail Cosmetics Corp., United Broadcasting System, Inc., United Fuels & Materials, Inc., United Home Builders Corporation, United Motors, Inc., United Pilots and Mechanics Association, United Spiritualist Church of America, Inc., United States Patents Corporation, United States Physicians Corporation, United States Ramie Corporation, United States Television System, Inc., United Suppliers Association, Inc., Universal Jet Industries, Inc., Upper

Midwest Ad-A-Bath Corporation, United Mines of Honduras, Inc.

Valley Chemical Corporation, Valleyview Properties, Inc., Valrio Corporation, Van Asdlen, Incorporated, Vandersee Corporation, Vega Manufacturing Corporation, Velati Caramel Company, Versailles Products, Inc., Veterans & Civilians Association, Victor Flower Shop, Inc., Victor Publishing Company, Virginia Floor Covering, Inc., Virginia Forest Products Corp., Virginia Tobacco Brands, Incorporated.

W. C., Inc., Washington School of Art, Inc., The, Washington Surplus, Inc., Washington Theatre and Opera Company, Inc., Washington Tile Co. Inc., Waters, Kennedy & Crowell, Inc., Wayne's, Inc., Weatherby & White, Inc., Welding Equipment & Supply Company, Inc., West Coast Industrial Engineers, Inc., Western Oil and Tankers Corp., Western Steamship Corp., Western Thoroughbred Publishing Company, Wheeler Cleaners, Inc., Wheeler Road Restaurant, Inc., White Cloud Recovery, Inc., White Star Market, Incorporated, The, Whitehead Engineering Company, Whitman Drilling Company, Whitney Maritime, Incorporated, Wilco Speed Wash. Inc., Wilgot Enterprises, Inc., Wilink Corporation, Wilkes-Barre Steel Corporation, Wm. B. Walrath Company, William Foerster & Co., Inc., William G. Church Corporation, William O. Patchen Insurance Agency, Inc., William Todd, Incorporated, Wilmer Improvement Co., "Wilmington Anglers' Club", Wilmington Kennel Club, Wilmington Manor Gardens Civic Club, Wilmington Truck Rental Co., Inc., Wilmo Corporation, The, Windsor Footwear, Inc., Windsor Holding Company, Wisconsin-Michigan Cheese Corporation, Wolfcarb Bit Company of United States, Inc., Woman's Home Missionary Society of The Methodist Episcopal Church of The Wilmington Conference, Inc., The, Woodlawn Construction Company, Inc., World Airways Service Corporation, World Craft Trade Fair, Inc., World Marine Shipping Corporation, World Recovery Corporation, World Trade Corporation, Wright and Skiles Co., Whitehall Television Corporation.

Young Republican Publications, Inc., Young Veterans Club, The.

Z & Z Restaurant, Inc., Zia Sales Corporation.

IN TESTIMONY WHEREOF, I. J. Caleb Boggs, 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
fifty-four, and of the Independence of the United
States of America, the one hundred and seventy-
eighth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 683
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the Delaware State Dental Society representing the dentists of Delaware have designated the week of February 1st to 7th, 1954, as CHILDREN'S DENTAL HEALTH WEEK, and

WHEREAS, National Children's Dental Health Day will be celebrated throughout the country on Monday, February 1st, 1954, and

WHEREAS, the dental health of our children is of vital concern to the entire community; and

WHEREAS, more than 90 per cent of the children of our state have dental decay; and

WHEREAS, preventive dentistry for children is the best way to lower the high rate of tooth decay; and

WHEREAS, the dentists of this state have given voice to the need for expanding community dental health programs so that all children may have access to dental health education and dental care;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do proclaim February 1st to 7th, 1954, as

CHILDREN'S DENTAL HEALTH WEEK

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eighteenth day of January in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 684
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the unity of the nation is attained through the cooperation of all men, regardless of race, creed, color, or national origin; and

WHEREAS, it is the task of every Delawarean to aid in the forging of the common moral and spiritual resources of our people by promoting justice, amity, and understanding among all citizens of our state; and

WHEREAS, this is the time of the year when everyone should rededicate himself to the belief that all men are created equal, and that individual merit and not individual differences should be the criteria for judging our fellow citizens; and

WHEREAS, proper emphasis must be placed in the deep-rooted affirmation by Delawareans—Protestants, Catholics, and Jews—on the Brother of Man under Fatherhood of God:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the month of February, 1954, as

BROTHERHOOD MONTH

and call upon all citizens to join with the Delaware Region of the National Conference of Christians and Jews, in this their tenth anniversary year, in observing this month dedicated to the principles upon which our nation was founded.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) fifth day of January in the year of Our Lord
One thousand nine hundred and fifty-four, and
of the Independence of the United States of
America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 685
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the prosperity of the United States of America and its know-how in the field of utilizing water-power, spanning great distances for better means of communication and development of natural resources for the good of all is well known; and

WHEREAS, these developments have come about chiefly through the application of basic scientific information by that great body of men engaged in the engineering profession; and

WHEREAS, their developments have brought advances in industry, agriculture, transportation, communications and sanitation which are unknown in a great part of the world at large; and

WHEREAS, engineering efforts have also been bent toward the proper utilization and conservation of our natural resources; and

WHEREAS, each year, it is proper that we honor those members of the engineering profession who reside, work and contribute so greatly to the continued development of our own beloved state;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, in order that our citizens may pay proper tribute to the engineers residing or working within our state, do hereby proclaim that the week beginning February 21 and ending February 28, 1954, shall be designated as

ENGINEERS WEEK IN DELAWARE

I hereby urge that our civic organizations, clubs, schools and municipal bodies accord special recognition and honor to our engineers during that week.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Ninth day
(Great Seal) of February in the year of Our Lord One thou-
sand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-eighth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 686
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, World Day of Prayer will be observed this year by more than one hundred countries during which people of many tribes and nations will lift their hearts in a mighty chorus of prayer; and

WHEREAS, the United Church Women of Delaware will join with church women throughout the nation and in thousands of communities in all parts of the world to form this chain of prayer; and

WHEREAS, the troubled peoples of the world need Divine Guidance and inspiration as provided through prayerful communion; and

WHEREAS, prayer is the one sure support for the incomparable and unfailing religious faith of our fathers,

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Friday, March fifth, 1954, as

WORLD DAY OF PRAYER

in Delaware and call upon the people of our state to observe this day by attending their particular World Day of Prayer service, and if the responsibilities of some should make this impossible, I urge them to pause in their work for one minute of prayer at high noon to ask God to give us the wisdom and courage to meet the problems of our times.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-

(Great Seal) fourth day of February in the year of Our Lord
One thousand nine hundred and fifty-four, and
of the Independence of the United States of
America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 686
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, World Day of Prayer will be observed this year by more than one hundred countries during which people of many tribes and nations will lift their hearts in a mighty chorus of prayer; and

WHEREAS, the United Church Women of Delaware will join with church women throughout the nation and in thousands of communities in all parts of the world to form this chain of prayer; and

WHEREAS, the troubled peoples of the world need Divine Guidance and inspiration as provided through prayerful communion; and

WHEREAS, prayer is the one sure support for the incomparable and unfailing religious faith of our fathers,

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Friday, March fifth, 1954, as

WORLD DAY OF PRAYER

in Delaware and call upon the people of our state to observe this day by attending their particular World Day of Prayer service, and if the responsibilities of some should make this impossible, I urge them to pause in their work for one minute of prayer at high noon to ask God to give us the wisdom and courage to meet the problems of our times.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-

(Great Seal) fourth day of February in the year of Our Lord
One thousand nine hundred and fifty-four, and
of the Independence of the United States of
America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 687

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, On March 15 to 17, 1954, the thirty-sixth anniversary of the founding of the American Legion will be observed throughout the nation; and

WHEREAS, the foundation of this veterans' organization was originated in Paris, France and consummated in St. Louis, Missouri, with the object to serve God and Country; and

WHEREAS, from its very beginning Delaware veterans have played an important role and have been leaders in the field of providing welfare to ill and disabled ex-servicemen or their dependants and have encouraged programs for youth as well as the practice of good citizenship; and

WHEREAS, Thomas W. Miller, a Delawarean, served as vice chairman of the founding committee in Paris where the principles of the American Legion were outlined in the Preamble of its Constitution, dedicating it to the purpose of inculcating a sense of individual obligation to the community, state and nation;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that March 15-17, 1954, be observed as

AMERICAN LEGION ANNIVERSARY DAYS

and I urge that special thought be given to the Legion's traditional slogan, "Service to Those Who Have Served." I hope that all Delawareans will take note of the great service which this organization, its Ladies Auxiliary, and affiliated groups are giving to worthy citizens of the state and that this spirit of comradeship and helpfulness shall prevail in the years ahead.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twelfth
(Great Seal) day of March in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 688

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, this time of the year is dedicated to aiding our handicapped children and adults by purchasing Easter Seals; and

WHEREAS, the need for a continuing program of health, welfare, education, recreation, employment and rehabilitation for the handicapped is essential; and

WHEREAS, the Delaware Society for Crippled Children and Adults, particularly through its program of special education, recreational camping, and direct services for the state's crippled children, is an agency dedicated to that end; and

WHEREAS, the work of the Delaware Society is supported solely by the sale of Easter Seals to the public:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the period of March 18 to April 18 as

EASTER SEAL MONTH

and furthermore do call upon all citizens to support the noble work of the Delaware Society for Crippled Children and Adults through the purchase of Easter Seals.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Seventeenth day of March in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 689
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, man's cruelest enemy, cancer, took the lives of 492 citizens of this State in 1953; and

WHEREAS, progress is being made in cancer control; the death rate among women is declining, and among men, with the exception of lung cancer, the death rate is levelling off; and

WHEREAS, only by vigorous effort upon the part of the public, government, medicine and science can this progress be continued and cancer brought under control; and

WHEREAS, the American Cancer Society is daily saving lives through its program of research, education and service; and

WHEREAS, the President of the United States has proclaimed April as a special month for a special effort to conquer cancer;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the month of April as

CANCER CONTROL MONTH

Furthermore, I urge every citizen not only to support the American Cancer Society as generously as they can, but also to take advantage of this opportunity to learn as much as possible about this enemy within our midst—cancer.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-fourth day of March in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 690
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, by a 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, Monday, March 29, 1954, will mark the three hundred and sixteenth anniversary of the landing of the Swedes at "The Rocks", located within the confines of the present-day Fort Christina State Park in the City of Wilmington, and

WHEREAS, Fort Christina, established by Peter Minuit and his followers was the first settlement of the Colony of New Sweden and the first permanent settlement in the Delaware River Valley and marked the beginning of government, law and order, religion, education, agriculture, commerce and industry in our State,

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Monday, March 29, 1954, as

DELAWARE SWEDISH COLONIAL DAY

and request the citizens of this State in churches, schools, patriotic and historical societies and other organizations to join in appropriate ceremonies to observe this historic event and to display the Flag of the United States, and that in addition the National Flag of Sweden shall be flown 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, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State

(Great Seal)

to be hereunto affixed at Dover, this Twenty-fifth day of March in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 691
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, in accordance with a custom established five years ago, the President of the United States and the Secretary of Defense have designated May 15, 1954, as Armed Forces Day, and May 10 to 16, 1954, as Armed Forces Week; and

WHEREAS, in compliance with a continuance of the Armed Forces program of "Power for Peace," a show of the state's military strength is in order to mark this occasion; and

WHEREAS, the unified groups of the Army, Navy, Air Force, Marine Corps and Coast Guard are well able to demonstrate to the citizens the extent to which they are prepared for any national emergency; and

WHEREAS, this occasion permits the citizens of the state to salute those members of our Armed Forces who are serving their country on active duty, or as citizen soldiers or sailors in the reserve components;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate Saturday, May 15, 1954, as

ARMED FORCES DAY IN DELAWARE

and urge all of our citizens, to mark the week of May 10 through May 17, 1954, as Armed Forces Week. During that time our Armed Forces personnel in the state will cooperate with civic, patriotic, veteran and other groups in an effort to provide an educational program through demonstrations and displays, calling attention to the great need to keep our country strong.

I further urge that the flag of the United States be flown for Armed Forces Day on all public buildings, and that we pay general tribute to our service personnel both living and dead, giving them that accolade which they so justly deserve.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Ninth day of April in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 692

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION.

WHEREAS, for the past thirty years the people of the United States and its territories have joined in the observance of National Music Week as a means of promoting their educational, recreational and cultural life; and

WHEREAS, appropriately National Music Week falls during the first seven days of the Delaware Festival of the Arts, during which time special events featuring music will be held in many areas of the First State; and

WHEREAS, participation in musical organizations, whether vocal or instrumental forms one of the most pleasant leisure-time occupations of hundreds of our people while other thousands reap the enjoyment and inspiration of merely listening to such performances; and

WHEREAS, music has a tendency to strengthen the bonds of friendship between men and nations, through their mutual love for the more worthwhile things in life;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do set aside and proclaim the week of May 2 to 9, 1954, as

NATIONAL MUSIC WEEK

in Delaware, and I call upon the citizens of our State to take part and enjoy the special programs which have been arranged for this observance, and to remember that much can be accomplished if we use the appreciation of music as a means toward developing a better influence and respect among the people of the world.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) third day of April in the year of Our Lord
One thousand nine hundred and fifty-four, and
of the Independence of the United States of
America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 693
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, on Saturday, the first day of May, 1954, the members of the Junior Chamber of Commerce will offer individual and collective prayers asking that God bring together in spirit the Communist leaders and the leaders of our own country so that they may hand-in-hand conduct a zealous search for lasting peace; and

WHEREAS, the Jaycees ask that the citizens of this state join them in their prayers on a day to be officially known as "May Day—Pray Day," which is designed to give new, lofty significance to the communist holiday and to provide an opportunity for the citizens of this state to join together for a single purpose in exerting the most powerful force at our command—prayer; and

NOW, THEREFORE, in aid and assistance of such a worthy program, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Saturday, May 1, 1954, as

MAY DAY—PRAY DAY

and do urge all the citizens of the State to join with the Junior Chamber of Commerce in asking God to bring together in spirit the Communist leaders and the leaders of our own nation so they may conduct a common search for lasting peace.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-sixth day of April in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 694
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the President of the United States has proclaimed May 1, 1954, as a day to be dedicated to the promotion of wholesome family life, with particular emphasis on the health of our children; and

WHEREAS, the theme adopted by the United States Department of Health, Education and Welfare for this observance is "May Day is Family Play Day"; and

WHEREAS, it is the responsibility of all of us to provide the very best for our children in order that they may develop physically, emotionally and spiritually into the bright and healthy citizen of tomorrow;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate May 1, 1954, as

DELAWARE CHILD HEALTH DAY

and I particularly urge parents to observe that day by joint family activity which will emphasize the rich relationship between parents and children. I also call upon all our state and civic agencies whose responsibility is directed toward the welfare of children to stage such observances as they believe appropriate on this day. Children, as one of our greatest resources for the future are also our most precious possessions.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-eighth day of April in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 695
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it is important at this stage of our history that we pledge our complete devotion to the preservation of the American way of life; and

WHEREAS, bearing the proud title of "First State," Delawareans have a heritage to guard and preserve the Constitution of the United States from all its enemies whomsoever, since it was in Dover that it was first ratified on December 7, 1787; and

WHEREAS, the Veterans of Foreign Wars of the United States, a national organization of ex-servicemen who served outside the continental limits of the United States in time of war annually sponsor Loyalty Day at which time they ask every American to stand up and declare his allegiance to his country and its laws;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Sunday, May 2, 1954, as

LOYALTY DAY IN DELAWARE

in accordance with the program of the Department of Delaware, Veterans of Foreign Wars of the United States, who on the above date, in Georgetown, Delaware, will observe this occasion. I further urge that our churches of all denominations join in prayer for the preservation of this great nation and that all citizens give thought to the blessings which have accrued to us through the practice of freedom of speech, religion and a way of life that is abundant and assuring.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Thirtieth
(Great Seal) day of April in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 696

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it has become an annual custom in much of the civilized world to set aside the Second Sunday in May as a day of tribute to all mothers; and

WHEREAS, we should never lose sight of the contributions which mothers make daily in bringing new citizens into the world; in nurturing them through childhood and imparting to them the knowledge, wisdom and training which are so vital in the building of character as they mature to manhood and womanhood; and

WHEREAS, a mother's work is never done as she patiently tends to the ills of her brood; provides for religious and moral guidance and offers compassion in the moments of darkness that befall her loved ones; and

WHEREAS, it is therefore fitting, that we do set aside one day each year to bestow special recognition on the women of our state and nation who through motherhood have gained greater stature in the sight of God and man;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside Sunday, May 9, 1954, as

MOTHER'S DAY

and I urge all children, regardless of age, to take this opportunity to honor their mothers, both living and dead. May this occasion be one of reunion or at least a day of personal contact by any possible means, so that mothers everywhere will know that their sacrifices, love and devotion are remembered by those to whom they have given the very breath of life.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Third
(Great Seal) day of May in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 697
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, a major goal of our State and Nation is the maintenance of a sound domestic economy in time of peace so as to provide full employment, opportunities for initiative and investment and an adequate supply of goods for our citizens; and

WHEREAS, an equally important goal is the fortifying of our defenses so that our people can live in confident assurance of protection from enemies abroad; and

WHEREAS, the chemical industry of Delaware has made, and increasingly continues to make, substantial contributions to both these goals by transforming our rich resources into ever more useful products; and

WHEREAS, because these contributions by the chemical industry have helped our citizens to attain a higher standard of living and have greater security than any other people on earth; and

WHEREAS, through the creative research of America's outstanding chemical firms located in Delaware, our state has won renown as the Chemical Capital of the World;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of May 17-22, 1954, as

CHEMICAL PROGRESS WEEK

in Delaware, and urge all civic and fraternal groups, all education and scientific bodies, all news disseminating media, all chambers of commerce and all other groups to encourage and promote the celebration of Chemical Progress Week, using as the theme of their activities, "A Better America Through

Chemical Progress',, and to do everything within their power to bring home to each citizen the importance of the chemical industry in their daily living.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 eleventh
(Great Seal) day of May in the year of Our Lord One thousand
nine hundred and fifty-four, and of the Inde-
pendence of the United States of America, the
one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 698

STATE OF DELAWARE EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Flag of the United States of America, with its thirteen alternate stripes of red and white and its blue field of 48 stars is revered throughout the free world; and

WHEREAS, the first star in the top left of the field was designated as that of the State of Delaware because of our early ratification of the Federal Constitution; and

WHEREAS, this symbol of unity, although only 177 years old, outdates the national banners of many ancient nations; and

WHEREAS, it is our bounden duty to do honor and respect to our national colors whenever they pass by or are on display, and we should encourage greater respect for it through our schools, colleges and patriotic societies;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and designate Monday, June 14, 1954, as

FLAG DAY

I hope that appropriate exercises will be held; that the meaning of the emblem will be re-emphasized and that every citizen will repeat our Pledge of Allegiance, either publicly or privately on that day. May this June 14 be made more significant by our own devotion and respect to our national leaders who are striving so mightily to keep us on the pathways of Peace.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State

(Great Seal)

to be hereunto affixed at Dover, this Seventh day of June in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 699
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, On July 4, 1954, the Declaration of Independence as adopted in Philadelphia, Pa., will mark its 178th birthday and in fact this anniversary marks the birth of the United States of America; and

WHEREAS, it was proclaimed in 1776 that to secure certain rights, "governments are instituted among men, deriving their just power from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it and to institute new government," and

WHEREAS, it is a tribute to the Founding Fathers that their great inspiration and declaration of principle was the basis for a form of constitutional government which today is the oldest in existence in this world; and

WHEREAS, in tribute to a gracious God, Who guided the work and fulfilled the dreams of these early patriots, we should rightfully pay tribute to this anniversary;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that due to the anniversary date of July 4, falling on Sunday, that proper observance be made on Monday, July 5, 1954, and it be marked as Independence Day in accordance with a proclamation issued by the President of the United States of America.

I sincerely urge that on Sunday and Monday, July 4 and 5, our national and state banners be displayed from all proper state and public buildings and that we pause in our week-end activities to give prayerful thought to those whose wisdom, influence and faith provided for us the American way of life which we so dearly cherish. That it continue to be a model for the free world to follow, is our most fervant wish.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) first day of June in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-eighth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 700
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, preparedness is the watchword which has been a key to major successes in the development of the American system of government; and

WHEREAS, at this time in our history it is necessary for us all to prepare for any eventuality so long as we must combat ideologies opposed to our own; and

WHEREAS, a program of Civil Defense is under development in the United States of America and in the State of Delaware which must win the support of every citizen if it is to be successfully activated; and

WHEREAS, it is the duty of the officials of the State of Delaware to properly inform its people of the necessary steps to be taken in order to develop a superior civil defense organization; and

WHEREAS, with regard to this effort we will be honored on Tuesday, July 20, 1954, by having the Hon. Val Peterson, Federal Administrator of Civil Defense, as our guest at the Governor Bacon Health Center, Delaware City, where our state civil defense authorities will have informative displays for public inspection;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside the above mentioned date as

CIVIL DEFENSE DAY

in our state. On that day I urge, and cordially invite individuals, citizens representatives of church, school, civic, fraternal and veteran groups, service clubs, officials of state and municipal

agencies to join in a Civil Defense forum, beginning at 1:30 p. m. at the Health Center.

Let us all join in taking this opportunity to learn for ourselves how we may become better organized for our own health, safety and perhaps our very survival in the event of national emergency or disaster, and as good citizens, assist wherever possible in the early completion of this most important program.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eighth day
(Great Seal) of July in the year of Our Lord One thousand
nine hundred and fifty-four, and of the Inde-
pendence of the United States of America, the
one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 701
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, more accidental deaths occur in farming than in any other major industry in this country; and

WHEREAS, a disabling injury strikes some farm person in America every twenty-six seconds, on an average, as the result of an avoidable accident; and

WHEREAS, this appalling loss can be greatly reduced by the exercise of care and caution on the part of farm people:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby call upon the State to observe the week beginning July 25, 1954, as

FARM SAFETY WEEK

and I urgently request all farm residents to make every effort to develop safe work habits and skills, so that they may "Farm To Live and Live To Farm". I also request all persons and organizations interested in farm life and welfare to join in a campaign with the Delaware Safety Council and the University of Delaware Agriculture Extension Service to free as many farm homes as possible from the tragedies and losses caused by needless accidents.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-second day of July in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 702

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, for the thirty-fifth consecutive year, the farmers of our State will exhibit the fruits of their labor at the Harrington Fairgrounds; and

WHEREAS, each year our citizens are given an opportunity to see the prize crops grown in the state through these fine exhibits, in which our Granges, 4-H Clubs and like organizations join to enlighten us of their activities; and

WHEREAS, it is fitting that our citizens should be interested in, and have an opportunity to witness just what foodstuffs are raised in the First State, which helps to feed great metropolitan areas on the Atlantic Seaboard and elsewhere,

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside the week of July 26 through 31 as

FAIR WEEK IN DELAWARE

and I urge that as many of you as possible will take time to visit the Kent-Sussex County Fair during this period, and see for yourselves what a great asset we have in a farm population, which annually produces foodstuffs, the revenue from which represents one of our major incomes.

Let us at the same time give thanks for these men and women and their young folks, whose love of the soil and the things which it grows keeps them engaged in this much needed profession.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State

.

(Great Seal)

to be hereunto affixed at Dover, this Twenty-second day of July in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 703

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, It has become the annual custom of the Delaware Association of Police to sponsor an event in which the youth of our state may pit their competitive skill in the construction and operation of pushmobiles; and

WHEREAS, this most worthy program on the part of our law enforcement officers acts as a great deterrent to juvenile delinquency, and therefore should have the support of every citizen; and

WHEREAS, public spirited men in the state have this year established a permanent pushmobile track near Newark, which will be used for the first time at the Seventh Annual running of these races;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside Saturday, August 21, 1954, as

PUSHMOBILE DERBY DAY IN DELAWARE

I urge that all of our citizens who possibly can, will attend this outstanding competition, where our young people learn the value of true sportsmanship as taught to them by our law enforcement officers, all of whom serve voluntarily aside from the regular duties in the promotion of activities for our young people.

And be it further resolved that those who assisted in the "Push-A-Buck-Campaign" to raise funds for the construction of a permanent place of competition for our youth be heartily commended for their genuine interest and devoted work in bringing this project to completion.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twelfth day
(Great Seal) of August in the year of Our Lord One thousand
nine hundred and fifty-four, and of the Inde-
pendence of the United States of America, the
one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 704

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Delaware's future in the field of industrial development seems assured, through the many expressions of interested businesses and firms which are seeking sites and buildings within the area; and

WHEREAS, the State may well be proud of its workers, who are noted for their loyalty and devotion to the organizations and firms in which they are employed; and

WHEREAS, the standards of production in the First State have always met with high approval of employers whose wares are marketed throughout the nation and the world; and

WHEREAS, it is an annual custom to set aside one day each year dedicated to those men and women through whose efforts we continue a high degree of productivity which in turn makes our state one of the most prosperous in the nation and which in 1953 again provided us with the highest per capita income in the United States;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that Monday, September 6, 1954, shall be observed as

LABOR DAY

I urge that our national and state flags be displayed in honor of this occasion and that each of us join with workers' organizations, employers and all of those who contribute so much to our well being. May this day be marked with tribute to the continued enterprise and loyalty of our thousands of workers whose daily performance carries the good will of the First State to all lands and all peoples.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Thirtieth
(Great Seal) day of August in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 705

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, a vacancy exists on the Supreme Court of the State of Delaware caused by the resignation of Mr. James M. Tunnell, Jr., as an Associate Justice effective August 2, 1954; and

WHEREAS, Article IV, Section 3, Constitution of the State of Delaware, provides that if a vacancy shall occur, by expiration of term or otherwise, at a time when the Senate shall not be in session, the Governor shall within thirty (30) days after the happening of any such vacancy convene the Senate for the purpose of confirming his appointment to fill said vacancy and the transaction of such other executive business as may come before it.

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, by virtue of such authority vested in me by the Constitution of the State of Delaware, do issue this Proclamation convening the Senate of the State of Delaware in Extraordinary Session at Dover, the Capital of the said State, on the Thirtieth day of August, A. D., 1954, at 11:00 A. M. Eastern Daylight Time to consider and act upon the following business, to wit:

To confirm the appointment which is recommended to fill the vacancy in the office of Associate Justice, Supreme Court of the State of Delaware; and

To transact such other executive business as may come before the Senate of the State of Delaware.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
to be hereunto affixed this Nineteenth day of

(Great Seal) August, in the year of our Lord, one thousand
nine hundred and fifty-four and of the Inde-
pendence of the United States of America the
one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 706

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Constitution of the United States was adopted by the Constitutional Convention on September 17, 1787, was approved by Congress and later became the fundamental law of the land; and

WHEREAS, the Constitution has been flexible enough to allow the will of the people of the various states and commonwealths to amend it so as to deal with the pressing problems of the various eras, but fundamentally it has remained the same document in the guarantee of our rightful liberties, in the preservation of justice, in the safeguarding of domestic tranquillity and in the promotion of the general welfare; and

WHEREAS, today the United States, strong and prosperous under this document, remains the hope of the freedom-loving peoples all over the world, and our Constitution stands as the most solid single guide that the world has ever known; and

WHEREAS, September 17, formerly known as Constitution Day, a time to reaffirm our faith in this document, but changed to Citizenship Day by an Act of Congress so that we on the same day can pay tribute to our new citizens, either by their reaching majority or by naturalization;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and designate Friday, September 17, 1954 as

CITIZENSHIP DAY IN DELAWARE

I call upon all of our citizens to take time out on that occasion to again read the Constitution of the United States and become more familiar with it. I also urge all organizations—patriotic, civic and fraternal—to hold such exercises that will pay tribute to this document and to the new citizens in whom we entrust the future security of our nation.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Third day
(Great Seal) of September in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the One hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 707

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, in recent years the Home Builders of Delaware have produced a high volume of new homes for our citizens, which assists materially in bringing permanent residents into the state; and

WHEREAS, our cities have grown; our communities have been expanded and the opportunity to own a home has been extended to more and more people; and

WHEREAS, it is fitting that Delaware should take note of this growth in home ownership and improvement of our communities; and

WHEREAS, because we are the fifth fastest growing state in the nation, and will need continued expansion programs in this particular field of endeavor, in which we believe Delaware home builders are well qualified; and

WHEREAS, home ownership is one of the foundations of good citizenship, and the continued building of homes for all of our people contributes greatly towards this end,

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, taking note of the progress made in this enterprise, do hereby proclaim the week of September 19 to 26, 1954, as

NATIONAL HOME WEEK

and I call upon the citizens of Delaware to share in this observance, particularly by inspecting the areas where home building has contributed so much to the comfort and convenience of the new families daily arriving in the First State.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed, at Dover, this Sixteenth
day of September in the year of Our Lord One
thousand nine hundred and fifty-four and of the
Independence of the United States of America,
the One hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 708
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, there is no more hard-working or devoted group of men in any of the professions in the State of Delaware than our pharmacists; and

WHEREAS, through their skill, knowledge and devotion to duty they alleviate pain and suffering for thousands in the course of their daily labor in preparing prescribed pharmaceuticals for use as medicines; and

WHEREAS, each of us should give more thought to those who make their life work a study of science's latest chemical developments in order that they may be used to the benefit of mankind;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the week of October 3 to 9, 1954, be observed as

PHARMACY WEEK IN DELAWARE

During this week may all of our citizens give thought to those occasions when they have been given relief, or may have recovered from serious illness because of the skill and patience of those who compound the formulae prescribed by our physicians and specialists in their behalf. We salute these men for continuing their studies and for practicing their profession in so honorable a manner.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) third day of September in the year of Our Lord
One thousand nine hundred and fifty-four, and
of the Independence of the United States of
America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 709
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, fire constitutes one of our greatest hazards and is the killer of thousands annually, many of whom are innocent victims; and

WHEREAS, this annual loss of life and property is not only detrimental to the communities in which they occur, but often cause needless grief and human suffering; and

WHEREAS, through proper education and training we must insist on a continuing program to eliminate those hazards which bring great catastrophies and make necessary that more of our citizens become interested in a year-round preventive program which will overcome our deficiencies; and

WHEREAS, through the establishment of a State Fire Marshal, we now have the means in Delaware for a coordinated, continuous and constructive program in the field of prevention; and

WHEREAS, our volunteer and paid firemen still perform heroically when occasion warrants, but need the moral support and the undivided attention of all citizens in order to reduce fires in the months ahead;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that the week of October 3 to 9, 1954, be widely observed in the First State as

FIRE PREVENTION WEEK

I strongly urge that all of our state agencies; fire companies, both volunteer and paid; our Delaware Safety Council; the Fire Marshal's office; the Departments of Education in the state and all others who can reach our citizens at the local level stress fire

prevention and assist in showing the way to proper methods which will ensure elimination of existing hazards.

