

*Copy to Nichols*



SPONSOR: Sen. Cordrey

DELAWARE STATE SENATE

130TH GENERAL ASSEMBLY

SENATE BILL NO. 452 MAR 18 1980

AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF WARWICK SCHOOL NO. 225 AND ALL LAND AND ATTACHMENTS THERETO TO THE NANTICOKE INDIAN ASSOCIATION AND HERITAGE COMMITTEE FOR USE AS A MUSEUM.

1 WHEREAS, the school property known as Warwick School No. 225 on Route 24 at  
2 the intersection of Route 5 approximately (7) miles east of Millsboro was originally  
3 deeded to the State of Delaware for use in the education of children of the Nanticoke  
4 Indian community; and

5 WHEREAS, for approximately (40) years until the Warwick School was closed in  
6 1964 it was used to provide an education for Nanticoke Indians and other non-white  
7 children; and

8 WHEREAS, since the closing of the school the property was acquired by the Pot  
9 Nets American Legion for use as a clubhouse; and

10 WHEREAS, the Pot Nets American Legion at its meeting on February 14, 1980,  
11 passed a Resolution abandoning plans to move the school building to another site; and

12 WHEREAS, a stipulation of the transaction authorizing the Pot Nets American  
13 Legion to use the Warwick School No. 225 required that the building be moved or  
14 maintained as a post headquarters or revert to the State; and

15 WHEREAS, the Pot Nets American Legion has no more interest in the Warwick  
16 School No. 225, and has not used it for approximately one year; and

17 WHEREAS, the Nanticoke Indian Association and Heritage Committee has  
18 expressed an interest in converting the Warwick School and property into a Nanticoke  
19 Indian museum.

20 NOW, THEREFORE:

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

22 Section 1. Pursuant to the provisions of §4518 (d), Chapter 45, Title 7, Delaware  
23 Code, the Department of Administrative Services is hereby authorized and empowered  
24 to execute and deliver a good and sufficient deed transferring and conveying land,

1 building, and all attachments thereto, being the Warwick School No. 225 in Sussex  
2 County, to the Nanticoke Indian Association and Heritage Committee for use as a  
3 museum.

4 Section 2. In the event that the land herein authorized to be transferred is no  
5 longer utilized by the Nanticoke Indian Association and Heritage Committee as a  
6 museum, such land shall automatically revert to the State of Delaware and the deed  
7 conveying such land shall contain a reversion provision to that effect.

#### SYNOPSIS

The land to be conveyed, the old Warwick School No. 225 which has been closed since 1964, was originally given to the state for construction of a school for the education of Nanticoke Indian children. The building was conveyed to the Pot Nets American Legion Post by the General Assembly with the provision that it be used as a post or moved. The Pot Nets Post has not used the building for more than a year and has abandoned plans to move it. Since the land originally was donated to the State for Indian use and the Nanticoke Indian Association wants it for a museum of Nanticoke culture, this Bill would convey the property to that tribe. If not used for a museum, the land would revert to the State. Author - Sen. Cordrey

CERTIFICATE OF INCORPORATION  
OF  
THE NANTICOKE INDIAN ASSOCIATION.

First: The name of this corporation is  
The Nanticoke Indian Association.

Second: Its principal office and place of business  
in the State of Delaware is to be located in Millsboro, Delaware.  
The agent in charge thereof is, William R. Clark.

Third: The nature of the business and the objects  
and purposes to be transacted, promoted and carried on are to  
do any or all the things herein mentioned as fully and to the  
same extent as natural persons might or could do, and in any  
part of the world, viz: Social and tribal association, and moral  
and literary development.

In furtherance and not in limitation of the general  
powers conferred by the laws of the State of Delaware, and the  
objects and purposes herein set forth, it is expressly provided  
that this corporation shall also have the following powers, viz:

To take, own, hold, mortgage, or otherwise lien, and  
to lease, sell, exchange, transfer or in any manner whatever  
dispose of real property within the State of Delaware.

To purchase or acquire in any lawful manner, and to  
hold, own, mortgage, pledge, sell, transfer, or in any manner  
dispose of goods, wares, merchandise and property of any and  
every class and description and in any part of the world.

To acquire property, to pay for the same in cash  
bonds or otherwise; to hold or in any manner dispose of the  
whole or any part of the property so purchased; and to exercise  
all the powers necessary or convenient in and about the conduct  
and management of such business.

To carry on any business which may directly or  
indirectly effectuate the objects of this company.

To enter into, make and perform contracts of every kind and issue promissory notes, drafts, bills of exchange, warrants, bonds, debentures, and other negotiable or transferrable instruments and evidence of indebtedness whether secured by mortgage or otherwise, so far as may be permitted by the laws of the State of Delaware.

To have offices, conduct its business and promote its objects within the State of Delaware.

Do any or all of the things herein set forth to the same extent, as natural persons might or could do.

In general to carry on any other business in connection therewith, not forbidden by the laws of the State of Delaware, and with all the powers conferred upon corporations by the laws of the State of Delaware.

Fourth: The corporation is not for profit, and shall have no capital stock.

Membership in this corporation shall be conditioned on the payment of an initiation fee and annual dues, the amount of such initiation fee and annual dues to be fixed by the by-laws of the corporation.

All conditions limiting membership shall be as the by-laws provide.

Fifth: The names and places of residence of each of the incorporators hereof are as follows:

Name	Residence
<u>William R. Clark</u>	<u>Millsboro, Del.</u>
<u>Warren T. Wright</u>	<u>Millsboro, Del.</u>
<u>Ferdinand Clark</u>	<u>Millsboro, Del.</u>
<u>Ephram L. Harman</u>	<u>Millsboro, Del.</u>
<u>Isaac H. Johnson</u>	<u>Boochwyn, Pa.</u>

Sixth: The existence of this corporation is to be perpetual, and its business managed by a Council of three to be elected by the members as provided by the by-laws.

Seventh: The private property of the members shall not be subject to the payment of corporate debts to any extent whatever.

Eighth: The directors or members of the Council shall have power to make and to alter or amend the by-laws; and cause to be executed, mortgages and liens, without limit as to the amount upon the property and franchises of this corporation.

With the consent in writing and pursuant to a vote of sixty percent of the members, the directors or members of the Council shall have authority to dispose in any manner, of the whole property of this corporation.

The by-laws shall determine whether and to what extent the accounts and books of this corporation, or any of them, shall be open to inspection of the members; and no member shall have any right of inspecting any account or book, or document of this corporation, except as conferred by law or the by-laws or by resolution of the members.

It is the intention that the objects, purposes and powers specified in the third paragraph hereof, shall, except where otherwise specified in said paragraph, be nowise limited or restricted by reference to or inference from the terms of any other clause or paragraph in this certificate of incorporation, but that the objects, purposes and powers specified in the third paragraph and in each of the clauses or paragraphs of this charter shall be regarded as independent objects, purposes and powers.

we, the undersigned, for the purpose of forming a corporation under the laws of the State of Delaware, do make, file and record this certificate, and do certify that the facts herein stated are true: and we have accordingly hereto set our respective hands and seals.

*William R. Clark (Seal)*  
*Warren T. Wright (Seal)*  
*Ferdinand Clark (Seal)*  
*Ephraim L. Harman (Seal)*  
*Isaac H. Johnson (Seal)*

STATE OF DELAWARE | SS.  
COUNTY OF KENT |

BE IT REMEMBERED that on this twenty-third day of February, A. D. 1922, personally appeared before me the subscriber, a Notary Public for the State of Delaware, William R. Clark, Warren T. Wright, Ferdinand Clark, Ephraim L. Harman and Isaac H. Johnson, parties to the foregoing Certificate of Incorporation, known to me personally to be such, and severally acknowledged this Certificate of Incorporation to be their act and deed respectively, and that the facts therein stated were truly set forth.

GIVEN under my hand and seal of office the day and year aforesaid.



*Edwin F. Wood*  
*Notary Public*

# Certificate

## For Renewal and Revival of Charter

THE NANTICOKE INDIAN ASSOCIATION, a corporation organized under the laws of Delaware, the certificate of Incorporation of which was filed in the office of the Secretary of State on the twenty-third day of February 19 22, and recorded in the office of the Recorder of Deeds for Kent County, in Certificate of Incorporation Record M, Vol. 5, Page 377, on the twenty-fourth day of February 19 22, the charter of which was voided for non-payment of taxes, now desires to procure a restoration, renewal and revival of its charter, and hereby certifies as follows:

1. The name of this corporation is THE NANTICOKE INDIAN ASSOCIATION

2. Its registered office in the State of Delaware is located at R.D. #1, Box 268 Street, City of Millsboro, County of Sussex and the name and address of its registered agent is Kenneth S. Clark R.D.# 1, Box 268 Riverdale Park, Millsboro Dela. 19966

3. The date when the restoration, renewal, and revival of the charter of this company is to commence is the 14th day of April, same being prior to the date of the expiration of the charter. This renewal and revival of the charter of this corporation is to be perpetual.

4. This corporation was duly organized and carried on the business authorized by its charter until the 15th day of April A.D. 19 68, at which time its charter became inoperative and void for non-payment of taxes and this certificate for renewal and revival is filed by authority of the duly elected directors of the corporation in accordance with the laws of the State of Delaware.

In Testimony Whereof, and in compliance with the provisions of Section 312 of the General Corporation Law of the State of Delaware, as amended, providing for the renewal, extension and restoration of charters,

Kenneth S. Clark

the last and acting President, and Gloria B. Barrentine, the last and acting Secretary of The Nanticoke Indian Association, have hereunto set their hands to this certificate this Ninth day of July 1973.

Kenneth S. Clark  
Last and Acting President

Attest:

Gloria B. Barrentine  
Last and Acting Secretary

00010

THURSDAY, JANUARY 25, 1962

TWENTY-FOUR PAGES

# Millsboro School PTA Opposes Redistricting Under HB 351



◆ MILLSBORO — At its regular meeting on Jan. 18, the Millsboro PTA went on record as being opposed, unanimously, to House Bill 351. This bill, now in the hands of the House Committee on Education of the General Assembly, is a revision of the Delaware School Code. Section 142. The most controversial section of the Bill, would do away with all School Districts in the state that do not offer all grades 1 through 12, and merge these districts with some adjacent district that does offer all 12 grades.

Dr. John G. Parres, Director of Research and Publication of the State Department of Public Instruction, Dover, was the speaker  
(Continued on page 4)

**New Math Teacher At**

**Methodist Men Hear**



**SUSSEX FIREMEN**

(Continued from page 1)  
State Association were present at the meeting and asked that the Sussex group oppose the bill. The officials were Zear Tattman, president of the State group, William H. Hays, 1st vice president, Clarence Staks, and vice president and Reynolds Headley, secretary. Col. Charles Bruner, Civil Defense Director of Sussex County, told the firemen at the meeting that the state survey for accommodations for 50 or more in fallout shelter is now under way. Also, trained crews for instruction in radiological fallout will be available to all fire companies and in Sussex County weeklong of emergency food has begun.

It was announced that the Firemen's County Fire Police will meet at the Millsboro Fire Hall on Feb. 21 and the Kent County Association will meet in the Seaside Fire Hall the same night. The next County Fire Chief's Association meeting is planned for Feb. 15 at the Millsboro Fire Hall.

The Sussex County fire report of 1961 was also announced at the meeting. There were 305 fire alarms reported from January 1961 to January 1962 for Sussex County. Of the 332 alarms, 304 were in town, 476 were rural, 89 were false, and 48 were alarms from other towns.

There were 10,472 men in service during this period for 996 hours which resulted in 81,679 total man hours, and 50,291 miles traveled.

The fire were reported as: Mrs. Samuel merchantile, 63; dwellings 187; chimney, 71; auto, 40; grass, 104; Robert E. woods, 52; children houses, 53, and miscellaneous, 234.

There was a net loss of 150,671 for the year and the greatest loss for one month was reported in behalf of Georgetown with \$50,000.

The ambulance service units reported 1,279 trips last year with 2,755 hours in service and a total man hours used of 5,574 with 52,468 miles traveled.

At the conclusion of the general discussion, a motion was made that the Millsboro PTA go on record as being opposed to the redistricting and related provisions of House Bill 315. After the motion was phrased in this way, Dr. Yarras commented that this was "the cut" of the bill, and that if this were removed very little of the bill would be left. However, the motion to oppose the bill was passed without a single "yes" vote.

THE REDISTRICTING provisions of House Bill 315 should not be confused with the proposed consolidation of the Millsboro, John M. Clayton, Selbyville and Lord Baltimore Schools and the creation of a centralized senior high school to serve all four districts. These are entirely distinct subjects, and it is coincidental that they happen to be under discussion at the same time. The Millsboro PTA has not as yet taken a stand on the consolidation issue, although the Millsboro school board has declined to take part in further public meetings on the subject. Under present law, the ultimate decision to consolidate these districts would require a majority referendum in each district involved. Since this decision rests with the people, not with the school boards, interested citizens in any of these districts may feel free to attend subsequent meetings on the consolidation issue, regardless of the views of the school boards of their districts.

**OBITUARIES**

**Mrs. Arabella Mitchell**

MILLSBORO — Mrs. Arabella Mitchell, 83, died Tuesday, Jan. 19, at her home near here, after an illness of several months. She was the widow of Lorenzo Mitchell. She is survived by two daughters, Mrs. Naomi Steadler, Dagsboro; and Miss Mabel D. Mitchell, Millsboro; two sons, Delbert, Dagsboro; and Wilbur, Millsboro; seven grandchildren; nine great-grandchildren; a brother, Horace Branson, Philadelphia; six sisters, Mrs. Sally Hudson, here, and Mrs. Mrs. F. E. Ham, Bishopville.

She also leaves two half-sisters, Mrs. Maggie Mumford, here; and Miss Myrtle Branson, Selbyville; three half-nephews, Charles Branson, Roxana; Harry Branson, Bishopville; and Talbert Branson, Selbyville; and her step-mother, Mrs. Kate Branson, Selbyville.

The funeral was held Saturday afternoon at the Jones Funeral Home, Millsboro. The Rev. Ivan Downing, pastor of the Holy Trinity Methodist Church, officiated. Interment was in Mechanics Cemetery.

**Harvey C. Oakes**

SELBYVILLE — Harvey C. Oakes, 62, died at his home Friday, Jan. 19, after a long illness. He was a retired railroad employee.

He is survived by his wife, Lillian, a son, Russell, Selbyville; a daughter, Mrs. Marian Williams, Mills; six grandchildren and 19 great-grandchildren.

The funeral was held Sunday afternoon at the Henry D. Watson Funeral Home, Selbyville. The Rev. C. D. White, Berlin, officiated.

**Mrs. Lydia T. Wilcox**

PHANDROBE — Mrs. Lydia T. Wilcox, 90, died Saturday in the Williams Nursing Home, Clarksville, after a lingering illness. She was the widow of William L. Wilcox.

She is survived by three daughters, Mrs. Florence West, Buckland; Mrs. Aila Thompson, Columbus; and Mrs. Lavinia West, Ocean View; a son, Lewis Wilcox, Ocean View; eight grandchildren; 16 great-grandchildren, and five great-great-grandchildren.

She was a member of the Deacons Methodist Church.

The funeral was held Monday afternoon at the Watson and Gray Funeral Chapel, The Rev. Robert Cooper of the Church of Christ and the Rev. Ivan Downing of the Berean Methodist Church officiated. Interment was in the Wilcox Family Cemetery, Roxana.

**MILLSBORO PTA**

(Continued from page 1)  
of the evening. He gave a thorough description of the bill and an analysis of the reasons for the changes which the bill proposes. This was followed by a question and answer session on the specific details of the proposed merger plan, and the effects on the various districts merged.

UNDER THE plan Millsboro No. 23, Millsboro No. 304, Cambridge No. 37, Warwick No. 295, Warwick No. 225, and the Nanticoke Indian School would all be consolidated into one school district, with one school board and one school superintendent. All of the elected school boards of these districts would be disbanded, and a new 21-member board would be appointed by the State Board of Education from among the former board members of the original six districts. This appointed board would be replaced after the first year by an elected board.

Of the six districts involved in the proposed merger, all except Cambridge No. 37 and Millsboro No. 23 are now operated and maintained solely at state expense. The Millsboro PTA says in the plan the assumption of this financial burden, now borne by the state, with practically no increase in its tax revenues, as these four schools are already within the taxable area of the Millsboro No. 23 school district. As the plan would also make it mandatory that a tuition charge be paid either by the parents or by the sending district, where a student is sent to a school outside his district or residence, Millsboro could face the necessity of expanding its facilities to accommodate additional high school students, who would be housed at the nearby James School west of town. Millsboro already provides high school facilities for Cambridge students without the aid of any tuition or tax revenues from the Cambridge district.

Although the new five-member school board would decide whether the merged schools would continue to operate as separate units, this would probably prove impractical, both financially and administratively, as they would be under the direction of only one school superintendent, it was pointed out.

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16 \*\*\* Evening Journal, Wilmington, Del. Saturday, May 20, 1961

# Six Indians Among 116 to File For 'White' Schools in Sussex

## Greenwood Has High Total Of Non-White Applications

School	Transfers	Now Enrolled	Total
Bethel	none	none	—
Blades	none	none	—
Bridgeville	19	1	20
John M. Clayton	none	none	—
Delmar	1	none	1
Ellendale	25	none	25
Greenwood	33	none	33
Gumboro	none	none	—
Georgetown	none	none	—
Lincoln	none	none	—
Lord Baltimore	none	none	—
Millsboro	6 (Indian)	—	6
Milton	none	none	—
Lewes	6	1	7
Laurel	(Figures Withheld)		—
Seaford	26	2	28
Rehoboth	none	1	1
Selbyville	none	none	—
Roxana	none	none	—

From the News-Journal  
Dover Bureau

DOVER—At least six Indians are among 116 non-white applicants for admission in 19 Sussex County's "white" school districts in September.

**THE SIX** Indians, presently attending the Nanticoke Indian School at Millsboro, have applied for admission to Millsboro High School.

Exact figures on total transfer requests to date could not be compiled because Laurel refused to make its list public. There are only five Negro pupils presently registered in Sussex County "white" districts.

Leon B. Elder, superintendent of the Laurel Central School said yesterday, "We are responsible to state officials, (meaning the Department of Public Instruction) and if they want to release this information, they will."

**A COMPLETE** list of enrollments and transfers of Negro students was not available from the "state officials."

Earlier this week a survey showed 185 Negro and Moor students applied at Kent County's six largest districts.

### Smart C.P.A. Finds New Tax Wrinkle!

Clever but simple! Lease the cars you need for your business or profession. Our low-cost lease plan gives you the full use of a new, 1961 car—any make you like. All fees and operating expenses are 100% tax deductible in

### Catholic Forum To Compare Bibles

The Catholic Forum of the Air will trace the history of various English translations of the Bible tomorrow on its weekly radio show.

The attempts of the church to maintain the Bible as a readable book will be illustrated by comparing current trans-

WILMINGTON



Ian Jack, 12, Mrs. Marion S. White and Gerald Inman, 10, prepare lunch for 16 students at the Nanticoke Indian School near Riverdale.

## Nanticoke Tribe Descendants Attend Own School

By JIM HAZEL

RIVERDALE.—Mrs. Marion S. White is chief, cook and bottle-washer five days a week and can qualify in each position. Of Indian descent, she is the teaching principal at the Nanticoke Indian School on Rt. 24 near here.

The white stucco building houses six grades in one classroom. There are 16 students—13 boys and three girls—all of Indian ancestry.

The school's small kitchen is staffed by Mrs. White and students who help prepare the noon meal.

Fresh milk is delivered daily and supplies not provided by the state are purchased to complete the menu.

ABILITY GROUPING, a subject of controversy in schools throughout the state this year, is used here and has caused no problems.

"A group may consist of just

two children one who has mastered the lesson aiding another who is having difficulty," Mrs. White says.

The children, although all descended from the Nanticoke Indian nation which once flourished in this area, bring little of their heritage to school.

The same interests and activities found in the seven other one-room schools in Sussex County are found here. Today the children are particularly excited about Thanksgiving and Christmas—not to mention the vacation that go with them.

THE FIRST Nanticoke Indian School was built before 1888, according to Chief Charles C. Clark, chairman of the board of education. The school operated as a private institution until the 1930's when the State Board of Education took over its administration.

For the first time, graduates of the school this year have gone on to area high schools. Three are attending classes at Millsboro High School and one is at the William C. Jason Comprehensive High School at Georgetown.

In the past students transferred to the Haskell Indian Institute in Kansas.

The Nanticoke Indian School is much like any public school—full of typical American kids.



One-room school was built in the 1930's.

### First Step Fells Driver

GARDENA, Calif. (AP)—William Schaff, 44, drove his auto through a construction barrier yesterday and it came to rest straddling a 30-foot deep ditch.

Schaff opened his door and stepped down.

Firemen hauled Schaff out of the ditch about an hour later and took him to Gardena Hospital, where he was treated for minor injuries.

"It wasn't a long walk," Schaff told firemen. "But watch that first step!"

### Robbers Strike During Tax Period

GARY, Ind. (AP)—For a week local and state police kept a close watch on a pair of service stations in Gary and nearby Hammond in the belief that two gunmen who staged eight previous service station robberies would strike again.

Yesterday police relaxed their vigil and the two stations were robbed of \$120.

### Welcome

LUINO, Italy (AP)—Farmer Aldo Levati termed the birth of his twin sons into a welcome for everyone. He named them Buonjorno and Buomasera—good morning and good evening.



Photos by Jim Hazel

Students listen as their teacher, Mrs. White, reads a history lesson.

## Educator Sticks by Her Guns

render on partition and gradual absorption to drive home this point.

## 15 in the Nanticoke Indian School

**I**N A PINE grove in Indian River Hundred, Sussex, there is a small frame building called the Nanticoke Indian School. This fall its eight grades have 15 students in all. There would be more—except that several boys and girls of the neighborhood have entered the seventh and eighth grades of the hitherto all-white Millsboro School five miles up Indian River.

A June graduate of the Nanticoke School has entered the ninth grade at Millsboro, having chosen not to attend the Jason Comprehensive High School (all-Negro) near Georgetown.

So far, the report says, there are no Negro children in the Millsboro School.

Thus we see the latest event in the long and shadowy history of the educational system in a part of Delaware that elicited this paragraph in the "Delaware Guide" (1938):

Though the Delaware school system is officially divided into white and Negro schools, there are four separate kinds in this region. Within a few miles of one another there are white schools, Negro schools, a school listed as a Moor school, and the Nanticoke Indian School. Children attending the latter are apparently no different in color or otherwise from their cousins outside the Nanticoke Indian Association, Inc.

You have to trust to word-of-mouth

traditions passed down the generations, in this part of Sussex, to gain any notion how and why the "yellow people"—more the color of coffee with rich cream in it—have separated themselves into Moors and Indians.

For the stories told, we refer interested persons to the local elders of the community. (It's all one community composed mostly of farmers and roadside businessmen and their families.) Or you will do well to look into "Delaware's Forgotten Folk" (1943) by the well-known historian C. A. Weslager, who also writes about this end of Delaware.

As early as 1890 the Warwick Indian School (as then called) was being supported entirely at the expense of those families who "went by the class of Indian." Not till 1937 did the state assume the cost of running the Indian School for children "entitled to membership in the Nanticoke Indian Association."

Today we see a pendulum swinging a bit more. The direction, we note, is toward the time when school enrollments in Indian River Hundred will no longer be tagged with the labels "white" or "Negro" or "Moor" or "Indian." Along with those terms, no doubt, the stories and the peculiar prides will die out, too, along with the rest of the regions folklore and folkways from away back.

## This Was a Time to Wait

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HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE 19901

MINUTES

House Committee on Housing and Community Affairs  
June 15, 2005

Chairman Lavelle called the meeting to order at 1:34 pm. Other members present included Reps. Valihura, Hocker, Hudson, Thornburg, Johnson, and Viola.

Rep. Lavelle began the meeting by asking Rep. Oberle to address the committee regarding HB 227 RELATING TO HEALTH AND SAFETY AND NEW CASTLE COUNTY. Rep. Oberle began explaining that the bill was intended to address the abandoned properties in different neighborhoods and communities, that because of their unsightliness drive down the property values of adjacent and surrounding homes. Rep. Oberle then yielded to Rich Przywara, Chief of Staff to the New Castle County Executive. Mr. Przywara stated that the process currently in place of issuing modest fines was not yielding the results desired. Mr. Przywara continued that he had looked at other municipalities to see how they were addressing this problem and formed a Problem Properties Task Force. The Task Force noted that some changes were needed in the building code, Title 16, and other areas of the Code related to enforcement. Mr. Przywara also added that the changes in the bill bring the Code sections related to building code enforcement together, as they were previously scattered throughout the Code, and also increases the maximum fine per day per violation of the Code from \$200 to \$1000. Mr. Przywara commented that the present fine appears to not be enough to force properties to be sold or fixed up.

