

LAWS
OF THE
STATE OF DELAWARE

PASSED

AT AN ADJOURNED SESSION OF THE GENERAL ASSEMBLY,

COMMENCED AND HELD AT DOVER,

TUESDAY, JANUARY, 11, A. D. 1898,

AND

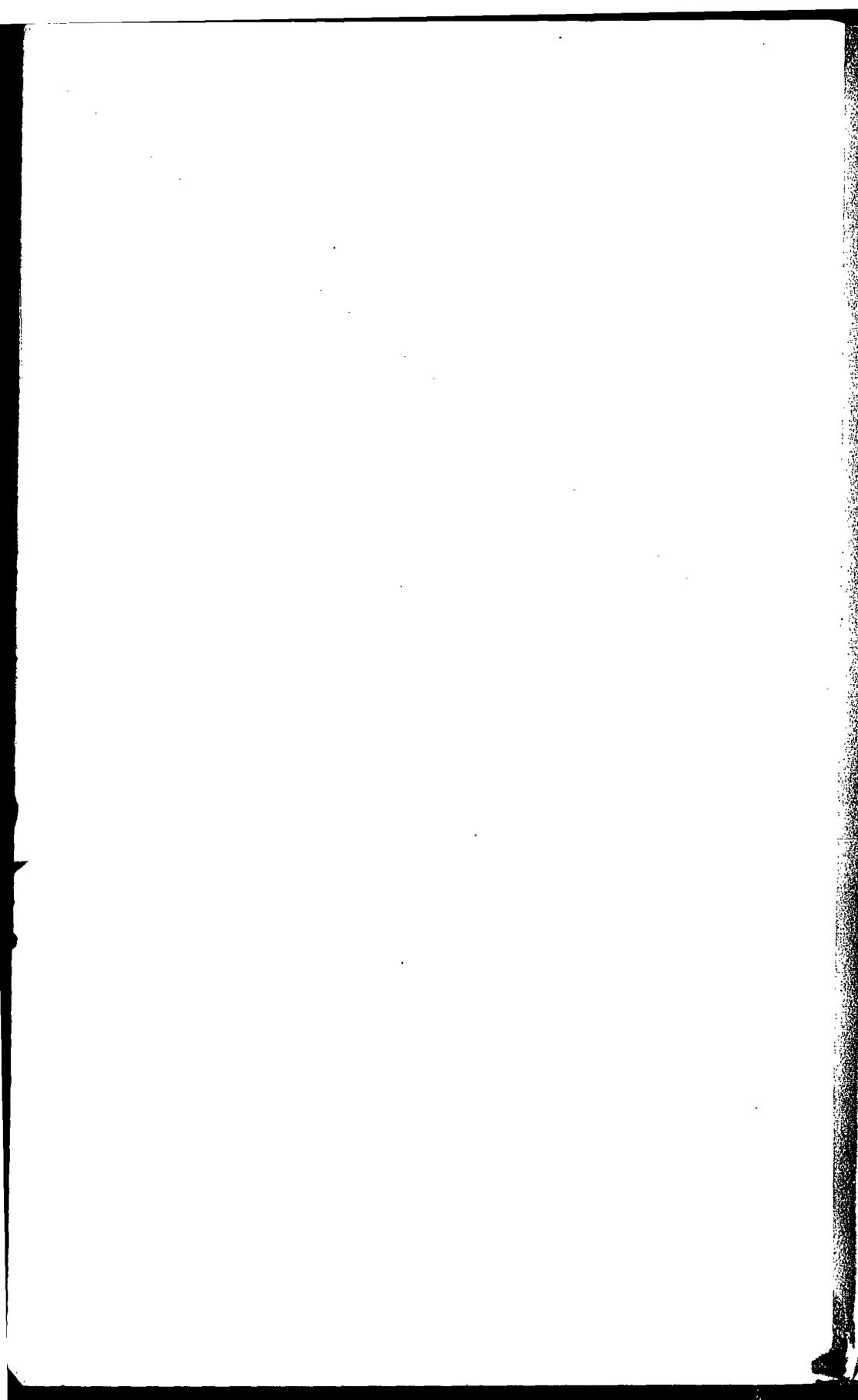
IN THE YEAR OF THE INDEPENDENCE OF THE
UNITED STATES THE ONE HUNDRED
AND TWENTY-SECOND.

VOLUME XXI—PART I.

1898 :

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MILFORD, DELAWARE.



LAWS OF DELAWARE.

TITLE FIRST.

Of the Jurisdiction and Property of the State ; its Legislation and Laws.

CHAPTER I.