We also urge that our local Civil Defense authorities, civic organizations and those interested in the general welfare, join in making our fire prevention program a year-round effort, reaching all citizens, so that we may face the future with the knowledge that our earnest warnings will be heeded and that death and destruction need not hinder our normal paths of progress.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) seventh day of September in the year of Our
Lord One thousand nine hundred and fifty-four
and of the Independence of the United States of
America, the One hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 710
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the year 1954 marks the tenth anniversary of the observance of a week dedicated to publicizing the urgent need for employing the physically handicapped; and

WHEREAS, recent legislation enacted by the Congress of the United States will tend to increase greatly the number of our citizens who will be rehabilitated and prepared for gainful occupation annually, thus requiring redoubled activity in the field of employment; and

WHEREAS, observance of this week will aid those agencies in the State which work toward full employment of those who have been rehabilitated through various accepted programs which have proven a great boon to those who have overcome physical afflictions; and

WHEREAS, the ever-increasing awareness among public and private employers of the desirability of hiring the handicapped should be maintained and further stimulated; and

WHEREAS, the observance of National Employ the Physically Handicapped Week once each year, as authorized by a joint resolution of the Congress approved August 11, 1945, emphasizes the need for a year-round program;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, cooperating with the President of the United States and the President's Committee on Employment of the Physically Handicapped, do hereby declare that the week beginning October 3, 1954, be set aside as

EMPLOY THE PHYSICALLY HANDICAPPED WEEK

I urge the mayors of municipalities, other public officials, leaders of industry and labor, and members of civic, religious,

veterans, and handicapped persons' groups to participate actively in the observance, keeping in mind that the nation's prosperity depends on the productivity of each individual. And may we during this week pay particular attention to the fact that many of our handicapped persons become our greatest producers when they are properly trained and rehabilitated. I particularly hope that no such person within the State will remain without employment and that more training will be given to those who seek the assistance of our public and private officials.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed, at Dover, this Twenty-
ninth day of September in the year of Our
Lord One thousand nine hundred and fifty-four
and of the Independence of the United States of
America, the One hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 711
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the organization known as the National Federation of Business and Professional Women's Clubs, Inc., is contributing much toward the development of business and industry throughout the state and nation; and

WHEREAS, these women, who represent clubs in many of our communities, all of which are affiliated with the National Federation, likewise contribute much toward the improvement and progress of business, industry and civic needs on the community level; and

WHEREAS, this year the organization is to be greatly commended for its non-partisan "Get-Out-The-Vote" campaign, so that every citizen will play his full right in exercising his franchise;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week beginning October 10 and ending October 16, 1954, as

BUSINESS WOMEN'S WEEK

As this week is celebrated throughout the nation, we urge our leaders of business and industry to note the achievements of those whom are often taken for granted in their daily tasks, but who contribute so much to the welfare and efficient management of our homes, our businesses and many branches and agencies of our government.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Seventh
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 712

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, healthy competition in business and commerce is the hallmark of our American way of life, and one of the major reasons why we, in the United States, enjoy a standard of living far higher than that of any other peoples, and

WHEREAS, the American oil industry, made up as it is of some 42,000 companies, 200,000 service stations, and 1,700,000 individuals, engages in vigorous competition at every level, and

WHEREAS, the week of October 10 to 16 has been designated OIL PROGRESS WEEK, when oil men put aside their economic rivalries and join in telling their neighbors, customers, and friends about the many services and valuable products that they and their industry provide, and

WHEREAS, citizens in this part of the United States who engage in producing, transporting, refining, or marketing petroleum products desire to participate in the observance of Oil Progress Week by joining in activities that will illustrate and explain their 1954 slogan: "OIL SERVES YOU"

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of October 10 to 16 to be

OIL PROGRESS WEEK

and do call to the serious consideration of all citizens the many services and other contributions made to the betterment of our public, social, business, and private lives, as well as to the security of our beloved country, by the oil men who live and work in our midst.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Seventh
day of October in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 713

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is proper that we salute the art, science and the humanity of nursing as it moves forward from one year to the next; and

WHEREAS, progress in nursing will truly mean better health for the nation as we continue to train young people to serve in the home, school, factory, the hospital ward or the front line of battle when the need exists, to care for those who need care; nurse the sick to health and the weak to strength; and

WHEREAS, it is most fitting that this year we mark the centenary of the work of Florence Nightingale for her service in the Crimea, where nursing first received world-wide attention and recognition, and

WHEREAS, the President of the United States of America has proclaimed that a week be set aside to do honor to the general nursing profession;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that the week of October 11 to 16, 1954 shall be known as

NATIONAL NURSE WEEK IN DELAWARE

and I call upon our citizens to pay a special tribute to the nurses of our state who continue to serve so unselfishly despite the rigorous work in which they are engaged. During these days, may we also interest our young people in considering the profession of nursing as a career, since the need is great in our hospitals and demand for competent professional nurses increases daily.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Seventh
day of October in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 714
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, poetry has been a means of expression which goes deeply to the roots of human emotions; and

WHEREAS, this form of communication requires specialized skills, thoroughness of subject matter and compact presentation of an ideology so that properly combined words and phrases become sentimental sonnets or gems of philosophy; and

WHEREAS, Delaware has a large number of individuals who practice this creative art as a contribution to recording our life and times both past and present; and

WHEREAS, we are all inspired and often given new impetus for further achievement because of the contributions of our Delaware poets;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and designate Wednesday, October 15, 1954, as

DELAWARE POETRY DAY

I heartily suggest that our State's poet laureate; our newspapers, radio and television outlets, churches, schools, clubs and all organizations stress the reading and study of the efforts and works of our Delaware poets, so that we may secure new inspiration from the pens of those to whom we owe our gratitude for recording the inner thoughts of our generation and those which preceded us.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Seventh

(Great Seal) day of October in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 715
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, this nation and state since their founding have emphasized the sanctity of the individual and have recognized that all of our progress and inspiration has been the result of Divine Guidance; and

WHEREAS, more and more, people are turning to churches of all denominations for consolation and comfort in this period of confusion and strife throughout the world; and

WHEREAS, no other means has yet been devised to give that comfort and guidance than the records of Holy Scripture as assembled in the Holy Bible; and

WHEREAS, further reading and study of the Book of books will tend to bring greater understanding to all mankind;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and designate the week of October 18 to 24, 1954, as

NATIONAL BIBLE WEEK

in Delaware. I urge that our churches of all denominations, our public and parochial schools, our leaders in high places and on all levels of government and civic enterprise, take this week to begin a fuller reading and daily contemplation of the Great Truths as recorded for us in our Bibles. I further hope that daily Bible reading may become a habit for all of us and that through this inspiration we shall all achieve a greater understanding and respect for our fellow citizens of all creeds, with whom we are associated in the common bond of American citizenship.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Ninth day
of October in the year of Our Lord One thousand
nine hundred and fifty-four and of the Inde-
pendence of the United States of America, the
One hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 716
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, October 21 is the 75th anniversary of the invention of the first practical electric light by our great American inventor, Thomas A. Edison; and

WHEREAS, that invention was the beginning of the electrical progress which has contributed so much to the social and economic development of our State and Nation and has brought to us the very highest standards of living; and

WHEREAS, the electrical industries of America and of this State are celebrating this anniversary with appropriate ceremonies and events;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare and proclaim that October 21, 1954, is LIGHT'S DIAMOND JUBILEE DAY and that the week of October 17-24, 1954, inclusive, is "LIGHT'S DIAMOND JUBILEE WEEK in the State of Delaware and I call upon all our citizens to join in the celebration of this great occasion.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eleventh day of October in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 717

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the diffusion of education among all the people is essential to the preservation of free institutions and in the perpetuation of self-government; and

WHEREAS, good schools are the direct responsibility of the people of the several communities and of the state, in whom is vested the duty to provide a curricula which will best meet the needs of the youth of today in preparation for their future responsibilities as citizens; and

WHEREAS, investments in good schools and the faculties charged with educating the young people represents a community's important asset; and

WHEREAS, accurate information about the schools and a clear understanding of their problems and needs is the only sure basis for intelligent citizens support; and

WHEREAS, the thirty-fourth annual observance of American Education Week sponsored by the Delaware State Department of Education, the Delaware State Education Association, the Delaware Congress of Parents and Teachers, the Delaware Council of Education, the Federation of Teachers associated with the American Federation of Labor, and the Department of Delaware, American Legion, has for its purpose the strengthening of public interest in and understanding of our schools;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of November 7 to 13, 1954, as

AMERICAN EDUCATION WEEK

and do urge that all citizens take a deep and abiding interest in their schools and visit them during this week. May we also

learn more about school programs and needs and assist in planning for the good education of all our people, always keeping in mind our full responsibilities in that regard.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Nineteenth
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 718

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the nations of the world who genuinely want peace and prosperity for their citizens can come to a greater mutual understanding only through close association and full discussion of their individual problems; and

WHEREAS, on October 24, 1945, there was created such an agency of sovereign states, through which they might work for the establishment of world peace, greater security and a more stable economy; and

WHEREAS, the United States of America entered this organization fully prepared to have its citizens meet those of other nations on all levels to bring about greater world understanding and bring men to reason around a discussion table; and

WHEREAS, the President of the United States has reiterated the faith of this country in the aims and ambitions of the United Nations as established in San Francisco nine years ago;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby urge that the citizens of Delaware observe Sunday, October 24, 1954, as

UNITED NATIONS DAY

I call upon all our media of communication, our churches, schools and civic groups, to outline and present the principles of the United Nations, so that each citizen may have a better understanding of its aims and purposes. May we all participate in gaining full knowledge and understanding of this group which is primarily dedicated to establishing peace in the world with liberty and justice in our time.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 719

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the march of Time brought to this nation the responsibility to defend itself on the field of battle when its hard-earned liberties were challenged by a foreign foe; and

WHEREAS, through the successful defense of the American Way of Life in World War II and the extensive conflict to curb communism on the battlefields of Korea, new honor and glory was added to the nation's fighting forces; and

WHEREAS, it has been customary since 1926 to observe the eleventh day of November as one of gratitude and remembrance for those who fought and died on European battlefields in World War I; and

WHEREAS, the significance of the sacrifices of that great war were lost in the even greater struggles that followed; and

WHEREAS, a grateful nation, wishing to pay tribute to all of its loyal defenders, caused the 83rd Congress of the United States of America to enact legislation which would finally honor all who served their country in time of stress, and changed the name of Armistice Day to Veterans Day; and

WHEREAS, the veterans of the State of Delaware, always in the forefront in the battle lines from the days of the Revolution to the final moments in Korea, should be remembered on this one day dedicated to their sacrifice and devotion;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Thursday, November 11, 1954, be observed by our citizens as

VETERANS DAY

On that day let us solemnly remember the contributions of all those who fought so valiantly on the seas, in the air and on

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Twentieth
day of October in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 719

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the march of Time brought to this nation the responsibility to defend itself on the field of battle when its hard-earned liberties were challenged by a foreign foe; and

WHEREAS, through the successful defense of the American Way of Life in World War II and the extensive conflict to curb communism on the battlefields of Korea, new honor and glory was added to the nation's fighting forces; and

WHEREAS, it has been customary since 1926 to observe the eleventh day of November as one of gratitude and remembrance for those who fought and died on European battlefields in World War I; and

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WHEREAS, the veterans of the State of Delaware, always in the forefront in the battle lines from the days of the Revolution to the final moments in Korea, should be remembered on this one day dedicated to their sacrifice and devotion;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Thursday, November 11, 1954, be observed by our citizens as

VETERANS DAY

On that day let us solemnly remember the contributions of all those who fought so valiantly on the seas, in the air and on

foreign shores, to preserve our freedom, and let us pledge this day to consecrate ourselves to the task of promoting peace, so that the rows of white crosses and the occupied beds in our Veterans Hospitals will not have been in vain.

I call upon our state officials to properly display the national and state flags on this day, and urge all patriotic groups, the schools, veterans and civic organizations to take full note of this occasion by such measures as may fully describe and present the basic reasons why we remain a free and prosperous people.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth
(Great Seal) day of November in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 720

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Delaware Chapter of the National Association for Retarded Children should be commended for its efforts in bringing before the general public the essential facts about mental retardation, and for inspiring public cooperation for a broad, concerted attack under this major problem; and

WHEREAS, all of us should pledge our support and understanding so that these children, often forgotten, need no longer suffer from the lack of attention by our leaders, and schools, or to be shunned by society;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim and set aside the week of November 14 to 23, 1954, as

RETARDED CHILDREN'S WEEK

I urge that during this week everyone in the state give moral and financial support to the fund-raising campaign of our State Chapter, the Delaware Association for Retarded Children, an organization dedicated to the improvement of facilities and services for all the retarded, regardless of age, color or creed.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth
(Great Seal) day of November in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 721
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

J. CALEB BOGGS
GOVERNOR OF THE SAID STATE

To all Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 2nd day of November, in the year of our Lord one thousand nine hundred and fifty-four, 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 fifth day of January in the year of our Lord one thousand nine hundred and fifty-five.

AND WHEREAS, The official certificates or returns of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Senator were cast as follows, to wit:

NEW CASTLE COUNTY

J. Allen Frear	55,386
Herbert B. Warburton	45,715

KENT COUNTY

J. Allen Frear	10,956
Herbert B. Warburton	5,909

SUSSEX COUNTY

J. Allen Frear	16,169
Herbert B. Warburton	10,765

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 J. Allen Frear.....82,511

Whole number of votes for Herbert B. Warburton.....62,389

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that J. Allen Frear 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 fifth day of January in the year of our Lord one thousand nine hundred and fifty-five.

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 fifty-four and of the Independence of the said State the one hundred and seventy-ninth.

(Great Seal)

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 722

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

J. CALEB BOGGS
GOVERNOR OF THE SAID STATE*To all Persons to whom these Presents shall come, Greeting:*

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 2nd day of November, in the year of our Lord one thousand nine hundred and fifty-four, 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 Eighty-fourth Congress of the United States.

AND WHEREAS, The official certificates or returns of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Representative were cast as follows, to wit:

NEW CASTLE COUNTY

Harris B. McDowell, Jr.	54,076
Lillian I. Martin	46,707

KENT COUNTY

Harris B. McDowell, Jr.	10,091
Lillian I. Martin	6,621

SUSSEX COUNTY

Harris B. McDowell, Jr.	15,034
Lillian I. Martin	11,707

AND WHEREAS, The said returns of the election for the choice of a Representative of and for the said State in the 84th 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 Harris B. McDowell, Jr.....79,201

Whole number of votes for Lillian I. Martin.....65,035

NOW, THEREFORE, I, J, Caleb Boggs, Governor of the State of Delaware, do hereby declare that Harris B. McDowell, Jr. 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 Eighty-fourth 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 fifty-four and of the Independence of the said State the one hundred and seventy-ninth.

(Great Seal)

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 723

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

J. CALEB BOGGS
GOVERNOR OF THE SAID STATE*To all Persons to whom these Presents shall come, Greeting:*

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 2nd day of November, in the year of our Lord one thousand nine hundred and fifty-four, 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

Joseph Donald Craven	54,472
Vincent A. Theisen	46,403

KENT COUNTY

Joseph Donald Craven	10,259
Vincent A. Theisen	6,507

SUSSEX COUNTY

Joseph Donald Craven	15,218
Vincent A. Theisen	11,523

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Attorney General the result appears as follows, to wit:

Whole number of votes for Joseph Donald Craven.....79,949

Whole number of votes for Vincent A. Theisen.....64,433

NOW, THEREFORE, I, J, Caleb Boggs, Governor of the State of Delaware, do hereby declare that Joseph Donald Craven 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 fifty-four and of the Independence of the said State the one hundred and seventy-ninth.

(Great Seal)

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 724
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

J. CALEB BOGGS
GOVERNOR OF THE SAID STATE

To all Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 2nd day of November, in the year of our Lord one thousand nine hundred and fifty-four, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of a State Treasurer of the State of Delaware.

AND WHEREAS, The official certificates or returns of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such State Treasurer were cast as follows, to wit:

NEW CASTLE COUNTY

Howard Dickerson	54,209
Jesse A. Harmon	46,485

KENT COUNTY

Howard Dickerson	10,573
Jesse A. Harman	6,155

SUSSEX COUNTY

Howard Dickerson	15,340
Jesse A. Harman	11,413

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such State Treasurer the result appears as follows, to wit:

Whole number of votes for Howard Dickerson.....80,122

Whole number of votes for Jesse A. Harman.....64,053

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Howard Dickerson has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the State Treasurer of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the tenth day of November in the year of our Lord one thousand nine hundred and fifty-four and of the Independence of the said State the one hundred and seventy-ninth.

(Great Seal)

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 725

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

J. CALEB BOGGS
GOVERNOR OF THE SAID STATE*To all Persons to whom these Presents shall come, Greeting:*

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 2nd day of November, in the year of our Lord one thousand nine hundred and fifty-four, 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

Clifford E. Hall	54,233
T. Edgar Townsend, Jr.	46,542

KENT COUNTY

Clifford E. Hall	9,939
T. Edgar Townsend, Jr.	6,821

SUSSEX COUNTY

Clifford E. Hall	14,974
T. Edgar Townsend, Jr.	11,795

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Auditor of Accounts the result appears as follows, to wit:

Whole number of votes for Clifford E. Hall.....79,146
Whole number of votes for T. Edgar Townsend, Jr.....65,158

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Clifford E. Hall has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Auditor of Accounts of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the tenth day of November in the year of our Lord one thousand nine hundred and fifty-four and of the Independence of the said State the one hundred and seventy-ninth.

(Great Seal)

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 726

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

J. CALEB BOGGS
GOVERNOR OF THE SAID STATE

To all Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 2nd day of November, in the year of our Lord one thousand nine hundred and fifty-four, 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

Harry Smith	54,343
Leon F. Trivits	46,400

KENT COUNTY

Harry Smith	10,334
Leon F. Trivits	6,407

SUSSEX COUNTY

Harry Smith	15,160
Leon F. Trivits	11,608

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 Harry Smith.....79,837

Whole number of votes for Leon F. Trivits.....64,415

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare that Harry Smith 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 fifty-four and of the Independence of the said State the one hundred and seventy-ninth.

(Great Seal)

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 727
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it has been customary since November, 1951, in Delaware to observe a five-day period, commencing with the Sunday before Thanksgiving, in which to honor the homemakers of our state; and

WHEREAS, no group is more worthy of honor than our homemakers, wives, and mothers, to whom we look for spiritual guidance, daily nourishment and constant loyalty; and for the proper training of our future citizens; and

WHEREAS, it is fitting to include them in our prayers and thoughts as we contemplate another season of Thanksgiving;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside the period of November 21 to 25, 1954, as

HOMEMAKERS WEEK

in the State of Delaware, and call upon all citizens to observe this period in a proper manner; and to pay tribute to those homemakers who contribute so much to our way of life by trying to improve the health, happiness and morals of their families; also to take special cognizance, during this week of their contribution to society and to the community as well as the home.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 day of November in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 728
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the President of the United States has asked the Governors of all the states to cooperate in the "S-D Day" program, and in activities preliminary thereto; and

WHEREAS, all of the major safety organizations are participating energetically in this undertaking;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, am happy to pledge my full cooperation in this great and worthy effort, and, to that end, I hereby proclaim Wednesday, December 15, 1954, as

SAFE DRIVING DAY IN DELAWARE.

I have designated Colonel J. James Ashton, of the Delaware Safety Council, as Director of S-D Day activities which are state-wide in scope, and I appeal earnestly to all Mayors and heads of County governments to designate comparable directors for S-D Day programs in their jurisdictions.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Seventeenth day of November in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 729
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, this state and nation has been abundantly blessed during the past twelve months, when our farms produced great crops; our workers enjoyed a full measure of employment and generally our citizens continue to be prosperous; and

WHEREAS, it has been customary since the days of the Plymouth Colony to set aside one day annually to join in prayer and thanksgiving for those things which have been bestowed upon us; and

WHEREAS, this year above all others we have reason to be grateful because our nation is at peace and has been spared from the turmoil of international conflicts; and

WHEREAS, we should continuously strive for that unity which will join us in a common effort to establish good will among men, through our acknowledgment of Almighty God's graciousness to all of us;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and proclaim Thursday, November 25, 1954, as

THANKSGIVING DAY

As we gather with our families and friends on this day, to express our thanks for the many favors and privileges which we enjoy as American citizens, may we also think of others less fortunate and plan to share our abundance with those in foreign lands who struggle so valiantly for their daily bread.

May we also take special note as we gather in the Houses of Worship of our own choosing that as Americans we enjoy a heritage hitherto unknown to man, and let us pray for guidance

that we may always be worthy of this heritage by tempering our own lives with mercy and justice toward others with whom we are associated.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eighteenth day of November in the year of Our Lord One thousand nine hundred and fifty-four, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 730

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, one hundred and sixty-seven years ago, on December 7, 1787, thirty Delaware representatives to a special convention gathered in Dover to study and ratify the Federal Constitution as adopted in Philadelphia on September 17 of that year; and

WHEREAS, this special convention of Delawareans unanimously approved the aforesaid Constitution and were the first of the thirteen colonies to so declare; and

WHEREAS, in recognition of the importance of this day, the General Assembly of the State of Delaware by resolution on November 29, 1933, authorized and directed the Governor to issue a proclamation annually calling attention of citizens to this historical occasion;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate and proclaim Tuesday, December 7, 1954, as

DELAWARE DAY

and urge all of our citizens to appropriately observe this day by displaying our state and national flags and by conducting exercises and ceremonies in all of our schools, churches and civic associations.

I further call upon all Delawareans to think of the deep significance of our proud title of "First State," with the hope that we shall always be loyal and worthy of our forebears whose action assisted in the establishment of a nation which today stands as a beacon for the world.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Thirtieth
day of November in the year of Our Lord One
thousand nine hundred and fifty-four, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 731

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the advancement of religious ideals and spiritual values is vital if good will, justice, truth and freedom are to prevail in a world beset by conflicting moral and ethical standards; and

WHEREAS, it is toward this end the YWCA of the U. S. A. has striven ever since the world founding of the Young Women's Christian Association in 1855, seeking to make happier the lives of young women and girls, and to strengthen home and community life by developing their full potentialities as individuals and as citizens; and

WHEREAS, this great women's organization starting this second week in January will celebrate a notable first century of service, today being carried on through more than 1,300 local units in this nation and associations in 65 other countries of the world; and

WHEREAS, for 60 of those 100 years, Delaware has been fortunate to have a unit in Wilmington, which has contributed greatly to the well-being of young women of the state;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, in behalf of our people, do hereby congratulate the membership of the YWCA of the U. S. A. and particularly those in Delaware, now 3,000,000 strong, and wish for them unbounded success in continuing to fortify freedom with faith and fellowship.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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

(Great Seal) Thirteenth day of January in the year of Our
Lord One thousand nine hundred and fifty-five,
and of the Independence of the United States
of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 732
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the services rendered to this state by the Delaware Junior Chamber of Commerce are widely recognized; and

WHEREAS, the United States Junior Chamber of Commerce and its affiliated state and local organizations have set aside the week of January 14-21, 1955, to observe the founding of the Junior Chamber of Commerce; and

WHEREAS, this organization of young men has contributed materially to the civic betterment of our state throughout the year;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of January 14-21, 1955, as

JAYCEE WEEK

and urge all citizens of our state to give consideration to the services of the Delaware Junior Chamber of Commerce.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Fourteenth day of January in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 733

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, in the pledge of allegiance to the flag of the United States of America we say in part, "One Nation Under God, with Liberty and Justice for all," and

WHEREAS, the phrase, "One Nation Under God" is this year's theme for the observance of Brotherhood Month during February, 1955, as sponsored by the Delaware Region, National Conference of Christians and Jews; and

WHEREAS, there is daily evidence that the principles of brotherhood are at work in the State of Delaware, and as men of good will it is our duty to extend the principles of liberty and justice at every opportunity; and

WHEREAS, men and women of all races and creeds can only come to understand each other better by considering their mutual desires for the peace of the world and peace of mind as well;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the month of February, 1955, be designated as

BROTHERHOOD MONTH

During these days may we all examine ourselves closely to see whether our daily actions toward our fellowmen meet with the principles of a great democracy under God.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said

(Great Seal)

State to be hereunto affixed at Dover, this
Twenty-fifth day of January in the year of Our
Lord One thousand nine hundred and fifty-five,
and of the Independence of the United States
of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 734

STATE OF DELAWARE EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the month of February serves as a reminder that two of our great presidents and national heroes were born during that period; and

WHEREAS, George Washington, father of our country and Abraham Lincoln, who did so much to save it at a critical moment, will always be looked upon as having shown the inspiration and leadership that brought into being and preserved a great nation; and

WHEREAS, it is fitting that during this period we review the lives of these and other great Americans, the exploits in which they engaged and the accomplishments which assisted us to endure as a free people because of their understanding, wisdom and justice;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the month of February, 1955, be marked in this state as

AMERICAN HISTORY MONTH

I call on all our schools—public, parochial and private—to emphasize again during the days of February, the great heritage which is ours, and which could only come about through the sacrifices, disappointments and the great faith shown by our forefathers. It is also my express hope that our patriotic organizations will see fit to mark this month by special events recalling the roles of our pioneers—the builders who built well for the generations yet to come.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-seventh day of January in the year of
Our Lord One thousand nine hundred and fifty-
five, and of the Independence of the United
States of America, the one-hundred and seventy-
ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 735
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, ninety-five per cent of the public is afflicted by dental decay; and

WHEREAS, the most effective, long-range weapon for combating this disease is preventative care for children; and

WHEREAS, the members of the Delaware State Dental Society are calling public attention on the need for expanded dental care and dental health education for children;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of February 7 through 13, 1955, as

CHILDREN'S DENTAL HEALTH WEEK

During that period our parents in the homes and instructors in our school should call attention to this observance and emphasize once again how important it is for the body and mind to safeguard our teeth.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-seventh day of January in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 736
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, for the past 30 years the Reserve Officers Association of this state has observed National Defense Week, in which they have been joined by every citizen and patriotic group in the state; and

WHEREAS, there is a continuing awareness in our community that only through the maintenance of strength can we preserve for ourselves and for our children the heritage of American liberty and freedom; and

WHEREAS, we recognize that the obligation of citizenship carries with it the privilege of service in the regular establishment or the Reserves, in time of war or emergency, as the priceless heritage of every able-bodied American; and

WHEREAS, in celebration of National Defense Week we honor those who have fought the battles in the past and those whose very strength and very readiness to fight again if they must is our best insurance against still another conflict; and

WHEREAS, we recognize that only the strong can be free;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the period of February 12 through February 22, 1955, as

NATIONAL DEFENSE WEEK

during which time it is urged that the official flags of the nation and state be displayed on all official buildings and at other appropriate places on state property, and that the many business, civic, and patriotic organizations demonstrate by other means their support of National Defense Week. I hope that every citizen will give every cooperation to this observance and also give prayerful consideration to the duties facing us all.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twelfth day of February in the year of Our
Lord One thousand nine hundred and fifty-five,
and of the Independence of the United States
of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 737

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is recognized that modern civilization can continue to solve its ever present and complex problems through the application of science, training and experience, and

WHEREAS, the province of such application lies within the purview of the engineering profession, which is recognized as one of our basic professions; and

WHEREAS, so much is owed by all of us to the comparatively few, who make up this great profession, who have pioneered, developed and brought to fruition many of the vast benefits to our economic, industrial and social well being, through the protection to life, health and property, in the development of agricultural, petroleum and mineral resources, ways and means of transportation, water, power, light, sanitation and communication systems and conservation of natural resources; and

WHEREAS, it is fitting that we recognize and honor these benefactors of mankind;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, in order to give our citizenry an opportunity to honor the engineering profession of the State of Delaware, do hereby proclaim that the week beginning February 20, 1955, and ending February 26, 1955, shall be designated as

ENGINEERS WEEK IN DELAWARE

and I urge that every citizen of Delaware join me in extending recognition and honor to our engineers who have so thoroughly earned our thanks and appreciation.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Fifteenth day of February in the year of Our
Lord One thousand nine hundred and fifty-five,
and of the Independence of the United States
of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 738
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, World Day of Prayer will be observed this year in many places throughout the world where humble people, living against a background of universal tension and uncertainty, will bow their heads and lift up their hearts to Almighty God in prayer; and

WHEREAS, the United Church Women of Delaware will join on this occasion with church women in communities throughout the nation and the world to form an articulate and inspiring chain of human prayer; and

WHEREAS, the troubled peoples in less fortunate nations than ours, and indeed, even in our own beloved country, need Divine Guidance as never before, especially as this is stimulated through prayerful communion;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Friday, February 25, 1955, as

WORLD DAY OF PRAYER

in Delaware, and I urge our citizens to observe this day by attending on February 25, wherever possible, World Day of Prayer services, or pausing for a minute of prayer at high noon to ask God to give us, in all our humility, the wisdom and courage to meet and successfully solve the profound problems of our times.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Sixteenth day of February in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 739
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the people of this nation owe a debt of gratitude to the United States Naval Construction Battalion, commonly known as the Seabees, for their contribution to the safety and welfare of our country; and

WHEREAS, after their activation on March 5, 1942, the Seabees saw much service in World War II and were of inestimable value in the Korean conflict; and

WHEREAS, this band of experienced artisans, who prepared the way and assisted in winning the hard-fought battles on beaches in many parts of the world, still stand ready to serve their country through their Active Reserve Units, which keep them alerted to new and modern methods of warfare; and

WHEREAS, the United States Naval Construction Battalion is about to celebrate the fourteenth anniversary of its activation;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and declare that March 5, 1955, be marked as

DELAWARE SEABEE DAY

On that day I urge our citizens to recall the deeds of the 250,000 men, many of whom paid the supreme sacrifice in their devotion to duty, who served in the Battalions of World War II and Korea, and give thanks that because of American "know-how" we have a force in being which at a moment's notice can again come to our assistance in any emergency.