Rep. Oberle provided an example of a property that sits in Chestnut Hill Estates that he thought ought to likely be torn down and doesn't even have a roof on it. Rep. Oberle stated that the homeowner is perfectly willing to go to court and pay the fine every few months, at which point the whole process begins again. Rep. Oberle stated that the entire communities' home values have been hurt by this one property. Mr. Przywara stated that the process for fining homeowners is laborious and long. Rep. Lavelle asked if the bill would changed that process and Mr. Przywara responded that it would not, but the cost of paying the fines, it is hoped is increased enough that these homeowners are forced into changing their present pattern of behavior. Rep. Johnson commended Rep. Oberle for sponsoring this legislation and stated he would gladly sign-on and co-sponsor this bill. Rep. Hudson commented that she felt helpless when her constituents call her about these issues and she wanted more to be done. Rep. Valihura asked if there was another bill circulating dealing with this problem. Mr. Przywara responded that there was another Senate bill dealing with this and Rep. Valihura noted that he had signed on as a sponsor

of that piece of legislation. Rep. Hudson made a motion to release and Rep. Viola seconded that motion. The bill was release from committee with 5 favorable votes and 3 votes on its merits.

Rep. Lavelle then asked the committee to consider HB 201 RELATING TO BUYER PROPERTY PROTECTION ACT. Rep. Hall-Long stated that the bill simply adds a disclosure requirement that the phone number and website of the local planning office be included in documents signed in property transactions. Rep. Hall-Long commented that often people buy homes assuming that the farm near their home will always be a farm and that this protects home purchasers as well as real estate agents who are sometimes later blamed when the surrounding area changes because of peoples unfounded expectations. Rep. Hocker stated that he was now questioning why he signed onto this bill because this issue is something that should be dealt with by the real estate community. Rep. Hall-Long responded that she did not intend to remove the bill from the speaker's table should it be released from committee today. Rep. Valihura commented that this bill probably does not go far enough and that there probably needs to be a big bold disclosure paragraph reminding buyers that the agent does not know what will happen to nearby properties in the future. Rep. Lavelle added that perhaps a disclosure should be added that a property is outside a county approved "growth zone" and that roads are not likely to be improved because the state is struggling with issues related to its transportation budget.

Scott Kidner representing the Delaware Association of Realtors commented that Rep. Hall-Long had approached him with this idea and that he thought this could be dealt with through the property conditions disclosure statement changes that will be proposed because of the recommendations of the Tax Ditch Task Force. Rep. Thornburg commented that the tax ditch issue and this issue could be dealt with either several bills one at a time, or a large more comprehensive piece of legislation. Rep. Lavelle stated that if it pleased the committee he would just leave the bill in committee taking no action on it and the committee members did not object.

Rep. Lavelle asked Senator Bunting to address the committee regarding SB 102 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION. Rep. Atkins distributed a document to committee members to review; however that document was not made available to the public and therefore has not been included in the record. Sen. Bunting stated that the parcel of land addressed in the bill is less than  $\frac{3}{4}$  of an acre and was previously given by a member of the Nanticoke Indian Association to the Indian River School District. Sen. Bunting continued that the building and some paper work was destroyed and that for a time the school district did not have this property listed in their inventory. Sen. Bunting stated that in a previous piece of legislation transferring land to the association an amendment was added that precluded the land from having gambling take place on it. Sen. Bunting continued that this amendment was really something about nothing because members of the association own hundreds of acres of property and could transfer that property to the association if they so chose. Sen. Bunting stated that the association is not federally recognized and so this provision was

unnecessary. Although the tribe acknowledged that lawyers offering to help them become recognized and initiate gambling on their land had approached them but they had rejected that overture. Sen. Bunting commented that the Nanticoke Indian Association was hurt by this previous piece of legislation because as a matter of principle being singled out with this kind of provision injured them. Sen. Bunting informed the committee that he had assured all the Senators that the group had no intention of putting a casino on the property.

Rep. Valihura commented that he respected the tribe and their culture but because of recent events in the State of Pennsylvania where a land transfer occurred in which a group including a Pennsylvania Senator were transferred land for \$100,000 and then flipped it for \$39 million option because of gambling, he saw the preclusion in written law as appropriate. Rep. Valihura continued that the motivation for the amendment was that the Delaware General Assembly has complete control over whether and where gambling can expand in the State of Delaware and that they, as a body, want to protect that control. Rep. Valihura added that the only exception to this control is Indian Reservations. Rep. Atkins responded that Rep. Valihura was not making an appropriate comparison because the Nanticoke are not a federally recognized tribe. Rep. Valihura noted that the Senator had just testified that lawyers offering free legal counsel to assist the association in obtaining that recognition had occurred. Rep. Valihura added that even with these assurances in writing, people change. Rep. Valihura added that he would be happy to allow them to engage in the kind of non-profit gambling that they are allowing fire halls to do he would be happy to. Sen. Bunting stated that he was very upset by this issue because he saw it as blatant discrimination. Sen. Bunting stated that they have threatened to go to federal court about this and that this is what may push them over the edge. The Senator expressed that he was nearing losing his temper and walked out of the hearing room.

The Chairman recognized Rep. Viola who asked for clarification that this bill is only dealing with  $\frac{3}{4}$  of an acre of ground and Rep. Atkins confirmed that understanding. Rep. Thornburg commented that she did not see how this provision was viewed as discrimination if the associations intentions were truly so pure. Rep. Thornburg continued that it could be viewed as reverse discrimination that this association, if they were to obtain this federal recognition could engage in activities that regular citizens cannot. Rep. Hocker commented that they are not going to bring gambling on this  $\frac{3}{4}$  of an acre, that they will do it across the road where they own hundreds of acres, and that this group of people was very upset at being singled out. Rep. Hudson commented that she was shocked and saddened that this group was offended and felt they were being discriminated against because that was not at all the way they as a legislative body operate. Rep. Johnson commented that he was confused because when he read the bill he did not notice any mention of eliminating a previous proviso of another bill. Rep. Atkins stated that the language could be found on line 27 of SB 102. Rep. Atkins commented that they feel they are being singled out as a minority group while others are allowed to have bingo and other activities on their property. Rep. Valihura stated that he was very troubled and appalled that the Senator might think or insinuate that he is a racist. Rep. Atkins responded that he was worried because this group threatened to go to federal court

and this would cause the state a great deal of embarrassment. Rep. Valihura stated that he would be happy to allow them to have fundraising gambling like fire halls can, but that he did not want to face the kind of embarrassment faced by the Legislature in Pennsylvania.

Rep. Thornburg asked if they need the land to be given by the state to get this federal recognition and Rep. Valihura responded the state did not have to give the land to obtain recognition. Rep. Valihura motioned to table the bill and then withdrew the motion after Rep. Hocker made a motion to release. Rep. Hocker's motion was seconded by Rep. Hudson. Rep. Hudson asked that this bill not be placed on a consent calendar until more discussion about it can take place. Rep. Thornburg and Rep. Valihura commented that they were releasing the bill unfavorably and Rep. Thornburg added that she thought Senator Bunting's conduct was inappropriate. The committee voted to release the bill with 1 favorable vote, 4 votes on its merits, and 2 unfavorable votes.

Rep. Lavelle recognized Rep. Valihura to address HB 226 RELATING TO HOUSING AND THE DELAWARE STATE HOUSING AUTHORITY. Rep. Valihura stated that HB 226 was something he had tried to pass last year because the Delaware State Housing Authority (DSHA) occasionally faced a situation where bills were not paid and services were not being rendered to residents as expected by the DSHA. Rep. Valihura continued that this bill was designed to address this problem by providing for a custodianship process overseen by the Court of Chancery. Rep. Valihura asked Matthew Heckles of the DSHA to address the committee. Mr. Heckles began by noting the bill did pass the House chamber last session but did not get to the Senate floor for a vote by the June 30<sup>th</sup> deadline. Mr. Heckles noted that preservation was a big part of his organization's agenda. Mr. Heckles continued that occasionally properties are allowed to fall into disrepair for a number of reasons but that usually DSHA is able to keep on top of those issues before asking for receivership occurs. Mr. Heckles stated that this bill's intent was for the DSHA to be able to request custodianship of these properties before having to ask for receivership as a means of protecting DSHA's investment, allowing them to take over management of a property. Mr. Heckles continued that once issues with the property were resolved they could then turn the properties back over. Rep. Johnson asked if it was required that the property be turned back over. Rep. Valihura responded that the Chancellor has complete control over that decision and that the manager's would have to apply to the court to end the custodianship arrangement. Rep. Johnson made a motion to release and Rep. Hudson seconded that motion. The bill was released with 8 votes on its merits.

Rep. Lavelle again recognized Rep. Valihura to address HB 224 RELATING TO SUBURBAN COMMUNITIES. Rep. Valihura commented that the bill is very innocuous because it does not tell the counties how they need to address sidewalks in unincorporated suburban communities, but simply that they are the entity that must decide how to address these sidewalks, rather than the state. Rep. Hudson asked why no date was noted in the bill for when this must be done by. Rep. Valihura responded that he tried to get something through New Castle County Council and that it got so mired down that this seemed that best way to get the issue addressed. Rep. Hudson asked if this



bill dealt with communities in her district. Rep. Valihura responded that New Castle County would simply have to come out with some ordinance or regulation dealing with those sidewalks in her district that were in unincorporated areas. Rep. Hocker commented that the sidewalks in unincorporated areas in his district had been put in by the State and that he would hate to see this body tell the counties to maintain sidewalks they had not themselves put in but that the state had. Rep. Valihura responded that the bill did not require the counties pay to maintain the sidewalks, only that they pass an ordinance determining how the sidewalks are to be maintained and by whom. Rep. Viola asked if the county council could pass an ordinance telling the State that they must maintain all the sidewalks in unincorporated suburban communities and Rep. Valihura responded they could not, they could only say that the landowner must maintain the sidewalks. Rep. Thornburg expressed concern that this bill may cause the counties budgets to tighten, and that she was very weary of placing an additional financial burden on them. Robert McLeod Kent County Administrator informed the committee that the chapter of the Code this bill will be added makes it difficult to understand how the bill plays into the surrounding Code. Rep. Lavelle stated that he would simply not ask for a vote on this bill and just keep it in the committee.

Rep. Lavelle adjourned the meeting at 2:31pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonathan Kirch". The signature is written in a cursive, flowing style.

Jonathan Kirch  
Committee Assistant

# STATE OF DELAWARE

## ONE HUNDRED FORTY SECOND GENERAL ASSEMBLY

Senate Bill No. 239 w/ SAI & HAI, HA2

We hereby certify that the enclosed is the same Act that was passed by both Houses of the General Assembly.

[Signature] President Pro Tempore of the Senate

[Signature] Speaker of the House

We hereby certify that the enclosed Act is properly backed, stamped and sealed, and is the same Act as above Certified to

Joy C. Bower Assistant Bill Clerk of the Senate

Florence M. Legates Bill Clerk of the House

Certified with:

[Signature] Secretary of the Senate

[Signature] Clerk of the House

Received at Executive Office \_\_\_\_\_ Date \_\_\_\_\_

Ruth Ann Minner Governor

Approved: Date 22 July 2001 Time 6:12 pm

074  
C401



**ENGROSSED  
LEGISLATION**

**142<sup>nd</sup> GENERAL ASSEMBLY  
STATE OF DELAWARE**

*SB 239 AAB SAI & HA1 & HA2*  
~~~~~



SPONSOR: Sen. Bunting & Rep. Atkins

DELAWARE STATE SENATE

142nd GENERAL ASSEMBLY

SENATE BILL NO. 239  
AS AMENDED BY  
SENATE AMENDMENT NO. 1  
AND  
HOUSE AMENDMENT NOS. 1 & 2

AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fourths of all members elected to each house thereof concurring therein):

WHEREAS, the Nanticoke Indian Association is a non-profit, Delaware corporation, given favorable tax treatment pursuant to § 501(c)(3) of the U.S. Internal Revenue Code, established to preserve the history, culture, and tribal heritage of the Nanticoke Indian;

WHEREAS, the Nanticoke Indian Association has used the property and building located at R.R. 13 Box 107A on State Route 24 near Layton Davis Road in Sussex County (tax district 2-34; map 29.00; parcel 53.00) for a variety of purposes since the Association's legal inception in 1920s; and

WHEREAS, prior to the 1920s, and until the desegregation of the State's schools in the 1960s, this property was continuously used by the Nanticoke people of the Indian River area, and after its inception the Nanticoke Indian Association, as a school for their children; and

WHEREAS, beginning in the 1960s, this property took on new functions, first as a meeting place for the Association and later, through the 1970s until today, as a cultural and community center; and

WHEREAS, as presently used, this property provides a tangible benefit to the citizens of Delaware in general, and to the Nanticoke people of the Indian River area specifically, as a focal point for local, state, and federal programs and to community support for the Nanticoke people of the Indian River area; and

WHEREAS, to better serve its current function, the Nanticoke Indian Association has undertaken to restore and renovate the property, in part to install a new community computer center; and

WHEREAS, although many in the local community and the Nanticoke Indian Association believed that the building and property were owned by the Nanticoke Indian Association, as a result of the restoration and renovation activities, the Nanticoke Indian Association recently discovered that the property is in fact owned by the Indian River School District; and

WHEREAS, the General Assembly finds and declares that it would be in the best interest of the citizens of Delaware and of the parties involved to transfer said building and property to the Nanticoke Indian Association in fee simple;

NOW, THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Notwithstanding any provisions to the contrary, including those contained in Chapter 94, Title 29 of the Delaware Code, the transfer and conveyance of that certain parcel of land, and all structures situated thereon, located at R.R. 13 Box 107A on State Route 24 near Layton Davis Road in Sussex County (tax district 2-34; map 29.00; parcel 53.00), from the Indian River School District to the Nanticoke Indian Association for the consideration of one dollar (\$1.00), is hereby specifically approved.

Section 2. The Department of Administrative Services, or other appropriate State agency, is hereby authorized and empowered to execute and deliver to the Nanticoke Indian Association a good and sufficient deed to the said real property.

Section 3. The Nanticoke Indian Association agrees to accept the property in "as is" condition at the time of conveyance.

Section 4. The deed to the aforesaid real property shall contain a provision whereby said property will revert to the Indian River School District in the event that the property ceases to be used by the Nanticoke Indian Association for the advancement and preservation of the history, culture, and tribal heritage of the Nanticoke Indian.

Section 5. The deed to the aforesaid real property shall contain a provision whereby said property will revert to the Indian River School District in the event that the property is used for the purpose of establishing or conducting gambling operations by the Nanticoke Indian Association.

ORIGINAL

142<sup>nd</sup> GENERAL ASSEMBLY

SENATE BILL NO. 239  
w/SA1  
+ WHA1 + HA2

3/4-SA1

3/30/04 SENATE EXEC.

| Ch.                  | Committee |                                     |   |
|----------------------|-----------|-------------------------------------|---|
|                      | F         | M                                   | H |
| <u>Adams</u>         |           | <input checked="" type="checkbox"/> |   |
| <u>Byrd</u>          |           | <input checked="" type="checkbox"/> |   |
| <u>Laughlin</u>      |           | <input checked="" type="checkbox"/> |   |
| <u>Stus</u>          |           | <input checked="" type="checkbox"/> |   |
| <u>Stas &amp; Jr</u> |           | <input checked="" type="checkbox"/> |   |
| <u>Southern</u>      |           | <input checked="" type="checkbox"/> |   |

5/25/04 HOUSE Housing + Com. Aff.

| Ch.             | Committee |                                     |   |
|-----------------|-----------|-------------------------------------|---|
|                 | F         | M                                   | H |
| <u>Houghton</u> |           | <input checked="" type="checkbox"/> |   |
| <u>Hudson</u>   |           | <input checked="" type="checkbox"/> |   |
| <u>Hosker</u>   |           | <input checked="" type="checkbox"/> |   |
| <u>Kallon</u>   |           | <input checked="" type="checkbox"/> |   |
| <u>JONE</u>     |           | <input checked="" type="checkbox"/> |   |
| <u>Lowell</u>   |           | <input checked="" type="checkbox"/> |   |

Reported Out 5-12-04 6  
Considered \_\_\_\_\_  
Amend Adopted SA1 5/13/04

Reported Out 6/2/04 34  
Considered 6/29/04 Rules Susp.  
Amend Adopted HA1+2 6/29/04

SPONSOR: Ben Atkins INTRODUCED 3-25-04  
Houghton

L.O.T. \_\_\_\_\_  
L.F.T. \_\_\_\_\_  
Conflict of Interest  
Passed 20-0-0-1 5/13/04  
Y N N/V A Date

L.O.T. \_\_\_\_\_  
L.F.T. \_\_\_\_\_  
Conflict of Interest  
Passed 39-0-0-2 6/29/04  
Y N N/V A Date

Defeated \_\_\_\_\_  
CERTIFICATION  
Bill Clerk Jay C. Bower  
Secretary of the Senate Bernard J. Brady

Defeated \_\_\_\_\_  
CERTIFICATION  
Bill Clerk Thomas M. Legates  
Chief Clerk of the House Wm M. Hedrick

Further Considered in the Senate with 6/30/04 w/HA1+2  
Passed 21-0-0-0 6/30/04  
Y N N/V A Date

Further Considered in the House with \_\_\_\_\_  
Passed \_\_\_\_\_  
Y N N/V A Date

Defeated \_\_\_\_\_  
CERTIFICATION  
Bill Clerk Jay C. Bower  
Secretary of the Senate Bernard J. Brady

Defeated \_\_\_\_\_  
CERTIFICATION  
Bill Clerk \_\_\_\_\_  
Chief Clerk of the House \_\_\_\_\_



SPONSOR: Sen. Bunting & Rep. Atkins

DELAWARE STATE SENATE

142nd GENERAL ASSEMBLY

SENATE BILL NO. 239

AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 WHEREAS, the Nanticoke Indian Association is a non-profit, Delaware corporation, given favorable tax treatment  
2 pursuant to § 501(c)(3) of the U.S. Internal Revenue Code, established to preserve the history, culture, and tribal heritage of the  
3 Nanticoke Indian;

4 WHEREAS, the Nanticoke Indian Association has used the property and building located at R.R. 13 Box 107A on State  
5 Route 24 near Layton Davis Road in Sussex County (tax district 2-34; map 29.00; parcel 53.00) for a variety of purposes since  
6 the Association's legal inception in 1920s; and

7 WHEREAS, prior to the 1920s, and until the desegregation of the State's schools in the 1960s, this property was  
8 continuously used by the Nanticoke people of the Indian River area, and after its inception the Nanticoke Indian Association,  
9 as a school for their children; and

10 WHEREAS, beginning in the 1960s, this property took on new functions, first as a meeting place for the Association and  
11 later, through the 1970s until today, as a cultural and community center; and

12 WHEREAS, as presently used, this property provides a tangible benefit to the citizens of Delaware in general, and to the  
13 Nanticoke people of the Indian River area specifically, as a focal point for local, state, and federal programs and to community  
14 support for the Nanticoke people of the Indian River area; and

15 WHEREAS; to better serve its current function, the Nanticoke Indian Association has undertaken to restore and renovate  
16 the property, in part to install a new community computer center; and

17 WHEREAS, although many in the local community and the Nanticoke Indian Association believed that the building and  
18 property were owned by the Nanticoke Indian Association, as a result of the restoration and renovation activities, the Nanticoke  
19 Indian Association recently discovered that the property is in fact owned by the Indian River School District; and

20 WHEREAS, the General Assembly finds and declares that it would be in the best interest of the citizens of Delaware and  
21 of the parties involved to transfer said building and property to the Nanticoke Indian Association in fee simple;

22 NOW, THEREFORE,

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

24 Section 1. Notwithstanding any provisions to the contrary, including those contained in Chapter 94, Title 29 of the  
25 Delaware Code, the transfer and conveyance of that certain parcel of land, and all structures situated thereon, located at R.R. 13  
26 Box 107A on State Route 24 near Layton Davis Road in Sussex County (tax district 2-34; map 29.00; parcel 53.00), from the  
27 Indian River School District to the Nanticoke Indian Association for the consideration of one dollar (\$1.00), is hereby  
28 specifically approved.

29 Section 2. The Department of Administrative Services, or other appropriate State agency, is hereby authorized and  
30 empowered to execute and deliver to the Nanticoke Indian Association a good and sufficient deed to the said real property.

31 Section 3. The Nanticoke Indian Association agrees to accept the property in "as is" condition at the time of conveyance.

32 Section 4. The deed to the aforesaid real property shall contain a provision whereby said property will revert to the State  
33 in the event that the property ceases to be used in accordance with the Charter of the Nanticoke Indian Association.

#### SYNOPSIS

This Act authorizes the transfer of the property commonly known as "The Old Nanticoke Indian School" to the Nanticoke Indian Association for \$1.00 for use consistent with the Charter of the Association.

Author: Senator Bunting





HOUSE OF REPRESENTATIVES  
 State of Delaware  
 Legislative Hall  
 Dover, Delaware 19901



**Committee Report**

Legislation: SB 239 w/SA 1  
 Sponsor: Bunting  
 Long Title: AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION.  
 Committee: HOUSING & COMMUNITY AFFAIRS  
 Number of Committee Members: 9  
 Date of Report: 06/02/2004

|                 |            |                |              |
|-----------------|------------|----------------|--------------|
| Committee Vote: | Favorable: | On Its Merits: | Unfavorable: |
|                 | 3          | 4              | 0            |

Purpose of Bill:

**Purpose of Bill:**

This Act authorizes the transfer of the property commonly known as "The Old Nanticoke Indian School" to the Nanticoke Indian Association for \$1.00 for use consistent with the Charter of the Association.

**Committee Findings:**

The committee heard from the bill's sponsor who explained its purpose. The committee clarified that they would like to see an amendment added to the bill indicating that the Nanticoke Indian Association could not sell the property at a profit. They also clarified the location of the property and its approximate value.

ORIGINAL  
142<sup>nd</sup> GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1

TO SENATE BILL NO. 239

PRIME SPONSOR:

*John  
Vabko  
Hudson*

HOUSE ACTION

INTRODUCED:

*6/22/04*

LOCATION OF ORIGINAL:

*Gaming Parl - Pub*

CONSIDERED:

*6/29/04*

CONFLICT OF INTEREST:

NV

Date: \_\_\_\_\_

L.O.T. \_\_\_\_\_

L.F.T. \_\_\_\_\_

ADOPTED:

*Voice Vote*

*6/29/04*

Y

N

N/V

A

DATE

DEFEATED:

Y

N

N/V

A

DATE

If adopted, this amendment would change  
the vote requirement on the legislation to:

CERTIFICATION:

Bill Clerk:

Chief Clerk:

*Florence M. Legatts  
Ann M. Hedrick*



SPONSOR: Rep. Valihura & Rep. Stone &  
Rep. Hudson

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1

TO

SENATE BILL NO. 239

1 AMEND Senate Bill No. 239 by striking lines 32 and 33 thereof in their entirety and by substituting in lieu thereof the  
2 following:

3 "Section 4. The deed to the aforesaid real property shall contain a provision whereby said property will  
4 revert to the Indian River School District in the event that the property ceases to be used by the Nanticoke  
5 Indian Association for the advancement and preservation of the history, culture, and tribal heritage of the  
6 Nanticoke Indian."

SYNOPSIS

This Amendment clarifies that the property being transferred to the Nanticoke Indian Association must be used by the Association for the advancement and preservation of the history, culture, and tribal heritage of the Nanticoke Indian.



**ORIGINAL**  
**142<sup>nd</sup> GENERAL ASSEMBLY**

HOUSE AMENDMENT NO. 2

TO SENATE BILL NO. 239

PRIME SPONSOR: \_\_\_\_\_

*[Signature]*

HOUSE ACTION

INTRODUCED: 6/24/04

LOCATION OF ORIGINAL: Gaming Parli - sub

CONSIDERED: 6/29/04

CONFLICT OF INTEREST:      NV      Date:     

L.O.T.      L.F.T.     

ADOPTED: Voice Vote 6/29/04  
                  Y    N    N/V    A    DATE

DEFEATED:       
                  Y    N    N/V    A    DATE

*If adopted, this amendment would change the vote requirement on the legislation to:* \_\_\_\_\_

CERTIFICATION:

Bill Clerk:

Chief Clerk:

Lawrence M. Legatis  
John M. Hedrick



SPONSOR: Rep. Atkins

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 2

TO

SENATE BILL NO. 239

1 AMEND Senate Bill No. 239 by adding a new Section to read as follows:

2 "Section 5. The deed to the aforesaid real property shall contain a provision whereby said property will  
3 revert to the Indian River School District in the event that the property is used for the purpose of establishing or  
4 conducting gambling operations by the Nanticoke Indian Association."

SYNOPSIS

This Amendment clarifies that the property being transferred to the Nanticoke Indian Association cannot be used for the purpose of establishing or conducting gambling operations.



ORIGINAL  
142<sup>nd</sup> GENERAL ASSEMBLY

SENATE AMENDMENT NO. /  
TO SENATE BILL NO. 239

SENATE ACTION

PRIME SPONSOR:

*Bundy*

INTRODUCED: 5/13/07 PWB \_\_\_\_\_

CONSIDERED: 5/13/07

L.O.T. \_\_\_\_\_ L.F.T. \_\_\_\_\_

ADOPTED: 20 - 0 - 0 - 1 5/13/04  
Y N N/V A DATE

DEFEATED: \_\_\_\_\_  
Y N N/V A DATE

*If adopted, this amendment would change  
the vote requirement on the legislation to:*

CERTIFICATION:  
Bill Clerk:

*Jay C. Bower*

Secretary of the Senate

*Bernard Bundy*



SPONSOR: Sen. Bunting

DELAWARE STATE SENATE

142nd GENERAL ASSEMBLY

SENATE AMENDMENT NO.

TO

SENATE BILL NO. 239

1 AMEND Senate Bill No. 239 by inserting at the end of the enactment clause but before the ":" the following:

2 "[Three-fourths of all members elected to each house thereof concurring therein.]"

SYNOPSIS

This Bill requires a three-fourths vote because it appropriates to a corporation.

Author: Senator Bunting

# State of Delaware

## One Hundred Forty Third General Assembly

Senate Bill No. 102

We hereby certify that the enclosed is the same Act that was passed by both Houses of the General Assembly.

[Signature] President Pro Tempore of the Senate  
[Signature] Speaker of the House

We hereby certify that the enclosed Act is properly backed, stamped and sealed, and is the same Act as above certified to

[Signature] Assistant Bill Clerk of the Senate  
[Signature] Bill Clerk of the House

Certified with:

[Signature] Secretary of the Senate  
[Signature] Clerk of the House

Received at Executive Office \_\_\_\_\_ Date \_\_\_\_\_

[Signature] Governor

Approved: Date 20 July 2005 Time 2:00 pm

1075  
C205

SENATE  
1075



ORIGINAL

143<sup>rd</sup> GENERAL ASSEMBLY

Housing +  
Com. off.

5/3/05

SENATE

Agric

5/10/05

HOUSE

1st Reading

Committee

Introduced

Committee

Reassigned

Committee

Reassigned

Committee

Ch.

Dyrtin

F M U

Ch.

Leach

F M U

Ch.

Venall

F M U

Ch.

Judson

F M U

Ch.

Simon

F M U

Ch.

Johnson

F M U

Ch.

Cook

F M U

Ch.

Fisher

F M U

Reported Out

5/4/05

22

Reported Out

6/15/05

142

Considered

5-5-05

Considered

6/28/05

Amend Adopted

Amend Adopted

L.O.T.

L.O.T.

L.F.T.

L.F.T.

Conflict of Interest

Conflict of Interest

NV

Date

Passed

20-0-0-1 5/5/05

Y N NV A Date

Passed

41-0-0-0 6/28/05

Y N NV A Date

Defeated

Y N NV A Date

Defeated

Y N NV A Date

CERTIFICATION

Bill Clerk

Secretary of

the Senate

Jay C. Bower  
Bernard J. Brady

CERTIFICATION

Bill Clerk

Chief Clerk of

the House

Florence M. Legates  
Glynn M. Hedrick

Further Considered

in the Senate with

Further Considered

in the House with

Passed

Y N NV A Date

Passed

Y N NV A Date

Defeated

Y N NV A Date

Defeated

Y N NV A Date

CERTIFICATION

Bill Clerk

Secretary of

the Senate

CERTIFICATION

Bill Clerk

Chief Clerk of

the House

SENATE BILL NO.

102

3/4

(F/N)  
NTR 4/5

AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION.

SPONSOR:

Burt Atkins

INTRODUCED

5/3/05



SPONSOR: Sen. Bunting & Rep. Atkins

DELAWARE STATE SENATE

143rd GENERAL ASSEMBLY

SENATE BILL NO. 102

AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fourths of all members elected to each house thereof concurring therein):

1 WHEREAS, the Nanticoke Indian Association is a non-profit, Delaware corporation, given favorable tax treatment pursuant to  
2 § 501(c)(3) of the U.S. Internal Revenue Code, established to preserve the history, culture, and tribal heritage of the Nanticoke  
3 Indian;

4 WHEREAS, the Nanticoke Indian Association has used the property and building located at 27073 John J. Williams Highway  
5 in Sussex County (tax district 2-34; map 29.00; parcel 53.00) for a variety of purposes since the Association's legal inception in  
6 1920s; and

7 WHEREAS, prior to the 1920s, and until the desegregation of the State's schools in the 1960s, this property was continuously  
8 used by the Nanticoke people of the Indian River area, and after its inception the Nanticoke Indian Association, as a school for their  
9 children; and

10 WHEREAS, beginning in the 1960s, this property took on new functions, first as a meeting place for the Association and later,  
11 through the 1970s until today, as a cultural and community center; and

12 WHEREAS, as presently used, this property provides a tangible benefit to the citizens of Delaware in general, and to the  
13 Nanticoke people of the Indian River area specifically, as a focal point for local, state, and federal programs and to community  
14 support for the Nanticoke people of the Indian River area; and

15 WHEREAS, to better serve its current function, the Nanticoke Indian Association has undertaken to restore and renovate the  
16 property, in part to install a new community computer center; and

17 WHEREAS, although many in the local community and the Nanticoke Indian Association believed that the building and  
18 property were owned by the Nanticoke Indian Association, as a result of the restoration and renovation activities, the Nanticoke  
19 Indian Association recently discovered that the property is in fact owned by the Indian River School District; and

20 WHEREAS, the General Assembly finds and declares that it would be in the best interest of the citizens of Delaware and of the  
21 parties involved to transfer said building and property to the Nanticoke Indian Association in fee simple;

22 NOW, THEREFORE,

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

24 Section 1. The transfer and conveyance of that certain parcel of land, and all structures situated thereon, located at 27073 John  
25 J. Williams Highway in Sussex County (tax district 2-34; map 29.00; parcel 53.00), from the Indian River School District to the  
26 Nanticoke Indian Association for the consideration of one dollar (\$1.00), is hereby specifically approved, notwithstanding (1) any  
27 provisions of Senate Bill No. 239 of the 142<sup>nd</sup> General Assembly, as amended; (2) any provisions of Chapter 94, Title 29 of the  
28 Delaware Code; or (3) any provisions of any other laws or regulations to the contrary.

29 Section 2. The Department of Administrative Services, or other appropriate State agency, is hereby authorized and empowered  
30 to execute and deliver to the Nanticoke Indian Association a good and sufficient deed to the said real property.

31 Section 3. The Nanticoke Indian Association agrees to accept the property in "as is" condition at the time of conveyance.

32 Section 4. The deed to the aforesaid real property shall contain a provision whereby said property will revert to the Indian  
33 River School District in the event that the property ceases to be used by the Nanticoke Indian Association as a social or cultural  
34 center for the advancement and preservation of the history, culture, and tribal heritage of the Nanticoke Indian.

#### SYNOPSIS

This Act authorizes the transfer of the property commonly known as "The Old Nanticoke Indian School" to the Nanticoke Indian Association for \$1.00 for use consistent with the Charter of the Association. This Act also provides that the property being transferred must be used by the Association for the advancement and preservation of the history, culture, and tribal heritage of the Nanticoke Indian. Because it appropriates assets of the State to a corporation, this Act requires a three-fourths vote.

Author: Senator Bunting



HOUSE OF REPRESENTATIVES  
State of Delaware  
Legislative Hall  
Dover, Delaware 19901



**Committee Report**

Legislation: SB 102  
Sponsor: Bunting  
Long Title: AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION.  
Committee: HOUSING & COMMUNITY AFFAIRS  
Number of Committee Members: 10  
Date of Report: 06/15/2005

|                 |            |                |              |
|-----------------|------------|----------------|--------------|
| Committee Vote: | Favorable: | On Its Merits: | Unfavorable: |
|                 | 1          | 4              | 2            |

Purpose of Bill:

**Purpose of Bill:**

The bill will transfer a small parcel of land with a building on it to the Nanticoke Indian Association.

**Committee Findings:**

The committee expressed a great deal of concern about the potential for this association to use their real property for purposes of gambling if the law did not specifically preclude the land from being used for this purpose.

63

An act to amend Section 5 of Chapter 46 of Vol. 16 of the Laws of Delaware entitled "an act in relation to fire schools in this State."

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

Section 1. That Section 5, of Chapter 46 of Volume 16 of the Laws of Delaware entitled "an act in relation to fire schools in this State," be and the same is hereby amended by striking out of said Section all thereof after the word "granted" in the thirty fifth line thereof.

Section 2. That from and after the passage of this act all laws or parts of laws of this State requiring the payment of any sum of money by any school teacher as a qualification to teach, be and the same are hereby repealed and declared null and void.

Passed at Dover February 7. 1881

Freymond Williams  
Speaker of the House  
Nathaniel P. Rust  
Speaker of the Senate

A Supplement to  
the act-entitled "An  
act in relation to free  
Schools

by Senor  
6 + 71

Title 71

Chap. 369 ✓

Sendi <sup>3</sup>

Passed April 4 1881

authorized and directed to codify the school laws of this State and have published in proper form one thousand copies who shall be authorized to draw a warrant upon the State Treasurer for the cost of printing and binding the same in favor of the person or persons who shall contract to do the same. The compensation for the services herein required shall be made by the Legislative Committee appointed to settle with the State Treasurer and audit of accounts in January next.

Passed at Dover April 4-1881.

Noted by F. Rust

Speaker of the Senate

Reynold Williams

Speaker of the House of Representatives

which shall be recorded in the proper form all his acts and doings with reference to the purchase and distribution of books <sup>As</sup> prescribed provided. The clerk of each school district shall also keep a record of the school books received and distributed and also the amount received therefor in an itemized form.

Section 8. That it shall be the duty of the school commissioners in each of the school districts of the state Annually in the month of April to assess and levy as provided in Chapter 42 of the Revised Statutes of this State without regard to any vote therat in each of their respective districts, that is to say in each of the school districts in New Castle the sum of one hundred and fifty dollars in each of the school District of Kent County the sum of one hundred and twenty five dollars and in each of the school districts in Sussex County the sum of sixty dollars to be applied to the support of the schools of their districts respectively; which said sums as required to be raised by said districts shall be in lieu of the amount now required to be raised by law. The Taxes assessed and levied under this act to be collected in the same manner as is now provided for in chapter 42 of the Revised Statutes of this state

Section 9 That the time during which each teacher shall be in attendance upon the institute shall not be deducted from his or her period of service as teacher by the Commissioners of any district.

Section 10 That the Secretary of State be and he is hereby



term of office, then the above written obligation shall be void. To the said bond then shall be subjoined a warrant of attorney to confess judgment thereon, and the said bond warrant of attorney shall be joint and several.

Section 6 That it shall be the duty of the clerk of each school district to distribute the books received from the State Superintendent as aforesaid to the scholars of the District or their parents, guardians or other persons as they may desire upon the receipt of the price for the same which shall be forwarded by him to the State Superintendent within thirty days thereafter. The clerk of each district shall be responsible for the safe keeping of the books furnished him by the superintendent as aforesaid and also for the price of the books sold to parents, guardians, scholars or other persons. Any money or the value of the books which such clerk may fail to account for according to law may be recovered in the name of the State by the State Superintendent before a Justice of the Peace as other accounts when the amount does not exceed the sum of one hundred dollars such clerk shall also make a report to the State Treasurer quarterly of the number of books and their kind and price supplied by the State Superintendent as aforesaid, and at the expiration of his term of office shall turn over to his successor in office all the books on hand and take a receipt for the same which shall be his voucher in settlement.

Section 7 That the State Superintendent shall keep a book in

Superintendent is over paid.

Section 5 That the State Superintendent shall purchase all the school books used in the public schools of the State, at the lowest price at which the same can be obtained, first: inviting competition and draw his warrant upon the State Treasurer for the amount thereof in favor of the person supplying the same, which he is hereby authorized to pay. The State Superintendent shall also distribute said books at the price at which they were purchased to the clerk of each school district in this State as said clerk may indicate upon his written order for the same. He shall also pay over to the State Treasurer, quarterly, the money received from the clerks of the several school districts for school books as hereinafter provided for, and also at the same time furnish the State Treasurer a list of the school books and their respective prices, supplied to each clerk of the district during the preceding three months. The State Superintendent before entering upon the duties of his office shall give bond to the State of Delaware with at least the sureties to be approved by the Governor in the penalty of Fifteen Thousand dollars with conditions as follows-viz. The condition of the above obligation is such that if the above named Being State Superintendent shall and do well and truly account for all money which shall come to his hands from the several school districts of this State and shall levy and apply the same according to law and deliver to his successor in office all school books on hand at the expiration of his

71

A Supplement to the act entitled "an act in relation to  
Free Schools"

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

Section 1. That the Governor at the time of the appointment of the State  
Superintendent; shall appoint and commission some suitable person as as-  
sistant-superintendent of the Free Schools of the State of Delaware who shall  
hold his office for the term of one year and until his successor  
shall be appointed.

Section 2. That from and after the passage of this act the State Board  
of Education for the State shall be composed only of the Secretary of State, Pres-  
ident of Delaware College and the State Superintendent.

Section 3. That it shall be the duty of the assistant Superintendent to aid  
the State Superintendent; in the performance of his duties now imposed by  
law and to that end shall be subject to his directions. It shall also be  
the duty of the assistant Superintendent to act as Secretary of said  
State Board of Education.

Section 4. That the State Superintendent shall receive a salary of fifteen  
hundred dollars per annum instead of eighteen hundred dollars per an-  
num and the Assistant Superintendent shall receive a salary of eight  
hundred dollars per annum as compensation for all the duties herein  
imposed upon him to be paid in the same manner as the salary of the State

An act to amend  
and Section  
12. Chapter 42 of  
the Revised Code,  
entitled "of Free  
Schools."

4  
Ex 5

Title VI

Chap. 370 ✓

4

House  
Passed April 6. 1881

95

An act to amend Section 12 Chapter 42  
of the Revised Code, "entitled of Free Schools."

Be it enacted by the Senate and House of Representa-  
tations of the State of Delaware in General Assembly  
met.

Section 1. That Section 12 Chapter 42 of the Revised  
Code, entitled "of Free Schools" be and the same  
is hereby amended by adding the following  