May we remember the air fields, paved roadways and shore installations built by these units, which spurred our fighting

forces to their greatest heights, giving them the assurance that here were comrades whose construction genius gave them the opportunity for sure and ultimate victory.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-fourth day of February in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 740

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Girl Scouts of the United States of America have rendered continuous service to their country and communities since their founding on March 12, 1912; and

WHEREAS, we the People of the State of Delaware are aware of the important contribution to community welfare being made by Girl Scout leaders through their work with the youth of the nation; and

WHEREAS, the Girl Scout organization has grown to more than a million and a half girl members and more than 500,000 adult leaders, who are each day living up to their Promise to Do Their Duty to God and Country, to Help Other People at All Times, and to Live By the Girl Scout Laws of loyalty, honesty, courtesy, cheerfulness, usefulness, kindness, and helpfulness to others;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim March 6-12, 1955, as

GIRL SCOUT WEEK

and March 12 as the 43rd anniversary of the founding of Girl Scouting in the United States of America. I therefore call upon all citizens to give the Girl Scouts now and in the coming years the fullest cooperation and support so that increasing numbers of girls may benefit from the splendid program of training in citizenship which the Girl Scout organization offers.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said

(Great Seal)

State to be hereunto affixed at Dover, this
Third day of March in the year of Our Lord
One thousand nine hundred and fifty-five, and
of the Independence of the United States of
America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 741

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, for 115 years the native-born game of baseball has been the National Game of the American people, and

WHEREAS, its influence upon the youth of America for good, its important place in the formation and development of the social and recreational structure of our nation entitles the game to the respect of all citizens, and

WHEREAS, all amateur and professional organizations devoted to the continuing popularization of the game have joined hands for the purpose of furthering the interests of the game throughout the nation during the week of March 19 to 26, 1955, and

WHEREAS, the great State of Delaware would join with the sister States in this nationwide recognition;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week March 19 to 26, 1955, inclusive, as

NATIONAL BASEBALL WEEK

in the State of Delaware, and I call upon all our citizens to encourage the organization of clubs and leagues for the youth of our State, as well as the intelligent employment of the game at industrial and professional levels as a means of wholesome recreation.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said

(Great Seal) State to be hereunto affixed at Dover, this
Third day of March in the year of Our Lord
One thousand nine hundred and fifty-five, and
of the Independence of the United States of
America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 742

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, C. Douglass Buck, 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, J. Caleb Boggs, Governor of the State of Delaware do hereby issue this proclamation according to the provisions of Sections 511 and 512, of Title 8, of the Delaware Code of 1953, as amended, and do hereby declare under this act of the Legislature that the charters of the following corporations, reported as aforesaid, are repealed.

A & B Service Station, Inc., A. Springel & Son, Inc., AAA Dental Laboratories, Inc., Abe Sachs Restaurant, Inc., Absam Corp., Acme Building & Supply Company, Acme Realty Company, Adamore Mills, Inc., Adams-Furlong Enterprises, Inc., Aeroflame Corporation, Aeroplastics Corporation, Air-Met Mfg. Corp., Air-O-Spra Corporation, Aircrop Corp., Airline Caterers, Inc., Alan Bee Homes, Inc., Alaska Aviation Maintenance, Inc., Albemarle Gardens Cooperative, Inc., Alhydro, Inc., All-Nations Distributing Corporation, All-Nations Television Corporation, All States Advertising Exchange, Inc., Allan Engineering, Inc., Allegheny Associates Investment Co., Inc., Alliance Investment Company, Alliance Steel Supply, Inc., Allied Aviation Corporation, Allied Power Equipment Co., Allmore Oil Corporation, Aloilco Corporation, Alpha Aviation, Inc., Alsam Corp., Alwin Contracting Co. Inc., Amalgamated Cab Service, Inc., Ambassador Dog and Cat Hospitals, Inc. Ltd., Ameraqi Development Corporation, American Acoustics, Inc., American Aluminum Specialties, Inc., American Borneo Corporation, American Business Controls of Missouri, Incorporated, American Business Controls of New York, Incorporated, American Capital Trading Corporation, American Carba Engineering Corporation, American

Citrus Corporation, American Corporation Lawyers' Club, American Floating University, Inc., American Investors In Israel, Inc., American Merchants, Inc., American Press and Publishing Corporation, American River Mills, Inc., American Signal & Alarm Corp., American Signal Corporation, American Tap-Bush Company, American Tool Corporation, American Trade Stimulator Co., Inc., Amp Rite, Inc., Amplitorque Propellers Corporation, The, Amron Corp., Andalusia Brick and Tile Company, Inc., Anderson Valve Incorporated, Anglo American Mining Corporation, Ltd., Anio, Incorporated, Anne Remington Inc., Anniston Mining Co., Inc., Anniston Yarn Mills, Inc., Applied Research Corporation, Appoquinimink Sportsman's Club, The, Aquaflight, Inc., Arber Feed Co., Argo Industries, Inc., Arthur A. Madison, Inc., Arthur D. Rabe Hotels, Inc., Arvor, Inc., Associated American Enterprises of Tangier, Inc., Associated Engineers & Constructors, Inc., Atlanta Mining and Smelting Co., Atlantic Coast Steamship Company, Inc., Atlantic-Eastern Steel Corporation, Atlantic & Pacific Automobile Association, Atlantic-Pacific Gas & Oil Company, Atlas Equipment Corporation, Atlas Management Co., Atlas Natural Gas Corporation, Atomic Electro-Generator Corporation, Auroratone Radiotelevision Corporation of The Americas, Inc., Auto Radio, Inc., Automatic Beverage Corporation, Automatic Syrup Corporation, Automatic Truck Loader Corporation, AV Italian Restaurant, Inc.

B H L Realty Company, B. & M. Welding and Iron Works, Inc., B & S Liquors, Inc., Bakery Corporation of America, Bakery Corporation of Massachusetts, Bakery Stores, Inc., Baltimore Bankers Corporation, The, Bambi Supper Club, Barclay Trading Corporation, Barnett Silverman Co., Inc., Basile Enterprises, Inc., Basin Montana Tunnel Company, Bay-Colony Company, Bayard Athletic Club, The, Baylor Prefabricated Flue, Inc., Benlon Company, Benning Road Tackle Shop, Inc., Bethany Beach Water Company, Beyer Drug Co., Inc., Block Realty Corp., Blue Star Airlines, Inc., Board of District Stewards of Wilmington District of Wilmington Conference of The Methodist Episcopal Church, Incorporated, The, Bob Fink Construction Co., Inc., Bonomo Publications, Inc., Boray Sign Company, Bornmann, Inc., Bost, Inc., Boys Cowboy Ranch, Inc., Bradford-Millar, Inc., Brake-Trol Corporation, Brandenburg Boiler Cor-

poration, Brandywine Leather Company, Brazilian Securities Corporation, Brewer-Synder Company, The, Brooke International, Inc., Brookside Paint and Contracting Co., Inc., Brown & Barry, Inc., Buchanan Market, Inc., Buel Electronics, Inc., Burgess Company, The, Burnette Motor Express, Inc., Butalite Corporation of America, Inc.

C. J. Weiser Incorporated, C. Moore & Company, Inc., C & R Enterprises, Inc., Cahill-Merrill Projector Corp., California Steel and Tubes Corporation, Campbell Music Co., Inc., Candanian (U. S. A.) Pharmaceuticals, Inc., Canamin Corp., Cancer Research, Inc., Capital Enterprises, Inc., Capital Food Mart, Inc., Car Credit Co., Inc., Caramé Corporation, Carolina Golds, Ltd., Casa Blanca Italian Foods, Inc., Casson Contracting Corporation, Caucasian-American Trading and Mining Company, Cedar City Pine Co., Cemenstone Construction Company, The, Century Square, Inc., Certified Packers, Inc., Chambers, Inc., Champion Sports, Inc., The, Chelsea Country Club, Chemical Container Corporation, Chemical Conversion Corporation, Chica Mining Company, Chicago Dr. Pepper Bottling Company, Children's Television-Radio Shows, Inc., Christensen Export-Import Corporation, Inc., Cinderella Shop, Inc., Citizens Protective Alliance, Inc., The, Citrus Juice Corporation, City Sewing Center, Inc. of Wisconsin, Clar-Fax Inn, Inc., Club 803, Inc., Coal, Anthracite and Fuel Co., Coastal Machine Works, Inc., Coastline Manufacturing Corporation, Cofran Corporation, Cohn and Lebowitz, Inc., Collective Security Institute, Inc., The, Colodny's Beverage Trade Service, Inc., Colombian Products Exploitation Corporation, Colonial Homes, Inc., Colonial Tile Company, Colorado-Kansas Supply Co., Inc., Coloumbia Country Club, Columbia Forest Products Inc., Columbia Industries, Inc., Columbia Motors, Inc., Columbia Oil Company, Inc., Columbia Parking Corporation, Columbia Processing & Distributing Co., Inc., Columbia Realty Incorporated of Washington, D. C., Columbia Sales & Manufacturing Co., Column, Inc., Commercial Development Corporation, Commercial Investing Company, Commonwealth Industrial Products Corporation, Communications Development Corporation, Community Trading Corporation, Compton Crafts, Inc., Comrades of Arms, Inc., Concord Apartments, Inc., Congressional Realty Corporation, Conservation Research Engineering Co., Consol-

idated-Hammer Dry Plate & Film Company, Consolidated Lumber Co., Consolidated Oil Terminals Inc., Consumers Home Equipment Company, Continental Investment and Promotional Enterprises, Inc., Cooper Dilley Co., Inc., Corlis Corporation, Cortley Frosted Foods, Inc., Costa Construction Co., Inc., Costello Engineering Co., Inc., Counts Motor Company, Inc., Cox Home Builders Inc., Creative Aid Research Company, Creative Concrete Corporation, Crescent Transportation Company, Cristina Copper Mines Inc., Cross Roads Club, Inc., Cross-Tex Petroleum Corp., Crosstown Motors, Inc., Cuban Naviera Line, Inc., Cushing Corporation.

D. F. Quillen & Sons, Inc., D. J. B. Company, D & M Radio Sales & Service Co., Damico Corporation, Dan-Car Corporation, Dan Holland Co., Inc., Dan Wilson, Incorporated, Dannettel and Feeney, Inc., David Shiffrin & Company, Day Brothers Engineering Co., Inc., De-Co-Ka Investment Co., Inc., De Luxe Grille, Inc., Decor, Inc., Deepwell Oil Corporation, Defiance Athletic Association, Del Construction Company, Del-Mar Home Equipment Company, Delaware Aircraft, Inc., Delaware Block Company, Delaware Machine & Manufacturing Company, Inc., Delaware-Moroccain Investment Company, Inc., Delaware Paper Mills, Inc., Delaware Philharmonic Symphony Society, Delaware Plastic Company, Delaware Plaza, Inc., Delaware Realty Co., Delaware Stock Car Racing Association, Inc., Delaware Tongers' Association, Inc., Delaware Women's Christian Temperance Union, Della Pelle Electric Company, Delmac Products, Incorporated, Delmar Manor Incorporated, Delta Finishing Company, Delvesta Farms, Inc., Denbrook Investment Company, Deutch Engineering Corporation, Diamond State Pictures Corporation, Dianafix Corporation, Dietz Sales Company, Differential Wheel Corporation, Dimensional Electronics Corporation of America, Distefano Bros. Inc., Distributors Candy Company, Dobranski Chinchilla Corporation, Docar Co., Donor Realty Corporation, Dorsett Construction Corporation, Dover Gospel Hall, Inc., Dover Realty Co., Dukane, Incorporated, Dun Glen Coal Company.

E. F. Menzendorf Associates, Inc., Eagle Ice Company, East Florence Courts, Inc., East Texas Novelty Company, Eastern Insurance Company, Eastern Refractory Corporation, Eastern Shore Stages, Inc., Easy-Drive Development, Inc., Ecma Products Corporation, Edgewater Gardens, Inc., El Commodoro,

Inc., Electronic Research, Inc., Elementary Horsemanship, Incorporated, Embassy Trash & Salvage Co., Inc., Emergency Trailer Corporation, Emkay Corporation, Inc., Empire Blast Machine Co., Empire Laundry Inc., Empire Tackle Company, Enterprise Letter Service, Inc., Equitable Service, Inc., Equity Investment Corporation, Ercolino and Rose, Inc., Estancia Company, The, European Touring Service, Inc., Ever-Sole Company, Inc. of Puerto Rico, The, Excelsior Corporation, Executive Pharmacy, Inc.

F B & B Realty Corporation, Factory-Nu Auto Painters, Inc., Fagan Construction Company, Incorporated, Fairchild Company, Inc., The, Farm Fresh Management Corporation, Faroak Apartments, Inc., Fearless Tool and Die Company, Federal Construction Corporation, Federal Credit Rating and Investigation Bureau, Inc., Federal Equipment Company, Federal Export and Import Co., The, Federal Home Equipment Corporation, Federal Mortgage Corporation, Federal Oil Corporation of Delaware, Federal Research & Development, Inc., Ferguson's Athletic & Health Sox & Stockings, Incorporated, Fijelen Research and Development Company, The, Finance and Fuel Corporation, First Eastern Corporation, First State Oil Company, First Williamsburg Corporation, Five Brothers' Restaurant, Inc., Floorola Products, Inc., Florida Gulf Growers, Inc., Foreign Trade Corporation, 14-S St. N. E. Inc., Fowler-Rosenberg Publishing Corp., Inc., Foxhall Heights, Inc., Framerica Films, Inc., Fran-Kem, Inc., Francis Metal Products, Inc., Frank C. Hurley, Inc., Frank J. Murphy, Inc., Frank Schoonmaker & Company, Inc., Frank W. Bennett & Co., Inc., Frankie's Soft Ball Club, Inc., Franklin Buffet Lunch, Inc., Franklin Electric Co., French Street Social Club, Frigidinner Freezer Corporation, Frisbie Throwing Company, The.

G & D Aluminum Window Corporation, Gary Appliance Company, Inc., Gas Engineering Company, General Aircraft Corporation, General Hosiery Motor-Mend Corporation, General Research Foundation and Institute, General Welding Co., Inc., Geoelectric Exploration Company, Inc., George Faigen Merchandising, Inc., George G. Richardson, Inc., George Kelly Associates, Inc., George R. Jessen Corporation, George W. Lacks & Company, Incorporated, German-American Union, The, Gibraltar Finance Corporation, Gismo, Inc., Givlyn Housing Corpor-

ation, Glasgow Manufacturing Corp., Golden Eagle Metals Company, Goldoil, Inc., Goodlab Corp., The, Got-Cha Manufacturing Corporation, Grapevine Coal Company, Great Circle Enterprises, Inc., Great Northern Inc., Great Plains Oil Company of Wyoming, Great Western Corporation, Green Brier Construction Co., Green Thumb, Inc., Greenhill Engineering Co., Inc., Greenhill Realty Corp., Gronemeyer Corporation, Guatemalan-American Company, Gulf Coast Canadian Transmission Company, Guyer Bros., Inc.

H. and J. Construction Co. Inc., H and K Valve Silencer Co., Inc., H. L. Blest & Company, H & M Co., Inc., H. T. Smith, Incorporated, Halen Corporation, Happy Homes of Harford County, Inc., Hargil Oil Co., Harlin, Inc., Harmon Co., Inc., Harold S. Smith & Son, Inc., Harriett Corporation, Harris-Klein, Inc., Harvey-Spencer Corporation, Hastings Electric Railplane Corporation, Hatfield Speedway, Inc., Haverton Foundation, Inc., The, Haviland Incorporated, Haviland Stores, Inc., Hazelton Steel & Tubing Corporation, Heatron, Incorporated, Heds, Inc., Helicopter Distributors, Inc., Hemisphere Television Incorporated, Hendrick, Inc., Henrad Corp., Henson Corp., Hercules Pump & Compressor Co., High's Dairy Products Corporation, High's, Inc., Highlands, Incorporated, Highlands Restaurant, Inc., Hills' Television Service Co., Inc., Hillyard Optical Company, Hires Bottling Company of Wilmington, Historic New Castle, Inc., Historic Productions, Inc., Holloway Terrace Social Club, Home Credit Corporation, Homeowners Advisory Council, Incorporated, Homeowners Honest Service, Incorporated, Homeowners Honest Service of North East Baltimore, Incorporated, Horace Mann League of The United States of America, Inc., The, Hosiery Mill Outlet, Inc., Hospital Foundation, Inc., The, Hotel, Restaurant and Tavern Employees Union of America, Hotels Incorporated, Houghton and McDowell, Inc., House of Neely, Inc., Huajatolla Mines Corporation, Hurley & White, Inc., Hydrocarb Corporation.

Ibachs, Inc., Icarian Radioactive Hot Springs Corporation of America, The, Imex Internationale Corp., Imperial Rayon Corporation, Inapak Corporation, Independent Stores Company, Indirect Lighting Corporation, Industrial Bankers Corporation, Industrial Cellulose Products, Inc., Industrial Consultants Inc., Industrial Counsellors, Inc., Industrial Relations Inc. of Wash-

ington, Insectacutor, Incorporated, Instant Coupler, Inc., Institute of Independent Industries, Institute of World Studies, The, Inter-Gulf Chemical & Supply Corporation, Inter-Nation Corporation, The, International Air Corporation, International Bankers Exchange, Ltd., International Commercial Counselors, Inc., International Dairy Products Corporation, International Engineers Development Corporation, International Mining Machinery Corporation, International Steel Distributors, Inc., International Transport Co., Inc., International Uranium Corporation, International Vending Corporation, Interstate Feed Distributors, Inc., Interworld Industries, Inc., Iridescent Pigment Corporation of America, Israel Hotel Projects, Incorporated, Israel National Brewery, Inc.

J P S Inc., Jaeb Corporation, James Shop, Inc., James T. Groves Mill and Lumber Company, Inc., Janitor Service Co., Inc., The, Jay's, Inc., Jeanite Corporation, The, Jennie and Harry Walcoff Foundation, Inc., The, Jobud Corporation, The, Jodie Smart, Inc., John Mack, Inc., John Roehrich Corporation, Johns Co., Inc., The, Jordan-Rogers Sales Co., Inc., Jordan Trading Corporation, The, Joseph G. Green, Incorporated, Joseph G. Herbert Company, Joseph H. Pierson & Son, Inc.

Kansas Avenue Development Co., Inc., Kayser Hosiery Motor-Mend Export Corporation, Ken Mathewson, Inc., Kenilworth Development Corp., Kentucky-Tennessee Natural Gas Corporation, Kentucky-Tennessee Natural Gas & Pipeline Corporation, Keynote Recordings, Inc., Kiamensi Home Builders, Inc., King Bootery, Inc., The, Kirk Uranium Corporation, Kitchen Planners, Inc., Kolorfoto, Inc., Krafco Container Corporation of California.

L. E. D. J. Corporation, L. J. Todd, Inc., La Salsa Products, Inc., Labco Chemical Corporation, Lady Andres Perfumers, Inc., The, Lakeland Die Cutting Company, Inc., Lakewood Arts & Crafts Incorporated, Lakin Oil Co., Lancaster Court Market, Inc., Lane-Stark Company, Larry Waltzer Stores Inc., Larsen & Co., Inc., Latin American Enterprises, Inc., Le Blanc Corporation, The, Lee Engineering Company, Lee-Phelps Corporation, Lenwood, Inc., Leon's Tavern, Inc., Les Parfums De Molyneux, Inc., Lesavoy International, Inc., Letcher Art Center, Inc., Lewis Agency, Inc., The, Lewis Plumbing & Heating Co., Inc., Levy's Kumfort Shoe Store Inc., Liberal Credit Store, Inc., The, Liberty

Housing Company, Life Laboratories, Inc., Lincoln Universal Christian Democracy League, Inc., Lininger, Incorporated, Lion Corporation, Lloyd Automatic Corporation, Lobdell Associates, Inc., Loop Cleaners & Launderers, Inc., Lowe Jewelers, Inc., Luce and Company, Lyon Development Co., Luonoil Associates, Inc., Lytemobile Corporation.

Mac Intosh & Sheridan, Inc., Madison Estates, Inc., Madison Park Development Corporation, Magic Circle Industries, Inc., Mahon Technical Services, Inc., Mammoth Sulphur Company, Management Engineering, Inc., Management and Research, Incorporated, Manganese & Minerals, Inc., Manor Motors, Inc., Marianelli & Company, Inc., Marjeve Construction Corporation, Mark Construction Company, Inc., Martel Corporation, Martin Equipment Corporation, Martin-Murray Co., Martini Inc., Marva Forest Products, Inc., Marydel Sales Co., Inc., Master Plastics, Inc., Mastercraft Builders, Inc., Material Transit, Inc., Matthew's Store Fixture Co., Mawen Motor Corporation, Maynes Corporation, McAlister Borthers, Inc., McGard Toothbrush Co., Inc., The, McGrath Mfg. Company, McKenney Electric Co., Inc., Meadors & Cherry Company, Mechanical Printerclub, Inc., Medical Products Research Corporation, Medical Publishers, Inc., Meehan Company, The, Melton Construction Co., Mercantile Investment Corporation, Metal Specialties, Inc., Metro Cab Co., Inc., Metropolitan Restaurant, Inc., Metropolitan Transportation Inc., Metropolitan Trucking Company, Michigan Advertising Service, Inc., Michigan Peat, Inc., Mickey's Grill, Inc., Mickle Corporation, Mid-Continent Corporation of New York, Oil Exploration, Mid-States Equipment Company, Midamerican International Co., Inc., Middle States Corporation, The, Middletown Foundries, Inc., Midston Oil Corp., Midwest Apartments, Inc., Milford Boat Co., Inc., Milford Packing Company, Inc., Milk-O-Mat Corporation, Milk-O-Mat Corporation of America, Miller Home Improvement Corporation, Ming Restaurant Corp., Inc., Minit-Man Miracle Car Washer, Inc., Miracold, Inc., Miranda International Corporation, Mrs. Satterthwaite, Inc., Modern Feeds, Inc., Mohawk Holding Corporation, Montgomery Properties, Inc., Moshannon Valley Gas & Oil Co., Inc., Motion Picture Television Center, Inc., Mt. Davidson Foundation, Inc., Mt. Vernon Metals, Inc., MP Television, Incorporated, Mufflite, Inc., Multiple Products Corp., Murals, Sculpture & Design, Inc., Mutual Hospitalization Insurance Company, Myers, Inc.

Nakken Products & Development Co. Incorporated, Nallin-Jennings Park Company, Nancy China, Inc., Nasco, Inc., Nation's Industrial Service Corporation, The, Nation-Wide Corporation, The, National Aircraft Maintenance Corporation, National Association of Foreign Exchange Dealers, Inc., National Aviation Services, Inc., National Bellas Hess Stores, Inc., of Durham, N. C., National Bellas Hess Stores, Inc., of Greensboro, N. C., National Bellas Hess Stores, Inc., of Texas, National Bellas Hess Stores, Inc., of Winston-Salem, N. C., National Brands Co. of America, National Building Material Buyers Association, National Citizens Committee For Expanding American Opportunity, At Home and Abroad, Inc. (The Crusade for Peace-Building), The, National City Waterways Corporation, National Commodity Corporation, National Highway Hotels, Inc., National L-P Gas Institute, National Lease Company, National Lodge of the Noble & Illustrious Order of Pathfinders, Inc., The, National Manganese and Mining Company, National Nutrition Products, Inc., National Political & Social Science Research Institute, National Resources Corporation, National Taxpayers' Union For Collective Bargaining, Inc., National Television Demonstrators, Inc., National Tool Corporation, National Uranium Corporation, National Washington Newspapers, Inc., Necessities Limited, Neighborhood Taverns, Inc., Nelson Salvage & Construction Company, Neptune Trading & Development Company, New Castle Builders, Inc., New Dynamics, Inc., New England Air Express, Inc., New Hampshire Worsted Spinning Co., Inc., New Haven Rubber Co., Inc., Nichols Chinese Rugs, Inc., Nineteen Fifty One Corporation, Non-Metallic Minerals, Inc., Norman Wilshire Building Corporation, North American Oil & Gas Leaseholds Incorporated, North River Steel Container Corporation, Northeastern Investment Co., Northwestern Mortgage Company.

Okkan Television Chain, Inc., Oklahoma Builders, Inc., Oklahoma Pacific Oil Company, Inc., Old Stein Grill, Inc., Olympic Distributors, Inc., Oneida Apartments, Incorporated, Orange Crush Bottling Company of Asheville, Orb Machine Tool Company, Ore Conversion Corporation, Orient Printing Company, Orient Publishing Company, Orinoco Biological and Archaeological Expedition, Inc., Ozonator Corporation.