to wit: Provided that any tenant residing  
on such lands in an adjoining district, shall,  
at his election, Communicated in writing,  
to the School Committee of such adjoining dis-  
trict, at any time prior to the completing  
of the assessment list, be only assessed, and  
have School privileges in the district in which  
such tenant resides.

Passed at Dover April 8. 1881

Amos W. Williams  
Speaker of the House of Representatives  
Attesty J. Rust  
Speaker of the Senate

STATE BOARD OF EDUCATION  
HOWARD L. SEAMAN, PRESIDENT, WILMINGTON  
SAMUEL N. CULVER, VICE-PRES., DELMAR  
W. REILY BROWN, WYOMING  
PHILIP D. LAIRD, NEW CASTLE  
WARREN C. NEWTON, BRIDGEVILLE  
HENRY V. P. WILSON, DOVER

STATE OF DELAWARE



Department of Public Instruction

DOVER, DEL.

H. B. KING  
ASS'T. STATE SUPERINTENDENT  
IN CHARGE OF ELEMENTARY SCHOOLS

January 28, 1943

Dr. H. V. Holloway  
(Office)

Dear Dr. Holloway:

Re: Warwick School Dist. #225-C

The Warwick School District #225-C, Sussex County, has an enrollment of 49 pupils, which are too many for one teacher to take care of successfully in grades 1-8. Therefore, I am recommending that an additional teacher be employed.

This is a two-room building and should have the necessary furniture and equipment to take care of the additional teacher. One teacher would take care of grades 1-4, and the other grades 5-8. There will be no question about finding a properly certified teacher for the position.

Sincerely yours,

A handwritten signature in cursive script that reads "H. B. King".

H. B. King  
Asst. Supt. in Charge  
of Elementary Schools

HBK:S

February 18, 1943

Board of School Trustees  
Warwick District #225  
Mr. Noah Harman, Chairman  
Millsboro, Delaware

Dear Trustees:

This is to advise you that the State Board of Education at its meeting yesterday, authorized the employment of an additional teacher at the Warwick School #225 as soon as such teacher with the proper credentials can be secured.

Very truly yours,

H. V. Holloway, Secretary

HVH:j

cc-Dr. King  
Mr. Afflerbach

174 52 1213

JAN 25 1943

*Dr King  
Please note  
conf 1/27/43*

Millsboro, Delaware

January 20, 1943

Dr. H. V. Molloway,  
Dever, Delaware

Sir:

We met at the school January 14, 1943 to make some arrangements for two teachers in our school. The enrollment is much too large for one teacher. We have studied the problem as best we can. We can see no other way to relieve the situation.

We would appreciate it very much if you would do all possible for us.

We have consulted our representative. We are quite sure that he will help us greatly in this matter. We have confidence that all concerned will give us their full support.

Sincerely,

Nash Harmon  
Samuel Jackson  
Wilbur Harmon

Warwick School #225

JAN 25 1943



January 29, 1943

Mr. Noah Harmon  
Millsboro, Delaware

Dear Mr. Harmon:

The letter of your board under date of January 20th asking for an additional teacher in the Warwick School #225 has been received and your request considered. I have before me the recommendation of Dr. King that an additional teacher be employed in your school.

The State Board will meet on February 17th and I shall recommend to the Board at that time that an additional teacher be employed for your school. As soon as the Board acts on the subject, you will be notified.

Sincerely yours,

H. V. Holloway  
State Superintendent

HVH:d

Warwick #225

October 24, 1942

Miss Kathleen Starks  
R. D. #3  
Millsboro, Delaware

Dear Miss Starks:

Our Dr. King has called my attention to the large enrollment in your school and has also pointed out that this excessive enrollment is at least partly due to the fact that you have children from both Warwick #203 and Friendship #202.

Inasmuch as neither one of these schools is overcrowded, I am requesting you to advise the children who live outside of your district to attend the schools in the districts in which they reside.

Trusting that this can be arranged, I beg to remain

Very truly yours,

H. V. Holloway  
State Supt. of Public Instruction

HVH:d  
cc - Mr. Harmon

STATE BOARD OF EDUCATION  
HOWARD L. SEAMAN, PRESIDENT, WILMINGTON  
SAMUEL N. CULVER, VICE-PRES., DELMAR  
W. REILY BROWN, WYOMING  
PHILIP D. LAIRD, NEW CASTLE  
WARREN C. NEWTON, BRIDGEVILLE  
HENRY V. P. WILSON, DOVER

STATE OF DELAWARE



**Department of Public Instruction**

DOVER, DEL.

October 14, 1942

Re: Warwick School #225-C

Dr. Holloway  
(Office)

On Monday I visited the colored and Indian schools in the area East of Millsboro. The Warwick School District No. 225 indicated a first day enrollment of 48 in grades one to eight.

In speaking to the teacher about the situation, I learned that there are children coming to Warwick 225 who belong to Warwick 203 and also to Friendship 202. There is also a child belonging to Warwick 225 attending Warwick 203 because the teacher takes her with her each day and has done this for the past five years.

You will recall that three years ago, the Board of Trustees requested an additional teacher. At that time it was not granted. We realize that 48 children are too many in grades one to eight for any one teacher. My suggestion to relieve this situation would be that Warwick District 225 should be informed that all children belonging to other school districts would have to either be excluded from their school or have a transfer permitting them to attend the school. If all of the children were excluded from the Warwick District 225, who belong to other school districts, the enrollment would be reduced by six or seven children.

Very sincerely yours,

*H. B. King*

H. B. King

HBK:S

*Write to  
send  
to the  
Instruction*

STATE OF



DELAWARE

Department of Public Instruction  
DOVER, DEL.

October 21, 1941

Secretary of the Board of Trustees  
Warwick School District # 225 C

This is to advise you that at the request of the State Board of Education, the Permanent Budget Commission has approved the transfer from the Salary Increment Account to the various salary appropriations of your district as follows: Administrative Control \$ \_\_\_\_\_; Instructional Service \$ 25.00; Operation and Maintenance \$ \_\_\_\_\_.

These amounts should be added to your budget for salaries for 1941-42.

Sincerely yours,

H:L

H. V. Holloway, Secretary

June 17, 1937

Trustees of Warwick #225  
Mr. Levin T. Harmon  
Millsboro, Delaware

Dear Mr. Harmon:

In reply to the letter from your Board of Trustees,  
I shall be very glad to be present for the meeting at your  
school building on Monday evening, June 21, at seven o'clock.

Very truly yours,

Secretary

j

Arthur  
will be there

WMS Millsboro, Del.  
June 11, 1937

Mr. H. U. Holloway,  
Dover, Delaware.

JUN 14 1937

Sir:

We have received your letter concerning the law passed effecting our school district, Warwick #225.

After deliberating over the matter, we have decided to call a meeting to be held in our building on Monday evening, June 21<sup>st</sup> seven o'clock.

It is our desire that you meet with us.

Let us know by return mail if above date convenient for you - if not let us know the date that suits you best so that it will enable us to notify all concerned.

Noah Harmon  
Gwin, J. Harmon  
Harold Wright  
Samuel B. Jackson

Sincerely

Indian School Warwick District No 225,

Sept 7th 1925,

SEP 9 - 1925

H.V.Hollaway  
State Department of  
Public Instruction  
Dover Del,

Dear Mr Hollaway

Confirming our conversation of  
Sept, 5th, relative to the Rev Muntz case, beg to advise that  
the School Board in regular session, also the members of the asso-  
ciation on School meeting day have decided that the grand  
child of Rev Muntz is not eligible to attend Warwick School  
No 225,

Our decision is based on Chapter No 359 Laws of  
Delaware passed in 1881, also amendment to said coroperated  
Law page 549, Chapter 164 Laws of Delaware passed in 1921,


I am sure when you have considered these Laws you  
will agree with our decision that the grand child of Rev  
Muntz in no way complies with these requirements and we have  
refused him admission based on these laws to our school,

Thanking you for your courtesy in this matter,

I am yours very truly

*Ferdinand Clark* Sec,

Board of Commissioners Warwick School No 225.



WARWICK SCHOOL NO.225-C,

MUNTZ CASE.

Sept.5th, 1925.

Rev. Leslie Muntz,

Millsboro, Del.

Dear Sir:-

I have this morning been informed that the Board of School Trustees representing the corporation known as the decendants of the Nanticoke Tribe of Indians, at the school meeting last Spring considered the eligibility of your grandchild for admission to school No.225-C and that the matter was acted upon unfavorably. I am awaiting written confirmation to this effect.

Chapter 359, Vol.16, Laws of Delaware, sets forth in Section 1 the individual names of certain residents of Indian River Hundred who shall constitute a separate school district or districts, two being mentioned, Warwick and Hollyville, and that these districts shall be restricted to those mentioned and their decendants. Section 3 of the Act, however, provides as follows:

"That anyone may be hereafter made a member of this corporation by a  
"two-thirds vote of those present at any stated meeting thereof, upon  
"his posting thirty days before said stated meeting, written notice  
"of his application for membership on the front door of each school  
"house, provided that no one shall be a member of this corporation whp  
"does not belong to the decendants of the Nanticoke Tribe of Indians  
"to which those mentioned in Section 1 belong, is not above the age of  
"21 years, a citizen of this State, and a resident of the said Indian  
"River Hundred."

This Act, therefore, clearly provides that membership of persons is by two-thirds majority vote of those constituting the closed corporation and must be decendants of the Nanticoke Tribe of Indians. The matter of whether a person is a Moor or not, therefore, does not seem to enter into the question.



Rev. Leslie Muntz - #2.  
9/5/25.

You should, therefore, send your child to some other school, the one that is nearest, and the State will pay the transportation in accordance with the usual rules, on the approval of the enclosed application blank.

Yours very truly,

HVH-MFH

State Supt. of Public Instruction.

cc Isaac W. Harmon,  
R.D., Millsboro, Del.

enc

Munity ~~Care~~ ~~September~~ 5 1925

Willson Del

SEP 8 - 1925

Dear son Mr H. W. Holley  
kind letter received and  
the reason that your letter  
some time ago was not  
answered because that he  
did not advertise his  
his name on the school has  
helped school meeting as  
he was told that they had  
to do and if will make it  
short as if or some one  
will write you soon  
thanking you

Isaac W Hamman

Dis 228

Warwick School - 225-C

MUNTE CASE.

Sept. 2, 1926.

Rev. Leslie Munte,

Millsboro, Del.

Dear Sir:-

On April 29th I wrote to Mr. Isaac W. Harmon, setting forth that the reasons mentioned in his letter of April 28th for refusing to permit the entrance of your grandchild into Warwick School, Dist. #225-C, were not those which were recognized by the Law making that district a separate district. In this letter I said, in part - "If your board decides that this child does not belong to the race of Moors or Wanticoke Indians, please let me have that straight out decision, and your reasons for the same." To that letter I have never received a reply.

I presume, therefore, that there can be no objection to his entering that school on racial grounds. Will you, therefore, send him to District #225-C at the opening of school, on Sept. 8th?

Yours very truly,

HVR-MFH

State Supt. of Public Instruction.

cc Isaac W. Harmon,  
Millsboro, Del.

*Confidential Act*

SEP 1 - 1925

Millsboro Del.  
Aug. 31. 1925.

Mr. H. V. Holloway

Dear sir,

Not having heard from you sence April 21th, in regard to my child going to school this fall, in Your letter to me, you said that you had taken it up with clerk of the board of ~~school~~ school trustees, please write me and let me know what I shall do a bout it?

It is allmost time to start him to school some where. if he is not a leued to go to the Harmen school, which is the nearest one, then some one should pay his transpatation to some other school, as he is to young to walk so fair.

Hoping to here from You soon, in regard to the matter.

Yours truly, Leslie Muntz.

MUNTZ CASE.

April 29, 1925.

Isaac W. Hanson, Clerk,  
Board of School Trustees,  
Warwick School, Dist. #225-C,  
R.F.D., Millsboro, Del.

Dear Sir:-

I want to thank you for your letter of the 25th inst. in regard to the grandchild of Rev. Muntz. As I understand the law, the only valid reason which can be offered for the refusal of your board to a child entering your school is that he is not a Moor or a Manticoke Indian. The question of the respectability of his parents or their association with other people cannot enter into the decision of the matter. Any white man or woman in the State may, if they desire, associate with negroes, yet their children have a perfect right to attend the school for white children. If it can be shown that the child in question does not belong to the class of people known as Moors or Manticoke Indians, for which your school is provided, that settles the question as far as we are concerned.

I have not the slightest disposition to question the right of your board in the matter to determine his admission to your school, so long as that admission is based upon the ground that is definitely recognized in the law, and that is purely a question of race. It cannot be made a matter of association or a matter of belonging or not belonging to a corporation, or a matter of a crowded condition of the school, nor of being a "separate body politic". The only legal grounds, I repeat, are racial. If your board decides that this child does not belong to the race of Moors or Manticoke Indians, please let me have that straight out decision, and your reasons for the same.

Yours very truly,

HVH-MFH

State Supt. of Public Instruction.

cc James E. Funnell, Esq.,  
Georgetown, Del.

*No reply*

Nanticoke Indian School Warwick District No225,

April 26, 1925,

H.V.Holloway, Secretary,  
State Department of Public  
Instruction,  
Dever, Del,

APR 28 1925

Dear Sir,

Yours of the 21st, Inst, at hand and contents noted,

In reply to your inquirie, In regards to Rev, Francis Muntz being denied the privilege of sending his grand child to Warwick Indian School,

First, He has never been reconized or Associated in any way with the cooperation or Association, and has for a number of years associated himself and family with the colored people of the State, and else where something that has never been accepted by the cooperation, Secondly, We have always maintained a distinct and seperate body politic from those that do not hold themselves aloft from a certain element to respect themselves so they may be respected,

Third, At the time that Rev Francis Muntz sent the child, the school was ever crowed with pupils and only one teacher to look after them as you know,

Fourth, Two thirds or more of the members of the Warwick Indian school District No 225, were strictly opposed to taking him into the school as he is considered not conducting him self in a respectable manner,

Trusting this may be satisfactory in reference why he was not permitted to send to the school

Very Truly Yours

Isaac W. Harman ckh

Warwick Indian School District No 225

April 21, 1925.

Iraco W. Harmon, Clerk,  
Board of School Trustees,  
Warwick School, Dist. #225-C,  
Millsboro, Del.

Dear Sir:-

I am informed that a grandchild of the Rev. Francis Muntz has been denied the privilege of continuing as a pupil in the Warwick School, Dist. #225-C. I am also informed that his father and mother and grandfathers are all Moors. The School Law reads as follows:

"The State Board of Education may establish schools for children of people called Moors. Each school shall be free to all such children between the age of 6 and 21 years, inclusive. No white or colored child shall be permitted to attend such a school without the permission of the board of trustees of the said school, and of the State Board of Education."

Will you please let me know by return mail why this child is not permitted to continue in this school, and oblige,

Yours very truly,

HVH-MFH

State Supt. of Public Instruction.

enc

April 21, 1925.

Rev. Francis Muntz,  
R.F.D.#3,  
Millsboro, Del.

Dear Sir:-

I want to thank you for your letter of the 20th inst. I have taken up the matter referred to therein with the clerk of the board of school trustees, and hope to have a satisfactory reply in a few days.

Yours very truly,

HVH-MFH

State Supt. of Public Instruction.



Millsboro Del.

R. F. W. 3-

APR 21 1925  
April 20. 1925

Mr. H. V. Hallamby.

Dear Sir.

after waiting a long time.  
for a reply in regard to  
my child attending school  
in box no 225 I am -  
writing you. to ask  
what I shall do about  
it.

my child should be in  
school all of these good  
days.

yours truly  
Lester Muntz

ATTENDANCE,

March 19, 1925.

Miss Edith I. Jones,

Georgetown, Del.

My dear Miss Jones:-

Living in Warwick School District #235-C is Frances Muntz, a granddaughter of the Rev. Muntz. She is 7 years of age on December 24th; attended school in New Jersey. She is living with her grandfather and not attending school now. Her father and mother and her grandfathers are all Moors.

She was admitted to the above school and allowed to attend one week and then was sent home. The reason for this action is not clear to me. Kindly investigate the case in the light of Section 34 of the School Law and report back to me your findings, in the meantime getting the child to school if there does not seem to be sufficient reason why she should be excluded.

Yours very sincerely,

HVH-MFF

State Supt. of Public Instruction/

JAMES M. TUNNELL  
ATTORNEY AT LAW  
GEORGETOWN, DELAWARE

APR 28 1925

April 27th, 1925.

Dr. H. V. Holloway,  
Supt. of Public Instruction,  
Dover, Dela.

Dear Mr. Holloway:

I have been consulted by some of the members of the Nanticoke Tribe of Indians of Indian River Hundred.

It appears there is some difficulty in their school with reference to the demand of a man by the name of Muntz who desires to send his children to their school. I have examined the law with reference to these schools on more than one occasion. You will notice that in Volume 16 Chapter 359, Laws of Delaware, there was a recognition of them as a separate organization in which it was provided that the members<sup>hip</sup> should be determined by a vote of the members. These two schools had been built and maintained for some time by private subscriptions while the subscribers were also paying their regular school taxes. They have always been permitted to manage and control those two schools. In 1921 by Chapter 164 of Volume 32 of the Laws of Delaware, this act was again recognized by the Legislature as being in force. The Legislature during the same year and only a few days later in its general school act authorized the establishment of schools for children of people called moors. This undoubtedly

had reference to the Nanticoke Tribe of Indians which had its separate schools in Indian River Hundred.

The man who is attempting to send his children to this school against the wishes of the Trustees of that school does not hold himself separate and apart and is not a member of the Nanticoke Tribe of Indians. He associates with colored people and is being recognized as being either a colored person or mulatto. He neither claims to be a member of the Nanticoke Tribe of Indians nor has he ever been recognized as such. These are the people who have maintained their separate schools in Indian River Hundred for more than 100 years.

They feel very deeply on the subject and unless they are permitted to say where the line shall be drawn, there will be no line between the races in that district. However, knowing the people as I do, I am quite sure that it would be absolutely impossible to compel them to associate on terms of equality with the people whom they consider of a different and inferior race. I think, it would be as difficult to compel them to accept in their school those they claim as colored as it would be to compel the whites of the same section to allow the colored in their schools.

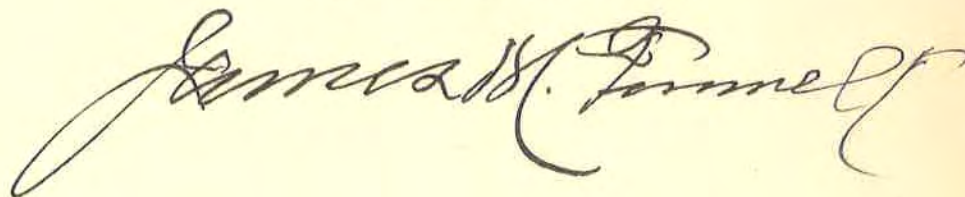
I am writing you this knowing the situation as I do and believe that you are in a position to avert a serious condition

in that particular section by permitting these people to  
continue to control their school as they have done for so long  
a time.

Hoping I have made the matter clear, I remain

Very sincerely yours,

JMT:L

A handwritten signature in cursive script, reading "Samuel H. Furness". The signature is written in dark ink and is positioned to the right of the typed name "JMT:L".

7617  
March 14, 1927.

WARWICK SCHOOL #225.  
Case of Leon Wright.

Hon. C.E. Burton,  
House of Representatives,  
Dover, Del.

Dear Mr. Burton:

I am enclosing herewith copies of the correspondence which has taken place between the trustees of Warwick School #225 and Harry Wright and Elsie Wright with this Department.

Anything that you can suggest to clear up the situation in a satisfactory manner will be greatly appreciated.

Yours very sincerely,

HVH-JFH

State Supt. of Public Instruction.

encl

WARWICK SCHOOL #225.  
Case of Leon Wright.

March 14, 1927.

Harry Wright,  
R.F.D.,  
Millsboro, Del.

Dear Sir:

I wish to acknowledge receipt of your letter of recent date in regard to the entrance of your grandson into the Warwick School #225.

On February 11th I wrote to Elsie Wright in regard to the action of the local and State Board of Education in this matter. Until we receive from the local board of school trustees of Warwick School #225 notice that they have changed their minds in regard to allowing Leon to enter the school, we cannot assist you.

I am, however, taking up the matter with Mr. Burton, who represents your district in the Legislature. What can be done I do not know. The action of the State Board in this matter will depend entirely upon the action of the local board.

Yours very truly,

HVH-JFH

State Supt. of Public Instruction.

C O P Y

March 1927

Mr. Holloway

Dear Sir:

I am written you some time ago to see about them ceeping my little boy out of the school the Warwick school you told me what to do I stoped by that day to see one of the men witch was Walt Wright and he still said he was willing for the boy to go and said he would see the other men and tend to the matter at once, so we have been looking for to send the boy at school but we have never herd any thing yet concerning the boy to go to school, but we here this week that the man by the name Warren Wright witch is one of the inden tribe and also he is my cousin he says he is going to ceep all the children out of that school that is out and he is going around to get enough to join them as indens and then they are going to throw the rest of the children out that are not indens. Now Mr. Holloway will the state alow that or not Mr. Dupont built that school for the colored abd to think that they cant go only the one that claim to be indens. there is only about 8 or 9 that they call inden children and all the rest the same color and must be driven out whi I realy think that is a shame. Now Mr. Holloway is it that my boy cant get in that school the same color of them and relation to and very near to. Why all the ones that claim to be indens are near relation to me cousins and one of the inden women are my sister and the man they call chief his wife is an own cousin to my wife please tell me if the state will alow them to ceep my boy out of school all that near if they are inden why what will that make us and what will the law and state call us. Why the law book calls for the indan and inden decent that can go to that school so what are we called but the inden decent I think there ought to be something don just to think all the rest of the children are getting edgercation and my boy haft to stay home or go to some other school witch he does not belong it is to bad my boy has been to school three weeks in the new year why it is a shame if they are inden why arnt us it looks to me if they want to be to them selves they ought to be driven out to get ther own school and let the poor little children of every family get edgercation as well as the rest. Now Mr. Holloway we fed real bad our little boy sitting home the rest of children going to school please Mr. Holloway will you atend to the matter and see that my child gets edgercation as some as the rest and see that he goes to that school witch he belong even that the law book calls for inden or inden decent so why should my child haft to stay out of that school I can prove that they are near relation to me and very near, so please Mr. Holloway see what you can do for me.

(Signed ) Harry Wright.



C O P Y

WARWICK SCHOOL #225.

Feb. 11, 1927.

Mr. Elsie Wright,  
R. F. D.,  
Millsboro, Del.

Dear Madam:

This is to inform you that the State Board of Education has received from the Board of School Trustees of Warwick School #225, a statement to the effect that your son, Leon, is not eligible to attend the special school in question. Inasmuch as the right to attend this school must be granted both by the local board of trustees, and by the State Board of Education, I am directed by the State Board to notify you of the confirmation by that body of the action of the local board of trustees.

I trust that this action will not cause you inconvenience, and that you will be able to send Leon to another school as conveniently located.

Yours truly,

MPH:HRH

State Supt. of Public Instruction.

cc Walter B. Wright, Millsboro  
cc Ferdinand Clark, "  
cc Isaac W. Harmon, "

C O P Y

Millsboro, Del.  
Feb. 8, 1927.

Mr. Holloway,

Dear Sir

The Board of Trustees of 225 Has meet In regard to quote the law of admission of children to the Indian School thay have to advise 30 day before school meeting day and it take two third of the corporated body and the Trustees has decided that Leon Wright is not eligible to attend Warwick School, 225. Thanking for your pass kindness, still Reamine your Truly

(Signed) I. W. HARMAN  
FERDINAND CLARK  
WALTER B. WRIGHT

WARWICK SCHOOL #225.  
Wright Case.

February 7, 1927.

Walter B. Wright, Millsboro ( Trustees,  
Ferdinand Clark, " ) Warwick School #225.  
Isaac W. Harmon, " (

Gentlemen:

The question as to the right of one Leon Wright, a son of Elsie Wright, to attend the Warwick School, District #225, has arisen. I am writing to you to quote the law in regard to the admission of children to the Indian School. Section 34 of the School Law reads as follows:

"The State Board of Education may establish schools for children of people called Moors (amended to refer to descendants of the Nanticoke Indians) which school shall be free to all such children between the age of 6 and 21 years, inclusive. No white or colored child shall be permitted to attend such a school without the permission of the Board of Trustees of said school, and of the State Board of Education".

It will be seen from this provision that when there is a question as to the eligibility for entrance to this type of school, the matter must be passed upon by these two boards. Will you, therefor, call a regular meeting of your board of trustees and notify this Department of your formal action in regard to this case? I understand that the child is already attending the Warwick School. Please take up this matter at once, and notify us of your action. The letter should be signed by at least two members of the board, preferably the President and Clerk.

Yours very truly,

MFH:HRH

State Supt. of Public Instruction.

WARWICK SCHOOL #225.  
Case of Leon Wright.

March 14, 1927.

Harry Wright,  
R.F.D.,  
Millsboro, Del.

Dear Sir:

I wish to acknowledge receipt of your letter of recent date in regard to the entrance of your grandson into the Warwick School #225,

On February 11th I wrote to Elsie Wright in regard to the action of the local and State Board of Education in this matter. Until we receive from the local board of school trustees of Warwick School #225 notice that they have changed their minds in regard to allowing Leon to enter the school, we cannot assist you.

I am, however, taking up the matter with Mr. Burton, who represents your district in the Legislature. What can be done I do not know. The action of the State Board in this matter will depend entirely upon the action of the local board.

Yours very truly,

HVH-35FH

State Supt. of Public Instruction.

1

MAR 12 1927

March

1927

Our Holloway Dear see  
I am witen you, some  
time ago to see about  
them ceeping my little  
boy out of the school  
the warwick school you  
told me what to do I stoped  
by that day to see one  
of the men witch was Wald  
wright and he still said he  
was wiling for the boy to  
go and said he would see  
the auther men and tend to  
the matter at once, so we

have been looking far to  
send the boy at school  
but we have never herd  
eny thing yet concerning  
the boy to go to school, but  
we here this week that  
the man by the name  
Morran Wright-witch is  
one of the inden tribe and  
also he is my cousin he  
says he is going to ceep  
all the children out of  
that school that is out  
and he is going araround  
to get enough to jain  
them as indens, and then  
they are going to throw  
the rest of the children  
out that are not indens.

now Mr Holloway will the state  
allow that or not Mr  
Leeport built that  
school for the colored and  
to think that they cant  
go only the one that  
claim to be indians,  
there is only about 8  
or 9 that they call indian  
children and all the rest  
the same color and must  
be driven out why I  
really think that is  
a shame, now Mr Holloway  
is it that my boy cant  
get in that school the  
same color as them and  
relation to and very near  
to, why all the ones that

claim to be indians are  
 near relation to me cousins  
 and one of the indian women  
 are my sister and the man  
 they call chief his wife is  
 an own cousin to my wife  
 please tell me if the state  
 will allow them to keep my  
 boy out of school all that  
 near if they are indian  
 why what will that make  
 us and what will the law  
 and state call us. why  
 the law book calls for  
 the indian and indian  
 decent that can go to that  
 school so what are we  
 called but the indian decent  
 I think there ought to be



something don't just to  
 think all the rest of the  
 children are getting  
 education and my boy  
 haft to stay home or go  
 to some other school  
 witch he does not  
 belong it is to bad my  
 boy has been to school  
 three weeks in the new  
 year why it is a shame if  
 they are inden by arnt  
 us it looks to me if they  
 want to be to them  
 selves they aright to be  
 driven out to get their  
 own school and let the  
 the poor little children  
 of ever family get

edgercation as well as the  
rest, now Mr Hollway we  
feel real bad our little boy  
sitting home the rest  
of children going to school  
please Mr Hollway will you  
attend to the matter and see  
that my child gets edgercation  
as some as the rest and see  
that he goes to that school  
with he belong even that  
the law book calls for  
inden or inden decent so why  
should my child kept to stay out  
of that school & come prove  
that they are near relation  
to me and my area, so please  
Mr Hollway see what you can  
do for me Hurry right

My address

Harry Wright

Millsboro Del

Rt 10 H 7 please give me

answer (over)

Will you please state this  
Case before the State  
Board when it meets.

WARWICK SCHOOL #225.

Feb. 11, 1927.

Mrs. Elsie Wright,  
R.F.D.,  
Millsboro, Del.

Dear Madam:

This is to inform you that the State Board of Education has received from the Board of School Trustees of Warwick School #225, a statement to the effect that your son, Leon, is not eligible to attend the special school in question. Inasmuch as the right to attend this school must be granted both by the local board of trustees, and by the State Board of Education, I am directed by the State Board to notify you of the confirmation by that body of the action of the local board of trustees.

I trust that this action will not cause you inconvenience, and that you will be able to send Leon to another school as conveniently located.

Yours truly,

HVH-MPH

State Supt. of Public Instruction.

cc Walter B. Wright, Millsboro  
cc Ferdinand Clark, "  
cc Isaac W. Harmon, "

Feb. 8 1927

Millsboro, Del.

Mr. Halloway,

FEB 9 - 1927

Dear Sir

The Board of Trustees of 225-  
Has met in regard to quote  
the law of admission of children  
to the Indian School they have  
to advise 30 day before school  
meeting day and it takes two  
third of the separated Pades  
and the Trustees has decided  
that Leon Wright is not Eligible  
to attend Warrick School, 225-

Thanking you for your Pass binder  
Still remains your truly

J M Harman

Ferdinand Clark  
Walter B. Wright

Feb. 8 1927

FEB 9 - 1927

Mr Hallaway.

Dear Sir

Mrs. W. Harmon had  
to write Mr. Harmon  
name he has a very bad  
hand, and he has been  
to the hospital and has lost  
his middle finger on his right  
hand

Mr. Hallaway  
will you please notify  
the parties

Milwaukee, W. Rant 4.

WARWICK SCHOOL #225.  
Wright Case.

February 7, 1927.

Walter B. Wright, Millsboro) Trustees,  
Ferdinand Clark, " ( Warwick School #225.  
Isaac W. Harmon, " )

Gentlemen:

The question as to the right of one Leon Wright, a son of Elsie Wright, to attend the Warwick School, District #225, has arisen. I am writing to you to quote the law in regard to the admission of children to the Indian School. Section 34 of the School Law reads as follows:

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It will be seen from this provision that when there is a question as to the eligibility for entrance to this type of school, the matter must be passed upon by these two boards. Will you, therefore, call a regular meeting of your board of trustees and notify this Department of your formal action in regard to this case? I understand that the child is already attending the Warwick School. Please take up this matter at once, and notify us of your action. The letter should be signed by at least two members of the board, preferably the President and Clerk.

Yours very truly,

HVN-MFH

State Supt. of Public Instruction.



3/12/29

*Warwick*

CHAPTER 48, VOL. 15, 1875, The laws of Delaware was an act to authorize the Levy Courts to tax colored persons for support of their own schools at the rate of 35¢ on the \$100. The proceeds to be kept in a separate fund for the support and maintenance of colored schools of this State. The proceeds were paid to the County Treasurer who paid them to the Delaware Association for the education of the colored people. The fund was distributed to the colored districts in which they were raised.

CHAPTER 359, VOL. 16, 1881, was an act to exempt certain persons from the operation of the above described law and to enable them to establish schools for their children in Sussex County. This act established a corporation, thus requiring a 2/3 vote of each branch of the legislature. Section 1 sets forth the names of 31 persons thus exempt from the above taxation. This act was passed in 1881 and most of the persons named are now deceased. The corporation has been carried on by their successors under the name of "The Indian River School District for a certain class of colored persons". The act provides a corporate seal, power to hold ground for two schoolhouses, a real and personal estate <sup>not</sup> exceeding in clear annual income \$500 for the use of the schools in said district, etc.

Section 3 of the act provides that anyone may hereafter be made a member of this corporation by a 2/3 vote of those present at any stated meeting ~~therein~~, upon his posting 30 days before said stated meeting written notice of his application for membership on the front door of each schoolhouse, provided that no one shall be a member of this corporation who does not belong to the class of colored persons to which those mentioned in Section 1 belong, is not above the age of 21 years, a citizen of this State and a resident of the said Indian River Hundred.

Section 4 gives the sub-districts into which the district provided was to be divided, namely, "Warwick District and Hollyville District". The Hollyville District has for a number of years been abandoned as a district under the limitations of this act. In fact the school law of 1919 nullified the method of taxation provided by this act and placed all schools in each

county on the same basis from the standpoint of their support. Under the acts of 1920 and 1921 special taxes for the operation of schools as between white and colored have not been collected.

The remainder of the act of 1881 concerns itself with the detailed duties of the corporation as to meetings, place thereof, qualification of voters, the amount of money to be raised, the apportionment thereof, the selection of teachers and the provision whereby a member may withdraw from the corporation by giving notice at an annual meeting and after all sums with which he has been charged have been paid, and further provided that after withdrawal he shall become subject to taxation under the act of 1875, above described.

CHAPTER 164, VOL. 32, modifies the act of 1881 by writing into the said act in place of a certain class of colored persons "the descendants of the Nanticoke tribe of Indians." The passage of H.B. #258 would simply restore Chapter 359, Volume 16 as originally passed in 1881.

There is a question as to the validity of the latter act as it relates to taxation and the organization and maintenance of schools, a question which in the end can be decided only by the courts.

The school law approved March 31, 1921 provided in Section 34 that "The State Board of Education may establish schools for children of people called Moors, which schools shall be free to all said children between the ages of 6 to 21 years, inclusive. No white or colored child shall be permitted to attend such a school without the permission of the Board of Trustees of said school and of the State Board of Education", Warwick School District #225 has been running as such a school district since 1881 even though there was no special authorization therefor from 1919 to 1921 and no special resolution provided therefor by the State Board of Education since 1921. The people in question used to be known as Moors and doubtless the writers of the 1921 act had that in mind when the provision of the said act relating thereto was drawn.

In recent years difficulties have arisen as to what children should attend Warwick District #225. These difficulties have arisen from intermingling of the race in that section and have resulted in a greatly reduced enrollment of this school, which is a two room school. The children of the mixed group have been required to attend Warwick School #203 which is a one room school



MAY 3 1937

ARIZONA STATE TEACHERS COLLEGE  
TEMPE, ARIZONA

GRADY GAMMAGE  
PRESIDENT

April 20, 1937

Mr. H. V. Holloway,  
State Superintendent,  
Dover, Delaware.

My dear Mr. Holloway:

I wish to thank you for the information you gave me in the letter of April 20.

I read your letter in class and passed the pictures around. We found them very interesting.

We are getting much information about the Indians of the United States. Thanking you again I remain,

Sincerely yours,  
Jean Hansen

of the Commissioner of Indian Affairs, 1926, page 32.

The information here was compiled from reports of Indian Agency superintendents supplemented by 1920 census where no Indian representative is located. So the Delaware number came from the 1920 census.

I have just now seen the 1930 census and find it reports 5 Indians now in Delaware.

yours sincerely,  
Alice C. P. Linton  
(Mrs. Wm. E. Linton)

MAJ.-GEN. HUGH L. SCOTT,  
U. S. A. (Retired)  
Honorary President.

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Vice-President.

HERBERT S. WELSH,  
Treasurer.

MATTHEW K. SNIFFEN,  
Secretary.

LAWRENCE E. LINDLEY,  
Associate Secretary.

TELEPHONE, LOMBARD 25-21

# Indian Rights Association,

(INCORPORATED)

ENDORSED BY THE  
PHILADELPHIA  
CHAMBER OF  
COMMERCE

995 DREXEL BUILDING,

ENDORSED BY THE  
NATIONAL  
INFORMATION  
BUREAU (INC.)

Philadelphia,

February 15, 1933.

FEB 16 1933

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Emporia, Kans.

HON. GEO. W. WICKERSHAM,  
New York City

OWEN WISTER,  
Philadelphia

Superintendent of Public Instruction  
State of Delaware,  
Dover, Delaware.

Dear Sir:

A delegation of Nanticoke Indians from Millsboro, Delaware came to our office today to ask our assistance in securing for them the continuance of a state-supported school for Indians only in the community of Millsboro.

As I understood their statement the state did support such a school from about 1881 until approximately three years ago. At that time I understand the school that had formerly been restricted in attendance to Indians only, was thrown open to attendance by negroes. They state that at the time the school was opened to negroes, an organization known as the Nanticoke Association erected a school building and have been conducting a private school for Indians until the present time. Now, they say, financial conditions are so difficult that they can no longer support the school and they want the state to again undertake the support of the school.

From them I understand that a law was passed in 1881 providing for a school for Indians at which attendance of neither white nor negro children should be permitted and that this law has never been repealed. I do not understand clearly from them the basis on which the support of the state was withdrawn from the Indian school, or perhaps to be more exact on what basis negro children were admitted to the school.

I understand also that a bill has been introduced in the present session of the state legislature to provide for the support, by the state, of a separate Indian school.

I would appreciate any information you can furnish me about this whole matter.

Very truly yours,

*Lawrence E. Lindley*  
Associate Secretary.

February 16, 1933

Mr. Lawrence E. Lindley, Assoc. Secretary  
Indian Rights Association  
995 Drexel Building  
Philadelphia, Pa.

Dear Sir:

Your letter of the 15th in regard to educational provisions made by the State of Delaware for a group of Nanticoke Indians living on Indian River has been received. It would require a small volume to explain in detail the educational history of the people in this section. The salient facts, however, in regard to the situation may be stated somewhat as follows:

In 1884 the State Legislature passed an Act providing special schools for a "certain class of colored people living in Indian River Hundred;" and under this and subsequent acts, special schools were maintained for these people. The intermixture of races, however, in this section by common consent resulted in the discontinuance of first one school and then another as a separate school for the subsequently so-called "Indians." The School Act of 1921 provides that the State Board of Education may establish schools for children of people called "Moors," and provides that no white or colored child shall be permitted to attend such a school. Under the provisions of this Act, the State Board continued one school in this section, Warwick #225, and in the meantime, the Act providing a special school for a "certain class of colored people" was amended so as to change this title to "the descendants of the Nanticoke tribe of Indians." Under the original Act, there was organized a kind of association requiring the payment of dues, to which only certain people might belong. The distinction as to eligibility, however, owing to the mixture of races became an exceedingly hazy one and a number of the people in this district who were direct blood relatives of some of those in the association refused to belong to the association. The school trustees thereupon refused to permit the children of some of these people to attend this school, while they permitted their cousins, whose parents belonged to the association, to attend. This resulted in a situation whereby children of the same blood as those attending the special school were refused its advantages and caused to walk right by the special school to a "colored school" two or three miles farther from their homes. The situation became so acute in this regard that a school with a capacity for 80 children was reduced to an enrollment of about 15. The State Board of Education, therefore, after many long conferences

L.E.L.

-2-

2/16/33

extending over a period of two or three years, finally came to the conclusion that the distinction between the colored people and "Indians" in this section was not sufficiently clear to justify the maintenance of a special school for those who claimed to be "Indians." Therefore, in 1929, the school as an "Indian" school was discontinued, and a small group of those who claimed to be "Indians" and who claimed membership in this association, constructed a building of their own and are maintaining the same at their own expense, as any other private school is maintained in the State.

No demand for anything except elementary grades has ever come from this district. In fact, it is exceedingly difficult to get the parents to send their children even through the elementary grades. No four-year high schools are provided in any school for colored children in Sussex County. In some of the larger towns from one to three years of high school work is maintained, but all colored children in the County are privileged to go to the State College at Dover, which is a colored school of secondary grade, with free tuition, and in addition a maximum allowance of \$4.50 per week for "transportation."

An attempt was made in the 1931 session of the Legislature to secure a special appropriation for this school, as likewise a similar bill has been presented to the present session. The State Board of Education has taken the stand that, to provide money for this school would be establishing a precedent for providing special funds for children of Memonites, who have two special schools in our State, and ultimately to provide funds for all private schools. I think you can see that this difficulty arises from the lack of a clear distinction of what constitutes an "Indian." The distinction is now purely an artificial one, namely, belonging or not belonging to the Nanticoke Association.

If you are interested in the whole story of this situation, you should send a special representative of your Department for its study. You will find it very interesting.

Sincerely yours,

State Supt. of Public Instruction

HVH:J

April 30, 1931

Dr. Charles W. Heathcote  
State Teachers College  
West Chester, Pa.

Dear Sir:

In response to your request of April 23, I am enclosing herewith a map on which is located the locality in which the so-called Indians of Delaware reside. They are remnants of the nanticoke tribe, probably 200 of them, but most of them are of mixed Indian and Negro blood.

Very truly yours,

J:R

State Supt. of Public Instruction.



State Teachers College  
at  
West Chester, Pa.

APR 22 1931

DEPARTMENT OF SOCIAL STUDIES  
CHARLES W. HEATHCOTE, PH.D.  
CHARLES S. SWOPE, M.A.  
JAMES ANDES, M.A.

20 April 1931.

My dear Sir:

If I mistake not I think there are a few Indians living in the southern part of Delaware? If I am correct, will you please let me know the exact location, how to get there by automobile; approximate number: remnants of what tribe; do they make pottery for sale etc.? Any information you can give me will be very much appreciated. Thank you.

Yours cordially,

C. W. Heathcote  
Wilmington - as to number  
possibly 200, but mostly of  
mixed blood.  
Send map.

April 20, 1937

Miss Jean Hansen  
31 East 6th St.  
Tempe, Arizona

My dear Miss Hansen:

In reply to your letter of the 13th, I would say that in the lower county of Delaware residing in what we call Indian River Hundred near Indian River is a small group of so-called Nanticoke Indians. There may be some doubt as to the purity of Indian blood in this group. Roughly speaking, there are probably a dozen families or so with maybe forty or fifty persons, counting children. They have an Indian organization and usually conduct a powwow on Thanksgiving Day of each year, at which a number of them don their Indian dress. There are in some cases admixtures with the colored population. Their physical characteristics, however, can be said to be neither negroid nor Indian, as I have seen pure blooded Indians in the West. Their skin is dark and they usually have black hair, which is not curly.

I am sending you a picture of some of the children in our Indian School, and also a picture of some of their parents, which I am sure you will find interesting.

Sincerely yours,

HVH:C

State Supt. of Public Instruction

APR 2 01937

Arizona State Teachers College  
Tempe Arizona  
April 13, 1937

To the Honorable State  
Superintendent of Education,  
Wilmington Delaware

Dear Sir:

In our Social Science class we have taken up the unit on Indians. Each member of the class chose a state to study. My state is Delaware. I have heard there are only two Indians in Delaware but I thought it would be interesting to know what kind of Indians they are, and how it happens there are so few.

I would appreciate any information you could give me.

Sincerely yours,

*Jean Hansen*

Jean Hansen

*31 East 6th St.  
Tempe Arizona*

# Indian School

For purposes of school attendance  
for people called moors or Indians  
in the schools laws of Delaware ~~any~~  
~~person~~ of a moor or Indian shall  
be any person <sup>of school</sup> ~~of the age of~~  
~~6 and 17 years who~~ who.

shall be adjudged as such by the  
Mayor or member of the State Bd of  
Ed, the Secretary of the State Bd of  
Health and the County  
Resident Judge of the County  
~~or a majority of~~, or a majority of  
them.

called Mr Walker

REFER IN REPLY TO THE FOLLOWING:

ADDRESS ONLY THE  
COMMISSIONER OF INDIAN AFFAIRS

Education  
82127

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

NOV 11 1936

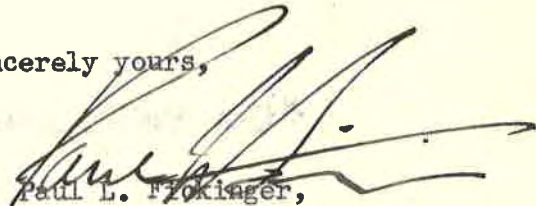
✓  
Mr. H. V. Holloway,  
State Supt. of Public Instruction,  
Dover, Delaware.

NOV 9 1936

My dear Mr. Holloway:

We highly appreciate your letter of November 4 and effort you have made to satisfy the Nanticoke Indians in the way of school facilities. I sincerely hope your efforts will be successful and the educational needs of the Indians will be met in a way which is acceptable to them.

Sincerely yours,



Paul L. Flocking,  
Assistant Director of Education.

November 4, 1936

Mr. Paul L. Fickinger  
Department of Interior  
Office of Indian Affairs  
Washington, D. C.

Dear Mr. Fickinger:

Thank you very much for your kind letter of recent date in regard to our Nanticoke Indian education problem. Since writing to you, I have had a long conference with the brother of the former Chief of the Tribe, and have advised him that, if he will use his influence to have the Indian children attend the public school which was originally built for them, I will use my influence to have the definitely colored children who are now attending that school transferred to an adjoining district where colored children usually attend. I have so far not heard the results of his attempt.

It is generally agreed that all of the "Indians" in this section have negro blood in their veins.

Sincerely yours,

State Supt. of Public Instruction

HVH:J

Education  
82127UNITED STATES  
DEPARTMENT OF THE INTERIOROFFICE OF INDIAN AFFAIRS  
WASHINGTON

NOV 4 1936

Mr. H. V. Holloway,  
State Supt. of Public Instruction,  
Dover, Delaware.

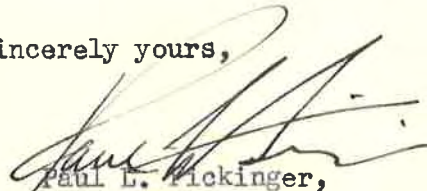
NOV 2 1936

My dear Mr. Holloway:

We have your letter of October 16 regarding the educational situation of members of the Nanticoke Indian Association. We appreciate the difficulty which the State Department of Education has encountered because of the admixture of blood and the prohibition against aid to private schools contained in the State constitution. We are without information as to the number of children in the private school, although apparently at one time the enrollment was about 15, nor are we clear whether these children are or claim to be entirely without negro blood. At present we are not in a position to send a representative to study the situation, particularly as we have no means of giving financial assistance.

If there are a sufficient number of Indian children without negro blood to warrant conducting a one-room school and no larger school is needed, it would be very gratifying to us if this could be done under State law. Possibly the Nanticoke Indian Association would authorize use of its building and permit conduct of the school by the State so that it would in no wise be a private school. Probably you have already considered these possibilities, but we feel some responsibility toward the Indians, even those having a small degree of Indian blood or living in the East where there have been no tribal relations with the Federal Government for many years. Anything which could be done to insure these Indians having adequate school facilities for their children would be very much appreciated. As they are taxpayers, it would appear they are entitled to a little consideration of their feeling in the matter of being classed as colored people, if this small number of families claim with any justice to have no negro blood.

Sincerely yours,

  
Paul E. Wickinger,

Assistant Director of Education.

October 16, 1936

Mr. Paul L. Ficklinger,  
Assistant Director of Education  
Office of Indian Affairs  
Department of the Interior  
Washington, D.C.

Dear Mr. Ficklinger:

I am very glad indeed to receive your letter of October 15 concerning the educational situation of members of the Nanticoke Indian Association, Millsboro, as it has been to me for years a matter of great concern. May I quote again from a letter which I wrote to Mr. C. J. Rhoads, Commissioner, Office of Indian Affairs, in August, 1930:

"In 1884 the State Legislature passed an Act providing special schools for a 'certain class of colored people living in Indian River Hundred;' and under this and subsequent acts, special schools were maintained for these people. The intermixture of races, however, in this section by common consent resulted in the discontinuance of first one school and then another as a separate school for the subsequently so-called "Indians." The School Act of 1921 provides that the State Board of Education may establish schools for children of people called "Moors," and provides that no white or colored child shall be permitted to attend such a school. Under the provisions of this Act, the State Board continued one school in this section, Warwick #225, and in the meantime, the Act providing a special school for a "certain class of colored people" was amended so as to change this title to "the descendants of the Nanticoke tribe of Indians." Under the original Act, there was organized a kind of association requiring the payment of dues, to which only certain people might belong. The distinction as to eligibility, however, owing to the mixture of races became an exceedingly hazy one and a number of the people in this district who were blood relatives of some of those in the association refused to belong to the association. The school trustees thereupon refused to permit the children of some of these people to attend this school, while they permitted their cousins, whose parents belonged to the association, to attend. This resulted in a situation whereby children of the same blood as those attending the special school were refused its advantages and caused to walk right by the special school to a "colored school" two or three miles farther from their homes. The situation became so acute in this regard that a school with a capacity for 80 children was reduced to an enrollment of about 15. The State Board of Education, therefore, after many long conferences extending over a period of two or three years, finally came to the con-



clusion that the distinction between the colored people and "Indians" in this section was not sufficiently clear to justify the maintenance of a special school for those who claimed to be "Indians." Therefore, in 1929, the school as an "Indian" school was discontinued, and a small group of those who claimed to be "Indians" and who claimed membership in this association, constructed a building of their own and are maintaining the same at their own expense, as any other private school is maintained in the State.

No demand for anything except elementary grades has ever come from this district. In fact, it is exceedingly difficult to get the parents to send their children even through the elementary grades. No four-year high schools are provided in any school for colored children in Sussex County. In some of the larger towns from one to three years of high schoolwork is carried on, but all colored children in the County are privileged to go to the State College at Dover, which is a colored school of secondary grade, with free tuition, and in addition a maximum allowance of \$4.50 per week for "transportation."

If you are interested in the whole story of this situation, you should send a special representative of your Department for its study. You will find it very interesting."

the Since that time our Legislature has appropriated funds for the running of private school referred to. Our State Board of Education, however, on the advice of the Attorney General has refused to use this money for the purpose indicated on the same ground that our Constitution prohibits the appropriation of funds for the running of private schools.

Sincerely yours,

HVH:O

State Supt. of Public Instruction

REFER IN REPLY TO THE FOLLOWING:

Education  
82127

ADDRESS ONLY THE  
COMMISSIONER OF INDIAN AFFAIRS

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

OCT 16 1936

Mr. H. V. Holloway,  
State Superintendent of Schools,  
Dover, Delaware.

OCT 15 1936

My dear Mr. Holloway:

Complaint has been made to this Office by Mr. E. Lincoln Harmon, Ex-Chief, and Winona Jamison Wright, Secretary, Nanticoke Indian Association, R. D. #3, Millsboro, Delaware, that the State of Delaware is making no provision for education of Indian children of the Nanticoke tribe although schools are provided by the State for white and negro children. The officers of the association inform us the school for Indian children is owned and supported by the tribe as the State refuses to provide schools although the Indians are tax payers. Will you kindly inform us concerning these Indians and if schools are available for them or if anything can be done by the State to meet their needs.

Sincerely yours,

  
Paul L. Fickinger,

Assistant Director of Education

A-8  
41436-30

August 21, 1930

Mr. C. J. Rhoads, Commissioner  
Office of Indian Affairs  
Department of the Interior  
Washington, D. C.

Dear Sir:

Your letter of the 20th inst., in regard to educational provisions made by the State of Delaware for a group of "Nanticoke Indians" living on Indian River has been received. It would require a small volume to explain in detail the educational history of the people in this section. The salient facts, however, in regard to the situation may be stated somewhat as follows:

In 1884 the State Legislature passed an Act providing special schools for a "certain class of colored people living in Indian River Hundred;" and under this and subsequent acts, special schools were maintained in this section. The intermixture of races, however, in this section by common consent resulted in the discontinuance of first one school and then another as a separate school for the subsequently so-called "Indians." The School Act of 1921 provides that the State Board of Education may establish schools for children of people called "Moors," and provides that no white or colored child shall be permitted to attend such a school. Under the provisions of this Act, the State Board continued one school in this section, Warwick #225, and in the meantime, the Act providing a special school for a "certain class of colored people" was amended so as to change this title to "the descendants of the Nanticoke tribe of Indians." Under the original Act, there was organized a kind of association requiring the payment of dues, to which only certain people might belong. The distinction as to eligibility, however, owing to the mixture of races became an exceedingly hazy one and a number of the people in this district who were direct relatives of some of those in the association refused to belong to the association. The school trustees thereupon refused to permit the children of some of these people to attend this school, while they permitted their cousins, whose parents belonged to the association, to attend. This resulted in a

*direct relatives*

situation whereby children of the same blood as those attending the special school were refused its advantages and caused to walk right by the special school to a "colored school" two or three miles farther from their homes. The situation became so acute in this regard that a school with a capacity for 80 children was reduced to an enrollment of about 15. The State Board of Education, therefore, after many long conferences extending over a period of two or three years, finally came to the conclusion that the distinction between the colored people and "Indians" in this section was not sufficiently clear to justify the maintenance of a special school for those who claimed to be "Indians." Therefore, in 1929, the school as an "Indian" school was discontinued, and a small group of those who claimed to be "Indians" and who claimed membership in this association, constructed a building of their own and are maintaining the same at their own expense, as any other private school is maintained in the State.