P. J. P. Corporation, P. & S. Pearl Co., Inc., Pacific Western Stores, Inc., Palace Laundry Dry Cleaning Corporation, Palacios Chemical Company, Palmetex Corporation, The, Palomar Pictures Corporation, Pambee Corporation, Pan-American Pineapple Company, Incorporated, Parker's Cafe, Inc., Parkview Apartments, Inc., Patients of Chiropractic, Inc., Paul Berry, Inc., Paul Young & Associates, Inc., Pearl Mountain Lumber Co., Peek of U, Inc., Pen Corporation of America, Peninsula Poultry Service, Inc., Penn Beverage Company, Penn Communities Corporation, Penn Pines Corporation, Pennsylvania Oil Industries, Inc., Pentecala Oil Corporation, Peoples Memorial Park, Inc., The, Perlite Consolidated Corp., Perma Label & Converting, Inc., Perco Products Corporation, Philadelphia Cartage Co., Philadelphia Wholesale Grocers Association, Inc., Philip Braderman, Inc., Philjohn Publishers, Inc., Photoplay Productions, Inc., Piano Service, Incorporated, Pico Lumber Sales Inc., Pioneer Turf Education, Inc., Pittsburgh Exploration Syndicate, Incorporated, Plutonia Corporation, Plymouth Development Corporation, Plymouth Printing & Duplicating Service, Inc., Poly-Cide Corporation, Pontiac Electronics Corporation, Post 87 Dugout Club, Potomac Appliance Sales, Inc., Potomac Corporation, Poultry Farms Corporation, Precision Instruments, Inc., Process Construction Company, Producto Manufacturing Company, Professional Service Associates, Inc., Progressive Engineers and Contractors, Inc., Protective Garment Bag Corporation, Pyroline Corporation.

Quaker City Securities Corporation.

R. F. Conway Company, R. G. E. Stores, Inc., R. V. Etty, Inc., Ra-Vox, Inc., Racs, Inc., Radio-Electronics Institutes of America, Inc., Radio Mart, Inc., Rapid Copy Service Co., Rapid Hot-Foods-Delivery, Incorporated, Ray Oil Company, Inc., Raymond F. Donovan, Inc., Raymond Road Apartment Company, Inc., Real Estate Exchange of Miami, Inc., Realty Finance Co., Realty Mortgage Corporation, Red Ball Transfer & Storage Co., Redwood Corset Shops, Inc., Reed Clarke Service, Inc., The, Reed Motor Express, Inc., Refex Refrigeration Corporation, Regent Aircraft, Inc., Rehoboth Speedway, Inc., Reid-Pettus Properties, Inc., Reliance Suburban Homes, Inc., Resco, Inc., Resources Development Associates, Inc., Retail Grocers' Ex-

change, Incorporated, Revere Manufacturing And Sales Corporation, Rex Decorating Company, Reynolds Industries, Inc., Robbins Contracting Corporation, Robelen Sign Company, Robert Mathlessen Inc., Robert T. Brooks Congo Inc., Robey Trucking Co., Rocco's 8-Ball and Sport Club, Rochester Ordnance Manufacturing Corporation, Rock Realty Corporation, Romac Mills, Inc., Roman Choir Company, The, Romero-Sensem Corporation, Roselawn Memorial Garden, Inc., Rosestadt Club, Rothschild Oil and Development Corp., Roton Corporation, Rowman Parking Service, Inc., Roxboro Steel Company, Royal Distributing Corporation, Royal Spinning Mills, Inc., The, Rumson Fabrics Corporation, Russellville Mill, Inc., Rutlee Chemical Company, Inc., Ryan Steel Products Company.

S and W Transfer Company, Sabine Television Corporation, Safety Highway Markers, Inc., Safety Tube Corporation, Safe-way Match Corporation of America, The, Sales Engineers, Inc., Samor Poultry Corp., Sanitary Mattress Inc., Sanitation Engineers & Constructors, Inc., Sans-Krust Corporation of America, Sarazin Patents Corporation, Saro Petroleum Corporation, Savannah Liquors, Inc., Saver Company, Savoy's Enterprize, Inc., Schertle T. V. Distributors, Incorporated, Schoell Memorial Foundation, Incorporated, Scholarships, Incorporated, Schweizer Realty Corporation, Seaboard Development Corporation, Second Service Investors Inc., Security Royalties, Inc., Security Tool Corporation, Sheehan Bros. Inc., Sidray Radio and Television, Inc., Sierra Copper Company, Sightmirror Television Corporation, Silver Mountain Mining & Milling Corporation, Silver Spring Restaurant, Inc., Simplex Scale Mfg. Corporation, Sisson Ranch Company, Inc., Slade Co., Inc., The, Smith & Co., Ltd., Smith-Gray of Washington, Inc., Smith's Inc., Smyrna Times, Incorporated, The, Snyder Aviation, Inc., Somerset Corporation, South Range Manganese Mines, Inc., South Side Eden Athletic Club of Wilmington, Delaware, The, Southeastern Gas Corporation, Southeastern Ice Corporation, Southern Brickface Corporation, Southern Transvision Co., Southwest Corporation, The, Sovereign Corporation, Sperans, Inc., Sportsmen's Guides, Inc., Springmill Development Corp., Stampmaster Corporation, Standard Parts Corporation, Stark Lumber Company, State Sewing Center, Inc., State Sewing Center, Inc. of Los Angeles, State Sewing Center, Inc., of Oregon, Stelos Company, Inc., The,

Stemwinder, Inc., Stenotype International Corporation, Stenovox Reporters, Inc., Steurnell Products Company, Strotz-Barker, Inc., Stuart R. Patterson Corp., Suburban Venetian Blind Co., Successor Co., Inc., The, Sudbury Estates, Inc., Sullivan Engineering Company, Inc., Sulphur Production Company, Sulphurdale Pilot Mill Corp., Sumi Securities Corporation, Summers Engineers & Constructors, Inc., Sun Motors, Inc., Suncraft Corporation, Super Freeze, Inc., Superior Skyways, Inc., Supply And Equipment Company, Sureway Markets, Inc., Surgical Specialties Corporation, Suspension Conveyor Company, Sussex Horse Show Association, Sussex Turkey Farms, Inc., Synthetic Products Corp.

T. E. Hickman & Co., Inc., T. L. Parsons Corporation, Tansey Bearing Company, Tarboro Athletics, Inc., Taylor Motor Sales, Inc., Taylor Street Corp., Tele-Color Films, Inc., Telecasters Film Syndicates, Inc., Telenews Publishing Co., Inc., Television Broadcasters Association, Inc., Television Manufacturing Corporation, Televolt Corporation, Texas & California Tubes Corporation, Texas Drive-Inn Theaters, Inc., Texas-Michigan Pipe Line Company, Texas Northern Corporation, Thames River Line, Inc., Theta Kappa Psi Medical Fraternity (Inc.), Third Ward Colored Republican Club, Third Ward Social Club, Tholer Corporation, The, Thomas Garrett Settlement House Association, Throwsters Associates, Inc., Higani Bros., Inc., Tom Davis Syndicate Corporation, Tonopah Belmont Mines, Inc., Toolmaster Corporation, Top Hat Tourist Home, Inc., Toran Lighting & Appliance Co., Tower Realty, Inc., Trade Abroad, Inc., Trans-America Industries, Inc., Trans Caribbean Airways Agency of Puerto Rico, Inc., Trans-World Navigation, Inc., Transair, Incorporated, Transco Television Productions Inc., Transversal Air Service, Inc., Treasure Island Marina, Inc., Tri-Cab Motors, Inc., Tri-West Oil & Gas Corporation, Triple "S" Trading Company, Incorporated, Triumphant Church and Kingdom of God of The Everlasting Gospel, Inc., The, Trochoidal Propeller Corporation, Tropico Manana Corporation, Tulsa Pipeline Contractors Inc, Tulsa-Wyoming Oil Company, Turnpike Rental, Inc.

U A Producers Corp., U. S. Chemicals Corporation, U. S. Home Outfitting Corporation, U. S. Investment Co., Inc., U. S.

World Recovery Corporation, Underwood & Underwood Portraits, Inc., Uni-Products, Inc., Unico Products Corporation, Union Concrete Products Corporation, The, Union Consumer Stores, Inc., Union Social Club, Union Television Corporation, United Aluminum Co., Inc., United Artists Productions, Inc., United Business and Industrial Association of America, Inc., United States Bomb Shelter Corp., United States Lime Products Corporation of Oregon, United States Standard Services, Inc., Universal Camera Corporation, Universal Color Telescope Viewer Co., Universal Sales, Inc., Uranium Corporation, The, Utica Stockholders, Inc.

V & H Piling Company, V. V. Petrone, Inc., Vandever Avenue Athletic Club, Vassel Manufacturing Company, The, Venetian Blind Laundry, Inc., Venn-Severin Co., Villies, Inc., Von Associates, Inc.

W. Frank Coleman, Inc., W. J. Simpson, Incorporated, W. L. Painter Company, Inc., Waller, Barnes & Anthony Service Co., Inc., Walster Corporation, Waples Lumber Company, Washington Aircraft Corporation, Washington Bridge Club, Inc., The, Washington Business Advisory Services, Inc., Washington Printers, Inc., Washington School of Cooking, Inc., Water Conditioners, Inc., Water Production Corporation, Weinstein Enterprises, Inc., Well Drillers, Inc., Wellmington Oil Corporation, Welwood Textile Corporation, West Pittston Manufacturing Corporation, West Virginia Match Company, Inc., Western Sulphur Industries, Inc., Wheeler-Nicholson, Inc., Wheeler Road Development Corporation, White Grass Ranch, Incorporated, White Star Restaurants Incorporated, Whiting Industries, Inc., Whitney Oil Corporation, Whye Construction Co., Whye Manufacturing Co., Whye Realty Co., Whye Sales Co., Willard Enterprises, Inc., William G. Moore and Son, Inc. of Delaware, Wm. Teacher & Sons, Ltd., Willis and O'Brien, Inc., Wilmington Paper and Twine Co., Wilmington Speedway, Inc., Wilmington Steel Company, Woodcraft Industries, Inc., World Resources, Inc., World Resources (Korea), Inc., Wyoming Oil and Gas Company Inc.

Zaza Fashions, Inc., Zenith Steel Products Company.

IN TESTIMONY WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal to be hereunto
affixed this twenty-fourth day of January, in
(Great Seal) the year of our Lord one thousand nine hundred
and fifty-five, and of the Independence of the
United States of America, the one hundred and
seventy-ninth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 743

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the March of Dimes is facing a bigger task in 1955, even as the prospect of freedom from polio's threat looms brighter than ever before, and

WHEREAS, this humanitarian program is now undertaking the task of protecting healthy Delaware children as well as providing care for the polio-stricken here and across the nation, and

WHEREAS, the most hopeful aspect of this bold program is the purchase by the National Foundation for Infantile Paralysis of 9,000,000 doses of polio vaccine now being manufactured, and

WHEREAS, the added cost of this vaccine, in addition to the millions needed for patient aid, for scientific research and for professional education financed by the National Foundation for Infantile Paralysis amounts to \$64,000,000, and

WHEREAS, the National Foundation for Infantile Paralysis is morally obligated to continue its aid to polio victims of previous years and to those unnumbered thousands who will be stricken in the future because any vaccine will come too late for them,

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the month of January

MARCH OF DIMES MONTH

and ask for the enlightened generosity of every citizen, so that a worthwhile cause may be continued and a great humanitarian victory hastened.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Third day of January in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 744

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, there is a growing consciousness in the State of Delaware in the value of conserving our natural resources, according to the State Forestry Department; and

WHEREAS, our citizens are to be commended for the increased planting of seedling trees which in turn replenishes the stock harvested annually as a part of our economy; and

WHEREAS, we must not only consider the economic value of our woodlands but be aware of their esthetic qualities as well, which we may enjoy in those months when they add color to our countryside and serve as shields for our birds, wildflowers and other wildlife; and

WHEREAS, we should continue to keep public interest aroused in the preservation of our forests and natural landscape adornments through education as provided by our public and private schools, civic organizations and other agencies interested in such projects; and

WHEREAS, replanting of trees reached an all-time high in the state last year and indications are that 1955 will prove another banner year of planting.

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, in compliance with provisions adopted by the General Assembly, do hereby designate Friday, April 1, 1955, as

DELAWARE ARBOR AND BIRD DAY

I request that this day be observed by all public and private schools; colleges and other institutions by the planting of trees and beautifying of schools and public grounds by suitable ex-

ercises which have as their object the advancement of the study of arbor culture

I further urge that we continue our program of protection for our trees and the cultivation of general appreciation of the values and benefits derived from them.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this twenty-
fourth day of March in the year of Our Lord
One thousand nine hundred and fifty-five, and
of the Independence of the United States of
America, the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 745

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Banks of Delaware have played an important role in the progress of the State and constitute a major factor in its industrial and agricultural development; and

WHEREAS, the Banks of our State and the nation are an essential part of our economic structure; and

WHEREAS, by wise counsel and assistance they are aiding individuals, agriculture, commerce and industry thereby contributing invaluable to the nation's welfare and security; and

WHEREAS, Banks in their endeavor to foster a better understanding of how banking serves the public, will observe "KNOW YOUR BANK WEEK" during the period of April 18 through April 22; and

WHEREAS, The State of Delaware welcomes this observance as a means of paying well deserved tribute to an industry that has contributed so substantially to the State's progress.

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware do hereby proclaim the week of April 18 through April 22 as

KNOW YOUR BANK WEEK

in Delaware. I suggest that all citizens take advantage of the special opportunities opened to them during this week to visit our banks throughout the State in order that they may acquire a better understanding of the many services rendered by banks to the public and a deeper appreciation of their significant contributions to the American way of life.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Thirtieth day of March in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 746

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the freedoms guaranteed to us in the Constitution of the United States and its accompanying Bill of Rights are the most precious heritage which we possess; and

WHEREAS, the State of Delaware, having been the First State to ratify the Federal Constitution on December 7, 1787, takes particular pride in that ratification and the part played by Delaware patriots in its consummation; and

WHEREAS, greater public attention should be called to our freedoms for which men have fought and died for nearly 200 years, and special events should be held to emphasize our faith and allegiance to principles which have stood the test of time; and

WHEREAS, the Veterans of Foreign Wars of the United States, a national organization comprised of citizens who served their country on foreign shores, in hostile waters and enemy air, in order to protect, defend and preserve the liberties guaranteed to us by our great national documents; and

WHEREAS, the Veterans of Foreign Wars of the United States annually sponsors a day to reemphasize the blessings of liberty and freedom and to give opportunity to citizens to renew a pledge of allegiance to the United States of America; now

THEREFORE, I. J. Caleb Boggs, Governor of the State of Delaware, do hereby call upon the citizens of our state to join the Veterans of Foreign Wars of the United States and other patriotic organizations to mark Sunday, May 1, 1955, as

LOYALTY DAY IN DELAWARE

At that time, or on days appropriate in certain communities, I hope that our citizens will join in a salute to those prin-

ciples which we cherish so highly; that we again reaffirm our allegiance to the American Way of Life and serve notice on those who preach other ideologies that "Loyalty means Liberty," and that we plan to follow those precepts which alone have kept us a free people.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Thirty-first
day of March in the year of Our Lord One thousand
nine hundred and fifty-five, and of the
Independence of the United States of America,
the one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 747

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, approximately 185 citizens of this state were saved from dying of cancer in 1954, and

WHEREAS, the American Cancer Society reports that twice this number could be saved with present knowledge in cases where diagnosis is early and treatment is prompt, and

WHEREAS, new knowledge is improving detection and treatment techniques; the death rate among men, with the exception of lung cancer, is leveling off, and the death rate among women is declining, and

WHEREAS, bringing cancer under control continues to be a vital problem demanding vigorous action on the part of medicine and science, as well as the government and the people, and

WHEREAS, lives are being saved daily through the program of research, education and service conducted by the American Cancer Society, and

WHEREAS, the President of the United States has proclaimed April as a special month for a special effort to conquer cancer;

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware do hereby proclaim the month of April as

CANCER CONTROL MONTH

I urge every citizen not only to support the American Cancer Society but also to take advantage of this opportunity to learn as much as possible about this enemy within our midst—cancer.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Thirty-first
(Great Seal) day of March in the year of Our Lord One
thousand nine hundred and fifty-five, and of the
Independence of the United States of America,
the one-hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 748

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Delaware's Sixteenth Rifle Company, U. S. Marine Corps Reserves will observe the second anniversary of its organization this week; and

WHEREAS, this strong arm of our defense force has been one of the bulwarks of our national defense since 1775; and

WHEREAS, many young men who wish to fulfill their military obligation by serving with the Marines may do so by enlisting in the Reserve organization, where they become one of our fine young citizen-soldiers; and

WHEREAS, it is proper that as Governor, I should call upon our citizens to encourage this Unit and give them the recognition which it so justly deserves in our community, although they are directly under Federal Jurisdiction;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, declare that Friday, April 1, 1955, be observed as

MARINE CORPS RESERVE DAY

and we urge you at that time to join in marking the second anniversary of the Sixteenth Rifle Company.

On that day, officers and members of the Company will be happy to show interested personnel their armory; their routine and also point out that great pride with which each man serves in this branch of our military forces which has brought honor and glory to the United States of America.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Sixth day
(Great Seal) of April in the year of Our Lord One thousand
nine hundred and fifty-five, and of the Independence of the United States of America, the one
hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 749
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the President of the United States has proclaimed Sunday, May 1, 1955, as a day set aside to consider the health of our children; and

WHEREAS, great emphasis has been placed in this direction in recent weeks through the announcement of the successful use of the vaccine for the prevention of poliomyelitis, which will prove a boon to children everywhere; and

WHEREAS, all of us are interested in the development of our children spiritually, mentally and physically in order that they may qualify for wholesome citizenship later in life;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate Sunday, May 1, 1955, as

DELAWARE CHILD HEALTH DAY

I believe it will be appropriate for our churches and Sunday Schools to call special attention to this day so that youngsters may grow spiritually; that parents or guardians give special regard to the general welfare of boys and girls in their care; and let our schools continue to prepare such programs which will increase the mental and physical capacities of all those under their care.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth day of May in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one-hundred and seventy-ninth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 750
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the Congress of the United States of America and the General Assembly of the State of Delaware have established the second Sunday in May of each year as Mothers' Day; and

WHEREAS, it is less the day than the ideal and less the sentiment than motherhood that we hallow; and

WHEREAS, true motherhood inspires us to virtuous living and more noble thinking; because the ideals of unselfish devotion, patience and forbearance, tenderness, loving discipline and understanding are often best seen in the person of our Mothers; and

WHEREAS, we observe this day because we know we must strive to make those ideals our ideals; and

WHEREAS, the home is a foundation of our society, and without the high ideals of motherhood a home would become less than a home and the future of our great nation and way of life would be darkened;

NOW, THEREFORE, I, J. Caleb Boggs, by virtue of authority vested in me as Governor of the State of Delaware, do hereby designate and proclaim Sunday, May 8, 1955, as

MOTHERS' DAY

in the State of Delaware and call upon all of our people to observe this day in a manner appropriate to the memory of the Mothers of our country and to demonstrate our appreciation for their love and sacrifices, and I further request that the Flags of our nation and state be displayed as a public expression of our recognition of and affection for motherhood.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth day of May, in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 751

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the birth date of Florence Nightingale, world famous nurse, is commemorated throughout the world on May 12; and

WHEREAS, the American Hospital Association has designated the period of May 8-14, 1955, as National Hospital Week throughout the United States in recognition of the humanitarian services rendered to the community by hospitals;

NOW, THEREFORE, I, J. Caleb Boggs, by virtue of the authority vested in me as Governor of the State of Delaware do hereby proclaim the period May 8-14, 1955, as

NATIONAL HOSPITAL WEEK

in the State of Delaware and urge all our citizens to recognize the advances made by medical science through continued research and study in hospitals and through the vast educational and training programs for doctors, nurses and technicians in our institutions, contributing to the rapid progress which has and is being made in the betterment of public health.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fifth day of May, in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one hundred and seventy-ninth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 752
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the armed forces of the United States represent that arm upon which we rely for national security, in order that we may continue to enjoy the free way of life proposed for us in our initial documents of government; and

WHEREAS, it is important that citizens everywhere understand fully the duties, preparations and advancements in providing a strong military establishment so that Freedom may be more fully ensured; and

WHEREAS, it is in the public interest that a day be set aside annually when our citizens have an opportunity to inspect those military establishments within our state, along with our armories, headquarters for reserve units and all other activities that support a military program;

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, at the invitation of the President of the United States of America, do hereby proclaim Saturday, May 21, 1955 as

ARMED FORCES DAY

I further direct the Adjutant General of the State and all others who may have official positions in our military establishments, to arrange such programs and events that will give our citizens an opportunity to see for themselves, the manner in which we are assisting in building a defense system for our state and nation.

I also call for the display of the Flag of the United States and the Delaware State Flag at all appropriate places on this day, so that our fellow citizens may fully recognize the sacrifices and devotion to duty of the armed forces. I also urge all citizens

to avail themselves of opportunities to see our defense establishment in action on this day and express the great hope that all will join in conducting proper observances to mark the occasion.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fifth day
(Great Seal) of May in the year of Our Lord One thousand
and nine hundred fifty-five, and of the Independence of the United States of America, the
one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 753

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Congress of the United States of America, on May 20, 1933, designated May 22 as National Maritime Day and requested the President to issue annually a proclamation calling on the people of the United States of America to observe that day; and

WHEREAS, it is fitting that we so recognize and honor the American men and women, afloat and shore, who have contributed to the nation's position as a leading maritime power; and

WHEREAS, this date also commemorates the sailing of the American steamship "Savannah" from Savannah, Georgia, in 1819 on the first successful crossing of the Atlantic Ocean under steam propulsion; and

WHEREAS, the American Merchant Marine has long established itself as a vital factor in our national defense and economy and is becoming increasingly important to our specific Delaware area;

NOW, THEREFORE, I, J. Caleb Boggs, by virtue of authority vested in me as Governor of the State of Delaware, do hereby designate and proclaims Sunday, May 22, 1955, as

NATIONAL MARITIME DAY

in Delaware and urge that the people of Delaware recognize the traditions and development of our great Merchant Marine by display of the Flags of our state and nation.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State

(Great Seal) to be hereunto affixed at Dover, this Twelfth day of May in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 754
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it is the custom each year to set aside one day on which to honor the memory of those who gave their lives in the service of their country, or who may have succumbed during the past twelve months to injuries or illnesses contracted in such service; and

WHEREAS, it is our solemn duty to perpetuate this custom, established in 1868, by decorating the graves of war dead to show the respect and esteem in which they are held by grateful citizens of a nation at peace; and

WHEREAS, the President of the United States of America, by the authority of the Congress, has set aside May 30, 1955, as the day on which to pay tribute to our heroes of all the nations' engagements to preserve peace and the American way of life, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and declare that Monday, May 30, 1955, shall be observed in our state as

MEMORIAL DAY

I urge all of our veterans' organizations, patriotic groups, our schools and churches and citizens everywhere, to assist in preparing such exercises, graveside ceremonies and other proper memorials which shall have as their incentive the prayerful gratitude of us all for the sacrifices made in the name of freedom.

I further call for the proper display of our national and state flags on this day, with the national colors to be flown at half-mast until noon, and then raised high on their standards for the remainder of the day to show the pride we have in those who brought victory to our nation's cause.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-sixth day of May in the year of Our Lord One thousand nine hundred and fifty-five and of the Independence of the United States of America, the one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 755
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the Flag of the United States of America has become the symbol of hope throughout the world, not only for a lasting peace but as the emblem of a nation with a heart; and

WHEREAS, that emblem, with which the early colonies and later the 48 states became identified, now is one of the oldest in the world in point of continuous service to a nation; and

WHEREAS, this banner with thirteen alternate stripes of red and white and its field of blue with a star for each state was officially adopted on June 14, 1777, as the emblem of liberty; and

WHEREAS, it has been customary for many years to recognize that anniversary by a general display of Old Glory on all state and public buildings, schools, churches and homes,

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside and designate, Tuesday, June 14, 1955, as

FLAG DAY IN DELAWARE

It is my sincere hope that proper homage will be paid to our national colors on that day and that patriotic exercises will be held; that sometime during that day we take time to repeat our pledge of allegiance to the flag, either publically or privately; and that we remember the sacrifices that have been made during the past 178 years in order that our banner could fly over a land of the free.

May we also emphasize on June 14 and every other day, that proper respect be accorded our national emblem in public places, and that it receive its deserved recognition when it passes by in parades or on any occasion where it may be used as a demonstration of our faith and loyalty to the land we love.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Second day
of June in the year of Our Lord One thousand
nine hundred and fifty-five and of the Inde-
pendence of the United States of America, the
one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 756
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the 179th anniversary of the signing of the Declaration of Independence by the "General Congress assembled" in Philadelphia, as announced on July 4, 1776, is a day for contemplation by the citizens of the United States of America; and

WHEREAS, it was through this document that the people of the thirteen original colonies gave birth to the ideal of the inherent right to life, liberty and the pursuit of happiness; and

WHEREAS, the Founding Fathers, having set the structure for a new government in a new world, brought into being a nation where the meaning of freedom gave hope and promise to citizens of other countries from its very inception; and

WHEREAS, today we reap the rewards of the right thinking and acting of those who banished political tyranny forever from a land that was to develop into a stronghold for peace and deep consideration for the humanities; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that July 4, 1955, shall be properly observed in the state as

INDEPENDENCE DAY

I further order that the flag of the United States of America, and the Delaware State Flag, be properly displayed from all state and public buildings on that day, and urged that individuals as well join in the showing of our national colors in honor of this great event in our early history.

It is my further hope that while our citizens enjoy the recreation of a long week-end, that we give proper thought to

the reason for the observance and that we pause long enough to give thanks to Almighty God that this nation has been preserved and kept true to the principles of that early Congress.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Thirtieth
(Great Seal) day of June in the year of our Lord One thou-
sand nine hundred and fifty-five and of the
Independence of the United States of America,
the one hundred and seventy-ninth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 757

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, since the settlement of this state by our forefathers, agriculture has continued to be one of our most important industries; and

WHEREAS, the annual Kent and Sussex County Fair at Harrington is the only opportunity for the farmers, 4-H Clubs, Granges, and similar organizations in Delaware to exhibit the fruits of their labor; and

WHEREAS, this event likewise affords an opportunity for our urban populations to witness these fine displays and thus take note of the essential roles of our agricultural citizens in raising the standards of living in both our state and nation; and

WHEREAS, this fair in addition serves as an attraction to our neighbors in other states and as an excellent means of publicizing the Diamond State's importance in supplying foodstuffs to eastern metropolitan areas; and

WHEREAS, the 36th consecutive year in the Kent and Sussex County Fair's history finds the grounds equipped with a new 4,000-seat grandstand, and two new buildings ready to house displays; and

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside the week of July 25 through 30 as

FAIR WEEK IN DELAWARE

I take this opportunity to commend the directors of the Kent and Sussex County Fair Association for their foresightedness and awareness of the general growth of the state, as evi-

denced by their new construction projects and by their extension of the fair week and addition of more entertainment features to the fair program.

I strongly urge our citizens to avail themselves of the educational and entertainment facilities provided by the Kent and Sussex Fair, which in effect serves as the state fair of Delaware.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 twenty-
(Great Seal) seventh day of July in the year of Our Lord One
thousand nine hundred and fifty-five and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 758

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the annual Pushmobile Derby, sponsored by the Delaware Association of Police, is to be held at Milford Crossroads, near Newark, Delaware, on Saturday, August 20; and

WHEREAS, this annual event has become statewide in scope, attracting boys from all sections of Delaware; and

WHEREAS, this competitive race reflects a spirit of friendliness and cooperation between our police and our youth; and

WHEREAS, other community leaders of the Wilmington area, organizers of Pushmobile Track, Inc., headed by an outstanding Delawarean, S. Hallock duPont, have recognized the value of the program by providing the racing strip at Milford Crossroads; and

WHEREAS, this ninth consecutive Pushmobile Derby should attract thousands of spectators, including parents, relatives, friends and loyal supporters of the contestants, as it has for the past eight years; and

WHEREAS, the Pushmobile Derby is one of the finest organized efforts for our youth in the state, providing valuable training in the field of sportsmanship; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of August 14, to 20 inclusive as

PUSHMOBILE DERBY WEEK

and I urge its observance by attendance at the races by all Delawareans who are interested in the welfare and future development of the young people of our state.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth day
(Great Seal) of August in the year of Our Lord One thousand
nine hundred and fifty-five and of the Inde-
pendence of the United States of America, the
one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 759

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, citizens of our neighboring New England and Middle Atlantic States have undergone their greatest natural disaster in history through recent floods, causing President Eisenhower to take special action to bring relief to the areas; and

WHEREAS, there has been loss of loved ones, untold suffering, vanished homes and general destruction of property, causing a lack of the necessities of life such as clothing and shelter; and

WHEREAS, so many of our own citizens have relatives and friends in the states sustaining the greatest damage; and

WHEREAS, Delawareans have always opened their hearts and their purses to unfortunates in stricken areas when called upon to do so; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim Friday, August 26, 1955, as

RED CROSS FLOOD RELIEF DAY

I earnestly desire that each of our citizens capable of doing so will contribute his full share to an emergency disaster fund on this day. The Delaware Chapter of the American Red Cross will receive these donations. Distribution will be made through that organization's disaster units, who are to be commended for their splendid service throughout this terrible crisis.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-

(Great Seal) fifth day of August in the year of Our Lord One thousand nine hundred and fifty-five and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 760

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the people of the State of Delaware are enjoying a period of peak employment, and record wages are being paid employees in almost all lines of endeavor; and

WHEREAS, reports from our State Unemployment Compensation Commission show fewer people on their rolls, indicating a period of new opportunity and prosperity; and

WHEREAS, it is fitting that we pay annual tribute to the men and women of our labor force for their diligence, understanding and loyalty; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that Monday, September 5, 1955, shall be observed as

LABOR DAY

I urge that our national and state flags be displayed on this occasion to mark the progress of our great employer-employee teams whose annual production of a great variety of commodities contributes so much to the welfare of the nation and the world.