No demand for anything except elementary grades has ever come from this district. In fact, it is exceedingly difficult to get the parents to send their children even through the elementary grades. No four-year high schools are provided in any school for colored children in Sussex County. In some of the larger towns from one to three years of high school <sup>work</sup> are maintained, but all colored children in the County are privileged to go to the State College at Dover, which is a colored school of secondary grade, with free tuition, and in addition a maximum allowance of \$2.00 per week for "transportation."

- 4.58 " "

If you are interested in the whole story of this situation, you should send a special representative of your Department for its study. You will find it very interesting.

Sincerely yours,

State Supt. of Public Instruction

HVH:J

A-S  
41436-20UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

AUG 21 1930

AUG 20 1930

*L. Indiana*

State Superintendent  
of Public Instruction,  
Dover, Delaware.

Dear Sir:

We are informed that there is a group of Indians of the Nanticoke tribe, now living on Indian River in Sussex County, near Millsboro. The children of these Indians attend a grade school built by the Indians and maintained from their funds. It is reported to us that the legislature of the State passed an act in 1929 whereby only two nationalities are recognized in the school--white and colored, and State funds benefit only white and colored children, which excludes Indian children from the benefit of State school funds, unless they are willing to attend the colored schools. This they are unwilling to do. We would appreciate any information which you are able to give us concerning the education of children of Indian descent in the State of Delaware, particularly the group referred to.

From information before us it appears that the Indian school mentioned above carries only lower grades and the children completing those grades are deprived of further education.

Sincerely yours,

*C. J. Rhoads*  
Commissioner

STATE BOARD OF EDUCATION  
H. FLETCHER BROWN, PRESIDENT, WILMINGTON  
ERNEST A. SIMON, VICE-PRES., SEAFORD  
JAMES BEEBE, M. D., LEWES  
JOHN B. JESSUP, WILMINGTON  
WARNER W. PRICE, SMYRNA  
NORRIS N. WRIGHT, NEWARK

STATE OF



DELAWARE

Department of Public Instruction

(BRANCH OFFICE)

Sussex County Court House

GEORGETOWN, DELAWARE

November 19, 1935

RURAL SUPERVISORS  
CALVIN E. AFFLERBACH  
ALBERT EARLEY  
E. PAUL BURKHOLDER

VISITING TEACHERS  
EDITH I. JONES  
MRS. H. BERTRUDE LEWIS  
LAUREL

STENOGRAPHERS  
HILDA L. BARR  
NELLIE M. RINGLER

H. V. HOLLOWAY, SECRETARY  
AND STATE SUPERINTENDENT  
OF PUBLIC INSTRUCTION

*Warwick School*

NOV 21 1935

Dr. H. V. Holloway  
State Supt. of Public Instruction  
Dover, Delaware

Dear Dr. Holloway

The Indian School was opened on November 6. All of the children listed in my letter of October 9th are in school, also Joan Harmon a five-year old daughter of Lincoln Harmon and Carrie Mosley who will be six years old her next birthday. Alden Wright was two days late entering, otherwise every child has been in school every day since the school opened.

The school is being taught by Helen Johnson who graduated from the eighth grade in the Warwick School #225. She says, "I am not a teacher, but I'm keeping school open until they can get someone."

I suppose it will not be necessary to issue THREE DAY NOTICES at this time.

Very truly yours

*Edith Jones*

Visiting Teacher

STATE BOARD OF EDUCATION  
 H. FLETCHER BROWN, PRESIDENT, WILMINGTON  
 ERNEST A. SIMON, VICE-PRES., SEAFORD  
 JAMES BEEBE, M. D., LEWES  
 JOHN B. JESSUP, WILMINGTON  
 WARNER W. PRICE, SMYRNA  
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STATE OF DELAWARE



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VISITING TEACHERS  
 EDITH I. JONES  
 MRS. H. BERTRUDE LEWIS LAUREL

**Department of Public Instruction**

(BRANCH OFFICE)  
 Sussex County Court House  
 GEORGETOWN, DELAWARE

STENOGRAPHERS  
 HILDA L. BARR  
 NELLIE M. RINGLER

SEP 25 1935

H. V. HOLLOWAY, SECRETARY  
 AND STATE SUPERINTENDENT  
 OF PUBLIC INSTRUCTION

*3 times this week  
 went to school but never  
 if I mean that and let  
 school now and let  
 tell E. Jones  
 Dr. H. V. Holloway*

Sept 24th, 1935.

Dr. H. V. Holloway,  
 Dover, Del.

Dear Dr. Holloway:

The Indians have not yet made any attempt to get their school opened this year. They still owe Winona J. Wright \$275.00 other last years salary. There are only 10 children in the district to attend the school and one of them says she finished last year, but Mrs. "right tells me she did not complete the work.

The children are as follows:

- |                            |             |              |                                                           |
|----------------------------|-------------|--------------|-----------------------------------------------------------|
| William Wright -           | Edward      | 14 yrs. old. | This family is nearly 4 miles from the school.            |
|                            | Marie       | 12 "         |                                                           |
|                            | Wilson      | 9 "          | has had appendix operation and will not attend regularly. |
|                            | Alden       | 7 "          | sick also!                                                |
| Lincoln Harmon - (Trustee) | Eloise      | 15           | - supposed to be finished.                                |
|                            | Thelma A.   | 12 yrs.      |                                                           |
|                            | Lincoln Jr. | 9 "          |                                                           |
|                            | Leval       | 7 "          |                                                           |
| Parker Harmon -            | Kenneth     | 11 yrs.      |                                                           |
|                            | Braxton     | 7 "          |                                                           |
| Wilson Harmon -            | Betty       | 7 "          |                                                           |

*11 children*

Mrs. Wilson Harmon "just married into the tribe" and wants her child in school somewhere - she always attended the Warwick school #225.

The non-attendance of these children is affecting the attendance in the Warwick schools. They have not ever opened this school since it was built without three day notices being issued - what shall we do this time?

Very truly yours,

*Edith Jones*  
 Visiting Teacher.

STATE BOARD OF EDUCATION  
H. FLETCHER BROWN, PRESIDENT, WILMINGTON  
ERNEST A. SIMON, VICE-PRES., SEAFORD  
JAMES BEEBE, M. D., LEWES  
JOHN B. JESSUP, WILMINGTON  
WARNER W. PRICE, SMYRNA  
NORRIS N. WRIGHT, NEWARK

STATE OF DELAWARE



Department of Public Instruction

(BRANCH OFFICE)

Sussex County Court House

GEORGETOWN, DELAWARE

H. V. HOLLOWAY, SECRETARY  
AND STATE SUPERINTENDENT  
OF PUBLIC INSTRUCTION

RURAL SUPERVISORS  
CALVIN E. AFFLERBACH  
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E. PAUL BURKHOLDER

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EDITH I. JONES  
MRS. H. BERTRUDE LEWIS  
LAUREL

STENOGRAPHERS  
HILDA L. BARR  
NELLIE M. RINGLER

October 9th, 1935.

Dr. H. B. King  
Dover, Del.

Dear Dr. King:

Following are the names of the children in the Indian school which is not opened yet and as far as I can find out no attempt has been made to do so.

Lincoln Harmon - Thelma A. 12 years  
(trustee) Lincoln Jr., 9 "  
Leval 7 "

He also has a daughter named Eloise - 15 years old, but supposed to have finished the 8th grd. She is in the hospital now for treatment and couldn't go anyway.

Parker Harmon - Kenneth 11 years  
Braxton 7 "

William Wright - Edward 14 years  
Marie 12 "  
~~Wilson~~ 9 "  
Alden 7 "

This family lives nearly a mile beyond the old Central school which makes them about four miles from school. Wilson had an appendix operation in the spring and is not able yet to attend school regularly and he can't walk this distance. They will also refuse to make the 7 year old boy walk that distance.

(This family is nearer Friendship than any other school)

Wilson Harmon - Betty age 7 years - but she entered the Warwick school #225 on Monday Oct. 7th. Betty's mother always attended this school and is perfectly willing to have her attend there.

The address of all of these parents is Millsboro, Del.

Very truly yours,

*Edith Jones*

Visiting Teacher.



June 4, 1935

Mr. Anthony Higgins  
White House Farm  
Millsboro, Delaware

Dear Mr. Higgins:

I wish to acknowledge receipt of your letter of May 27 asking concerning the status of the Indian School near Oak Orchard.

This school was organized in the summer of 1929. Previous to this time, the Nanticoke Indian children attended Warwick School #225. On April 12, 1929, the State Board of Education passed the following resolution:

"Resolved, that the privilege of having and maintaining their own school be accorded to the descendants of the Nanticoke Tribe of Indians, and that the school buildings in districts #225 and #203 shall be used for all children in the respective districts, except white children."

The State Board of Education took this action owing to the fact that the local board of school trustees of district #225 had arbitrarily refused to permit certain descendants of the Nanticoke Tribe of Indians to attend the school set apart for them, owing to the fact that their parents or guardians were not members of the Indiana Association.

Sincerely yours,

HVH:C

State Supt. of Public Instruction

MAY 31 1935

White House Farm  
Millsboro, Delaware

May 27, 1935

Harry V. Holloway, Esq.,  
Director, State Board of Education  
Dover, Delaware

Dear Dr. Holloway:

For a contemplated newspaper article on the so-called Nanticoke Indians at Oak Orchard, I want to give some attention to their school. At present I understand the Board of Education has no connection with it. But I am sure that you or your office has information about it which I should have in the preparation of such an article.

Would you be kind enough to give me any such data as you have on the subject? I will greatly appreciate all the help you can give me.

Yours very truly,

*Anthony Higgins*  
Anthony Higgins

P. S. Should you wish to check on my responsibility as a newspaper writer, I refer you to C. L. Reese, Jr., an editor of the Morning News, or to Mr. Martin, editor of the Sunday Star. -- A. H.

State of Delaware,



P. WARREN GREEN  
ATTORNEY GENERAL

APR 26 1935

ROBERT H. RICHARDS, JR.  
C. EDWARD DUFFY  
WILLIAM J. STOREY  
CALEB M. WRIGHT  
GEORGE C. HERING, JR.  
DEPUTY ATTORNEYS GENERAL

Office of the Attorney General  
WILMINGTON

WILMINGTON, DEL.  
April 25, 1935.

Dr. H. V. Holloway  
State Board of Education  
Dover, Delaware

Dear Doctor Holloway:

Your letter to the Attorney General of April 22nd. has been turned over to me for attention.

In considering the constitutionality of House Substitute for House Bill No. 184, the copy of which I have returned to you herewith, it must be remembered that all acts of the Legislature when duly passed and signed by the Governor are presumed to be constitutional until declared otherwise by the Court.

Consequently my opinion on the question raised can not in any sense be considered a declaration of the constitutionality or unconstitutionality of the Act.

In my opinion however the title of the Act does not comply with the provisions of Sec. 16, Article II of the Constitution of this State, provided in effect that the subject of a Bill shall be expressed in its title.

There is nothing whatsoever in the Act in regard to the appropriation of money for the payment of the salary of a teacher at the school in Indian River Hundred, Sussex County, Delaware, the title thereof. Consequently in my opinion that title does not express the subject of the Act.

In regard to your second question, the Act goes into effect immediately upon the signature by the Governor, that is, on April 15th. 1935. There is nothing in the Act itself in regard to the time when it is to take effect, and consequently under general legal principles it takes effect at once.

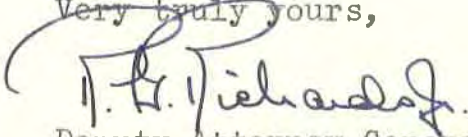
In regard to your third question, there is nothing in the Act which is repugnant with the rule of the State Board of Education referred to. The Act would have no effect on this rule and

APR 26 1935

the rule would remain in force until changed by the Board or by an Act of Legislature.

In giving my opinion as to the constitutionality of the Act, if it should be tested, I desire to point out to you that the Act does not in fact increase the Board's powers at all. Under Chapter 222, Vol. 36 Laws of Delaware the State Board of Education is authorized to establish schools for Moors and of course under this section the Board would be entitled to establish such a school by taking over a school which previously existed outside the jurisdiction of the Board. It will not necessarily have to build a new school house in a new location. Consequently regardless of the constitutionality or unconstitutionality of the Act in question, the Board has the authority to establish schools for Moors either by taking over existing schools or building new ones.

Very truly yours,

  
F. B. Richards  
Deputy Attorney General.

RHRjr\*B  
ENCL.

HOUSE SUBSTITUTE FOR HOUSE BILL NO. 184

AN ACT APPROPRIATING MONEY FOR THE PAYMENT OF THE SALARY OF THE TEACHER AT THE SCHOOL IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE.

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

Section 1. That Chapter 160, of Volume 32, Laws of Delaware, as amended by Chapter 222, Volume 36, Laws of Delaware, be and the same is hereby further amended by striking out all of the following sentence beginning in the 17th line of Section 1 of said Chapter 222, Volume 36, Laws of Delaware, reading as follows: "The State Board of Education may establish schools for children of people called Moors, which schools shall be free to all such children between the ages of six and twenty-one years, inclusive", and inserting in lieu thereof the following - "The State Board of Education shall establish schools for children of people called Moors or Indians, and if any Moor or Indian school is in existence or shall be hereafter established, the State Board of Education shall pay the salary of any teacher or teachers thereof, provided that the school is open for school sessions during the minimum number of days required by law for school attendance and provided further that such school shall be free to all children of the people called Moors, or the people called Indians, between the ages of six and twenty-one years."

Harry V. Lyons, Speaker of the House

Roy F. Corley, President of the Senate

Approved April 15, 1935 -

C. D. Buck - Governor.

# State of Delaware



## Office of Secretary of State.

I, *Walter Dent Smith*, Secretary of State of the State of Delaware, do hereby certify that the above and foregoing is a true and correct copy of House Substitute for House Bill 184, entitled "AN ACT APPROPRIATING MONEY FOR THE PAYMENT OF THE SALARY OF THE TEACHER AT THE SCHOOL IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE" passed by the 105 General Assembly and approved by the Governor April 15, 1935.

In Testimony Whereof, I have hereunto set my hand and official seal at Dover, this twenty-third day of April in the year of our Lord one thousand nine hundred and thirty-five

*Walter Dent Smith*

Secretary of State.



April 22, 1935

Hon. P. Warren Green, Attorney General  
duPont Building  
Wilmington, Delaware

Dear Sir:

I am enclosing herewith a certified copy of H. B. for H. B. 184 which has been, as indicated, signed by the Governor.

The law was brought to the attention of the State Board of Education at its meeting on April 17, and I am directed to ask your advice in regard to the obligations of the State Board under the provisions of the Act; first, is this a constitutional Act in the light of the inconsistency that is apparent between the title of the Act and its contents, the title indicating an appropriation while the body of the Act makes no provision for an appropriation; and second, does the Act, if valid, take effect immediately, or on and after July 1, 1935? Third, does the Act abrogate the rule of the State Board of Education made in compliance with the law as follows: "No person shall be employed as .....teacher, nor shall any salary be paid to such person unless he or she shall hold a certificate issued by the State Board of Education of the kind and grade required for the position."

Thanking you for an early reply, I beg to remain

Yours truly,

Secretary

BVH:J

enc.

HOUSE SUBSTITUTE FOR HOUSE BILL NO. 184

AN ACT APPROPRIATING MONEY FOR THE PAYMENT OF THE SALARY OF THE TEACHER AT THE SCHOOL IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE.

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Harry V. Lyons, Speaker of the House

Roy F. Corley, President of the Senate

Approved April 15, 1935 -

C. D. Buck - Governor.



June 19, 1934

Chief Clark  
Riverdale, Oak Orchard  
Millsboro, Delaware

Dear Sir:

This is to advise you that the State Board of Education, in accordance with an opinion given it by the Attorney General under date of May 26, 1934, ~~will be unable to pay the salary of a teacher for the Indian School~~ for the year 1934-35. The opinion of the Attorney General is given below:

"I have this day received your letter asking my opinion whether Chapter 132 of Vol. 38 Delaware Laws, page 528, appropriating moneys to the State Board of Education to be used to pay the salary of a teacher at the Nanticoke Indian School of Nanticoke Indian Association is or is not constitutional. ....

"Such being the facts I am of the opinion that said Act is unconstitutional, and that it violates Section 3 of Article X of the Constitution."

Very truly yours,

Secretary

HVM:J

State of Delaware,

MAY 28 1934

~~DANIEL J. LAYTON~~  
ATTORNEY GENERAL  
P. WARREN GREEN  
~~CHIEF DEPUTY~~ ATTORNEY GENERAL  
ROBERT H. RICHARDS, JR.  
DEPUTY ATTORNEY GENERAL FOR  
NEW CASTLE COUNTY



GEORGE M. FISHER  
DEPUTY ATTORNEY GENERAL FOR  
KENT COUNTY  
HOWARD A. MILLER  
DEPUTY ATTORNEY GENERAL FOR  
TAX BOARD  
  
DEPUTY ATTORNEY GENERAL FOR  
SUSSEX COUNTY  
ALVY R. EVANS  
CLERK

Office of the Attorney General

Wilmington, Delaware.  
May 26th. 1934.

State Board of Education,  
Dover, Delaware.

Dear Sirs:

I have this day received your letter asking my opinion whether Chapter 132 of Vol. 38 Delaware Laws, page 528, appropriating moneys to the State Board of Education to be used to pay the salary of a teacher at the Nanticoke Indian School of Nanticoke Indian Association is or is not constitutional.

You further inform me of the action of your Board in establishing the Warwick Indian School No. 225, and also District School No. 203 for school attendance of descendants of the Nanticoke Tribe of Indians, and that notwithstanding this action a group formed the Nanticoke Indian Association and built their own school.

Such being the facts I am of the opinion that said Act is unconstitutional, and that it violates Section 3 of Article X of the Constitution.

Very truly yours,

*P. Warren Green*  
Attorney General.

PWG\*B

May 25, 1934

Hon. P. Warren Green  
Attorney General  
Wilmington, Delaware

Dear Sir:

In the light of the recent action of our courts on the matter of paying transportation of school children to certain schools maintained by religious societies outside of Wilmington, and in the light of your opinion concerning the payment of such transportation to the Nanticoke Indian School, Indian River Hundred, Sussex County, Delaware, the question has arisen as to whether or not Chapter 132 Vol. 38, Laws of Delaware, entitled "An Act Making an Appropriation to the State Board of Education to be used by it to Pay the Salary of a Teacher in Indian River Hundred School of the Nanticoke Indian Association in Indian River Hundred, Sussex County, Delaware," is or is not constitutional.

The matter was presented to the State Board of Education at its meeting on Friday and that body requested that the opinion of the Attorney General thereon be secured. Will you, therefore, be good enough to advise the State Board of Education whether or not it is lawful to continue the payment of \$1,000.00 per annum to the teacher of this school.

It is probable that the following statement of facts should be known by you in order that you may have the proper setting for the consideration of this question:

- (1) The sum of \$100.00 per month has been paid by the State Treasurer by way of salary to the teacher of this school beginning with the month of September, 1933.
- (2) Section 34, Chpt. 160, Vol. 32, Laws of Delaware, provides that the State Board of Education may establish schools for children of people called Moors, (the Indians of this section were originally called Moors) and under this section, up to April 12, 1929, Warwick Indian School #225 was maintained for this group of persons. The local board of trustees, however, began to restrict the

5/25/34

attendances of this school to children whose parents were members of the Indian Association, regardless of whether or not they were Indians (a number of the so-called Indians in this section refused to join the Indian Association). The State Board of Education, being convinced that this arbitrary distinction was not in keeping with the spirit of the Act which permitted it to maintain a separate school for this group, passed the following resolution as of April 12, 1929:

RESOLVED, That the privilege of having and maintaining their own school be accorded to the descendants of the Nanticoke Tribe of Indians, and that the school buildings in districts #225 and #203 shall be used for all children in the respective districts, except white children.

Following this, the group holding membership in the Association built a school of their own and up to September, 1933, maintained this school without State aid. An attempt was made at the Legislature of 1931 to secure a special appropriation for the maintenance of this school, but failed. The Legislature of 1933, however, by the Act cited above made the appropriation referred to.

(3) As to the further identification of the group provided for, reference may be made to Chapter 164, Vol. 32, Laws of Delaware.

(4) Warwick School #225 has since 1929 been open to all colored persons within that district, whether or not they have Indian blood, and this school is now being used by children who are cousins of the children who are attending the so-called Indian school.

Very truly yours,

Secretary

HVH:J

January 29, 1934

Hon. P. Warren Green, Attorney General  
Equitable Building  
Wilmington, Delaware

Dear Sir:

An application for transportation benefits has been received by our office for the transportation of certain school children to the Indian School in Lewes and Rehoboth Hundred. This school building was erected by members of the Indian Association in this section after the State Board of Education had refused to continue to limit the attendance in Warwick School #225 to the children of the so-called Nanticoke Indians. This private school has been entirely maintained by the Indian Association for about two years.

The Legislature of 1933, however, made a special appropriation of \$2,000.00 to pay the salary of the teacher for this school for two years. The Act authorizing this appropriation is Chapter 132, Volume 38, Laws of Delaware. The Act authorizing the payment of transportation is Chapter 142, Volume 38, Laws of Delaware. In view of Section 3, Article 10, of the Constitution, will you be good enough to give the State Board of Education your opinion as to whether it would be lawful to pay for the transportation of children to the aforesaid Indian School under the rules and regulations of the State Board as to distance for which transportation is provided.

Sincerely yours,

Secretary

HVH:J

# State of Delaware,



DANIEL J. LAYTON  
ATTORNEY GENERAL

P. WARREN GREEN

CHIEF DEPUTY ATTORNEY GENERAL

ROBERT H. RICHARDS, JR.

DEPUTY ATTORNEY GENERAL FOR  
NEW CASTLE COUNTY

GEORGE M. FISHER

DEPUTY ATTORNEY GENERAL FOR  
KENT COUNTY

HOWARD A. MILLER

DEPUTY ATTORNEY GENERAL FOR  
TAX BOARD

DEPUTY ATTORNEY GENERAL FOR  
SUSSEX COUNTY

ALVY R. EVANS  
CLERK

FEB 1 1934

## Office of the Attorney General

Wilmington, Delaware.  
January 31, 1934.

*John H. ...*  
*Blair ...*

State Board of Education,  
Dover, Delaware.

Attn. H.V. Holloway, Sec'y.

Dear Sir:

I have before me your letter of the 29th. ins. asking my opinion whether the State Board of Education is authorized to provide for the transportation of school children maintained by the Indian Association for school children of the so-called Nanticoke Indians.

I am very clear in my opinion that the moneys appropriated by Section 1 of Chapter 142, 38 Delaware Laws, page 548, cannot be expended for this purpose, as such money is appropriated to provide transportation of pupils "to and from the public schools of the State."

While Section 3 of this Act appropriates \$5,000.00 for transportation of pupils attending daily free schools "supported by any church or religious society", you have already been informed by former Attorney General Layton that such Section is unconstitutional, and as you know, the question of the unconstitutionality of this Section is now before the Court.

I therefore advise you that in my opinion your Board has no authority to expend any of the money appropriated for the purpose of transportation of school children other than "to and from the public schools of the State."

This opinion is limited to the question presented and in no wise passes on the constitutionality of Chapter 132 of 38 Delaware Laws, page 528, making appropriation for the payment of the salary of the teacher at the Nanticoke Indian school.

Yours very truly,

*P. Warren Green*  
Attorney General.

PWG\*B

July 14, 1934

W. Carson Ryan, Jr.  
Director of Education  
Department of the Interior  
Office of Indian Affairs  
Washington, D.C.

My dear Dr. Ryan:

I wish to acknowledge receipt of your letter of July 13 proposing Mr. Tola Pierce as a teacher for the Indian School near Millsboro. In this connection, it is important for you to know that the Attorney General for Delaware has declared that, in his opinion, the special appropriation made for paying a teacher of this school is unconstitutional, the same violating the provisions of Section 3 and Section 4 of Article X of the Constitution of the State of Delaware. In accordance with this opinion, the State Board of Education has notified the Indian Association that it cannot use the legislative appropriation made for the paying of a teacher in this school for the year 1934-35. The school, if run, therefore, will be on the same basis as any other private school and the teacher will not need to be certificated by this department.

For your information, however, I am sending you a copy of our rules and regulations concerning certification and beg to refer you to rules 23 and 24 as setting forth the proper requirements for the teacher of a school of this type.

Sincerely yours,

HVR:R

State Supt. of Public Instruction.

cc Chief Chas. C. Clark  
Millsboro, Del.

August 31, 1934

INDIAN SCHOOL

Mr. Warren T. Wright  
Millsboro, Del.

Dear Mr. Wright:

In regard to the special appropriation of \$1000 per year for a teacher of the Indian School, you asked the question—how the Attorney General has a right to nullify an act of the Legislature. In the last analysis, he has not. The Law making the special appropriation of \$1000 a year for the payment of a teacher for the Indian School made the payment of that sum a duty of the State Board of Education. The State Board of Education learned that funds appropriated for transportation could not constitutionally be used for the payment of transportation of children to the Indian School. It, thereupon, raised the question as to whether or not it was constitutional to pay money for the teacher of that school, and upon presenting this question to the Attorney General, they received the opinion that the Law making the appropriation for this was not constitutional. The State Board, therefore, not wishing to run the risk of violating the constitution, after receiving this opinion, has decided not to approve the payment of further funds for this purpose.

Your people have a right to ask the Court to compel the State Board to approve the payment, and the decision of the Court will be final on the subject as to the constitutionality of the act. It would be necessary for those interested to see a lawyer and to get him to institute a mandamus proceeding against the State Board of Education, requiring them to approve further payments for your teacher. This is the proper procedure if you wish a decision of the Court on the same.

Very truly yours,

H. V. HOLLOWAY  
State Superintendent of Public Instruction

H&B



Dr. Holloway:

Warren T. Wright and a Mr. Harmon of the Indian School, Millsboro, stopped in the office today with two women. They wanted to see you in regard to their school. I talked with them and told them what you had written Mr. Clark. Their question was how could the Attorney General rule that the State shouldn't pay for a teacher in the Indian school when the bill passed by Legislature and <sup>signed by</sup> the Governor stated that the money should be paid for two years.

Write Warren T. Wright, Millsboro, in regard to this matter.

If there is a possibility of their getting this appropriation, which they feel is rightfully theirs, they would be perfectly willing to have Miss Lillian Reed as their teacher.

(August 31, 1934)

Margaret M. Boyd

*Indian School*

May 23, 1934

Mr. Charles Clark  
Riverdale Park  
Millsboro, Delaware  
R.F.D.

Dear Mr. Clark:

I wish to acknowledge receipt of your letter of May 22 and one from Dr. Ryan of the Office of Indian Affairs concerning two possible teachers for the Indian School. My suggestion is that you secure the names of these persons and let us send them the necessary blanks to be filled out so that we can determine upon their certification.

Sincerely yours,

HVH:R

State Supt. of Public Instruction.

MAY 23 1934

May 22 1934

Supt Public Instruction  
Dover Delaware

Dr H. V. Fallaway

Dear Sir

In regards to a teacher for this  
coming year

I am forwarded you a letter I  
received from Commissioner of Indian  
affairs of Washington D.C. in regards  
to a teacher for this coming year  