May I also express my thanks in advance of this coming Labor Day to all those citizens who are calling attention to our industrial possibilities through new promotion efforts, all of which in effect means greater work opportunity and more wages for all of those engaged in the field of labor.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-

(Great Seal) fifth day of August in the year of Our Lord One thousand nine hundred and fifty-five and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 761

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, in recent years the Home Builders of Delaware have produced a high volume of new homes for our citizens; and

WHEREAS, our cities have grown—new communities have been built—and the opportunity to enjoy the benefits derived from home ownership have been extended to more and more people each year, bringing us many new families to the state; and

WHEREAS, it is fitting that Delaware should give recognition to the improved living conditions provided by the Home Builders in our state who have made possible this increase in home ownership; and

WHEREAS, home ownership is one of the foundations of good citizenship and provides a most desirable environment for the future citizens of our communities; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, being aware of the continuing efforts of our Home Builders in providing new homes for all of our people, do hereby proclaim the week of September 10-18, 1955 as

NATIONAL HOME WEEK

I call upon the citizens of our state to share in this observance, particularly marking the significant contribution of our Home Builders which has assisted us in reaching new population heights, and through whose efforts we feel new industry and new citizens will be attracted to the First State.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eighth
(Great Seal) day of September in the year of Our Lord One
thousand nine hundred and fifty-five and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 762
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the health of the community, state and nation is of great importance to our general productivity and well-beings; and

WHEREAS, proper administration of newly discovered drugs and medicines increases the health and life span of our entire population; and

WHEREAS, our men of science and medicine have no greater assistant on the local level than the pharmacist at your corner drug store, who this year has adopted a slogan: "Your pharmacist works for better community health"; and

WHEREAS, all of us owe a debt of gratitude to the pharmacists of the State of Delaware, who through respect for their great responsibility in filling the medical needs of their neighbors give service above and beyond that required of many other professions; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of October 2-8, 1955, be set aside and observed as

NATIONAL PHARMACY WEEK

I hope that during this week each citizen will reflect upon the community service rendered by the local pharmacist, who is the physician's best ally and the patient's greatest servant.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eighth day of September in the year of Our Lord One thousand nine hundred and fifty-five and of the Independence of the United States of America, the one hundred and eightieth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 763
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the Congress of the United States has ordained that each 17th of September be observed as Citizenship Day in commemoration of the signing of the Constitution of the United States on September 17, 1787; and

WHEREAS, this day is also set aside to recognize all of our citizens who have come of age or who have been naturalized within the past twelve months; and

WHEREAS, it is our duty to call attention to these new citizens, whether they be native born or foreign born, that under the federal constitution we are guaranteed inalienable rights as free men, causing our nation to foster a spirit of self-respect and high principles such as few other peoples in the world enjoy; and

WHEREAS, we wish to join with President Dwight D. Eisenhower in calling for a renewal and reaffirmation of our allegiance on September 17 to the principles and ideals embodied in the Constitution—the foundation of our strength and the symbol of freedom and justice for all; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim, that in accordance with the joint resolution approved February 29, 1952, by the Congress of the United States, that we mark September 17, 1955, as

CITIZENSHIP DAY

It will be appropriate that on the above day, the flags of the United States and the State of Delaware be properly displayed from all state and municipal buildings, and that our state and local officials, religious, civic, patriotic and fraternal organizations arrange for appropriate ceremonies for Citizen-

ship Day, especially greeting those who for the first time will have the prerogative of assuming their duties as full members of our cherished Republican form of government.

Through these observances, it is my fond hope that all of us will attain a new and deeper appreciation of our rights and responsibilities as citizens of the State of Delaware and the United States of America.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eighth
(Great Seal) day of September in the year of Our Lord One
thousand nine hundred and fifty-five and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 764

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, on October 12, 1492, Christopher Columbus arrived on the shores of a land which was designated as America, and which in the past four hundred years has grown to become our beloved United States of America, one of the most productive areas in the free world; and

WHEREAS, Columbus Day has long been observed by Latin-Americans as a day to pay tribute to a daring sea-farer whose conception of navigation would not be denied until he had discovered his "new world"; and

WHEREAS, the nations of the Americas have long been associated in the bonds of commerce, transport, geography, science and interchange of ideas and ideals; and

WHEREAS, we may strengthen these ties of friendship by honoring one for whom we have had mutual regard and respect throughout our history; and

WHEREAS, our own citizens of Italian extraction each year pay tribute to Christopher Columbus through religious and civic observances; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim October 12, 1955, as

COLUMBUS DAY

I call on our citizens, and especially upon the teachers in our schools to observe this day by calling special attention to this voyager whose exploits opened new horizons for the world, and through whose contributions to history we may have found an open path through which to promote justice and good will as well as better international understanding.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) second day of September in the year of Our Lord
One thousand nine hundred and fifty-five and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 765
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the Health, Welfare and Education of children is universally recognized as of utmost importance to the progress of any State or Nation; and

WHEREAS, the Delaware Congress of Parents and Teachers, and its local units, is devoted to a full understanding of the purposes and needs of our public schools; and

WHEREAS, the 25,000 members of the Delaware Congress of Parents and Teachers, the largest Educational Organization in the State, has observed a program for our school system, and is now conducting its annual membership enrollment; and

WHEREAS, the people of Delaware are faced with vital educational problems relating to the formation of adequate secondary school facilities, a resolution of the financial problems attendant to education, and other similar Governmental issues; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the month of October as

PARENT-TEACHER MEMBERSHIP MONTH

and urge all interested persons to join with this group of devoted citizens in the work of giving Delaware the best public school system in the United States.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) ninth day of September in the year of Our Lord
One thousand nine hundred and fifty-five and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. MCDOWELL, Secretary of State

CHAPTER 766
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, each year more than 5,000,000 Americans of all ages are killed or severely injured by accidents in the home; and

WHEREAS, these fatalities may frequently be prevented with prompt attention and proper first-aid treatment; and

WHEREAS, effective First-Aid can only be administered if the essential equipment is available, and emergencies do not wait until the home may be prepared to meet them; and

WHEREAS, it is the duty of every citizen to contribute to his own and his family's safety by being fully prepared to deal with these home accidents; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of October 8, 1955, to be

EMERGENCIES DON'T WAIT WEEK

in the State of Delaware. I respectfully urge all citizens in the state not only to take note of the importance of First-Aid practices, but to replenish their supplies with essential items commonly used in First-Aid emergencies, since recognizing and being able to administer first aid promptly can contribute to the well-being of every citizen of our State and of the Nation.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-second day of September in the year of Our Lord One thousand nine hundred and fifty-five and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 767

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, we live in a time in which the enemies of freedom have challenged the ideals of our free society, and

WHEREAS, for nearly a century the men and women of the oil industry have championed those principles, initiative, and individual liberty on which our nation is founded, and

WHEREAS, the week of October 9 to 15, inclusive, has oil industry has come to symbolize the attainment of a standard of living previously unknown, and

WHEREAS, through the practice of these principles the been designated Oil Progress Week, when the citizens of this community engaged in the oil business will report to their neighbors on their achievements to date and their plans for the future; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of October 9 to 15, inclusive to be

OIL PROGRESS WEEK

and do direct the attention of our citizens to the many and varied contributions of the oil industry to modern living, as well as to those freedoms which are the special heritage of this nation, and without which neither the oil industry nor the progress it typifies could exist.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Sixth day

(Great Seal) of October in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 768
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, thousands of lives and hundreds of millions of dollars in property are lost each year through fires; and

WHEREAS, as a result of these destructive fires, immeasurable losses are caused in employment, production and other economic activities; and

WHEREAS, fire prevention programs have proved effective in communities throughout the nation; and

WHEREAS, Delaware has been particularly fortunate in this past year because of the valiant work of its volunteer fire companies and paid city companies whose alertness have prevented many losses; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate the week beginning October 9, 1955, as

FIRE PREVENTION WEEK

I call upon the citizens of all our communities to organize effective programs for reducing the needless waste caused by preventable fires, and I urge the American Red Cross, the Delaware Safety Council, all of our Chambers of Commerce, business, labor and farm organizations as well as schools, civic groups, and public information agencies to observe Fire Prevention Week. I also direct our Fire Marshal and other appropriate agencies in the state to assist in this effort to reduce the loss of life and property resulting from fires.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State

(Great Seal)

to be hereunto affixed at Dover, this Sixth day of October in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 769
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it is customary to set aside one day each year to honor those persons who are either by vocation or avocation writers of poetry; and

WHEREAS, the ability to compose verse and give expression through carefully chosen words to ideals, memories or other tributes which mere prose describes less colorfully, is truly one of the arts; and

WHEREAS, the annual day set aside to honor our poets falls on Sunday, when hymns of praise will be sung in our churches, all of which are poems set to music and dedicated to religious themes; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that Sunday, October 15, 1955, shall be marked as

POETRY DAY IN DELAWARE

On that day let us think of the pleasure and contentment which our poets have given us over the years, by recording in rhyme and verse the events and triumphs which have crowned mankind's achievements, while simultaneously chronicling the tragedies and sorrows which give balance and sober reflection to thinking people everywhere.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Thirteenth
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-five, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 770

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the 84th Congress of the United States through a joint resolution, has taken cognizance of the inter-dependence of citizens living in the city and those dwelling on farms; and

WHEREAS, that inter-dependence has been largely responsible for the better way of life we all enjoy today; and

WHEREAS, the Congress of the United States has recommended that all States and municipalities extend official recognition of that inter-dependance to help build a better understanding of it between farm and urban people;

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby declare and proclaim that the week of October 23-29 inclusive, is

FARM-CITY WEEK IN THE STATE OF DELAWARE

and I call upon all citizens to join in the observance of this occasion.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 day of October in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one hundred and eightieth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 771

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, by our way of life, in which we recognize the dignity and importance of every individual, it is well to give serious consideration to the needs and rights of our nation's more than 4,800,000 mentally retarded children and adults, and

WHEREAS, we as citizens realize our responsibility to help provide understanding and constructive help to mentally retarded children everywhere, and

WHEREAS, retarded children can be helped to develop their maximum capacity and in many cases becoming happy contributing members of society, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the period from November 13 through November 23rd, appropriately enough the Thanksgiving season, as

RETARDED CHILDREN'S WEEK

and urge the citizens of this state to give their heartfelt support to the appeal of the National Association for Retarded Children.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Tenth day
(Great Seal) of November in the year of Our Lord One thousand nine hundred and fifty-five, and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 772
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, tuberculosis is still a leading cause of death in the State of Delaware and the new case rate remains high; and

WHEREAS, the State of Delaware greatly appreciates the assistance which the Delaware Anti-Tuberculosis Society has given in the past years; and

WHEREAS, the Delaware Anti-Tuberculosis Society has contributed many thousands of Christmas Seal dollars to make possible the regular chest X-ray survey; and

WHEREAS, the work of the Delaware Anti-Tuberculosis Society has been supported since 1907 by the annual Christmas Seal Sale, a method of support founded and for many years promulgated by the late Emily P. Bissell; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby officially designate the period from November 16th to December 25th as

CHRISTMAS SEAL MONTH

and I urge the citizens of the State to continue their generous support of the Delaware Anti-Tuberculosis Society by buying and using the 1955 Christmas Seals during the month designated above.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourteenth
(Great Seal) day of November in the year of Our Lord One
thousand nine hundred and fifty-five, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 773
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it is proper that we honor the homemakers—commonly called housewives—of our state because in this period of great tension they can and do exert within our individual and community life a great influence; and contribute to the stability of our populace; and

WHEREAS, it is fitting during the Thanksgiving season as we give thanks for the blessings that have been bestowed upon us, that we include in our thought and prayers all those homemakers to whom we look for spiritual guidance, daily nourishment and constant loyalty, and for the proper training of our future citizens; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside the period from November 20 to 24, 1955, as

HOMEMAKERS WEEK

in the State of Delaware, and call upon all citizens, schools and organizations to observe this period in a proper manner. We should also pay tribute to these homemakers who try to improve the health and happiness and morals of their families. I also urge all other homemakers or housewives to emulate the many fine examples set for them by improving their home and family life.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourteenth
(Great Seal) day of November in the year of Our Lord One
thousand nine hundred and fifty-five, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 774

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Almighty Provider has seen fit to bless our land with abundance in the things we grow and make and use; and

WHEREAS, it is quite proper that we set aside one day on which to praise God and thank Him for our bounty as did our very earliest American settlers; and

WHEREAS, there are in other lands those less fortunate who can barely earn their daily bread, and need the assistance of individuals who have more than their actual needs demand; and

WHEREAS, our religious groups of all faiths have shown the meaning of being "our brother's keeper" by planning a Share-Our-Surplus program which is world-wide; and

WHEREAS, I urge that all of us join in this program to show our own appreciation for blessings bestowed upon us, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that Thursday, November 24, 1955, be observed as

THANKSGIVING DAY

Let us visit the churches of our choice and give thanks for the peace which is ours today, and remember with grateful prayer the abundance with which we have been showered.

And may we also give more thought to sharing our good fortune with others so that we may carry into positive action the true spirit of the brotherhood of mankind, accompanied by the traditional friendship and compassion which Americans always show toward their fellowmen.

Let us close our places of business, our shops and offices, display our national and state flags and in unison pray for the day when throughout the world there shall be no famine, no misery and no bloodshed—but a world united in praising the Almighty for His great goodness to us all.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Seventeenth
(Great Seal) day of November in the year of Our Lord One
thousand nine hundred and fifty-five, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 775
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, traffic accidents kill thousands of Americans, injure more than a million others and cost us over \$4 billion every year; and

WHEREAS, experience shows that soundly organized and publicly supported safety programs can reduce traffic accidents substantially; and

WHEREAS, the S-D Day campaign will direct the attention of millions of motorists and pedestrians to their responsibility for supporting these sound safety programs by their own behavior in driving and walking; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, hereby proclaim Thursday, December 1, 1955, as

"S-D DAY"—SAFE DRIVING DAY

and appeal to every citizen of our State to give his personal, active support to this important, life-saving undertaking.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eighteenth
(Great Seal) day of November in the year of Our Lord One
thousand nine hundred and fifty-five, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 776
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, this land of peace and plenty which we enjoy today and in which each individual is endowed with a type of freedom that has been heralded throughout the world is our precious heritage; and

WHEREAS, all of these benefits are possible because of the Republic which was established for us by our forefathers after years of careful planning to make sure that there would be liberty and justice for all; and

WHEREAS, following the adoption of the Federal Constitution in Philadelphia on September 17, 1787, each of the thirteen colonies were called upon as individual units to express their desires regarding this document; and

WHEREAS, a special convention of ten delegates from each of Delaware's three counties met in the Old State House, Dover, on December 7, 1787, and unanimously ratified the aforesaid constitution; and

WHEREAS, in recognition of the importance of this occasion, which later brought us the title of "First State" the General Assembly of the State of Delaware by resolution on November 29, 1933, authorized and directed the Governor to issue a proclamation annually calling attention of its citizens to this historic occasion; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate and proclaim Wednesday, December 7, 1955, as

DELAWARE DAY

It is my express hope that our schools, both public and private; our churches, civic and fraternal organizations will take

note of this 168th anniversary of the ratification and make every effort to impress upon our citizens the significance it bears.

By this act on the part of early Delaware citizens, the initial steps were taken to create a government whose first responsibility would be its citizens, thus assuring that the age of tyranny in America had passed.

On this day, I urge and direct that our national and state flags be flown from all public buildings and that our citizens generally join in a display of the colors.

It is also fitting to note that this same day marks the fourteenth anniversary of the Pearl Harbor attack in 1941, after which the First State's citizens were again called upon to preserve and protect that form of government which continues to stand as a symbol of hope and enlightenment for people throughout the world.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Twenty-
third day of November in the year of Our Lord
One thousand nine hundred and fifty-five, and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 777

STATE OF DELAWARE EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the good education of children is an investment in America's future, providing an essential guarantee of the freedom, security and prosperity of our people; and

WHEREAS, the nation's schools and the schools of this state are now confronted with many problems, especially those dealing with a shortage of teachers and of classrooms; and

WHEREAS, the solution of these problems and the quality of education rests quite directly on public understanding and public concern for good schools; and

WHEREAS, our citizens have the opportunity to learn the facts concerning our problems through the recent good work of the Delaware White House Conference on Education, which reduced them to papers of factual information, for which we are grateful:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do proclaim the week of November 6-12, 1955 as

AMERICAN EDUCATION WEEK

and do earnestly request all citizens and all organizations interested in education and child welfare to acquaint themselves more fully, during the 35th annual nationwide observance of this occasion, with the programs, needs and problems of our schools.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-

(Great Seal) seventh day of October in the year of Our Lord
One thousand nine hundred and fifty-six, and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 778
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it has long been a national custom to commemorate November 11, the anniversary of the ending of World I, by paying tribute to the heroes of that tragic struggle and by rededicating ourselves to the causes of peace; and

WHEREAS, in the intervening years the United States has been involved in two other great military conflicts, which have added millions of veterans living and dead to the honor rolls of this Nation; and

WHEREAS, the Congress passed a concurrent resolution on June 4, 1926 (44 Stat. 1982), calling for the observance of November 11 with appropriate ceremonies, and later provided in an Act approved May 13, 1938 (52 Stat. 351) that the eleventh of November should be a legal holiday and should be known as Armistice Day; and

WHEREAS, in order to expand the significance of that commemoration and in order that a grateful Nation might pay appropriate homage to the veterans of all its wars who have contributed so much to the preservation of this Nation, the Congress, by An Act approved June 1, 1954 (68 Stat. 168), changed the name of the holiday to Veterans Day:

NOW, THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby call upon all of our citizens to observe Friday, November 11, 1955, as

VETERANS DAY

On that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain.

In order to insure proper and widespread observance of this anniversary, the entire citizenry will wish to join hands in the common purpose of acknowledging the valiant service of living veterans under the name, PEACE WITH HONOR.

I am requesting all citizens of the State, all business enterprises, all veterans' organizations, state, city and county officials to assist the State Committee, of which Brig. Gen. Harry B. Van Sciver is chairman, in every way possible toward celebrating November 11, 1955, in an appropriate manner.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover, this Third day
of November in the year of Our Lord One
thousand nine hundred and fifty-five, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 779

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Salk polio vaccine comes too late for tens of thousands of Americans who need continued care in overcoming the crippling effects of this disease, and

WHEREAS, our people still need the protection of emergency polio fighting skills and facilities which have saved many lives and restored much human usefulness, and

WHEREAS, the cost of partial aid, scientific research and professional education essential to the fight against polio runs to many millions of dollars, and

WHEREAS, the people of this state and this nation in past years have given their full support to the fight against polio through the March of Dimes, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaims the month of January, 1956

MARCH OF DIMES MONTH

and appeal to the generosity and self-interest of every citizen to contribute to the March of Dimes.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fifth day of January in the year of Our Lord One thousand nine hundred and fifty-six, and of the Independence of the United States of America, the one hundred and eightieth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 780
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, one of the great achievements of man's ingenuity was the invention of printing; and

WHEREAS, it has been less than five centuries since the invention of movable type, an art that gave impetus to the printing profession; and

WHEREAS, through the centuries following this great achievement, the art of printing has gone hand in hand with the progress of mankind; and

WHEREAS, it is clear that through man's ability to use the printed word he has been able to communicate his thoughts to others no matter what distance removed; through printing, people today are enabled to receive the tremendous legacy of the thoughts and achievements of the past; through printing, wisdom and knowledge are handed down from generation to generation; and

WHEREAS, not only the printed records of the past and documents preserved for the future are important to civilization today, but are a multitude of short-lived printed messages on which we rely for the conduct of our daily lives; and

WHEREAS, January 17, 1956, will also mark the 250th anniversary of the birth of Benjamin Franklin, American statesman, diplomat, author and inventor, whose name is indelibly connected with the art of printing since he identified himself as a printer in his own final epitaph; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of January 15, 1956, as

PRINTING WEEK IN DELAWARE

and call attention of all citizens in the state to the importance of this art and to the services performed by our own printing industry.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Tenth day
(Great Seal) of January in the year of Our Lord One thou-
sand nine hundred and fifty-six, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 781

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Man in his long journey from the Stone Age to the Age of Outer Space, lived first by his prowess as a hunter, and then at the approach of history as we know it, by developing the primary cultures such as farming which brought increasingly better living conditions; and

WHEREAS, one of Man's greatest milestones was the taming of jungle fowl through which he created an everlasting supply of a superb natural food which contains all the elements required for body building; and

WHEREAS, the production of poultry and eggs has been improved since those early days until today both are exceedingly important factors in raising the general level of nutrition; and

WHEREAS, we take this opportunity to pay tribute to the hen for her increasing contributions to mankind, realizing that not only have we benefited physically but commercially through the constant development of increasing quality and quantities this much wanted food; and

WHEREAS, in the State of Delaware egg production rose last year to 5,857,000 dozens and added \$4,500,000 to our farm income; and

WHEREAS, scientists point out that eggs are a combination of the most biologically complete proteins, having all the essentials for growth and body maintenance and can be served in a great variety of pleasing dishes for our enjoyment; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, believing that it is fitting to honor the poultry industry of our state, and altogether proper to urge that more

eggs be consumed during this midwinter season, do hereby proclaim that the month of January, 1956, be observed as

DELAWARE EGG MONTH

With this tribute to one of our leading Delaware poultry industries, we also add the hope that through the New Year this industry will prosper through greater consumption of this health-giving food by all of us.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Eleventh
(Great Seal) day of January in the year of Our Lord One
thousand nine hundred and fifty-six, and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 782

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Holy Writ and our own Federal Constitution emphasize the importance of brotherhood and freedom of the individual; and

WHEREAS, the month of February is annually set aside as Brotherhood Month by the Delaware Region, National Council of Christians and Jews; and

WHEREAS, through the influential work of many Delaware citizens we have evidence that all races and creeds are finding more common ground on which to base their mutual desires; and

WHEREAS, in a world still marked by strife we must use every means at our command to promote understanding, hoping that this will eventually lead to a permanent policy of peace; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the month of February, 1956, be designated as

BROTHERHOOD MONTH

This is a good time for all of us to sit down and meditate on whether we have been "our brother's keeper" and in the light of today's events, evaluate our efforts in establishing a greater spirit of fellowship at home and abroad.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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

(Great Seal) day of January in the year of Our Lord One thousand nine hundred and fifty-six, and of the Independence of the United States of America, the one hundred and eighteith.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 783

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, when individuals are faced with great problems or decisions, they could more often receive faith and courage if they turned to prayer first; and

WHEREAS, prayer should be a part of our daily lives and not only utilized for special occasions; and

WHEREAS, it is proper that there be a focal point annually to encourage those who may not have learned the value of prayer, to seek its spiritual solace by participating in a designated day of prayer; and

WHEREAS, such an opportunity is provided by the United Council of Church Women, who firmly believe that through prayer world-wide peace and understanding is a possibility; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate and set aside Friday, February 17, 1956, in Delaware as

WORLD DAY OF PRAYER

Through this observance in which I urge all to participate, we may not only renew our own faith, but assist others through our contributions so that the work of foreign missions may prosper and grow, thus bringing further understanding to those who have not had the opportunity for spiritual uplift.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Second day

(Great Seal) of February in the year of Our Lord One thousand nine hundred and fifty-six, and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 784

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the month of February has unusual historical significance both in the nation and the state; and

WHEREAS, it is quite in order to call attention to the exploits of patriots and events of importance which will help to re-establish our faith in the American system of government; and

WHEREAS, the month marks not only the birthday anniversaries of George Washington and Abraham Lincoln, but includes anniversaries of such historic facts as the death of John Dickinson in 1808; the arrival of Johann Printz, new governor of New Sweden in 1643; the resignation of John M. Clayton as Senator to become President Zachary Taylor's U. S. Secretary of State in 1849; and the birth in Ireland of John McKinly, first president of Delaware in 1721; and

WHEREAS, it is important that our schools and colleges, both public and private, take part in such observances as will call attention to the valuable contributions made to history on the national and state level; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the month of February, 1956, be marked in this state as

AMERICAN HISTORY MONTH

I direct our public school officials and all others willing to cooperate, to take cognizance of this period by urging history and civics teachers to stress these events and generally broaden the knowledge of our children on these subjects. I further hope that patriotic organizations will join in fitting tributes to in-

dividuals and occurrences during this historic month. From such action I believe we can all achieve greater appreciation of our country's background and culture.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-sixth day of January in the year of Our
Lord One thousand nine hundred and fifty-six,
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 785
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the period from February 5 through 11, 1956, has been designated by the American Dental Association as National Children's Dental Health Week; and

WHEREAS, a great majority of the public is said to be afflicted by dental decay, according to our best dental experts; and

WHEREAS, the most effective, long-range weapon for combatting this disease is preventive care for children; and

WHEREAS, the members of the Delaware State Dental Association are calling public attention to the need for expanded dental care and dental health education for children, to wit:

1. Proper diet regulation and control.
2. Improved dental hygiene through proper use of the toothbrush.
3. Early and regular dental care for all children.
4. Adequate and protected communal water supplies.

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of February 5 through 11, 1956, as

CHILDREN'S DENTAL HEALTH WEEK

and I urge that each parent, teacher, and each member of our citizenry accept as his individual responsibility to join with members of the Delaware Dental Association in the amelioration and improvement of the status of the dental health of the children of Delaware.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Second day of February in the year of Our Lord
One thousand nine hundred and fifty-six, and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 786

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the economic and social welfare and the future existence of the United States of America depends to a great extent upon our having constantly better means of transportation, communication, industrialization, sanitation, mechanization, as well as improved ways of utilizing our abundant natural resources, for the good of all; and

WHEREAS, our state of prosperity at the present time in both the State and the Nation is due to our success in attaining these goals; and

WHEREAS, this attainment is due in large part to the unceasing and untiring efforts of the members of the engineering profession; and

WHEREAS, each year, it is fitting that we honor those members of the engineering profession who were born in, reside, or work within our State and thereby contribute greatly to the continued development of our own beloved State; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, in order to give our citizenship an opportunity to honor the professional engineers in the State of Delaware, do proclaim the week beginning February 19, 1956, and continuing through February 25, 1956, shall be designated as

ENGINEER'S WEEK IN DELAWARE

I hereby urge that our civic organizations, clubs, schools and municipal bodies accord special recognition and honor to our engineers during that week.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Ninth day of February in the year of Our Lord
One thousand nine hundred and fifty-six, and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 787
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, George Washington's advocacy of a "well established militia" and his statement that "able bodied young men might easily be enlisted or drafted to form a Corps in every state" capable of resisting any foreign invasion, sustained the spirit of volunteer service that had just defeated English tyranny and that since has become the noblest of American traditions; and

WHEREAS, the National Guard, the direct-line descendant of the militia forces of which General Washington spoke, best exemplifies the life of that tradition today; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that George Washington's birth date, on Wednesday, February 22, 1956, shall be observed as

NATIONAL GUARD MUSTER DAY

That day shall be dedicated in recognition of the National Guard for its selfless and heroic service not only in wars of this nation but in times of flood, fire and other disasters, and I urge all citizens to assist its officers and men in recruiting volunteers in the number required to keep it the "Palladium of our Security" which General Washington envisioned.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 day of February in the year of Our Lord One thousand nine hundred and fifty-six, and of the Independence of the United States of America, the one hundred and eightieth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 788
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, C. Douglass Buck, 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, J. Caleb Boggs, Governor of the State of Delaware do hereby issue this proclamation according to the provisions of Sections 511 and 512, of Title 8, of the Delaware Code of 1953, 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. A. Inc., A. C. Service, Inc., A. U. M., Ltd., Abbey Home Improvement Co., ABC Unit Homes, Inc., Accurate-Bend Process Co., Inc., Acme Production Company, Acme Restaurant Supplies, Coach, Inc., Air Lifts, Inc., Air Marshal Corporation, Air Inc., Acres Swimming Club, Inc., Activated Industries, Inc., Agricultural Development, Inc., Air-Ceal Homes, Inc., Air Signal Corporation of Washington, Airborne Units, Inc., Airline Training Service, Inc., Airmar Corporation, Al's Wine & Liquor Center, Inc., Alas, Inc., Aldon's Distributing Company, Alkalmetals, Inc., All Air, Inc., Allendale Corporation, Inc., Allied Nations Supplies Corporation, Aluminum Products, Inc., American Agricultural Institute and Fact Finding Foundation, Inc., American Asbestos Mining Corporation, American Bowling Corporation, American Business Counselors, Incorporated, American Calfeed Corporation, American Cowboy Holvers, Inc., American Credit Corporation, American Creosote Works of Delaware, Inc., American Diamond Mining Corporation, American Electroaire Corporation, American & Foreign Productions, Inc., American Gas & Chemicals, Inc., American General Oil & Gas Company, American General Products Corporation, American Guaranty System, Inc., American Helicopter

Airlines, Incorporated, American Investors Acquisition Plan, Inc., American Israel Hotels, Inc., American Meat Market, Inc., American Medical Centers and Life Extension Association, American Metallic Chemicals Corp., American Mining Company, American Petroleum & Exploration Company, American Pipeline Producers, Inc., American Quicksilver Company, American Rebuilders Association, American Shirt Shops, Inc., American Texolite Corporation, American Uranium and Minerals, Inc., American-Western European Tobacco Company, Inc., Amertin, Inc., Amertronic, Inc., Anacosta Auto Sales, Inc., Anadarko Royalty Corporation, Anchor Steel Corporation, Andrew Concrete Corp., Angie's Storm Window Co., Anglo-American Aviation Corporation, Ann Lewis Shops of Alexandria, Inc., Ann Lewis Shops of Shirlington, Inc., Anresh, Inc., Apex Engineering Corporation, Apmac, Inc., Appalachian Oils, Inc., Application Engineering, Inc., Arabian American Airlines, Inc., Arlington Dredging Corporation, Armed Services News Corporation, Armo Products, Inc., Arnold, Inc., Arro Oil and Refining Company, Arrow Pharmacy, Inc., Arrowhead Petroleum Corporation of Delaware, Art Products Company, Artcraft Interior Decorators, Inc., Asbury Corporation, Associated Business Counsellors, Inc., Associated Contractors, Inc., Associated Flooring Co., Inc., Atlantic Aircraft Corporation, Atlantic Holders, Inc., Atlantic Sand and Gravel Co., Inc., Atlantic Steel Boiler Co., Inc., Atlas Power Corporation, Atomic Energy Fund, Inc., The, Atomic Watch Crystal Corporation, Audiences Unlimited, Inc., Auto Safety Signal Co., Inc., Auto-Vend, Inc., Automatic Redial Corporation, Avenue Motors, Incorporated.

B. F. Fitch Corporation, B & F Rebuilders, Inc., B & J Construction Company, Inc., B. J. O'Brien Estate, Inc., The, B. T. S., Inc., B & W Co., Inc., The, B and W Manufacturing Company, Ballou & Company, Inc., Barbara Daru Cosmetics, Inc., Barr Co., Inc., The, Bear Construction Company, Behr-Manning Corporation, Bel's Gift & Typewriter Co., Inc., Bellefonte Cab Company, Belleview Investment Corporation, Belvedere Volunteer Fire Company, Benning Drive-In, Inc., Best Sew-Vac, Inc., Beverage Licenses, Inc., Beverage Ice Marketers, Inc., Beverly Hosiery Mills, Inc., Bible Church, Inc., The, Bill Doolin Enterprises, Inc., Bill Doolin Exporting Company, Inc., Bison Cab Association, Blair County Aviation Company, Blitz-A-Bugs Company, Blue Hen Farms, Inc., Blue Point Chemical

Industries, Inc., Blue Ridge Sanitary Corporation, Bocorp, Inc., Bolivian Nickel and Metal Company, Bonded Building Contractors, Inc., of Washington, D. C., Bonnett-Engl Fertilizer Co., Boon-Strachan Company, The, Boots and Saddle, Inc., Bostwick-Batterson Company, The, Botri Holding Corporation, Bowie Feed Company, Inc., Brandywine Art & Book Shop, Inc., Brandywine Athletic Club, Inc., Brandywine Music Center, Inc., Brandywine Reformed Methodist Association of Delaware and Adjoining States, Brassert Corporation, The, Broadway Lunch of Washington, D. C., Inc., Budgetmaster Food Plan, Inc., Builders Supplies Corporation, Bulldog Publishing Corporation, Burks Realty Company, Burns Grain Corporation.

C. B. Antill & Company, C. & E. Marshall Co., C. E. Richardson, Inc., C & K, Inc., C & M Helicopter & Engine Corporation, C. W. Hendley & Company, Incorporated, Cafes Management Corporation, Inc., Caldisco, Inc., Calon Corporation, Calvert Development Company, Inc., Calvert Fund, Inc., Calvert Securities Corporation, Cambridge Construction Company, The, Cameron Investment Corporation, Canavan and Davis Oil Co., Capital Frozen Foods, Inc., Capital Linoleum Company, Incorporated, Capital Liquor Store, Inc., Capitol City Engineering, Inc., Capitol City Tile Corporation, Capitol Overseas Corporation, Capitol Sales Corporation, Car-Bar Investment Co., Inc., Careful Cleaners, Inc., Caribbean Western Hemisphere Shopping Corporation, Caribe Minerals Corporation, Carl M. Sherman, Inc., Carlton Corporation, Carolina Land & Sales Co., Carroll Springs Development Corporation, Carter Lumber Company, Carvel Oil & Gas Co., Inc., Catalog Santa Claus, Inc., Cedar Inn, Inc., Century Industries Corporation, Century Twenty-One, Inc., Chas. P. Wagner & Bro., Inc., of Oregon, Chef-Field Garden Apartments, Inc., Chemical Tube Corporation, Chemicals Recovery Co., Inc., Chester Contracting Co., Inc., Chester Davis Builders, Inc., China Film Enterprises of America, Inc., Chlorophyll Chemical Corporation, Chris Lunden Corporation, Chrispete Management Corporation, Chromart Film Industries, Inc., Chrysler-Desoto-Dodge-Plymouth Dealers' Ass'n. of New Jersey, Inc., Chrysler-Desoto-Dodge-Plymouth Dealers' Ass'n. of Virginia, Inc., Citrus Meats Corporation, City Coal & Ice Company, City Finance Company, Southeast, Civic Welfare Enterprises, Inc., Civil Constructors, Inc., Clarence R. Siegel, Inc., Clarendon Dredging Corporation, Clark & Clark Co., Classic Valet Inc., Clawin Incorporated, Clew-

iston Dredging Corporation, Cliffbourne Apartments, Inc., Clor-pak Corporation, Clovercoll Corporation, Cloverdale Bottling Company of Wilmington, Club 400, Inc., Coastal Products Pipe Line Company, Code-Ray, Inc., Coinco Corporation, Colloid Corporation of America, Colonial Post No. 838, Veterans Of Foreign Wars of The United States, Incorporated, Colorado Oil Ventures, Inc., Columbia Carburetor Company, Columbia System, Inc., Columbus Grill, Inc., The, Commercial Equipment Corporation, Community Stores, Inc., Concord Restaurant, Incorporated, Congress Heights Pharmacy, Inc., Connecticut Development Corporation, Connecticut Mining and Milling Company, The, Consolidated Conditioning Corporation, Consolidated Farm Commodities Corporation, Consumers Gas Services, Inc., Continental Commodities, Inc., Continuous Hot Water Heater Co., Inc., The, Con-vair Corporation, Conver Engineering & Construction Co., Cor-dele Amusement Company, Inc., Corn Belt Transportation Com-pany, Inc., Corning Amusement Company, Inc., Coronado Cop-per Mines Corporation, Coronation Mining Co., Inc., Cotes-De Fer Corporation, Cotton Town of Delaware, Inc., Courant Press, Incorporated, The, Creations, Inc., Creative Counselor Services, Incorporated, Crescent Disposal Company, Cress-mark Builders, Inc., Crest-Tex Mills, Inc., Crewe Minerals Corporation, Crouch's Funeral Home, Inc., Crow's Nest, Inc., Crown Films, Inc., Crown Investment Co., Crown Jewel Ware, Inc., Crown Sales Agency, Inc., Customcraft Radio Television Corporation, Cutting Tool Manufacturing Association, Cy Ellis Restaurant, Inc., Cyclemaster of America, Ltd.

D. A. Hanes Co., D. A. Hanes Development Co., Inc., D. C. Investment Corp., D. H. Workman & Company, D S Homes, Inc., D & V Mason Contractors, Inc., Dagsboro Volunteer Fire Com-pany, Dahlke-Process, Inc., Dakota-Montana Oil Leaseholds, Inc., Dakota Oil Ventures, Inc., Dakota Williston Oil Corp., Dalcyn Corporation, Dama Exclusive Products, Inc., Danville Realty, Inc., Darifresh Incorporated, De Forest Patent Holding Com-pany, De Forest Phonofilm Corporation, De Lisser Machine & Tool Corporation, Debonair Cleaners, Inc., Decker Corporation, The, Deemer Storm Window Co., Deford-Hall, Inc., Del-Mar Contractors, Inc., Del-Mar-Va Broiler Industry, Inc., The, Dela-ware Enterprises, Inc., Delaware Harness Racing Association, Inc., Delaware Live Stock Show, Inc., Delaware River Steel Corporation, Delaware School Foundation, Inc., Delaware Valley

Drug Co., Inc., Deleal, Incorporated, Delmar Homes, Inc., Delny Realty Corp., Delta Services Co., Deltex Chemical Co., Deltex Industries, Inc., Deluxe Club, Derewal International Rare Metals Corp., Diamond and Gold Company of Venezuela, The, Direct Mail Advertising Service, Inc., Distillers Corporation of Venezuela, Distribution Research, Inc., District Builders Inc., District Hotel Supply Company, Inc., Don-Paula Company, The, Double H Realty Company, Inc. The, Douglas Manufacturing Corporation, Dover Abattoir, Inc., Dover Excavating Corporation, Dowdle Construction Corporation, Dra Mu Productions, Inc., Drill Bit Sales Corporation, Drumond Associates, Inc., Dual Remote Control Company, Inc., Dunleith Hills, Inc., Dupont Iron Works, Inc., Dynamic Electronics—Washington, Inc., Dynamic Service Co., Inc.

E. M. Newlin and Company, E. S. Armstrong & Co., Earl R. Nixon Foundation, Inc., The, East-West Gas Corporation, Eastern Foundation Corporation, Eastern Grain Growers, Inc., Eastern Hearing Corporation, Eastern Improvement Company, Eastern Machine and Tool Works Corp., Eastern Motors, Inc., Eastern Products Company, Eastern Trade and Development Corporation, Eastgate Corporation, The, Eastlake Athletic Association, Eastwood Corporation, The, Edge Moor Realty Company, Edgemoor Drug Company, Edmar Corporation of Texas, Edwin B. Feldman, Inc., Efferson Sales Corporation, Eggert's, Inc., Egyptian Hotels, Inc., Eighth Avenue One-Hour Cleaners, Inc., Electro-Gravities, Inc., Electro Science, Inc., Eli Export Corp., Ellis Construction Company, Embassy Realty Company, Empire Ordnance Corporation, Engel-Pack Co., Inc., Engineering Laboratories, Inc., Engineering & Manufacturing Corporation, Engineers, Incorporated, Equipment Operations Corporation, Estee Production Company, Evans International Corporation, Excelco Inc., Executive Air Services, Inc., Executive Personnel Consultants, Inc.

F. H. Koller & Co., Inc., F. & H. Realty Company, Incorporated, F & J Apartments, Inc., Fabricators Mfg. Co., Inc., Fairmont Petroleum Company, Inc., Family Food Wholesalers Corporation, Famous Bar, Inc., Far East Development Corporation, Fashion Shop, Inc., Faulkner Construction Panel Co., Inc., Faulkner Garage Corporation, Fayetteville Baseball Club, Inc., Federal Carriers, Inc., Federal Motors, Inc., Felton Community Fire

Company, Inc., Fen-Mar Company, Inc., Fia, Inc., Filmharmonics, Inc., Fin and Feather Club, Inc., Fine Pharmaceuticals Inc., Fire Detection Services, Inc., Fire Safety Sales & Engineering Company, First National Enterprise, Inc., Five-Forks Gas & Oil Co., Inc., Five Point Tavern, Inc., Fleet Aircraft, Inc., Flexible Packaging Institute, Inc., Florida Fruit Company, Incorporated, Florists Telephone Service, Inc., Food Management Specialists, Inc., Fork Lift Rental Corporation, Formacs, Inc., Fort Davis, Incorporated, Fort Totten Corporation, Four Chaplains, Inc., The, 414 Corp., The, Francis F. Rickards Real Estate, Inc., Francis N. Campbell & Son Oil Corporation, Francisco's, Inc., Frank Mason Research Co., Inc., Frank Turner, Inc., Fred Bernet Foundation, Inc., The, Freedom's Profits, Inc., Freezer-Food Plan, Inc., Freshmaster Corporation of Delaware, Freshmaster-Washington, Inc., Friendly Tavern, Inc., Front Range Uranium, Inc., Fuel Oil Supply Company.

G C G Building Products Corp., G. D'Amico Macaroni Corp., Gade Manufacturing Co., Gallaudet Delicatessen, Inc., Gambacorta, Inc., Gardiner Enterprises, Inc., Garrett Gas Corporation, Gas Building Corporation, General Aviation Corporation, General Aviation International, Inc., General Industrial Corporation, General Jewelers, Inc., General Metal Products Corporation, General Talking Pictures Corporation, General Telecasting Systems, Inc., Geophysical Engineering Corporation, George M. Forman and Company, George Valve Company, 'Georges, Inc.', Glass-Boone Minerals, Inc., Gleade Sales Corporation, Gien Industries, Inc., Glide-A-Door Co., Inc., Golder Gate Gas & Oil Development Co., Good Neighbor League, Inc., Goodloe Motors, Inc., Goodman & Goodman, Inc., Grand United Order of Odd Fellows Inc. of Camden, Granite Engineering & Manufacturing, Inc., Grayhill Drilling Company, Great Eastern Service Corporation, Great Plains Television Corporation, Great Western Natural Gas & Oil Corp., Greater New York Defense Manufacturing Pool, Inc., Greenway's Auto Sales Corporation, Guiberson Diesel Engine Company, Guilford Construction Company, Gulf Coast Asiatic Corporation, Gulf Coast Trading Corporation, Gulf Used Car Company, Gunter Hosiery Corporation, Guy Whiteford, Inc.

H. H. & B. Corporation, H & H Enterprises, Inc., H. H. Senger Milk Transportation, Inc., H & L Auto Wash, Inc., Haggerty Enterprises, Inc., Haggerty Ordnance & Manufacturing Co., Inc., Halcy Corporation, The, Hamilton Paper Stock Company, Inc., Hancock Fabrics, Inc., Hanssa Corporation, The, Harber Oil Company, Ltd., Harbeson Processing Company, Harry Koenigsberg & Company, Harry Stat, Inc., Hastings and Elzey, Inc., Hastings Transportation and Land Corporation, Haylo Display Products Corporation, Henry Finance Corporation, Herman W. Ahrens, Incorporated, Hermill Corporation, Herndon Coal Company, Highland Cleaners and Laundry, Inc., Hold-Tite Fastener Corporation, Holly Brook Corporation, Home Outfitters, Inc., Home Stitch Shops, Inc., Hoover Machinery Company, Hotel Adams, Inc., Hotel Hamilton, Inc., House of Antiques Incorporated, House of Fabrics, Inc., Household Appliance Corporation, Howard Company, Inc., The, Howard Realty Inc., Howe's Famous Hippodrome Circus, Inc., Hunter's, Inc., Hynson Canning Co.

Imperial Chemical Corporation, Independent Social Club, Inc., The, Industrial Aircraft Development, Inc., Industrial Management Corporation, Industries Funding Corporation, Industries International Corporation, Infropake Washington Company, Inland Engineering Company, Inc., Institute for Preventive Psycho-Therapy, Integrity Investment Company, Inc., The, Inter-American Timber Products, Inc., Intercontinental Service Corporation, International Auto Show, Inc., International Banding Machine Company, Inc., International Consultants Interchange, Inc., International Devex Corporation, International Drive-In, Inc., International, Inc., International Metallurgical Chrome Corp., International Motor Shows, Ltd., International Polio Foundation, Inc., The, International Projects Corporation, International Relay Corporation, International Technical Aero Services, Inc., International Technical Training Administration, Inc., Interstate Cemetery Company, Interstate Travelers League, Incorporated, Investalloy Steel Casting Corporation, Investment Securities Company, Inc., Inwood Corporation, Iowa-Wisconsin Bridge Company, Iroquois Pulp and Paper Mills Corporation, Irwin Williamson Manufacturing, Inc.

J. Al Fischer Corp., J. E. Brennan Corporation, J. F. Hughes Company, Inc., J. F. Kerns Company, J. McKee Foundation, Inc.,

The, J. N. Grillo Co., J V Corporation, J. W. Conway, Inc., J. W. Foster Company, Inc., J. W. Holloway Co., The, Jack Pry Limited, Charlotte, James' Beauty Bar, Inc., James H. Redditt, Inc., James Sonnett Greene Foundation, Inc., James W. Harvey and Co., Inc., Jefferson Acceptance Corporation, Jefferson Finance Company, Jefferson Lenders, Inc., John B. Shipman and Associates, Inc., John J. Sheridan, Inc., John Josephs Restaurant, Inc., John M. Clayton Colts, Inc., John W. Rourke, Inc., Johnston New Service, Inc., Jonas Shoppes, Inc., of Delaware, Joseph L. Pyle, Inc.

K & C Ship Management Corp., Kaolin Corporation of America, Kayden Corporation, The, Keeshin Air Freight, Inc., Kencliffe, Breslich & Co., Kenlan Engineering & Mfg. Corp., Kenneth, Inc., Kent and Sussex Supply Company, Kenton Farms Corporation, Kentville Land Corporation, Keystone Terminals Corp., Kiddie Korner, Inc., Klingelhofer Machine Tool Co., Inc., Knew Bolk & Co., Krasner's Fourteenth St., Inc., Kratky International Company, Inc.

L. Newstadt and Son Company, L & O Drilling Co., Inc., "Lab 44", Inc., Lakeside Builders, Inc., Lance Handbags Corporation, Land Development Company, Laurel Construction Company, Inc., Laurel Flour Mills, Inc., Leathercraft Shop, Inc., The, Leco Enterprise, Inc., Lehigh Valley Electrical Inspection Service, Inc., Leo M. Bernstein & Company, Inc., Lester Baron Co., Inc., Lewis Salvage Co., Inc., Lexa Corporation, Lexington Holding Corp., Liberty Liners Incorporated, Liberty Sales, Inc., Lido Social Club, Lift, Inc., "Lights for Ike", Inc., Lili Steamship Corp., Lillard-Mitchell Drilling Corporation, Lillecot, Inc., Lincoln Barbecue, Inc., Lincoln Liquor Corp., Linwood Development Corporation, Lippey Printers, Inc., Liquids Transportation Corporation, Lobel Enterprise, Inc., Local Service, Inc., Locomotive Lubricator Company, Lodgek Machine Company, Loewenstein Associates, Inc., Long & Stone, Inc., Longhorn Materials Company, Lors, Inc., Love's Fur Fashion, Inc., Lynch Brothers Company.

M & H Machinery Co., Inc., M. J. Zeno, Inc., M. Morris & Son, Inc., M. R. Shelly, Inc., Mac's Television Lab, Inc., Machine & Automotive Products, Inc., Macite Corporation, Maddocks Potato Products, Inc., Magnafilter Corporation, Maine Slate Products Corporation, Malatesta & Sons, Inc.,

Mallard Investment Corporation, Manayunk Forging Corporation, Manro, Inc., Marber Corporation, Marchant Sewing Machine Corporation, Marco Polo Corporation, Marine Security and Patrol System, Inc., Marlin Enterprises, Inc., Marvin Fence and Improvement Company, Inc., Masin Engineering and Manufacturing Corporation, Mason-Walsh-Atkinson-Kier Company, Master Lamp & Shade Company, Inc., Mayor's Civilian-Military Affairs Committee, Inc., The, McGee-Ingram, Incorporated, McIlvaine Patent Corporation, McNaughton, Inc., Meats, Inc., Mechemel Engineering Associates, Inc., Mell-O-Bran Company, The, Memorial Parks Incorporated, Merchandizers, Incorporated, Mercury Transit, Inc., Merit Transformer Sales Co., Inc., Merry Queen Corporation, Messenger Transportation Company, Metal & Salts Refining Corp., Metals and Chemicals Corporation, Metals Recovery Equipment Corporation, Metropolitan Chest X-Ray Survey, Inc., Metropolitan Refuse Association, Mex-American Minerals Corporation, Midwest Fertilizer Co., Midwest Showcase Carton Corporation, Milady Foods, Inc., Milford Civic Club, Inc., Milkweed Floss Corporation of America, Miller Broadcasting System, Inc., Miller's Ladies Apparel Shops, Inc., Millsboro Community Park, Inc., The, Mine Products, Inc., Minnedisco Inc., Minnesota Investors Corporation, Minquadale Athletic Association, Mission Fathers Winery, Ltd., Mission Industrial School, Inc., The, Mix-I-Go Corp. of Delaware, Modart Drapery Shop, Inc., Modern Industries, Inc., Modulok, Inc., Monarch Poultry Co., Monarch Steamship Co., Inc., Monazite Mining Corporation, Montana Basin Oil Corporation, Montana-Gulf Oil Company, Montana Williston Oil Corp., Montex Oil & Gas Corp., Mored Corporation, Municipal Fund, Inc., Municipal Improvement Company, The, Mureco Drivers Union, Inc., Murray Bag Co., Mutual Fund Institute.

N. J. Lockhart Foundation, Inc., The, Nairne W. Fisher, Inc., Nation-Wide Metal Products, Inc., National Capital Sesquicentennial Leasing Bureau, Inc., National Finance Company of Fort Lauderdale, Florida, National Forum Publishing Company, National Frosted Foods, Inc., National Institute of Hypnology, Inc., National Memorial Service, Inc., National Mineral Corporation, National Opera Company, The, National Restaurants, Inc., National Safety Road Marker Corporation, National Tours, Inc., National Training Service, Inc., Near East Air Transport, Inc., Neli Steamship Corp., Neon Sign Manufacturing Company,

New Castle Boat Works, Inc., New Castle County Finance Co., Inc., New Castle Engineering & Construction Company, Inc., The, New Releases Club, New Sawyer Corporation, Newark Cleaners and Dyers, Inc., Newark War Memorial, Inc., Newman Drilling Corporation, Nicholas Company, Ltd., 911 Longfellow St., Inc., 19th & Connecticut Corp., Ninth and Poplar, Inc., Norman I. Harris, Inc., Normandy Drugs, Inc., North American Peat Moss Co., Inc., North Long Beach Recreation Center, Inc., Northeast Finance Co., Inc., Northeast Locksmiths, Inc., Northeast Management Company, Northwestern Land and Investment Company, Northwood Park Corporation.

O. L. Taylor Company, The, Oakmont & Vernona Dairy & Ice Co., Ocean Van Line, Inc., Ocean View Feed Company, Oklahoma Metropolitan Oil & Gas Corp., Oklahoma Woodchuck Zinc Lead Company, Old Dominion Linoleum Co., Inc., Old Masters Upholstering Company, Inc., Old National Securities Corporation, Olton Corporation, 1701 K Street, Inc., Oran Corporation, Orienta Residents' Waterfront, Inc., Oriental Trading Corporation, The, Oriole Motor Coach Lines, Incorporated, Overseas Dredge & Dock Corporation, Owens Construction & Supply Co.

P. & A. Truck Line, Inc., P & G Contractors, Incorporated, P & P Contracting Company, Inc., The, P. & R. Telefilms, Inc., Pabol Laboratories Company, Pacific Showcase Carton Corporation, Pan American Express Company, Pan-American Mining & Smelting Company, Panama Gold Dredging Company, Parkway Dry Cleaners, Inc., Pawley Production Tool Corporation, Peat, Taconite, By-Products & Power Plants Construction Petapo Co., Peekskill Seaplane Base, Inc., Pencoyd Realty Co., The, Penn Oak Corporation, Pennco Co., Inc., The, Pennsylvania Haylo Corporation, Penna. Masonry-Brick Contracting Co., Inc., Pennsylvania Trust Securities Corporation, Penwood Enterprise, Inc., Peoples Service Cars, Inc., Pet Lawn Memorial Park, Inc., Petrochem Fund, Inc., Petroleum Management Corporation, Philadelphia Piano Orchestra Society, Inc., Philadelphia Stage Guild, Inc., Phillip's Television & Appliances, Inc., Photo Finishers Association of Philadelphia, Pierson Construction Co., Inc., Piggly Wiggly Northwest Incorporated, Piney Ridge Fuel Company, Pittman, Inc., Plastics Engineering and Research, Inc., Potomac Productions, Inc., Potomac View Construction Co., Inc., Prince Albert Market, Inc., Princess Anne Corpora-

tion, Printz Motor Sales Co., Pro-Flame Gas Corp., Process Engineering, Incorporated, Proco Associates, Ltd., Progressive Outfitters, Inc., Pry Corporation of America, Public Service Title Company, Inc., Puritan Holding Corporation, Purnell's Racing Corporation, Inc.

Quality Builders, Inc., Quantacolor Sales, Inc., Queen Films, Ltd.

R. U. V. Engineer Corporation, The, Racine Eddy Building Corporation, Rodell Dry Wall Company, Inc., Raines & Associates, Inc., Ralph W. Emerson & Co., Ramsdell & Ramsdell, Inc., Raymond Towing Company, Read Corporation, Realty Title Service Corporation, Redhurd Corporation, Redifresh Corporation, Regent Textiles, Inc., Regina Films, Ltd., Rehoboth Juniors' Tennis and Sailing Club, Inc., Rehoboth Realty & Mortgage Company, Reliable Grading, Inc., Renfer Corporation, Reportatape, Inc., Republican Embassy Club, Reserve Natural Gas Corp., Retlaw Corporation, Rex Salvage Corp., Rhoads of Florida, Inc., Rhoads, Inc., Rhoads Jewelers of Akron, Inc., Rhoads Jewelers of Louisville, Inc., Rican Star Lines, Inc., Richard Kay, Incorporated, River Transportation, Inc., Riverview Heights, Inc., Robert Hall Corporation, Robson Lowe, Inc., Rock Creek Placers Inc., Rockwell Corporation, Rocky Mountain Chemical Co., Inc., Roden, Darden & McRae, Limited, Rodkey Construction Company, Roger Benton Inc., Rogers Bros. Circus, Inc., Rohr McHenry Distilling Co., Inc., Roosevelt Maltese Cross Ranch Association, Incorporated, Ross Jewelers Inc. of Jackson, Roto-Wing Air Service, Inc., Royal Cleaners, Inc., Roytex Oil Corporation.