I have ritten them and ask them  
to get in touch with you about  
teaching this coming year you will  
hear from them in a few days and  
you can explain to them what is  
required please give this your best  
The thank you

Ed.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

MAY 23 1934

MAY 16 1934

Chief Charles Clark,  
Riverdale Park, R. F. D.,  
Millsboro, Delaware.

Dear Sir:

Some days ago Dr. Speck of the University of Pennsylvania forwarded to us your letter to him of March 29 in which you ask for help in locating a qualified Indian teacher for your school this coming year.

We have two young people in mind for your school -- both of them from New York State. Both are graduates of the Fredonia State Normal, Fredonia, New York. The young man has had one year of paid teaching experience and the young woman is graduating from the University of Buffalo this June -- her major being in Education. If you wish us to pursue further the matter of finding a suitable teacher for you, please let us know soon. We should like to have also all the information you can give us about your school and your group of Indians. Number of children in the school, grades maintained, and location of Millsboro with relation to Wilmington or Dover, are some items about which we should like to be advised.

Sincerely yours,

*W. Carson Ryan, Jr.*  
W. Carson Ryan, Jr.,  
Director of Education.

*please return to  
Chief Charles C. Clark  
Riverdale Park  
Millsboro  
Del*

*thank you*

Ed.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

JUL 14 1934

July 13, 1934.

Dr. H. V. Holloway,  
Supt. of Public Instruction,  
Dover, Delaware.

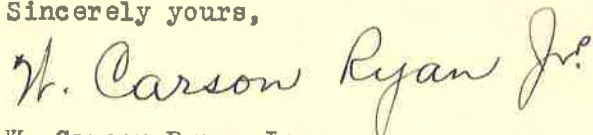
My dear Dr. Holloway:

Some time ago, Chief Charles C. Clark of Millsboro, Delaware, wrote us that there would be an opening in the school for Nanticoke Indians this fall and that a teacher of Indian blood was desired. Mr. Clark further stated that a letter to you would bring information with regard to qualifications necessary for a person to teach in this particular school.

We have looked over the records of some of our recent college graduates and believe that Mr. Tola Pierce, 517 South Second Street, Lawton, Oklahoma, would be able to handle the situation acceptably. He is about three-fourths Indian of the Seneca tribe, New York State, B. S. in education from Northeastern State Teachers College, Oklahoma, one year's successful teaching experience in an Oklahoma high school, considerable experience in industrial arts and physical education, and a young man who has demonstrated that he can get along with both Indians and whites. He has been out of a teaching job for over a year but has managed to keep going by doing various types of work -- painting, coaching football teams, repairing furniture, etc. Mr. Pierce is very much interested in the Millsboro school and hopes that his qualifications meet Delaware standards.

We shall appreciate hearing from you concerning this place at your convenience.

Sincerely yours,



W. Carson Ryan, Jr.,  
Director of Education.

Copy to Chief Clark,  
Millsboro, Delaware.

AN ACT MAKING AN APPROPRIATION TO THE STATE BOARD OF EDUCATION TO BE USED BY IT TO PAY THE SALARY OF A TEACHER AT THE NANTICOKE INDIAN SCHOOL OF NANTICOKE INDIAN ASSOCIATION IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET: (Three-fourths of the members of each House concurring therein).

Section 1. That the sum of Two Thousand (\$2,000.) dollars be and the same is hereby appropriated to the State Board of Education to be expended by it for the salary of a Teacher for the Nanticoke Indian School of Nanticoke Indian Association in Indian River Hundred, Sussex County, Delaware. The said sum of Two Thousand (\$2,000.) dollars shall be paid in two equal annual installments of One Thousand (\$1,000.) dollars each for the years 1933 and 1934.

Section 2. This Act shall be known as a supplementary appropriation act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury of the State of Delaware.

Section 3. That the State Treasurer shall honor warrants issued by the State Board of Education, duly signed by its President and attested to by its Secretary, or assistant Secretary for such sum, or sums as are set forth in Section 1, for the purpose of carrying into effect this Act.

Section 4. All acts or parts of acts inconsistent with this act be and the same are hereby repealed in so far as the inconsistency may occur only.

J. Thomas Robinson, Speaker of the House,  
W. A. Simonton, President Pro Tem of the Senate,  
Approved May 22, 1933, C. D. Buck, Governor.

April 19, 1933 .

Mrs. William E. Linton  
2120 Washington St.  
Wilmington, Del.

Dear Mrs. Linton:

· Thank you very much for the information  
concerning the number of Indians in Delaware.

Sincerely yours,

R

State Supt. of Public Instruction.

W. G. M. C.  
APR 13 1933  
Mrs. [unclear]

2120 Washington St.  
Wilmington, Del.  
April 12, 1933.

Mr. H. V. Holloway  
State Dept Public Instruction  
Dover, Del.

Dear Mr. Holloway:

Enclosed you will find  
a pamphlet published by the  
National Council of the P. E.  
Church in which you will  
find the statement that  
Delaware has 2 Indians. As  
soon as I read that state-  
ment I looked for [unclear]



## NANTICOKE INDIAN SCHOOL BUILDING

Dr. Miller said that in several instances where school buildings have been requested for use as community centers, the State Board has granted the request, however, it has been understood that when the building is no longer used for community purposes, the school building reverts to the State. . . .

Dr. Miller recommended that a request be directed to the State Board from the Nanticoke Indian Association asking that the school building be turned over to the Association for use as a Sunday School and other community purposes. Such a letter was received and indicated that the suggestion was followed.

Dr. Lasher moved that a deed be conveyed to the Association as recommended by Dr. Miller. The motion was seconded by Mrs. Ennis and carried.

Mr. Watson suggested that the wording on the deed indicate that the use of the school be limited to use as a church by the Nanticoke Indian Association.

*State Board of Education Meeting (9-20-62)*

## NANTICOKE INDIAN SCHOOL BUILDING DEED

Dr. Miller presented the deed for signature with the statement that there was a provision in the deed stating that the building would revert to the State whenever it was no longer used as a community center.

*State Board of Education Meeting (10-18-62)*

*Business*



DEPARTMENT OF PUBLIC INSTRUCTION  
DOVER

October 20, 1952

Mr. James M. Tunnell  
Tunnell & Tunnell  
Georgetown, Delaware

Dear Mr. Tunnell:

This is to confirm our telephone conversation concerning the Midway School.

Our records show that the Midway School was consolidated with the Lewes Special School District by action of the State Board of Education on September 24, 1937. As far as we know, no deed was available for the school lot, and the minutes of the Board do not show that the school lot was sold.

The usual procedure in matters when schools are consolidated with special school districts is that the property of the school district consolidating becomes the property of the special school district. When, however, the property is sold, a joint deed is given by the State Board of Education and the special school district. As stated previously, we find no record of such deed.

If you have any further questions, we will be glad to answer them if we have the information.

Sincerely yours,

R. L. Herbst  
Asst. Supt. in charge of  
Business Administration

RLHarc  
cc: Dr. Miller

February 16, 1946

Mr. Jacob H. Speicher  
New Castle, Delaware

Dear Mr. Speicher:

Since Dr. Beebe is in Florida and it is important that this application get to the Permanent Budget Commission the early part of the week, will you be good enough to approve it and return it to me in the enclosed stamped envelope.

Sincerely yours,

H. V. Holloway  
Secretary

c

Enclosure

New Indian

**Sec. 3 PROOF OF EMERGENCY:** ---An emergency or a condition not otherwise provided for shall be deemed to exist only when declared by the Governor to have been determined by him by and with the consent of the majority of the members of Permanent Budget Commission. Such determination may be made after proof of emergency or condition not otherwise provided for, satisfactory to said Commission, has been submitted, and such proof shall include any evidence and testimony as said Commission may require and in every case an affidavit setting forth all facts in support of a claim that an emergency or a condition not otherwise provided for exists, sworn to by a duly authorized representative of the agency making application for use of all or any portion of the State Emergency Fund as herein provided.

**Sec. 4 EMERGENCIES DEFINED:** ---It is further provided that an emergency shall exist only when an expenditure, not otherwise authorized by general appropriation act or any supplementary appropriation act and for which funds have not otherwise been provided in the budget of any department or agency of this State, has become necessary directly as a result of an act of God or for other cause beyond the control of said department or agency.

To  
before me this  
subscribed and sworn to

Secretary  
Director  
REVEREND BOARD OF EDUCATION

de in declaration? in the and collect to the part of the...  
and in declaration? in the and collect to the part of the...  
and in declaration? in the and collect to the part of the...

REVEREND BOARD OF EDUCATION

SECRETARY OF

H. A. Holloway, Secretary

Sincerely yours,

Nanticoke Indian School. It has been determined that in addition, repairing and reconducting the emergency and application for funds in the amount of \$767.83 to provide for the excess cost of building.

Gentlemen: I am handing you herewith an affidavit of

Permanent Budget Commission  
State House  
Dover, Delaware

February 18, 1966

Enclosed for the Board of Education are the following:

1. Affidavit of the Director of the Nanticoke Indian School.

2. A check for \$767.83 payable to the Nanticoke Indian School.

3. A copy of the minutes of the Board of Education dated at Nanticoke, Delaware.

In accordance with the provisions of the State Emergency Fund Act, Chapter 10, Title 29, Delaware Code.

REVEREND BOARD OF EDUCATION  
SECRETARY OF

STATE OF DELAWARE  
APPLICATION FOR APPROPRIATION  
AND  
AFFIDAVIT OF EMERGENCY

FEB 19 1946

FEB 16 1946

In accordance with S.S. for SB #215, 1945 Legislature, Sec. 4,  
Paragraph \_\_\_\_\_, application is hereby submitted by the Board of  
Trustees of Nanticoke Indian School District, No. \_\_\_\_\_,  
Edu. or Trustees  
for an appropriation of \$ 787.83 out of funds provided for in the above  
mentioned Act for use as follows:

**To provide for the excess cost of building an addition, repairing  
and reconditioning Nanticoke Indian School**

The facts in support of this application are as follows:

When a<sup>TV</sup> allocation of \$1200.00 from 1944-45 funds was encumbered  
for this project, it was understood that a supplementary allocation might  
be made by the Permanent Budget Commission provided the need therefor was  
proven. A certified Standard Invoice with payee's itemized bill of costs  
attached has been filed.

In requesting the aforesaid appropriation we hereby certify that the  
appropriation provided for our school district by the Budget Appropriation  
Act or any supplementary appropriation act is insufficient to meet the need  
described and that the said need is an "actual emergency."

(Signed) Warren T Knight ✓  
Pres. or Chairman of Local Board

(Signed) Ephraim L Harman ✓  
Secretary or Clerk

AFFIDAVIT OF

STATE BOARD OF EDUCATION

We swear (or affirm) that the information concerning the need of the  
above mentioned school district having been personally examined into by a  
duly authorized representative of the State Board of Education and found to  
be as described, is true and correct to the best of our knowledge and belief.

STATE BOARD OF EDUCATION

By J. B. Geicher  
Vice-President

By W. H. Hulse  
Secretary

Subscribed and Sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 194 .

Signature and Title of Officer  
Administering Oath

Extracts from S.S. for SB #215, 1945 Legislature.

Sec. 2. AVAILABILITY OF FUND: --The State Emergency Fund shall be disbursed  
by the State Treasurer only upon order of Permanent Budget Commission and  
only for the purposes of paying expenses authorized to be incurred by any  
agency named in this Act after such agency shall have certified to the  
existence of an "actual Emergency" or to a "condition not otherwise provided  
for" as hereinafter defined, provided that in no case shall an order be  
issued by Permanent Budget Commission in excess of the amount hereinafter  
specified for any one emergency or condition not otherwise provided for or  
for a total of emergencies and conditions not otherwise provided for of  
like kind in any one fiscal year authorizing a particular agency to expend  
such amount as is necessary to meet a specific emergency or condition as  
hereinafter defined.

STATE OF DELAWARE  
APPLICATION FOR APPROPRIATION  
AND  
AFFIDAVIT OF EMERGENCY

FEB 16 1946

FEB 16 1946

In accordance with S.S. for SB #215, 1945 Legislature, Sec. 4,  
Paragraph\_\_\_\_, application is hereby submitted by the Board of  
Trustees of Nanticoke Indian School District, No.\_\_\_\_,  
Edu. or Trustees  
for an appropriation of \$ 787.83 out of funds provided for in the above  
mentioned Act for use as follows:

**To provide for the excess cost of building an addition, repairing  
and reconditioning Nanticoke Indian School**

The facts in support of this application are as follows:

When a allocation of \$1200.00 from 1944-45 funds was encumbered  
for this project, it was understood that a supplementary allocation might  
be made by the Permanent Budget Commission provided the need therefor was  
proven. A certified Standard Invoice with payee's itemized bill of costs  
attached has been filed.

In requesting the aforesaid appropriation we hereby certify that the  
appropriation provided for our school district by the Budget Appropriation  
Act or any supplementary appropriation act is insufficient to meet the need  
described and that the said need is an "actual emergency."

(Signed) Warren T. Knight ✓  
Pres. or Chairman of Local Board  
(Signed) Ephraim L. Harmon ✓  
Secretary or Clerk

AFFIDAVIT OF  
STATE BOARD OF EDUCATION

We swear (or affirm) that the information concerning the need of the  
above mentioned school district having been personally examined into by a  
duly authorized representative of the State Board of Education and found to  
be as described, is true and correct to the best of our knowledge and belief.

STATE BOARD OF EDUCATION  
By J. H. Spencer  
- Vice - President  
By St. H. ...  
Secretary

Subscribed and Sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 194 .

Signature and Title of Officer  
Administering Oath

Extracts from S.S. for SB #215, 1945 Legislature.  
**Sec. 2. AVAILABILITY OF FUND:** --The State Emergency Fund shall be disbursed  
by the State Treasurer only upon order of Permanent Budget Commission and  
only for the purposes of paying expenses authorized to be incurred by any  
agency named in this Act after such agency shall have certified to the  
existence of an "actual Emergency" or to a "condition not otherwise provided  
for" as hereinafter defined, provided that in no case shall an order be  
issued by Permanent Budget Commission in excess of the amount hereinafter  
specified for any one emergency or condition not otherwise provided for or  
for a total of emergencies and conditions not otherwise provided for of  
like kind in any one fiscal year authorizing a particular agency to expend  
such amount as is necessary to meet a specific emergency or condition as  
hereinafter defined.

**Sec. 3 PROOF OF EMERGENCY:** ---An emergency or a condition not otherwise provided for shall be deemed to exist only when declared by the Governor to have been determined by him by and with the consent of the majority of the members of Permanent Budget Commission. Such determination may be made after proof of emergency or condition not otherwise provided for, satisfactory to said Commission, has been submitted, and such proof shall include any evidence and testimony as said Commission may require and in every case an affidavit setting forth all facts in support of a claim that an emergency or a condition not otherwise provided for exists, sworn to by a duly authorized representative of the agency making application for use of all or any portion of the State Emergency Fund as herein provided.

**Sec. 4 EMERGENCIES DEFINED:** ---It is further provided that an emergency shall exist only when an expenditure, not otherwise authorized by general appropriation act or any supplementary appropriation act and for which funds have not otherwise been provided in the budget of any department or agency of this State, has become necessary directly as a result of an act of God or for other cause beyond the control of said department or agency.

BY \_\_\_\_\_  
SECRETARY OF STATE

BY \_\_\_\_\_  
GOVERNOR

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State of Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

STATE BOARD OF EMERGENCY

VALIDATION OF

(SIGNED) \_\_\_\_\_  
SECRETARY OF STATE

(SIGNED) \_\_\_\_\_  
GOVERNOR

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State of Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

STATE BOARD OF EMERGENCY

VALIDATION OF

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State of Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

STATE BOARD OF EMERGENCY

VALIDATION OF

STATE BOARD OF EMERGENCY  
AND  
STATE BOARD OF DEFENSE

LEB 10 10 10

STATE BOARD OF EDUCATION  
JAMES BEEBE, M. D., PRESIDENT, LEWES  
JACOB H. SPEICHER, VICE-PRES., NEW CASTLE  
HOWARD W. BRAMHALL, GEORGETOWN  
PETER S. COLLINS, MAGNOLIA  
W. RALPH MACINTYRE, WILMINGTON  
J. WALLACE WOODFORD, DOVER

EX OFFICIO  
WILBUR OWEN SYPHERD, NEWARK  
ACTING PRESIDENT U. OF D.

H. V. HOLLOWAY, SECRETARY  
AND STATE SUPERINTENDENT  
OF PUBLIC INSTRUCTION

STATE OF



DELAWARE

**Department of Public Instruction**

(BRANCH OFFICE)

Sussex County Court House Annex  
GEORGETOWN, DELAWARE

June 9, 1945

RURAL SUPERVISORS  
CALVIN E. AFFLERBACH  
ALBERT EARLY  
VISITING TEACHERS  
EDITH I. JONES  
MRS. H. BERTRUDE LEWIS  
LAUREL

SECRETARY  
NELLIE R. BARR

ART SUPERVISOR  
MARY E. RAFFLE

PSYCHO-EDUCATIONAL  
EXAMINER  
RUTH R. LANE

Dr. H. V. Holloway  
State Supt. of Public Instruction  
Dover, Delaware

JUN 11 1945

Dear Dr. Holloway:

Mr. Harmon, Clerk of the Nanticoke Indian School, called me last night and wondered whether it was possible for them to have a ninth grade added to the Nanticoke Indian School. I told him that I did not know whether it was possible but I would write to you and find out. Will you kindly advise Mr. Harmon?

Very truly yours,

*Calvin E. Afflerbach*  
(lw)  
Calvin E. Afflerbach  
Supervisor of School

cea:lw



June 11, 1945

Dr. Calvin E. Afflerbach  
Georgetown, Delaware

Dear Dr. Afflerbach:

In reply to your letter of June 9 in regard to the proposal for adding a ninth grade to the Nanticoke Indian School, would say that this office would be very definitely opposed to such an attempt to any one-room school. It could be done only by neglecting the work of the children in the lower grades and consequently would be sacrificing the educational opportunities of the great majority of the children in the school for the sake of only a few.

Sincerely yours,

H. V. Holloway  
State Superintendent

HVH:ef

cc Dr. King

GEORGETOWN, DELAWARE

2000 SOUTH CORNHILL AVENUE

TELEPHONE OFFICE

DEPARTMENT OF STATE JUSTICE



STATE OF

DELAWARE

MISS E. P. ...  
EXAMINER  
TEACHERS' EDUCATION

MISS E. ...  
THE SUPERVISOR

MISS M. ...  
SECRETARY

MISS ...  
ASSISTANT ...

MISS ...  
ASSISTANT ...

MISS ...  
ASSISTANT ...

MISS ...  
ASSISTANT ...

DEPARTMENT OF ...  
H. A. ...

MISS ...  
ASSISTANT ...

MISS ...  
ASSISTANT ...  
MISS ...  
ASSISTANT ...  
MISS ...  
ASSISTANT ...  
MISS ...  
ASSISTANT ...





THE ARCHAEOLOGICAL SOCIETY  
OF  
DELAWARE

JAN 11 4<sup>3</sup>

MUSEUM OF ARCHAEOLOGY  
UNIVERSITY OF DELAWARE • NEWARK, DELAWARE

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DR. GEORGE RYDEN

WILLIAM HABBART

W. W. MACK

LEON D. VALINGER, Jr.

January 9, 1943

Dr. H. V. Holloway  
Dover, Delaware

Dear Dr. Holloway:

I have been negligent in not replying to your letter of some months ago when you were kind enough to send me some data on the schools in Indian River Hundred. However, your assistance was appreciated and has been acknowledged in a book MSS I have written on the subject of the Moor-Indians.

There is another matter which I would like to bring to your attention. Our Society is preparing an elementary text on "Indians of Delaware--Past and Present." It was our thought that we would print this and give copies to the Indian School in Indian River Hundred for use by the children. In fact, at a recent meeting of the Nanticoke Indian Association the members expressed their delight in having such a text for their children. There is nothing available now, which is simply written and yet strictly accurate regarding the natives of this area. In our text, we are being assisted by Dr. Frank G. Speck, who, as you know, is our leading authority on the Eastern Indian.

The point of my letter is this: Do we violate any rules by printing such a text and giving copies to this school? Or should the text first be approved by you? We want to follow standard routine in the matter and will be glad to have your advice. For the present we do not contemplate supplying the text for other schools, but is such a plan is thought advisable, perhaps some action could be taken in the future.

Sincerely,

*C. A. Weslager*  
C. A. Weslager, President  
23 Champlain Avenue  
Wilmington, Delaware

STATE BOARD OF EDUCATION  
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W. REILLY BROWN, WYOMING  
PHILIP D. LAIRD, NEW CASTLE  
WARREN C. NEWTON, BRIDGEVILLE  
HENRY V. P. WILSON, DOVER

STATE OF DELAWARE



**Department of Public Instruction**

DOVER, DEL.

October 14, 1942

Re: Nanticoke Indian School

Dr. Holloway  
(Office)

At the Indian School, as you know, we have a substitute teacher, Mrs. Cleo Coker, who has been approved temporarily as a substitute until we can find a person agreeable to the Board of Trustees and regularly certified.

Mrs. Coker holds a Home Economics certificate. She has a fine personality and is well liked, but I do not see any good reason why we should approve her permanently when there are so many regularly qualified colored teachers within the State.

I did not have time to call upon any of the trustees of this school, but I believe if I would send them three or four qualified candidates, the trustees would be willing to select one of them as a regular teacher for their school. I certainly cannot find any Indians, however. The color line is always the question at issue, and I am sure that any one we would select would not be accepted by the trustees.

I would like to confer with you on this situation before anything is done.

Very sincerely yours,

A handwritten signature in cursive script that reads "H. B. King".

H. B. King

HBK:S

STATE BOARD OF EDUCATION  
I. DOLPHUS SHORT, PRESIDENT, MILFORD  
CLARENCE D. CLARK, VICE-PRES., CAMDEN  
SAMUEL N. CULVER, DELMAR  
PHILIP D. LAIRD, NEW CASTLE  
HOWARD L. SEAMAN, WILMINGTON  
HENRY V. P. WILSON, DOVER

STATE OF



DELAWARE

Department of Public Instruction

DOVER, DELAWARE

December 9, 1942

COPY

Ephraim L. Harrison, Clerk  
Charles C. Clark, Chairman  
Warren T. Wright  
Walter Wright

Dear Trustees:

On September 24th the Trustees of the Nanticoke Indian School, Millsboro, Delaware, were informed that we would approve Mrs. Brenda Cleo Durham Coker temporarily as a substitute teacher until such time as the position could be filled permanently with a properly certified teacher.

On November 5th you received a letter stating that a temporary emergency certificate could not be granted as long as there is a supply of regularly certified teachers available. On October 26th, I submitted a list of seven regularly qualified teachers. Thus far you have made no decision. Being more or less familiar with your situation, we were hoping that your Board of Trustees would be able to select at least one teacher from this group who would be able to fill your vacancy. We asked you to do this so that the new teacher could open the school by November 2nd, and now it is December 9th and nothing has been done.

I am sure that Mrs. Cora K. Aiken, Dover, Delaware, telephone 2338, who has taught at Cheswold and Raymond's Neck for a number of years, could certainly fill your position, or Miss Edwinda B. Jones of Bridgeville, Delaware, who holds a Collegiate Elementary certificate which does not expire until December, 1945.

Please consider these two candidates and give me your reaction. Your position should be filled with a teacher who holds a regular certificate by January 4, 1943.

Very truly yours,

*H. B. King*

H. B. King  
Asst. Supt. in Charge  
of Elementary Schools

HBY:8

CC: Dr. Holloway ✓

Dr. Afflerbach





# THE ARCHAEOLOGICAL SOCIETY OF DELAWARE

MUSEUM OF ARCHAEOLOGY  
UNIVERSITY OF DELAWARE • NEWARK, DELAWARE

## OFFICERS

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DR. WALTER HULLIHEN

DR. GEORGE RYDEN

WILLIAM HABBART

W. W. MACK

LEON D. VALINGER, Jr.

July 1, 1942

JUL 3 1942

Dr. H. V. Holloway  
Dover, Delaware

Dear Dr. Holloway:

I am doing a study of the mixed blood colonies in Indian River Hundred and at Cheswold. In fact, I have spent the last 18 months investigating the backgrounds of the people.

One part of my study will be devoted to the schools, and I have already gathered considerable data on the subject. There are, however, several questions yet unanswered and I am taking the liberty of writing you for assistance.

In Indian River Hundred there is today a school known locally as the "Johnson School"--also the "Harmon School" and a school formerly called "Norwood's School" known today as *Hollyville School*. All three of the present structures were erected under the P.S. Du Pont bequest of some years ago. What I want to know is this: were these three schools in existence before the present school buildings were erected. Do you have in your files a history of these three schools? If not, what source should I explore to obtain the information desired?

Any information you can give me will be very much appreciated.

Sincerely,

*C. A. Weslager*  
C. A. Weslager, President  
23 Champlain Avenue  
Wilmington, Delaware

To Hallway -

The former members of the Board at Manteo Indian School, together with Secretary of the Tribe, came in Monday am -

They would like to keep Mrs. Coker as the teacher - They understood from Mr. Appleback that she is doing a good job, and that Dr. King told Mrs. Coker that she would probably be there a long time, so they thought it was O.K. until the last letter came. I showed them the pictures of the people Dr. King recommended, only one of which they would consider, Richard Fleming's wife (I did not show them his picture) but I told them I did not believe she would be interested, that they should look her up. They finally agreed to write to Pembroke which I assume is an Indian School in North Carolina, as suggested by the



"Indian man" at Parow, to try to get an Indian teacher. I told them if the State Dept in N. Carolina recognized teachers from Pamlico, your Dept would also -

They would like to be able to keep Mrs. Loker until the end of this semester, and I told them I would ask you -

Two or three times during the course of the conversation, they asked if we could not send "one of your people" to teach the school - I got around answering two or three times - Finally when they asked again, I told them that probably any white teacher would feel the same about teaching their school as they felt about a colored teacher! -

Hammans said he could board at Mrs. Wrights & have a private room!

11/9/42

RJ

*Hawick Indian*

November 10, 1942

Mr. Ephriam L. Harmon  
Clerk, Board of School Trustees  
Nanticoke Indian School  
Millsboro, Delaware

Dear Sir:

My secretary has reported to me your conversation with her yesterday in regard to a teacher.

It is my understanding that you are writing to Pembroke in an attempt to get a person who can qualify and who will satisfy your requirements. I certainly hope you will be able to get a regularly qualified teacher by the end of this month.

Will you please let me know in ten days what progress you are making in the selection of your teacher?

Very truly yours,

H. V. Holloway  
State Supt. of Public Instruction

d

STATE OF



DELAWARE

Department of Public Instruction

DOVER, DEL.

October 21, 1941

Secretary of the Board of Trustees

Nanticoke Indian

School District # \_\_\_\_\_

This is to advise you that at the request of the State Board of Education, the Permanent Budget Commission has approved the transfer from the Salary Increment Account to the various salary appropriations of your district as follows: Administrative Control \$ \_\_\_\_\_; Instructional Service \$ 25.00; Operation and Maintenance \$ \_\_\_\_\_.

These amounts should be added to your budget for salaries for 1941-42.

Sincerely yours,

H:L

H. V. Holloway, Secretary

Teacher notified by  
P. H. Donaldson  
Washington for

Kanterka Indian School.

Lillian Hoque

Telegraph - Pierce, Okla.  
Millsboro position  
filled

9/6/37

June 24, 1937

Trustees of Warwick Dist. #203  
and " " Warwick Dist. #225

Gentlemen:

I understand that there has arisen in your community the feeling that Mr. W. Barnard Johnson is responsible for my suggestion to the Trustees of the Warwick School #225 that we might be able to use that building as an Indian school, and that, consequently, there is considerable sentiment against Mr. Johnson in your community because certain people of the community think that he was responsible for the suggestion.

I am writing this special letter to each of you to say that Mr. Barnard Johnson was in no way, either directly or indirectly, responsible for the suggestion, and, what is more, no other person in either of the districts is responsible for it. It was a suggestion for which I alone am responsible, and which was made in the hope of bringing together all of the people of Indian blood in this community into that harmonious relationship which I believe existed a number of years ago.

Trusting that this will correct any wrong impression concerning Mr. Johnson in regard to this matter, I beg to remain

Very truly yours,

HVH:J

Mr. Dorsey E. Johnson, R.1  
Mr. James H. Johnson, R.D.  
Mr. Harvey W. Burton  
Mr. Ellridge H. Johnson, R.3