Safety Zip-Er Corporation, St. Louis-Alabama Coal & Iron Co., St. Louis Service Cars, Inc., Salyer-Heilprin, Inc., Samuel Tench Company, Inc., San Diego Petroleum Terminal Company, Inc., Sanitary Footrest Corporation, The, Save-On Food Plan, Inc., Scaramelli and Morgan, Inc., Scheffres Properties, Inc., Schuster, Inc., Schuylkill Manufacturing Company, Seaboard Holders, Inc., Seaboard Marine Metals Co., Inc., Seaboard Packing Corporation, Seaford Business Men's Association, Seidler Distributing Corporation, Service Exploration Company, Inc., Serviss Aviation, Inc., 7 Corners Furniture Co., Inc., 707-713 Seward Apartments Corporation, Shrimp Food Products, Inc., Shropshire Syndicate, Ltd., Silverside Beverages, Inc., Simmonds

Systems, Inc., Simonds Gardens Civic Corporation, Small Change, Incorporated, Small Contractors Aid Association, Sobeal, Inc., Soulsby-Belle Mining Company, South Atlantic Pipeline Corporation, South Market Street Liquor Store, Inc., Southeastern Engineering and Distributing Co. Inc., Southern College of Commerce, Incorporated, Southern Funds, Inc., Southern Medical Supply Company, Southern-Northern Construction Corp., Spalter International Pictures, Inc., Sparkle Sales Corporation, Springlake Amusement Park, Incorporated, Standard Cable Corporation, Standard Motor Sales, Inc., Star Company, Inc., The, Star Motor Co., Inc., Starling, Inc., Stat Motor Company, Inc., State Television and Appliance Co., Stenbridge & Co., Stenning Hills Corporation, Stephenson, Fitzgerald and Dunlap, Incorporated, Sterling Oil Company of Indiana, Inc., Sterling Sales Corporation of Washington, D. C., Stewart-Allen Co., Inc., Stewart-Chase Vending Corp., Stewart, Inc., Stirlith Brothers Company, Stone-It & Brick Veneer Corp., Strategic & Precious Minerals, Inc., Strauss Chemical Corporation, Strickland Aircraft Corporation, The, Suburban Builders, Inc., Suburban Transportation Lines, Incorporated, Sickow Borax Mines Consolidated, Inc., Sullivan Building Company, Sun-Dine Company, Incorporated, The, Sun-Puft Pop Corn Corporation, Sunset Self-Help Group, Inc., Superior Motors, Inc., Superior Packard, Inc., Sussex Community Club, Inc., Sussex Refrigeration Co., Inc., Suzanne Ellis, Inc., Sylvan Sales Company, Inc., Sylvan Stores, Inc.

T E C Products Corporation, T V Public Relations and Merchandising Corp., Technical Development Corporation, Telair Company, Telemotive Controls Corp., Television Center, a Corporation, Television Equipment Corporation, Ten C Ranch, Incorporated, Tennessee-Schuylkill Corporation, Tensleep Oil Corporation, Termil Metal Products Co. Inc., Territorial Gas Company, Tex-Ide Chemical Corporation, Texadisco Inc., Texanoil Corporation, Texas American Oil Company, Texas Drilling Company, Texas General Production Company, Texas Northern Gas Transmission Co., Texas-Okla Oil & Gas, Inc., Texas Western Oil Co., Inc., Texcanadian Oil Corporation, Texhead Royalty Company, Theatres Corporation, Therman Restaurant, Inc., Thomas A. Jameson Company, Thomas L. Hume Sons, Incorporated, Thomas Montgomery Corporation, Thomas Realty, Inc., 3400 Conn. Ave., Inc., Timberlock Corporation, Titanium Chemicals, Inc., Todd Park Corporation, Tomba Oil & Gas Processing Com-

pany, Townsend & West, Inc., Trako Builders, Inc., Trans-American Oil & Gas Leaseholds Incorporated, Trans-Pacific Distributors, Inc., Trans-Texas Construction Company, Trans-World Export-Import Co., Inc., Transgulf Corporation, Travelers United Hosts Inc., Triplex Machine Tool Corp., Tuxedo Park Estates, Inc., Twenty One, Inc., 29:30 Inc., Twin Willow Neon Signs, Inc., Twinsley Corporation, 2812 Alabama Avenue, Inc., 2733 Spaulding Corporation.

Unicrete Corporation, Union National Sales, Inc., United Consumer-Merchant Association, Inc., The, United Fibers Corporation, United Food Services, Inc., United Greek Shipowners Corp., United Laborers of America, Incorporated, The, United Sales Associates, Inc., United States Flag Foundation, Inc., United States Mortgage and Investment Corporation, Universal Business Brokers, Inc., Universal Feeding Services, Inc.

V-Ray Instruments, Inc., Van Horn Company, Van-Klair Company, Inc., Vandever Avenue Garage, Inc., Vanis Company, Vapat Incorporated, Vaughan Memorial Park, Inc., Vehicular Parking, Ltd., Vermont Avenue Associates, Inc., Veterans Community Home, Inc., Village, Inc., The, Vincent, Inc.

W & D Racing Corporation, W. E., Inc., W-H Distributors, Inc., W. S. Walls, Inc., Wabash Contracting Co., Waggaman-Downey Co., Waldron Flowers, Inc., Walker Dry Cleaning Co., Inc., Walling Construction Co., Inc., Walnut Street Liquors, Inc., The, Walsh-Kaiser Company, Inc., Walsh Products Co., Inc., Walsh and Williams, Inc., Walter H. Lee & Sons, Inc., Walter H. Scholl Co., Warner Realty Corporation, Warren Construction Company, The, Washington Associates, Inc., Washington Automobile Detective Bureau, Inc., Washington-Baltimore Distributors, Inc., Washington Bond & Mortgage Corporation, Washington Metal Products Corp., Washington Service to Manufacturers, Inc., Washington Shirt Company, Washington Spectator Corporation, The, Washington Steel and Ordnance Company, Washington Technical School, Inc., Watchmaker's Tools & Materials, Inc., Waterloo Finance Company, Weiland Trucking Co., Wellington Estates, Inc., West Pittston Iron Works, Inc., The, West View Shores Marina, Inc., West View Shores Yacht Club, Inc., Westchester Trading Corporation, Westerman Trading Corporation, Western Tin Mining Corporation, Wheel Finance Com-

pany, Wheels, Inc., White Clay Creek Democratic Social Club, White Top Cab Co., Whitefriars Glass (Distributors) U. S. A., Ltd., Whitehead-Craft Corporation, Wilhead Royalty Company, Wilkes Barre Carriage Co., Inc., Willard Construction Corporation, Wm. Bornstein Company, The, William Weil & Co., Inc., Williams Associates, Inc., Williston-Beaver Lodge Oil Corp., Williston Pioneer Oil Corp., Williston Prairie Oil Corp., Williston Refining Company, Willow Restaurant, Inc., Wills & Kassow, Incorporated, Wilmat, Inc., Wilmington Raceway Association, Wilmington Waiters Association, Winchester, Incorporated, Windsor Overseas Trading and Navigation Corporation, Windsor Restaurant, Inc., Windybush Homes, The, Winema Corporation, Wissahickon Tool Works, Inc., Woodhill Corporation, Woodland Chemical Corporation, Woodner Corporation, World Wide Development Corporation, Worldmarket U. S. A., Inc., Wright Quality Cleaners, Inc., Wright Stores, Inc., Wyoming Oil Ventures, Inc.

Y. B. F. Corporation, York Petroleum, Inc., Young, Inc., Your Way Parking Corporation.

Zephyr Engineering Corporation, Zez Adhesives Company.

IN TESTIMONY WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal to be hereunto
affixed this sixteenth day of January, in the year
(Great Seal) of our Lord one thousand nine hundred and fifty-
six, and of the Independence of the United States
of America, the one hundred and eightieth.

By the Governor:

J. CALEB BOGGS

JOHN N. McDOWELL, Secretary of State

CHAPTER 789

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is important that all of us remember the valiant work of the United States Naval Construction Battalion, established in 1942 to assist in the great conflicts of World War II; and

WHEREAS, this new fighting arm, affectionately christened the "Seabees" proved its worth on so many occasions by building airstrips overnight and providing landing facilities, headquarters and cover for troops which certainly cut down considerably on the loss of lives; and

WHEREAS, at the present time these fighting builders are battling the frozen wastes of the Antarctic, using their know-how to construct bases from which scientific observations will be made during the International Geographical Year 1957-58, which again provides assurance that their CAN DO spirit will bring success to Operation Deep-Freeze, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside Monday, March 5, 1956, as

SEABEE DAY IN DELAWARE

and give my hearty approval to those groups who would honor the Construction Battalion on that day. May we always remember that without their know-how and fighting spirit many of us probably would not have come home from the World War II fields of battle. For their devotion, loyalty and service we are eternally grateful.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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

(Great Seal)

Twenty-third day of February in the year of
Our Lord One thousand nine hundred and fifty-
six and of the Independenc of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 790
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the wise use of natural resources — soils, waters, forests, minerals and wildlife — is essential to the welfare and security of the individual, community, state and nation; and

WHEREAS, the sound management of natural resources cannot be achieved without the guidance and support of an informed and interested public; and

WHEREAS, the week of March 18 through 24 is being observed across the nation as National Wildlife Week, and as an expression of national interest in conservation and a means of stimulating greater public interest in the pressing problems of natural resource management; and

WHEREAS, many of the birds, mammals, and fish of the United States are facing extinction because of wasteful killing, and destruction of the foods, plants and shelter found within their original homes, and the absence of adequate programs for their protection and management, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of March 18 to 24, 1956 as

WILDLIFE WEEK IN DELAWARE

All citizens are urged to acquaint themselves with natural resource problems and, in keeping with the national theme, "Save Endangered Wildlife" to give particular support to programs providing for the preservation of those forms of wildlife that are in serious jeopardy by encouraging the preservation and wise management of their natural coverts in our forests, grasslands, streams, lakes, marshes, on arable lands, and within

undeveloped and wilderness areas to insure that these animals and the esthetic and recreational benefits that accrue from them will be perpetuated for future generations.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
Twenty-third day of February in the year of
Our Lord One thousand nine hundred and fifty-
six and of the Independenc of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 791
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the general public acknowledge with grateful thanks the invaluable work of the American Red Cross, as it lends assistance in time of need; and

WHEREAS, the last year has seen the activity of the Red Cross magnified beyond all proportions because of the floods and disasters which struck in the northeast and far west, taxing the capacity of the organization's personnel and pocketbook; and

WHEREAS, through sheer will power and faith in a grateful public, services were rendered to such an extent that the disaster fund reserve of the organization was depleted; and

WHEREAS, we must always provide for standby assistance in time of local, state or national emergency, and we find that in the Red Cross, we have an agency which renders that type of service best; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim that the month of March, 1956, be set aside as

RED CROSS MONTH IN DELAWARE

I sincerely hope that during this month our citizens will recall the services rendered at home and throughout the nation by our Red Cross. I further hope that particular thought will be given to our Delaware Chapter, and that all of us will generously remember the valiant undertakings of our own Red Cross workers. In their effort to build up a surplus, let us give to the best of our ability so that the \$313,668 goal set for this year may be passed long ahead of the scheduled month's campaign.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) First day of March in the year of Our Lord
One thousand nine hundred and fifty-six and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 792

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, cancer threatens to invade two of every three homes in this state; and

WHEREAS, the 80,000 Americans who were reclaimed from death by cancer last year were only half the number that could and should have been saved; and

WHEREAS, our steadily increasing knowledge and understanding of the treatment of cancer is gradually decreasing the death rate in women; and for various types of cancer among men the death rate also is declining; and

WHEREAS, this steady and unrelenting fight to get the upper hand of mankind's cruelest enemy, continues to demand the very best brains of medicine and science; and

WHEREAS, this fight cannot be pressed successfully without the all-out support of our government and our people, under the leadership of the American Cancer Society; and

WHEREAS, the President of the United States has proclaimed April as

CANCER CONTROL MONTH

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, urge every one of you to support the American Cancer Society in every way you can, especially by following its earnest advice: FIGHT CANCER WITH A CHECKUP AND A CHECK.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware have hereunto set my hand and caused the Great Seal of the said

(Great Seal)

State to be hereunto affixed at Dover, this
Twenty-first day of March in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 793
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, in November, 1637, an expedition of the New Sweden Company consisting of two ships, "Kalmar Nyckel" and the "Fogel Grip", left Gothenburg, Sweden, to establish a colony in the Delaware River Valley, and during the latter part of March, 1638, the two ships anchored off the so-called "Rocks" on the Christina River; and

WHEREAS, on March 29, 1638, the New Sweden Company, represented by Peter Minuit, Director of the expedition, purchased from five Indian chiefs the land on the west side of the Delaware River extending from Bombay Hook northward to the Schuylkill River, which purchase included land now known as New Castle County in the State of Delaware, and following the sale of the land, and on the same day, Peter Minuit, his officers, and men landed at "The Rocks" and with solemn ceremonies raised the Swedish coat-of-arms on a post, called the country New Sweden, and subsequently built a fort there, which they named Fort Christina in honor of the Queen of Sweden; and

WHEREAS, Fort Christina was the first settlement of the Colony of New Sweden, and the first permanent settlement in the Delaware River Valley, and was also the first permanent settlement in the State of Delaware, and the first settlement and successive settlements of the Colony of New Sweden marked the beginnings of government, religion, education, agriculture, commerce and industry in our State, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, by authority of the General Assembly, proclaim Thursday, March 29, 1956, as

DELAWARE SWEDISH COLONIAL DAY

and request the citizens of our State in schools, churches, patriotic and historical Societies and other organizations to join in appropriate ceremonies of this historic day and to display the National and State Flags on our public buildings.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-second day of March in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 794

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Sixteenth Rifle Company, U. S. Marine Corps Reserve, of the State of Delaware is about to mark its third birthday; and

WHEREAS, this unit of our National Defense system has shown a great spirit of community awareness along with its military prowess; and

WHEREAS, the entire unit has not only performed well in its preparation for any national emergency, but has served extraordinarily in community enterprises during the past twelve months, giving new meaning to the slogan, "Once a Marine, Always a Better Citizen"; and

WHEREAS, the tactical efficiency of the unit has been improved because of the devotion to duty of these men and their extra-curricular activities, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of April 1 through April 7, 1956, be observed in the First State as

MARINE CORPS RESERVE WEEK

May I call particular attention to the date of April 1, 1956, which marks the third anniversary of the Sixteenth Rifle Company. Let it be an occasion for rejoicing throughout the state that in our midst we have devoted officers and men, who, by their sacrifices in time and effort, give us greater assurance of a firm and lasting peace for ourselves and for the nation.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-ninth day of March in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 795
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it is important that our entire citizenry be informed of those needs in Delaware which will assist commerce, cause greater convenience and produce further safety measures; and

WHEREAS, the state's highways, connecting federal roadways with state, county and municipal arteries, presents one of the outstanding problems in modern day living because of the general increase of passenger automobile and truck traffic; and

WHEREAS, Delaware has attempted to keep abreast of this problem and to predict future needs in the light of today's experience, always hoping to provide safe and satisfactory service to its citizens and visitors from other areas; and

WHEREAS, nearly five years ago, opening of Delaware Memorial Bridge as a connecting link to New Jersey brought new onrushes to traffic to our narrow corridor state, along with attendant problems; and

WHEREAS, it is the desire of our officials on all levels of government to keep the public informed as to plans and programs which have been envisioned to provide better facilities; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby set aside the period of April 23 to 28, 1956, as

DELAWARE HIGHWAY WEEK

It is my pleasure to announce that through the leadership of the Associated General Contractors of Delaware, appropriate plans are underway to make this week one of education and

interest to all of our citizens, and Mr. James Julian, president of that group, will serve as chairman of a special committee for this observance.

During that period we will not only speak of present accomplishments and future plans, but we hope to extend the hand of friendship to many out-of-state visitors, who will be in Delaware to inspect new equipment and facilities of some of our enterprises dealing with highways and related problems.

I am also calling upon appropriate officials in the State Highway Department and the Interstate Highway Division, to have their facilities open for inspection on Wednesday, April 25, so that our citizens may see and hear first-hand the effort that is currently being carried on in the interest of general improvement to our roads, streets and main thoroughfares.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-ninth day of March in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 796

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, in the comparatively short span of one hundred seventy-nine years of sovereign independence of this state and nation, phenomenal progress has been made in human freedom and welfare; and

WHEREAS, it is recognized that this progress in a very large measure has been founded upon and nurtured by the extensive and in some cases, the wasteful use of our vast stores of natural resources; and

WHEREAS, our forebears, in recognition of the benefits and influence of these bountiful gifts upon the lives and fortunes of our people and their responsibilities to posterity, devised ways and means of communicating to their successors implements of understanding and appreciation of that part of their trusteeship concerned with the perpetuation of forests, trees and birds by providing for the official designation and observance of one day of the year as Arbor and Bird Day; and

WHEREAS, good conservation measures call for the replenishing of our forest lands in order to protect wildlife and make certain that future generations may benefit from our thoughtfulness; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, by virtue of the authorization granted me in the Revised Code of Delaware, 1953, do hereby designate and proclaim Friday, April 13, 1956, as

ARBOR AND BIRD DAY

and urge its observance in all public and private schools, colleges and other institutions, by organizations and individuals, by the planting of trees and shrubs for the adornment of public and

private grounds, and by conducting exercises for the purpose of advancing knowledge and appreciation of trees and shrubs, and the protection and encouragement of birds that we as a people may learn to administer wisely and beneficially all natural resources which contribute so much to our individual and collective well-being.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Eleventh day of April in the year of our Lord
One thousand nine hundred and fifty-six and
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 797

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the National Security Committee is sponsoring MILITARY RESERVE WEEK for the purpose of focusing attention on the new six-months Reserve Training Program established by the Reserve Forces Act of 1955, and

WHEREAS, the Delaware National Guard and Army Reserves has attained a position of national leadership in the promotion of the six-months Reserve Training Program by enrollment of enlisted men for such training, and

WHEREAS, many members of the Delaware National Guard and Army Reserves have successfully completed the rigorous and effective training required during the six months of active military service and are returning to their units in every National Guard and Reserve community in Delaware, thus greatly enhancing the level of training to those units, and

WHEREAS, the ideal situation would find every enlisted man in the Delaware National Guard and Army Reserves (as well as every other young man in the State) either a veteran of active service or a graduate of the six-month Reserve Training Program, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, and Commander-in-Chief of the military forces of the State, do hereby proclaim the period of April 22 through April 28, 1956, as

MILITARY RESERVE WEEK

during which time it is directed that every effort be made by parents or guardians of eligibles to learn the facts regarding the six-months training program now offered to eligible trainees in the Reserve Components under the provisions of the Reserve Forces Act of 1955.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Nineteenth day of April in the year of Our
Lord One thousand nine hundred and fifty-six
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 798

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, a major goal of our State and Nation is the maintenance of a dynamic and expanding economy; and

WHEREAS, an equally important goal is the maintenance of a national defense sufficient to deter any aggressor; and

WHEREAS, the chemical industry has made, and increasingly continues to make, substantial contributions to both of these goals; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the week of April 23-28, 1956, as

CHEMICAL PROGRESS WEEK

During this week I hope that our young people especially will take cognizance of the many opportunities afforded in the field of chemistry and how important it is to our economy that more of them consider this field for their future occupations in line with recent urging to that effect by President Eisenhower and leaders in the industry.

In furtherance of this occasion, I urge all civic and fraternal groups, all educational and scientific bodies, all news disseminating media, to encourage and promote Chemical Progress Week, to the end that all our citizens may have a better understanding of the importance of chemistry to the growing nation.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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

(Great Seal) Twentieth day of April in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 799

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the President of the United States has proclaimed May 1, 1956, as a day to be dedicated to the task of promoting the spiritual, emotional and physical well-being of children; and

WHEREAS, it is fitting that we foster the health and welfare of our children in order that they may grow into responsible citizens and may contribute to the peace and productivity of the world; and

WHEREAS, we all know how important it is to our future welfare that our children have sound minds and bodies, so they will be more able to cope with the great scientific discoveries which will bring better living to all of us; and

WHEREAS, Child Health Day is an appropriate time for citizens of Delaware to join with others in observing a universal Children's Day; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby designate May 1, 1956, as

DELAWARE CHILD HEALTH DAY

and I urge Delaware citizens to give added attention to the proper care and physical education of our youth and to the support of those agencies and organizations interested in their health, education and welfare.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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

(Great Seal) Twenty-sixth day of April in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 800.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the first Federal Food and Drug Law was enacted by the Congress of the United States and signed by President Theodore Roosevelt just fifty years ago; and

WHEREAS, it is important that our public be informed of the importance of foods and drug laws as they are enacted on a federal state and local level; and

WHEREAS, there is every opportunity during this golden anniversary year to call public attention to the benefits to individuals and to industry through enactment of such legislation; and

WHEREAS, attention should be drawn to the industries which have cooperated with these laws in order to assure us of a more healthful climate; and

WHEREAS, through public education, we will be able to further strengthen the effectiveness of our food, drug and cosmetic laws on all levels, now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the period from May 6 to May 13, 1956, as

FOOD AND DRUG GOLDEN ANNIVERSARY WEEK

Since these laws have a daily effect upon the lives of all of us, I urge that Delawareans join with the rest of the nation in observing this anniversary and take time to reflect upon the importance of such laws to all of our citizens.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor
of the State of Delaware have hereunto set my
hand and caused the Great Seal of the said

(Great Seal)

State to be hereunto affixed at Dover, this
Twenty-sixth day of April in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 801

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the birth-date of Florence Nightingale, world-famous nurse, is commemorated throughout the world on May 12; and

WHEREAS, the American Hospital Association has designated the period of May 6 through May 12 as National Hospital Week throughout the United States in recognition of the humanitarian services rendered to communities by hospitals; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim the period of May 6 to 12, 1956, as

NATIONAL HOSPITAL WEEK

in Delaware. I urge all our citizens to recognize the advances made by medical science through continued research and study in hospitals and through the vast educational and training programs for doctors, nurses and technicians in our institutions contributing to the wealth and progress which has and is being made in the betterment of public health.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Twenty-sixth day of April in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 802
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, every citizen should be made aware of the necessity of conservation of his hearing faculties; and

WHEREAS, there is now a relatively large number of children in our state with hearing impairments, for whom additional educational facilities must be considered if they are to become useful citizens; and

WHEREAS, the public should have an awareness of the problems facing the individual with a hearing impairment; now

THEREFORE, I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim May 6 to May 12, 1956, as

HEARING WEEK IN DELAWARE

and hope that cognizance of this situation will be taken by all our agencies connected with the promotion of good health during this national observance. I also wish to pay my respects to the Parents League for the Impaired Hearing of Children whose efforts are greatly appreciated.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Thirtieth day of April in the year of Our Lord
One thousand nine hundred and fifty-six and
of the Independence of the United States of
America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 803
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, this is the year in which we mark the 250th anniversary of Benjamin Franklin, one of our greatest pioneers and statesmen; and

WHEREAS, Franklin, as our first ambassador to a foreign country, well knew the need for loyalty and determination to strengthen the new-found liberties of a young United States of America; and

WHEREAS, there have been periodical attempts over the last two centuries to stifle and destroy those hard-won rights of free speech, freedom of the press and the right to worship as one chooses; and

WHEREAS, an opportunity is provided annually for every citizen to reaffirm his faith in the United States of America through a program sponsored by the Veterans of Foreign Wars of the U. S.; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby call attention to Loyalty Day to be observed in our state on dates determined by units of the Veterans of Foreign Wars of the Department of Delaware.

I urge that every man, woman and child in the state join in a demonstration of individual allegiance to the government of the United States and the ideals which it defends and preserves. I hope that our national and state emblems will be displayed in cooperation with this event sponsored by our overseas veterans, whose devotion and courage continue in peace as sponsors of this observance.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Second
(Great Seal) day of May in the year of Our Lord One thousand
nine hundred and fifty-six and of the Independence of the United States of America, the one
hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 804
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, for more than three-quarters of a century, The Salvation Army has been a friend, comforter, and a fountain of material help and of renewed hope for millions of American men, women and children, regardless of race or creed; and

WHEREAS, the guiding principles—spiritual and humanitarian—by which the welfare and religious institutions of the Salvation Army are conducted have become deeply rooted in American life; Now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the period from May 20 to May 27, 1956, as

SALVATION ARMY WEEK

and I urge all citizens of this state to become familiar with the valuable work of The Salvation Army in Delaware so that they can help to extend its usefulness to all who are in need.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Second day of May in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eightieth.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 805
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, it has become the custom throughout most of the free world to set aside the second Sunday in May as a day to honor our Mothers; and

WHEREAS this custom, established more than 50 years ago through the indefatigable work of Miss Anna Jarvis of Philadelphia, Pa., who is fondly remembered on this same occasion for her persistence in bringing about a national day of tribute to mothers; and

WHEREAS, this year the State of Delaware is saluting Mrs. Margaret Collins Seitz, of Gordon Heights, Wilmington, as the symbol of all Delaware Mothers for 1956;

WHEREAS, all of us fortunate enough to have our Mothers living at this time, want to pay them the tribute and honor due them for their patience and forbearance in rearing and nourishing their families morally and physically; and

WHEREAS, this is an appropriate time to memorialize those Mothers who no longer grace the family circle in our state; Now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim Sunday, May 13, 1956, as

MOTHER'S DAY IN DELAWARE

In accordance with the national custom, I urge that our national and state ensigns be flown on this day from state and public buildings and that all of us attend one service in the church of our choice in solemn recognition of the inspiration and influence our Mothers have had on our way of life.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Tenth
(Great Seal) day of May in the year of Our Lord One thousand
nine hundred and fifty-six and of the Independence of the United States of America, the one
hundred and eightieth.

J. CALEB BOGGS, Governor
hundred and eightieth.

CHAPTER 806

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the General Assembly of the State of Delaware, by an act entitled "Delaware Civil Defense Act of 1951", has authorized and directed each political subdivision of the State of Delaware to establish a Civil Defense program; and

WHEREAS, state, county and local organizations have made notable achievements in preparing to minimize the effects of natural or man-made catastrophe, in accordance with the provision of the Civil Defense Act of 1951; and

WHEREAS, all persons resident or employed in the State of Delaware should become acquainted with, and as far as possible, trained in, the measures of preparedness embodied in the teachings, training and organization of the Civil Defense Program; and

WHEREAS, Natural disaster or enemy attack may strike the State of Delaware and its citizens without warning, now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaims the week of May 20 to 26, 1956, as

DELAWARE CIVIL DEFENSE WEEK

and call upon all men and women resident in or employed in the State of Delaware to become fully acquainted with the objective activities, facilities, training programs and opportunities for individual service which the Civil Defense program offers to the people of this state.

I further direct all heads of state agencies to review the part which they might play in bringing about a more effective Civil Defense program, so that our state director may build up the best possible program in the interest of protecting all our people in case of extreme emergency.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Tenth
(Great Seal) day of May in the year of Our Lord One thousand
nine hundred and fifty-six and of the Independence of the United States of America, the one
hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 807

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is appropriate that the armed forces of this nation dedicate a special day each year to the demonstration of their operations and state of preparedness; and

WHEREAS, it is desirable that the people of Delaware as well as of the nation learn about our National Defense Department program of Power for Peace; and

WHEREAS, members of our armed forces are now engaged in tasks which demonstrate our free way of life, our desire to maintain peace and our hope to insure national security through better international understanding; and

WHEREAS, in order to maintain an essential ready reserve of trained military personnel, the armed forces of the United States are placing added emphasis on a reserve forces program; and

WHEREAS, opportunity should be given our citizens to become better acquainted with our armed forces by observing their facilities and methods of training, now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim Saturday, May 19, 1956, as

ARMED FORCES DAY

I urge all of our citizens to visit the various installations of the National Guard, the Air Bases, the Military District, the Navy and Marine Reserve training quarters and to participate in such celebrations and events which will mark the day in the State of Delaware. I also call upon our fellow citizens to display the flags of the United States and the State of Delaware at all

appropriate places in manifestation of their recognition of the sacrifices and devotion to duty of the members of the armed forces.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fif-
(Great Seal) teenth day of May in the year of Our Lord One
thousand nine hundred and fifty-six and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 808

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the defense and security of the United States requires an active, privately owned and operated merchant fleet, capable of serving as a naval and military auxiliary in time of national emergency; and

WHEREAS, the foreign commerce of the United States employs approximately 4,000,000 men and women, and the stability and growth of this important trade is more secure if a substantial portion of it is carried on American-flag vessels; and

WHEREAS, the urgency for modernizing our existing merchant fleet is underlined by the knowledge that most foreign maritime nations are much more active in ship building than the United States, with particular attention being called to Soviet expansion in this field; and

WHEREAS, an adequate ship-building industry is vital to this country's security and economy; and

WHEREAS, the first steam propelled ship "Savannah", began its successful Atlantic crossing on May 22, 1819; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim that Tuesday, May 22, 1956, be observed in the State of Delaware as

NATIONAL MARITIME DAY

I urge that Delaware members in Congress, and those individuals in the State interested in the strengthening of our merchant fleet, study all phases of intercoastal, coastwise and foreign shipping. Such a study could determine proper steps which will assure our investors in private vessels that they may con-

tinue profitable operation in this important field. With this sense of security and assurance that the industry has the support and interest of the national government and our citizens, future maritime expansion should result.

(Great Seal) IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 day of May in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 809

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is an established custom for America to pay tribute to their heroic war dead, and to honor those who served their nation's cause and have since gone to their reward; and

WHEREAS, on this day there are gatherings in public places, cemeteries, and before memorials where respects are paid to the bravery and valor of those who answered the nation's cause in time of need; and

WHEREAS, we should not lose the true significance of the occasion in this modern era when sporting events predominate the holiday, but give sober reflection on the sacrifices made on behalf of this state and nation by those who paid with their lives to keep us strong and free; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby declare that we follow the example set in the proclamation by the President of the United States of America and that we observe Wednesday, May 30, 1956, as

MEMORIAL DAY

I further urge that the Flags of the United States of America and the State of Delaware be properly displayed from all state buildings and institutions on this day, setting the national banner at half-mast until 1 o'clock noon, and that we give solemn thought and prayers of remembrance to Almighty God for preserving us as a nation. All of this has been possible only through the pain, suffering and death of those who have defended us from all our enemies whomsoever, throughout our glorious history.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-
(Great Seal) fourth Day of May in the year of our Lord One
thousand nine hundred and fifty-six and of the
Independence of the United States of America,
the one hundred and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 810
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the flag of the United States of America has come to be regarded as the emblem of liberty and freedom throughout the world; and

WHEREAS, Delawareans should be particularly proud that the first white star in the upper left hand corner of the blue field represents the First State; and

WHEREAS, deliberate thought should be given to the words of our Pledge of Allegiance to this banner and the nation for which it stands, that under God, it shall always be symbolic of liberty and justice for all who live under its government; and

WHEREAS, the week of June 10 to 16, 1956, shall be marked as National Flag Week, with emphasis on Thursday, June 14, which will again be marked as Flag Day, now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim that on the date mentioned above, June 14, 1956, we observe the day as

FLAG DAY IN DELAWARE

It is quite appropriate that on this day our national and state emblems be displayed on all public buildings, and that such patriotic exercises be held by our civic, veteran and other groups that will recall the sacrifices and stresses which prevailed prior to and during the birth of our national independence. Let us all be mindful of the fact that the flag is the emblem of a form of government in which we place our trust for our future freedom and to which we constantly pledge our loyalty and devotion.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my hand
and caused the Great Seal of the said State to be
(Great Seal) hereunto affixed at Dover this Seventh day of
June in the year of our Lord One thousand nine
hundred and fifty-six and of the Independence
of the United States of America, the one hundred
and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 811

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the agricultural economy and the welfare of thousands of people on the Delmarva Peninsula is greatly dependent on the broiler chicken industry; and

WHEREAS, the production and distribution of poultry under the name of "Delmarvalous Chicken" has caused this product to be widely accepted by discriminating purchasers for use as fryers, broilers, roasters, barbecues and other tastily prepared dishes; and

WHEREAS, chicken is a food with health-giving qualities for young and old and is especially adaptable in dietary feeding because of its high protein content; and

WHEREAS, it is fitting that each year during the annual Delmarva Chicken Festival, we call special attention to those growers, feed producers and marketers of this delectable food product who do so much to enhance the economy of our area; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby set aside and proclaim the week of June 17 through June 23, 1956, as

· DELMARVALOUS CHICKEN WEEK

I also urge the citizens of Delaware to participate fully in the Delmarva Chicken Festival at Ocean City, Maryland, June 20, 21, and 22, in order to become better acquainted with this great industry. I congratulate all those who are making this festival possible and through whose enterprise the Delmarvalous Chicken is becoming world-famous.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my hand
and caused the Great Seal of the said State to be
(Great Seal) hereunto affixed at Dover this Seventh day of
June in the year of our Lord One thousand nine
hundred and fifty-six and of the Independence
of the United States of America, the one hundred
and eightieth.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 812

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, our nation's form of government was conceived in the spirit of Freedom under God; and

WHEREAS, God is recognized as the source of inherent freedom of all individuals with these immortal words in the Preamble to the Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the Pursuit of Happiness"

and;

WHEREAS, the architects of the Declaration of Independence acknowledge the responsibility of our nation's citizens to preserve our Freedom under God by pledging support of this declaration:

"With a firm reliance on the protection of Divine Providence"

and;

WHEREAS, the State of Delaware, having had such patriots as Caesar Rodney and others who played so important a role in bringing about the adoption of the Declaration, and ultimately paving the way for Delaware to become the First State in the young union; and

WHEREAS, the need is great for re-dedication of our citizenry to the spiritual principles upon which the Declaration was based; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim July 4, 1956, as a Freedom under God observance of

INDEPENDENCE DAY

I urge that appropriate demonstrations and recognition of the relationship between Faith and Freedom be made on this day to show our gratitude to God and our country for the way of life which we are privileged to enjoy and where a sovereign people can pray in the manner of their own choosing, realizing that the immortal soul of each man is recognized.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth day of July in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 813

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Delaware's industrial and agricultural production continues to expand and establish new records for the First State; and

WHEREAS, this continued growth is based primarily on the skill, intelligence and outstanding ability of our labor force working cooperatively with management; and

WHEREAS, it is fitting that the contributions of working men and women to the economy and welfare of the state be suitably recognized by its citizens; and

WHEREAS, the first Monday of September is traditionally set aside to honor the workers of America; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim Monday, September 3, 1956, as

LABOR DAY

and urge the observance of this day by all the people of the state in appropriate ceremonies. I further request that state, county, city, and town governments display on that day, the flags of the United States and the State of Delaware in tribute to those whose daily work makes possible the achievements in industry and agriculture of which we are so proud.

In fiscal 1955 our workers in manufacturing plants alone produced materials with gross receipts of \$698,450,745.00 and it has recently been determined that Sussex County produced more chickens than any other county in the nation in 1954.

We are most grateful to all of our citizens for their exemplary performances in all fields of endeavor. We look to the

future with confidence as our economy and all facets of community life continue to keep pace with our rapidly growing population to produce a more abundant prosperity in a land at peace.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) day of August in the year of Our Lord One
thousand nine hundred and sixty-six and of the
Independence of the United States of America,
the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 814

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the President of the United States, through authority granted him by Congress has called for the observance of September 17, 1956 as Citizenship Day, the date formerly observed as Constitution Day; and

WHEREAS, the State of Delaware should take special interest in this day which marks the 169th anniversary of the adoption of the federal constitution in Philadelphia, Pa., the action which paved the way for Delaware to become the First State to ratify; and

WHEREAS, it is most fitting that we give recognition to all of our people who have come of age during the past year, as well as those who have been naturalized and now practice their full rights as citizens for the first time; and

WHEREAS, we are grateful for the system of government established for us by our forefathers, giving individuals that freedom of choice and action which was proclaimed a birthright in the Declaration of Independence; and

WHEREAS, it is our solemn duty to encourage new citizens to use their privilege at every opportunity in order to strengthen our system of government and to make certain that the will of the majority is heard; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim that Monday, September 17, 1956 be observed in the First State as

CITIZENSHIP DAY

I particularly urge that our schools, colleges, churches, veteran and patriotic organizations plan special events and programs for this day, marking the full significance of Ameri-

can citizenship, especially upon our youth on whom we depend for the future welfare of our state and nation.

We should also stress that it is the duty of the citizens to register and vote at the important national and state elections this fall and work in unison in order to accomplish that purpose.

I also order that the national and state flags be flown from public buildings and that our citizens generally display those beloved emblems wherever possible and appropriate. May our flags serve as visual reminders to all of us to practice our rights and privileges and to continue to work for a free and independent United States of America.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) day of August in the year of Our Lord One
thousand nine hundred and fixty-six and of the
Independence of the United States of America,
the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 815

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the skill, ingenuity and courage of the American worker and his determination through organization to resist encroachments upon his liberties and to raise the standard of living for himself and his fellow toilers have been major factors in providing the comforts, security and happiness we enjoy today; and

WHEREAS, these benefits are enjoyed to such an extent in no other part of the earth, as is evidenced through continuous reports of spreading deprivation of untold millions in other lands; and

WHEREAS, the Union Label is labor's guarantee of expert craftsmanship and is our assurance that the product was manufactured, or the services rendered, under conditions which will preserve, protect and extend the benefits which have accrued to workers:

NOW, THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the week of September 3 to 9, 1956, as

UNION LABEL WEEK

and call upon all citizens to give their full cooperation to this effort to focus attention upon the importance of the Union Label, as an example of fine workmanship, honest endeavor and fair play.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fifth

(Great Seal) day of September in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 816

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the Delaware Association of Police is sponsoring the Tenth Annual Pushmobile Derby, with time trials slated for Sunday, September 2, and the actual contest over the Milford Crossroads course scheduled for Saturday, September 8, and

WHEREAS, these competitive races for the youth of Delaware reflect the interest of our police authorities in providing better understanding and good fellowship among themselves and the younger generation; and

WHEREAS, such competition provides opportunity for the development of a spirit of good sportsmanship among the competitors who will vie for the several honors to be bestowed on the successful; and

WHEREAS, other interested citizens in the Wilmington area, organizers of Pushmobile Track, Inc., have shown extreme interest in our youth by building a safe, attractive racing strip and have continued to expand and improve facilities for this annual event for which the public owes them a vote of thanks; and

WHEREAS, other civic-minded persons have provided a scholarship fund and other worthwhile prizes for the encouragement of the boys who work long and hard for their moment of triumph on the track; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the week of September 2 to 8, 1956, as

PUSHMOBILE DERBY WEEK

and I urge that our citizens of all ages attend the races at Milford Crossroads; lend encouragement to our youth who com-

pete there, and let those sponsoring and operating the Pushmobile Derby know that we are pleased with their interest in our young Delawareans.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fifth day of September in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 817

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is fitting that we, whose entire lives have been protected by the fruits of the meeting which produced our federal constitution in Philadelphia on September 17, 1787, should pause in our several occupations to study the course of events by which it came into being; and

WHEREAS, as Delawareans we should take special pride in calling attention to the Constitution of the United States and the early history attached to its significance because we were first to ratify the instrument; and

WHEREAS, the Congress of the United States, in its wisdom has set aside the week of September 17 to September 23 as a time to once more study the words of the founding fathers which began:

"We the people of the United States, in order to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general welfare, and secure the blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America"; and

WHEREAS, we should at all times bring to the attention of our youth and children the high principles on which the precepts of our government are founded; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby declare that the week of September 17 to 23, 1956, shall be marked in the First State as

CONSTITUTION WEEK

I call on all our citizens, our youth, our patriotic organizations and our churches to hold such special events and exer-

cises which will reaffirm our faith in a document that has become precious to free people throughout the world.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fifth
(Great Seal) day of September in the year of Our Lord One
thousand nine hundred and fifty-six and of the
Independence of the United States of America,
the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 818

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, there exists a real challenge in the State of Delaware for business organizations to meet the needs of our ever-growing communities; and

WHEREAS, the Home Builders of Delaware have met one challenge by providing adequate housing in a wide range of prices to accommodate our new citizens and new families; and

WHEREAS, home ownership is a goal to which every family aspires when they feel that circumstances offer such an opportunity; and

WHEREAS, through the efforts of the Home Builders of Delaware in every section of the state, more dwellings are offered for home ownership within the means of our gainfully employed; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, in tribute to our home builders, do set aside and designate the week of September 15 to 23, 1956, as

NATIONAL HOME WEEK

I would urge all those seeking homes to make a special effort during this week to visit the many new developments and custom-built houses open for inspection and examine the opportunities that home ownership offers.

In doing this we will be giving acknowledgment to those builders whose ingenuity, risk of capital and wise planning are providing for us the modern and highly livable homes which our growing economy needs. Through their combined efforts the home builders of Delaware are establishing the basis of a happy family life for a host of our citizens.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my
(Great Seal) hand and caused the Great Seal of the said State
to be hereunto affixed at Dover this Twelfth
day of September in the year of Our Lord
One thousand nine hundred and fifty-six and
of the Independence of the United States of
America, the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 819

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, each year millions of Americans of all ages are killed or severely injured by accidents in the home; and

WHEREAS, these fatalities and injuries may frequently be prevented with prompt attention and proper First-Aid treatment; and

WHEREAS, effective First-Aid can only be administered if the essential equipment is available; and

WHEREAS, it is the duty of every citizen to contribute to his own and his family's safety by being fully prepared to deal with these home accidents; and

WHEREAS, these emergencies do not wait for the home to be prepared to meet them; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the week of October 1, 1956, as

EMERGENCIES DON'T WAIT WEEK

and respectfully urge all the people of Delaware not only to take note of the importance of First-Aid practices, but to replenish supplies with essential items commonly used in First Aid emergencies, since recognizing and being able to administer First-Aid promptly can contribute to the well-being of every citizen of our State and of the Nation.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State

(Great Seal) to be hereunto affixed at Dover this Twelfth day of September in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 820
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, each year a week is set aside to pay tribute to women in business and the professions and in appreciation of the contribution they make to the state and nation; and

WHEREAS, Delaware is fortunate in having so many qualified women in all fields, who take advantage of the opportunities provided by our diversified industries as well as playing leading roles in many professions; and

WHEREAS, the National Federation of Business and Professional Women's Clubs annually sponsor this week designated to honor these highly valued members of our society, now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby set aside and proclaim the week of September 23 through 29, 1956, as

NATIONAL BUSINESS WOMEN'S WEEK

During this week let us take stock of the many accomplishments of the women in our state, whose interest in their businesses and professions caused them to seek more knowledge in their particular fields. With this added interest and advanced training the state and its citizens prove to be the great beneficiaries.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Seventeenth day of September in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 821

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

The foundation of our democracy is the right—and equally, the duty—of every eligible voter to make his or her voice heard in public affairs by casting a ballot at every election—local, state and national.

Every American should be encouraged to exercise this right and to fulfill his duty at the polls.

Necessarily because of their tours of duty approximately 3,000 from Delaware in the armed forces will be absent from their normal polling places on Election Day this year, November 6.

Our state law provides a method enabling Delaware military personnel and their spouses to register and vote without appearing in person.

It is the responsibility of all of us to make certain that our Delaware service people are informed of their right to vote and of the procedure they should follow in registering and voting absentee.

Write to them, telling them that they should apply in writing for absentee registration to the Board of Election in their home county. Tell them that their requests for an absentee registration form must be received by the Department of Elections on or before October 7th of this year unless they have already registered during the year 1956.

NOW, THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the week of September 24th, 1956, as

MILITARY SERVICE PERSONNEL FRANCHISE WEEK

in the State of Delaware and call upon veterans organizations, civic organizations, service groups, political parties, and all

community-minded citizens to write to or inform our men and women in the armed forces and their spouses urging them to exercise their right of franchise by taking the necessary steps for absentee registration and voting.

IN WITNESS WHEREOF, I, J. Caleb Boggs, Governor of
the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
(Great Seal) to be hereunto affixed at Dover this Twentieth
day of September in the year of Our Lord
One thousand nine hundred and fifty-six and
of the Independence of the United States of
America, the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 822

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, it is most desirable that in this period of prosperity in our state and nation there should be opportunity for each citizen to share in the good fortune of permanent employment; and

WHEREAS, industry has shown a willingness to hire those people whose aptitudes show them to be producers, regardless of so-called physical handicaps; and

WHEREAS, industry is interested today in hiring all men and women who are capable of producing goods and services on an equitable basis; and

WHEREAS, there is opportunity now to gainfully employ almost every person regardless of physical condition so long as they are properly trained in the procedure of the job they are assigned to perform; and

WHEREAS, it is a duty of state and private agencies to provide such training and give assistance to our handicapped people in order that they may become full-fledged productive citizens in their communities; and

WHEREAS, following such training, industrial and business establishments should open their doors to these people who have been certified as able to be self-supporting; and

WHEREAS, greater understanding should be developed to emphasize the contribution properly trained physically handicapped workers can make to the community; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby set aside and proclaim the week of October 6 through 13, 1956, as

NATIONAL EMPLOY THE PHYSICALLY
HANDICAPPED WEEK

I strongly urge that public and private employers in Delaware assist in making the vocational rehabilitation of our handicapped a reality by considering them as regular recruits in the labor force for positions to be filled by their particular skills.

I further urge public cooperation with the Governor's Committee on the Employment of Physically Handicapped to call attention wherever possible during this observance to the great skill and abilities developed by those who have overcome their infirmities and stand ready to serve as productive and responsible citizens.

Through the media of publicity, talks before civic and industrial groups and similar contacts, it is my firm belief that we can sell this program to our employers and assist in establishing a stronger and more stable economy.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 day of September in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 823
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the Philadelphia Navy Recruiting District has chosen the month of October, 1956, as Navy Month; and

WHEREAS, the Wilmington Navy Recruiting Station, in cooperation with the civic, business and educational organizations, has been zealous in the promotion of maintaining a first-rate Naval power on the high seas; and

WHEREAS, it is the desire to raise the standing of the Philadelphia Navy Recruiting District in competition with the Navy Recruiting Districts throughout the country; and

WHEREAS, the development of good citizenship may well stem from service to our country with the United States Navy; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the month of October, 1956, as

NAVY MONTH IN DELAWARE

and do strongly urge all young men to visit their Navy Recruiting Station to discover for themselves what they can do to further their educations while serving their country.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Twenty-eighth day of September in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

(Great Seal)

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 824

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Thursday, October 11, 1956, marks the 177th anniversary of the death of Brigadier General Casimir Pulaski, who gave his life fighting beside American patriots for liberty and independence in the Revolutionary War; and

WHEREAS, President Eisenhower has expressed the nation's gratitude for General Pulaski's valor when he said, "Pulaski's bravery has long stirred the imagination and evoked the admiration of all who hold liberty dear"; and

WHEREAS, The American people generally and citizens of the First State particularly should express their gratitude for General Pulaski's contribution in bringing an end to tyranny in the American colonies for which he paid the supreme sacrifice in the siege of Savannah; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, by virtue of the laws of this state, do proclaim, Sunday, October 14, 1956, as

PULASKI MEMORIAL DAY

I urge all of our citizens to reflect on the memory of this brave Polish-American patriot by conducting such special ceremonies as are fitting to the occasion, and I request that the flags of our country and state be flown on all public buildings and wherever appropriate in salute to him. While we are honoring General Pulaski for his contribution to American liberty we are at once saluting as well many of his countrymen who came to America and represent a hard core of patriotic and loyal citizens whose contributions to the nation and the state should be recognized on this day.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-six and of the
Independence of the United States of America,
the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 825

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the discovery of America by Christopher Columbus on October 12, 1492, opened a new era to mankind; and

WHEREAS, the vision, fortitude, sacrifice and seamanship of this explorer in reaching his objective makes his voyage stand out in history as one of its major achievements; and

WHEREAS, had it not been for the persistence of the man who felt there was a "new world" beyond the confines of the then known trading areas, the establishment of our own United States might have been long delayed; and

WHEREAS, Columbus Day is an occasion for observance by Latin-Americans not only to pay tribute to Columbus, but to hail anew the alliances that commerce, geography and the interchange of ideas made possible for man; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim Friday, October 12, 1956, as

COLUMBUS DAY

I call on our schools, religious groups and citizens generally to mark this day in a manner fitting to recall the exploits of Christopher Columbus and to pay our respects to those of our citizens of Italian extraction who rank high in many fields of endeavor. Let us fly our national and state flags on this occasion as a mark of respect to the discoverer and to those who followed in his footsteps to help us build a new nation, dedicated to the principle of equality and justice for all.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-six and of the
Independence of the United States of America,
the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 826

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the history of the American people stands as a testimony to the advantages of freedom and individual initiative over regimentation; and

WHEREAS, for nearly a century the men and women of the oil industry have championed those principles of competitive freedom, initiative, and individual liberty on which our nation is founded; and

WHEREAS, through the practice of these principles the industry's service station dealer, through his efforts as an independent businessman, has contributed substantially to the attainment of a standard of living previously unknown; and

WHEREAS, Delaware will have closer relationship with the oil industry through the establishment of a major refinery within the state; and

WHEREAS, the week of October 14 to 20, inclusive, has been designated Oil Progress Week, when the citizens of this community engaged in the oil business will salute the community's service station dealers as ambassadors of good will; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the week of October 14 to 20, 1956, to be

OIL PROGRESS WEEK

and do invite the attention of our citizens to the many and varied contributions of our oil businesses to modern living, and to those freedoms which are the special heritage of this nation, and without which neither the oil industry nor the progress it typifies could exist.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-six and of the
Independence of the United States of America,
the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 827

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the means has been provided to hold an all-day state-wide conference on fire prevention in Dover on Tuesday, October 2, 1956; and

WHEREAS, this conference is designed to promote the teaching and the practice of fire prevention which will be of invaluable assistance in saving lives and protecting property throughout the state; and

WHEREAS, the program we have in mind can only be as effective as the local effort put into it will provide upon the return of delegates to their own communities; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby set aside the week of October 7, 1956 as

DELAWARE FIRE PREVENTION WEEK

I urge that those who attend our workshop and conference will return to their respective communities; invite all civic-minded organizations to join them and set up an effective fire prevention committee on the local level which can carry out the instructions and suggestions which will have been provided at the conference.

I further call on our citizens individually and collectively, either in the homes or places of business, to exercise all care and take all precautions which will eliminate the danger of fire and reduce the loss of life, limb and property.

It is my hope that our Schools, Fire Companies, Chambers of Commerce, Farm Organizations, Civil Defense, the Red Cross and all who have regular contact with our general public will

join in this attempt to create awareness of the need for precautions to eliminate the hazards of fire and its tragic aftermath.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Fourth
(Great Seal) day of October in the year of Our Lord One
thousand nine hundred and fifty-six and of the
Independence of the United States of America,
the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 828

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Dwight D. Eisenhower has dedicated himself to serve our Nation in whatever capacity the United States government and the peoples of the land ask of him in war and peace; and

WHEREAS, this great soldier and statesman, now serving as President of these United States will celebrate his birthday on Sunday, October 14; and

WHEREAS, the men, women and children of our state may want to convey birthday greetings to the President and express their appreciation of his dedication to our Nation and for the example he has set of devotion to God, family and his fellow man;

NOW, THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim Saturday, October 13, 1956, as

IKE DAY

so that birthday celebrations may be observed throughout the state.

I also invite my fellow citizens to display the flag of the United States on IKE DAY and to join together in paying a warm birthday tribute to a great and beloved American, by cooperating in local observances of the day.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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 Tenth

(Great Seal) day of October in the year of Our Lord One thousand nine hundred and fifty-six and of the Independence of the United States of America, the one hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 829

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

I, J. Caleb Boggs, Governor of the State of Delaware, do hereby proclaim and make known in accordance with the provisions of Section 4301 Title 15, Delaware Code, that on the sixth day of November, being the Tuesday next after the first Monday of said month, an election will be held in the several counties of this State, at the places in the several election districts respectively, at which the General Election in the said State is held, for the purpose of choosing by the citizens of this State having the right to vote for representatives in the General Assembly, three Electors for the election of a President and a Vice President of the United States of America.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Tenth day of October in the Year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States
the One hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 830

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, many men and women find enjoyment, recreation and inspiration in the composition of poetry, through which they find a means of self-expression; and

WHEREAS, the Poetry Society of Delaware is comprised of those whose talents along these lines find them in mutual concert and fellowship; and

WHEREAS, the poet laureate of Delaware, Mr. David Hudson, has requested that a day be set aside as Poetry Day in the First State, now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim Monday, October 15, 1956, as

DELAWARE POETRY DAY

It is my hope that those participating in this art-form will find mutual fellowship in their gatherings, and that through their writings they will continue to bring added honors to our state in the world of literature.

DELAWARE POETRY DAY: 15 October

What makes one day unlike another
and yet identical in sum?

How goes the phrase (the random tune
escaping) that you try to hum,
when almost but not quite receiving
you think you have it; yet on leaving
you a moment or an age the phrase returns to vaunt
its subtle means of power—

So like remembering a certain hour
whose place in time you seek to haunt,
binding remembrance in another's plight
of such an unlike day or night.

Belief itself is such a rune
whose name is love. There is no other.

The poet if he thinks at all
accepts the quandary, for fall
the leaves as fly the birds
and both to him more than the words
he weaves: his eyes, your eyes
that widen at his wild surmise,
for so he listens that to share
your slightest wish all unaware
he offers, heedless from the start,
himself the least important part,
your dreams that go untold
in words you have not read
before—but which delight you with their bold
betrayal saying what you wish you'd said.

DAVID HUDSON
Poet Laureate of Delaware

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Eleventh day of October in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States of
America, the One hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 831
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the reading of Holy Writ has long been the source of comfort, consolation and inspiration to people everywhere in the world; and

WHEREAS, the inspirational Ten Commandments given to Moses and Christ's Sermon on the Mount remain the basis for living a life of service which gives full consideration to one's fellowman; and

WHEREAS, the experience of Bible reading, practiced daily, brings new faith, knowledge and hope in a world torn by grief and conflict; and

WHEREAS, God-given rights are placed before all else in our own conception of government; and

WHEREAS, the need for greater understanding of religion in our own area is shown through recent surveys which find many of our citizens unaffiliated with any religious group; and

WHEREAS, the Holy Bible offers better understanding of the concepts of all faiths and its writings are believed to be timeless and eternal; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim the week of October 15 through 21, 1956, as

NATIONAL BIBLE WEEK

I pay tribute to those of all faiths who encourage more Bible reading, and who have designed programs to bring people greater knowledge of the help and inspiration which regular participation in religious services can be toward living a fuller

and more useful life. Let us observe Bible Week in our homes and places of worship during the days designated and remain determined to carry this practice into our daily schedules throughout the year.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Eleventh day of October in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States of
America, the One hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 832

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Delaware Memorial Bridge, the span connecting the States of New Jersey and Delaware, was named in honor of those from the two states who died in World War II while serving their country; and

WHEREAS, the Delaware Interstate Highway Division has caused a memorial to be built on the bridge plaza honoring the dead of both World War II and Korea; and

WHEREAS, plans have been completed to dedicate this memorial on Saturday, October 20, 1956, in which representatives of the two states will participate; and

WHEREAS, those who suffered most through the sacrifices made on behalf of our country in time of peril were the Mothers of those whose names will be inscribed on this memorial; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby proclaim Saturday, October 20, 1956, as

GOLD STAR MOTHERS' DAY

I have invited the Governor of the State of New Jersey to similarly proclaim the day in his state as a time when every citizen will recall anew the tragedy of war and the bereaved it leaves in its path. I urge that the flags of the United States of America and the State of Delaware be prominently displayed this day in silent tribute to our honored dead.

Let all of us pray for the solace and comfort of those mothers who lost loved ones on land, sea and air in the defense of those ideals which all of us cherish.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Seventeenth day of October in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States of
America, the One hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

CHAPTER 833

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the great hope of all Americans is for peace in the world and continued prosperity at home; and

WHEREAS, it is generally agreed that an organization of representative nations sitting together to discuss mutual problems may well be a sounding board for world opinion which will lead to greater understanding; and

WHEREAS, the United Nations, and its subsidiary organizations have made contributions to the peace, health and welfare of many people in many lands; and

WHEREAS, shooting wars in several instances have been avoided through the negotiations and investigations emanating from committees established by and sponsored through the United Nations; now

THEREFORE, I, J. CALEB BOGGS, Governor of the State of Delaware, do hereby call for the observance of October 24, 1956, as

UNITED NATIONS DAY

Let us mark the day by paying tribute where tribute is due, by continuing to offer constructive criticism when it is felt such action will be effective and by working for the day when all nations—finding mutual means to settle their grievances—will join hands in providing that peace, freedom and prosperity which is the goal of God-fearing citizens everywhere.

In our own state we can help in the promotion of international good will by joining in marking International Museum Week, just prior to United Nations Day. Here, through exhibits in our museums, we can point up the heritage given us by immi-

grants from many lands who assisted in establishing a nation where freedom and justice are paramount.

IN WITNESS WHEREOF, I, J. Caleb Boggs, 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
(Great Seal) Seventeenth day of October in the year of Our
Lord One thousand nine hundred and fifty-six
and of the Independence of the United States of
America, the One hundred and eighty-first.

J. CALEB BOGGS, Governor

JOHN N. McDOWELL, Secretary of State

STATE OF DELAWARE
DEPARTMENT OF STATE
DOVER

November 15, 1956

In compliance with the provisions of Title 29, § 907 of the Delaware Code, 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 fourth day of January, A. D. 1955 and terminated without formal adjournment with the election of the members of the 119th General Assembly.

JOHN N. McDOWELL
Secretary of State

CHANGES IN THE DELAWARE CODE

Listed below are the sections of the Delaware Code which have been amended, repealed or added by the 118th General Assembly.

Where a general amendment has been made which involves a change in many sections of the Delaware Code such change has been listed in this table under the sections most directly affected. In a few cases the session law cited purports to amend a different section of the Code than that later assigned by the Delaware Code Revision Commission. In such cases the session law is cited under both the Code section it purports to amend and under the Code section later assigned. When a law did not purport to amend a Code section but has been assigned a section number by the Commission such law is listed herein under the section assigned it.

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