Secretary

Mr. Horace E. Wright, R.D.  
Mr. Noah Harmon  
Mr. Samuel H. Jackson, R. 3  
Mr. Levin T. Harmon

cc-Mr. W. Barnard Johnson

June 8, 1937

Trustees of Warwick School #225  
Millsboro, Delaware

Gentlemen:

The last session of the Legislature passed an Act directing the State Board of Education to conduct a school for the Nanticoke Indians in the Warwick District. No special appropriation was made for the conducting of the school, because the only problem really to be settled in the District was who should attend the school. The Act in question provides a means by which to solve that problem. It provides for the appointment of three persons to determine who should have a right to attend the Indian School. These three persons are, the Resident Judge for Sussex County, a Sussex County member of the State Board of Education selected by him, and the Secretary of the Board of Vital Statistics, who is really the Secretary of the State Board of Health.

Inasmuch as the State already owns a two-room school building in this District, it is my suggestion that this building be used for the children who should attend the Indian school. Any other children in the District, other than white children, could be assigned to Warwick District #204-c.

There is another question involved in the opening of this school, and that is whether or not the present teacher of Warwick School #225 would be satisfactory to run the reorganized school.

The Act provides that the school shall enroll only the children of members of the Nanticoke Indian Association or persons who are eligible to belong to this Association; that is to say, persons who could join the Association because of their Indian blood if they desired to belong, or had a right to belong according to the judgment of the three persons above mentioned.

Would it, therefore, be possible for your Board to call together some of the parents who have sent their children to the private Indian school for the past two or three years and come to some decision, first as to the teacher, and second, as to the children to attend. If you would let me know when such a meeting could be held, I should be very glad to try to arrange to meet with you, provided you thought it desirable. I should be glad to get your reaction to this proposal or to have any other suggestions that you may make that might assist in re-organizing the Indian school. Thanking you for your kind and prompt attention to this matter, I beg to remain

Yours sincerely,

BVH:J

Mr. Horace E. Wright, Levin T. Harmon  
Noah Harmon, Samuel H. Jackson

State Supt. of Public Instruction  
cc-Judge Charles S. Richards, Dr. Beebe  
Dr. H. B. King, Mr. Sipple

GAS - OILS

REPAIRING

**W. BARNARD JOHNSON**  
**SERVICE STATION**

Groceries - Soft Drinks - Tobacco, Etc.

Phone 70 R 13

Millsboro, Del.

July 7, 1937

Miss Lillian Reed  
Cheswold, Delaware

My dear Miss Reed:

This will acknowledge receipt of your application for the position of teacher in the Indian school in Indian River Hundred.

In a recent conference with the representatives of the Nanticoke Tribe in that section, I find that you would be acceptable to the persons down there. The question, however, of the particular plan of organizing that school, as to a board of trustees, etc., which involves the question of who shall employ the teacher, is not settled by the law, and consequently will require State Board action. I shall, therefore, keep your application on file until that action is taken, which ought to be sometime during the present month, the 16th being the regular meeting date.

Very truly yours,

State Supt. of Public Instruction

HVH:LJ

July 7, 1937

Mr. A. E. Johnson  
Millsboro, Delaware

Dear Mr. Johnson:

This will acknowledge receipt of your letter of June 28 in regard to the organization of the Indian School in the Warwick Districts. Thank you for expressing to me the sentiments which seem to be prevalent in your District.

The people who came up to see me in regard to the matter the other day promised to send me a letter offering the use of the little school building in the grove for the Indian school, but I have not yet heard from them as to whether or not that offer is good.

Very truly yours,

State Supt. of Public Instruction

HVH:J



He is 'nt an Indian in business.  
But in plotting and planning to get  
control of the school again, they are one.  
That is the attitude of these two  
districts. We intend to have justice.  
Can you imagine your re faction  
to a suggestion that gives our trustees  
the right to determine whether you  
are a white man or one quarter  
colored blood? Who you think this  
would be fair to you?

So the same applies to the board  
suggested to choose "Indians"  
from the "Colored".

We do not have to join associating  
to be, what we were born.  
A race is born, always and  
not incorporated after birth.

I believe you understand  
This problem here and if the State  
wishes to recognize them as a tribe  
of Indians, it must not be at  
our expense.

We have some privileges and  
we intend to demand our <sup>rights</sup> due <sup>us</sup>.  
yours truly  
A. E. Johnson 203-225.

Millsboro, Del.  
June 28<sup>th</sup> 1937.

Mr. H. V. Holloway.  
Dover, Del.

JUN 29 1937

Dear Sir:-

Regarding  
the unpleasant situation that  
W. Barnard Johnson finds him  
self in, is due to facts better  
known to this community and  
himself, probably than to you.

Previous activities of his have  
proven facts to us.

I indeed, he could not, as  
you say be directly responsible  
for the suggestion that you  
refer to. But he certainly  
could have been, indirectly.  
However we are amazed  
at the statement that it was  
entirely your suggestion.

2.

We were of the opinion that a person holding a public position such as yours should be impartial, at least.

We don't recall that Mr. Pierre Dupont presented either one of those schools to "Indians."

Why encourage their prejudice by always trying to give them the preference? Those people are segregated, as you know, in your movie theatres, also your hospitals in Delaware stow them away in their basements, or any place, so they are by themselves, just as they do any other respectable colored person.

We are one people, whatever they claim, we are that.

It was kind of you to intercede in their behalf but we are determined that they will never rule these two districts again.

They have a perfect right to return to the public school, but only the same privileges we enjoy, is theirs.

We will have to ask for blood tests to settle this controversy, if we are to be continually on the defensive.

We think that will be the most perfect and final solution to an ignorant problem.

Those people don't seem to understand that sisters and brothers children have the same blood.

But we can understand the reason, Barnard Johnson wishes to appear innocent.

STATE OF



DELAWARE

AUG 24 1937

Department of Public Instruction

DOVER, DEL.

July 30, 1937

BOARDS OF EDUCATION AND BOARDS OF  
SCHOOL TRUSTEES OF KENT & SUSSEX COUNTIES

Gentlemen:

Following the procedure established last year for the opening of school, the normal date for the opening this year, and the date selected, is Wednesday, September 8th. This date being rather late in the month, thus putting the closing of school well into June, some trustees have requested that they be permitted to open their schools on Wednesday the 1st of September, thus making it possible for their schools to close a week earlier in the spring in order to permit children to assist in picking the strawberry crop.

Will you please indicate in the blank at the bottom of this letter the preference of your Board and return the answer to this office.

Sincerely yours,

*W. V. Holloway*

State Supt. of Public Instruction

HVH:V

Please check one of the following:

*Nantux Indian School* district desires to open its school on  
September 8th.

\_\_\_\_\_ district desires to open its school on  
September 1st.

Signed

*Ephraim L. Hauman*  
Clerk of the Board

AUG 12 1937

**Section XII of the School Law reads as follows:**

"The Office of the Board of School Trustees shall be the schoolhouse of the respective School District. The Board of School Trustees shall meet on the first Saturday in the month of July following the election, and shall elect one of its members to serve as Chairman and shall elect a Clerk who may be the principal or teacher of the school, and shall give notice of such election to the State Board of Education. Other regular meetings of the Board shall be held once each month during the school term and such special meetings may be held as are necessary. No motion or resolution shall be declared adopted without the consent of a majority of the whole Board."

**CERTIFICATE OF BOARD ORGANIZATION**

To the STATE BOARD OF EDUCATION, Dover, Del.

This is to certify that, at a meeting of the Board of School Trustees of Wantage Indian School District, No. ...., Sussex county, held the first Saturday in the month of July, 1937,

Warren T. Knight, Millsboro was elected Chairman  
(Name) (P. O. Address)

and

E. Lincoln Harman, Millsboro was elected Clerk of  
(Name) (P. O. Address)

the Board of Trustees of said school district.

Warren T. Knight Chairman

E. Lincoln Harman Clerk

Millsboro, R.D. #3  
(P. O.)

Aug. 11, 1937.  
(Date)

**(Send one copy to State Department and retain one copy for the district)**

August 26, 1937

Mr. Calvin Afflerbach  
Rural Supervisor  
Georgetown, Delaware

Dear Mr. Afflerbach:

I am enclosing herewith a letter from Mr. H. J. Anderson of Fairmount, Delaware, suggesting that this Department confer with the Indians in the Warwick District in regard to the organization of their school.

Judge Richards has appointed the following persons as trustees in that District:

Charles C. Clerk  
Warren T. Wright, who was chosen chairman  
Walter Wright  
Ephriam L. Harmon, who was chosen clerk

Will you be good enough to have a conference with them looking over the school to see what it needs, and do what you can toward helping in its organization.

They are considering two persons recommended by the office of Indian Affairs in Washington as their teacher. Both of these are college graduates. Mrs. Winona J. Wright has the data. I have written to her indicating that I cannot say positively whether they can qualify, because they may not have sufficient training in elementary school methods. Otherwise, they seem to be very well prepared. There are two persons in the State who might be satisfactory to the Association. One of these is Francis Jackson, who as you know, was at Nassau, and the other is Lillian Reed of Cheswold, who taught in their private school for a year.

Sincerely yours,

State Supt. of Public Instruction

HVH:J  
cc-Mr. H. J. Anderson  
Fairmount, Delaware

September 8, 1937

Office of Indian Affairs  
Washington, D. C.

Gentlemen:

Att: E. L. Compton

This is to advise you that the position in the Nanticoke Indian School, Sussex County, Delaware, has been filled by the appointment of Miss Lillian Reed, who taught in the school when it was a private school and operated by the Indian Association.

Very truly yours,

HW:V

State Supt. of Public Instruction

## CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

# WESTERN UNION

R. B. WHITE  
PRESIDENT

NEWCOMB CARLTON  
CHAIRMAN OF THE BOARD

J. C. WILLEVER  
FIRST VICE-PRESIDENT

## SYMBOLS

DL = Day Letter  
NM = Night Message  
NL = Night Letter  
LC = Deferred Cable  
NLT = Cable Night Letter  
Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

Received at

1 D2 43 - EXT A NL=TBWU HENRYETTA OKLA SE 5

H V HOLLOWAY=

STATE BOARD OF EDUCATION DOVER DE =

P W DANIELSON INDIAN DEPARTMENT MUSKOGEE INFORMS ME OF A  
VACANCY IN MILLSBORO PRIMARY DEPARTMENT I WISH TO APPLY FOR  
THIS POSITION I HAVE MY BS DEGREE HAVE ONE YEAR EXPERIENCE I  
AM ONE QUARTER CREEK INDIAN DETAILS FOLLOWING BY MAIL=  
LILLIAN HOGUE PIERCE OKLA.

. 809A.

Placement  
R C C

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

SEP 11 1937

Mrs. Winona J. Wright,  
Sec., Nanticoke Indian Association,  
R. F. D. No. 3,  
Millsboro, Delaware.

SEP 10 1937

My dear Mrs. Wright:

Mr. H. V. Holloway, State Superintendent of Public Instruction for the State of Delaware, has informed me that the position of teacher for the Nanticoke Indians has been filled by a former teacher.

We made every effort to find a suitable person for the place, and we regret very much that it was not possible to secure the services of an Indian. You realize, however, that it was rather late in the summer before you requested our help, and at that time all of our best Indian teacher applicants had been selected for positions in our Service. We hope next year, if you desire the services of an Indian, that you will write us early in the summer so that we may have a better eligible list to choose from. I might add, however, that it may prove rather difficult to recommend an Indian man for the position, since very few of our male applicants major in primary work.

Sincerely yours,

(Sgd) E. L. COMPTON

E. L. Compton,  
Supervisery Employment Agent.

9 ecc 9

Copies to:

Mr. H. V. Holloway, State Superintendent.  
Dr. B. D. Weeks, Pres. Bacone College.  
Mr. P. W. Danielson, Asst. Supt. of Indian Education.



September 3, 1937

Mr. Ephriam L. Harmon  
Millsboro, Delaware

Dear Mr. Harmon:

I received a telephone message from you this morning, authorizing me to advise Lillian Reed of her choice as a teacher for the Nanticoke School for the coming year.

I have found in my mail this morning a letter from Mrs. Winona J. Wright, asking as follows: "Please consider Mr. Francis Jackson as our next choice."

Because of this difference, I have not called Miss Reed. Will you, therefore, please let me know by telephone which one of these two people your Board desires, and confirm the same in writing signed by at least three members of your Board.

Very truly yours,

Secretary

HVH:J

Recd. Aug 22, 1937  
Millsboro, Delaware,  
R. D. # 3.

August 21, 1937.

Dr. H. V. Holloway,  
Dept. of Public Instruction,  
Dover, Delaware.

My Dear Dr. Holloway;  
As secretary of the  
Nanticoke Indian Association,  
I was requested to  
write to the Office  
of Indian Affairs,

after you gave your  
consent for us to  
employ an Indian  
as our teacher.

I enclosed the "  
"Rules and Regulations"  
also other requirements,  
and am sending  
the reply to you.

Kindly let me  
hear from you  
at your earliest  
convenience, as to

whether either one  
of the applicants  
is eligible for the  
position, in order  
that I may get  
in touch with them  
as quickly as  
possible.

Please return the  
enclosed letter.

Yours truly,

(Mrs.) Winona Jamison Wright,  
Secretary, Nanticoke Indian  
Association.

Millsboro, Delaware,

R. D. \* 3.

SEP 3 1937

September 1, 1937.

Dr. H. V. Holloway,  
Dover, Delaware,

Warren S. Wright  
Chas. P. Cook  
Walter Wright  
Ephraim L. Harmon  
Elisha

My Dear Dr. Holloway;  
Your letter

and the carbon copy  
came this morning.

We regret that Mr.  
Williston is not properly  
trained for the position  
as teacher for our school.  
Please consider Mr.

Francis Jackson as our  
next choice.

Your Mr. Smith moved  
a toilet on our school

grounds this afternoon,  
for the boys use.

May we have one  
for the girls, too, please?  
We are also in need  
of seats for the entire  
school, window shades  
for six large windows,  
a pump shed; and  
the school house needs  
painting badly.

I wish to thank you  
for the kind interest  
which you have shown.

Yours very truly,  
(Mrs.) Minna J. Wright,  
Secretary.

Indian

SEP 3 1937

NIGHT

\*Gen. Exp. I. S. 1938\*

Washington, D. C.  
September 1, 1937

P. W. Danielson,  
Assistant Superintendent, Indian Education,  
Muskogee, Oklahoma.

Nanticoke Indians Millsboro Delaware desire Indian primary teacher  
male or female thousand dollars for nine months Do you have anyone  
to recommend If so please have them communicate R V Holloway State  
Board Education Dover Delaware Advise

(Sgd.) E. J. Skidmore

Acting Assistant to the COMMISSIONER

9 ma 1

Copies to:

Mr. H. V. Holloway, State Board of Education, Dover, Delaware.  
Mrs. Winona J. Wright, R. F. D. #3, Millsboro, Delaware.

241  
August 24, 1937

Mrs. Winona J. Wright, Secretary  
Nanticoke Indian Association  
R. D. #3  
Millsboro, Delaware

My dear Mrs. Wright:

This will acknowledge receipt of your special delivery of August 21 and a copy of the letter from the Washington office of Indian Affairs. I note the two candidates recommended for your teaching position; namely, Woodrow Ross, Collinsville, Oklahoma, and Henry Williston, Eufaula, Oklahoma.

The important point about the educational preparation of both of these candidates is to be sure that they have had at least eighteen semester hours in elementary school methods. Their other educational qualifications would seem to be adequate. By elementary school methods, we mean methods in the teaching of art, music, physical education, arithmetic, reading, history, geography, social studies, handwriting, English, etc., in the elementary school.

It is important that we receive the transcript of the credits of the person whom you select before your Board takes final action on the matter of employment.

Very truly yours,

State Supt. of Public Instruction

HVH:J



Placement UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

Mrs. Winona J. Wright,  
Secretary, Nanticoke Indian Association,  
R.F.D. #3,  
Millsboro, Delaware.

AUG 19 1917

My dear Mrs. Wright:

Receipt is acknowledged of your letter of August 17, giving information concerning the requirements for the teacher position for the Nanticoke Indians in Delaware.

We have two young Indian men from Oklahoma, who may be interested in the position. Their qualifications are set forth below.

Woodrow Ross, Collinsville, Oklahoma; 9/16 Cherokee Indian, 24 years of age, single; received his B.S. degree in July of this year from the Northeastern State Teachers College, Tahlequah, Oklahoma, majoring in social science. He has received credit for 31 hours work in education, 4 hours in psychology, 8 hours in practice teaching, 2 hours in educational measurements, and 2 hours in curriculum construction.

Henry Williston, Eufaula, Oklahoma; full blood Choctaw, 29 years of age, single; received his B.S. degree in July of this year from Northeastern State Teachers College, majoring in education. He has received credit for 30 hours in education, 7 hours in psychology, 6 hours in practice teaching, 2 hours in educational measurements, and 2 hours in curriculum construction.

We wish to call your attention to the fact that Rule 23 of the booklet you enclosed with your letter states the requirement for educational measurements as 3 semester hours. Most schools in Oklahoma require only 2 hours for this subject, and we are wondering whether or not Education 110 (Curriculum Construction) or some other subject in Education could be substituted in lieu of the one hour which these two applicants lack in educational measurements.

Neither of these applicants has had any experience. I believe they will meet your requirements, however, and it is suggested that you correspond with either one or both concerning the filling of the teacher vacancy. If one is selected, I sincerely hope that his work will prove very satisfactory, and that he will measure up to the expectations of the Nanticoke Association.

Sincerely yours,

*E. L. Compton*

E. L. Compton,  
Supervisory Employment Agent.

AUG 19 1937

August 31, 1937

Mr. Harry Smith  
Milton, Delaware

Dear Mr. Smith:

The Nanticoke Indian School near Millsboro, the little school back in the woods between the two Warwick schools, needs another toilet. Would you be good enough to see that one of the new outside toilets at Harbeson school is moved over there? Mr. Afflerbach advises me that they need three more pieces of blackboard, each three feet in length. They also need at least 20 hooks on which to hang clothes. These, however, should be secured by the local Board of School Trustees.

They would like also to have single desks for about 16 pupils. Four of these should be of the largest size and others to be distributed equally among the other sizes.

Trusting that you can look after these matters before school opens on the 8th, I beg to remain

Yours sincerely,

Secretary

HVH:J

cc-Mr. Adams

August 31, 1937

Miss Rachel W. Taylor  
Mr. Glenn Gildersleeve

Dear Co-Workers;

We are opening the Nanticoke Indian School this fall, which will be under your direction. It will have the first six grades. They have an organ and a victrola in the school.

Will you please see that the other supplies necessary are arranged for as they relate to the needs of your work.

Sincerely yours,

Secretary

HVH:J

August 31, 1937

Office of Indian Affairs  
Mr. E. L. Compton, Supv. Employment Agent  
Washington, D. C.

Dear Sir:

I wish to thank you for sending me the complete record of Mr. Henry Williston. I have gone over this record very carefully, and am very favorably impressed with the same. The school which is to be served, however, is a primary school, and Mr. Williston has really had no special training for the teaching of primary children; that is, children of the first six grades, and, for the lack of that training, we would not be able to grant him a certificate to do this type of work. I very much regret this, because I am very favorably impressed with his record, as I said.

I am returning herewith the papers, in accordance with your request.

Very truly yours,

Secretary

HVH:J  
enc.

cc-Mrs. Winona J. Wright

Placement UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON

AUG 28 1937

Mr. H. V. Holloway,  
Secretary and State Superintendent,  
State Board of Education,  
Dover, Delaware.

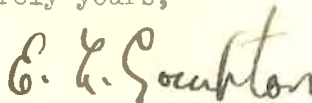
AUG 27 1937

My dear Mr. Holloway:

Mrs. Winona J. Wright, Secretary of the Nanticoke Indian Association, Millsboro, Delaware, has forwarded to us your letter of August 24 addressed to her, concerning a candidate for the position of teacher for the Nanticoke Indians.

Since our letter to Mrs. Wright of August 19, we have obtained information which leads us to believe that Mr. Woodrow Ross, one of the candidates suggested by us, would not meet your requirements. Therefore, we are sending to you only the papers we have concerning Mr. Henry Williston. This file contains all the information we have on this applicant, and it is believed that you will be better able to judge his qualifications after you have gone over his entire file. After it has served your purpose, will you please return it to this Office.

Sincerely yours,



E. L. Compton,  
Supervisory Employment Agent.

Enclosure 1175864.

August 31, 1937

Mrs. Winona J. Wright  
Millboro, Delaware  
R. D.

My dear Mrs. Wright:

I am enclosing herewith a letter which I am writing to the Bureau of Indian Affairs in regard to the only possible candidate which they have submitted to you for the teaching position.

As I have said in my letter, I am very favorably impressed with Mr. Williston, but a very careful examination of his record shows that he has had absolutely no training for teaching in the primary grades, and the most of the children in the Indian School will be in the first six grades.

Might I suggest that, inasmuch as Miss Lillian Reed has already taught in your school and is not yet located that your Board consider her. I understand also that Mr. Francis Jackson, who for a number of years was a teacher in the Nassau school, is of Indian blood. He is still not located and is a possibility. Both of these teachers have the proper certificate for teaching the grades needed by your school.

I am asking our Mr. Smith to look after certain changes needed in your school, move a toilet over there, and, if possible, secure single desks, etc.

Please let me know about the teacher as soon as possible, and oblige

Yours very truly,

Secretary

HVH:J  
enc.

AUG 2 8 1937

H. J. ANDERSON

DEALER IN

...GENERAL MERCHANDISE...

AND CHARCOAL



Shipper of Selected Eggs

R. R. STATION BROADKILL, DEL.

TELEPHONE 26R4 MILTON, DEL.

P. O. Fairmount, Del., Aug 23 1937

Dr. Harry V. Holloway,  
Supt Public Instruction  
Doyle, Delaware.

My dear Dr. Holloway:

I have been asked by the Indians of this district to write you in their behalf as they would like for you to send some one down to look over their school and have a talk about their set up for the coming term as provided by legislation last winter. I am interested as they are good decent, well citizens, will you please send someone down to see what they want to know, Lincoln Harmon,



# H. J. ANDERSON

— DEALER IN —

## ...GENERAL MERCHANDISE...

**AND CHARCOAL**



**Shipper of Selected Eggs**

R. R. STATION BROADKILL, DEL.

TELEPHONE 26R4 MILTON, DEL.

**P. O. Fairmount, Del., \_\_\_\_\_ 193**

near Oak Orchard is checked,  
Thanking you for your attention  
to this matter.

I am,

Yours very sincerely,  
H. J. Anderson

AUG 28 1937

STATE BOARD OF EDUCATION  
HENRY RIDGELY, PRESIDENT, DOVER  
JOHN B. JESSUP, VICE PRES., WILMINGTON  
JAMES BEEBE, M. D., LEWES  
NEWLIN T. BOOTH, NEW CASTLE  
WARNER W. PRICE, SMYRNA  
WILLIAM V. SIPPLE, MILFORD

STATE OF DELAWARE



RURAL SUPERVISORS  
CALVIN E. AFFLEBACH  
ALBERT EARLEY  
E. PAUL BURKHOLDER

VISITING TEACHERS  
EDITH I. JONES  
MRS. H. BERTRUDE LEWIS  
LAUREL

H. V. HOLLOWAY, SECRETARY  
AND STATE SUPERINTENDENT  
OF PUBLIC INSTRUCTION

**Department of Public Instruction**

(BRANCH OFFICE)

Sussex County Court House Annex  
GEORGETOWN, DELAWARE

STENOGRAPHERS  
HILDA L. BARR  
NELLIE M. RINGLER

August 27, 1937

Dr. H. V. Holloway  
Dover, Delaware

My dear Dr. Holloway:

I went down to see Mrs. Winona J. Wright relative to what was needed in the Warwick Indian School. They, of course, need new books in every subject. I am making up an order to forward to Dr. King to take care of this matter.

There is only one outside toilet at the school at the present time. I suggest that one of the outside toilets at Harbeson be moved to the Indian School. This is one of the toilets that was built by the State Board of Health a year or so ago.

They need at least three more pieces of blackboard, each three feet in length.

Mrs. Wright said they needed at least twenty hooks on which to hang their clothes.

The desks in the school at the present time are about worn out. What they would like to have is single desks for about sixteen pupils, four of these should be of the largest size and the others to be distributed equal among the other sizes.

I have some maps which I will give them.

Mr. Gildersleeve and Miss Taylor should be notified relative to supplies in their particular field, because they have absolutely nothing in the way of Music except an organ and victrola, nor do they have anything in the way of Art supplies.

They expect an enrollment of fifteen, seven in the first grade.

Very truly yours,

*Calvin E. Afflebach*  
Supervisor

*Shawnee Indian School*

August 12, 1937

Chief Charles G. Clark  
R. D.  
Millsboro, Delaware

Dear Mr. Clark:

In reply to your letter of August 11th regarding the teacher for your school, would say that we have no objection to your securing a teacher from whatever source you desire, providing, of course, that she can qualify under the rules and regulations for a teaching certificate. When you write to the office of Indian Affairs in Washington, I would suggest that you send them the enclosed booklet and advise them that their candidate must be able to qualify under rule 23 of this booklet.

I feel that you should know that Miss Lillian Reed, who taught your school a couple of years ago, applied to me for the position before any trustees were appointed. I am passing her letter on to you.

Very truly yours,

RJ:V  
Encl.

State Supt. of Public Instruction

Aug 11 1937

Dr. H. V. Halloway

AUG 12 1937

Dear Sir

In regards to a  
teacher for the nanticoke  
Cnodian school

We would like to get  
a Cnodian teacher we can  
get a Cnodian teacher  
through the Cnodian  
Beauro at Washington

Will you please let  
me know whether it  
will meet your approval  
Thanking you in advance  
Chief Charles C. Clark

# This Deed, Made the

day of \_\_\_\_\_ in the year of our  
 Lord one thousand nine hundred and Twenty-nine,  
**BETWEEN** ISAAC W. HARMAN and VINA A. HARMAN, his wife, of Indian  
 River Hundred, Sussex County, State of Delaware, parties of the  
 first part,

## AND

The Indian River School Districts for the descendants of the  
 Nanticoke Tribe of Indians, a corporation of the State of Delaware,  
 party of the second part,

**Witnesseth**, That the said parties of the first part, for and in consideration of the  
 sum of \_\_\_\_\_

lawful money of the United States of America,  
 the receipt whereof is hereby acknowledged, hereby grant and convey unto the  
 said party of the second part, their successors and assigns,

**All** of a certain piece, parcel or tract of land situate in Indian  
 River Hundred, Sussex County, Delaware, and lying on the South and  
 East side of the State Highway leading from Millsboro to Oak  
 Orchard, meted and bounded, as follows, to wit: BEGINNING at an iron  
 pipe driven on the said South side of said road, and also for a corner  
 of the lands of these grantors and Noah Harman, thence with said  
 road North 70 degrees 50 minutes East 210 feet to an iron pipe a  
 corner for this herein described land and other lands of said grantors,  
 then with two courses and distances along said grantors South 39  
 degrees East 210 feet to an iron pipe, then South 70 degrees 50 minutes  
 West 210 feet to an iron pipe on line for the lands of said Noah  
 Harman, then with said Noah Harman North 39 degrees West 210 feet  
 to the place of beginning, containing one (1) acre, be the same more  
 or less.

In Witness Whereof, The said parties of the first part have hereunto set their hand and seal, the day and year aforesaid.

Sealed and Delivered in the presence of

Mrs. Buster Sr.  
Mrs. Buster Sr.

Isaac W. Harman (SEAL)  
Vina A. Harman (SEAL)



State of Delaware,  
Sussex

County.

21<sup>st</sup> day of October in the year of our LORD, one thousand nine hundred and twenty-nine personally came before me the subscriber, a Notary Public for the State of Delaware, ISAAC W. HARMAN and VINA A. HARMAN, his wife,

Parties to this Indenture known to me personally to be such, and they severally acknowledged this Indenture to be their Deed. And the said VINA A. HARMAN

being at the same time privately examined by me, apart from her husband, acknowledged that she executed the said Indenture willingly without compulsion or threats, or fear of her husbands displeasure.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

PURCHASERS REPORT MADE

This 16th day of Oct 1962

Board of Assessment of Sussex County

Roland Raught, Clerk



Mrs. Buster Sr.  
Notary Public.

RECEIVED FOR RECORD

October 15 A. D. 1962

G. EDWARD VEASEY, Recorder