SOVEREIGNTY AND JURISDICTION.

AN ACT giving the consent of the Legislature of the State of Delaware to the purchase by the United States of Land within this State for the purpose of erecting Forts, Magazines, Arsenals, Dockyards and other needful Buildings.

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

SECTION 1. That the consent of the Legislature of Delaware be and the same is hereby given to the purchase by the Government of the United States, or under the authority of the same, of any tract, piece or parcel of land not exceeding one hundred acres in any one place or locality from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State of Delaware, for the purpose of erection thereon of forts, magazines, arsenals, dockyards and other needful buildings; and all deeds, conveyances, or title papers for the same shall be recorded as in other cases upon the land records of the county in which the land so conveyed may be situated; and in like manner may be recorded a sufficient description, by metes and bounds, courses

Consent of State to purchase of land by U. S. Government, for arsenals, forts, &c.

Papers, recording, &c.

SOVEREIGNTY AND JURISDICTION.

and distances, of any tracts, legal divisions, of any public land belonging to the United States, which may be set apart by the general government for any or either of the purposes before mentioned, by an order patent, or other official document or papers so describing such land. The consent herein and hereby given being in accordance with the eighteenth clause of the eighth Section of the first Article of the Constitution of the United States, and with the Acts of Congress in such cases made and provided.

Exemption from taxation.

SECTION 2. The lots, parcels, or tracts of land so selected, together with the tenements and appurtenances, for the purposes before mentioned, shall be held exempt from taxation by the State of Delaware.

Sovereignty and jurisdiction of State to extend to.

SECTION 3. The sovereignty and jurisdiction of this State shall extend over all lands hereafter acquired by the United States within the limits of this State, so far as that all civil and criminal process, issued by virtue of any law of this State, may be executed in any part of the lands so acquired, or the building or structures thereon erected.

Approved May 19, A. D. 1898.

OF THE STATE HOUSE.

CHAPTER 2.

OF THE STATE HOUSE.

AN ACT to provide for the payment of amounts remaining due for Changes and Repairs of the State House, Furniture, &c.

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

SECTION 1. That the sum of four thousand four hundred and sixty-seven dollars and sixteen cents (\$4,467.16), be and the same is hereby appropriated out of any moneys in the State Treasury to the credit of the General Fund and set apart for the purpose of paying the remainder of the amounts contracted and remaining due for changes, alterations and repairs in the State House and the furniture therein, done under orders of the committee of the two houses, appointed for that purpose at the last session of the Legislature. The said amount shall be paid out by the State Treasurer upon orders drawn by the said committee and signed by the Chairman thereof and attested by its Secretary.

Appropriation of money to pay for repairs on State House.

How paid.

Approved March 10, A. D. 1898.

OF THE STATE HOUSE.

CHAPTER 3.

OF THE STATE HOUSE.

AN ACT providing for the appointment of a Committee to make necessary Repairs in the Roof of the State House, to have the outside of the State House repainted and to purchase necessary Furniture for the different Offices, Halls and Rooms of the State House, and appropriating Three Thousand Dollars for the payment of the same.

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

Committee to make repairs to and furnish State House.

SECTION 1. That a Joint Committee of two on the part of the Senate and three on the part of the House of Representatives, be appointed by the respective Speakers of the Senate and House, whose duties shall be to cause such repairs to be made in the roof of the State House as they may deem necessary, to cause the State House to be repainted on the exterior thereof, and to purchase such furniture as may be necessary for the different offices, halls and rooms in the State House.

Advertisement for bids.
Award of contract.

SECTION 2. The said Committee shall advertise for proposals for all work and furniture to be done and supplied under the provisions of this Act, and shall award the contract therefor to the lowest responsible bidder or bidders. The said Committee shall have all needful power and authority therefor when appointed.

Cost.

SECTION 3. That the cost of the repairs, repainting and furniture as provided for in this Act, shall not exceed the sum of three thousand dollars, or as much of said sum as may be necessary for the purpose of this Act. Any moneys appropriated for the expenditures provided for in this Act shall be paid by the State Treasurer upon orders drawn by the said Joint Committee, signed by their Chairman and attested by their Secretary. The said Committee shall render a full account of their expenditures to the next session of the General Assembly.

How paid

Account.

Approved May 16, A. D. 1898.

OF THE STATE HOUSE.

CHAPTER 4.

OF THE STATE HOUSE.

AN ACT assigning the Rooms in the State House to certain Public Officers.

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

SECTION 1. That the Senate and Representative chambers in the State House at Dover, together with all the other rooms on the second and third floors of said State House shall be, at all times, for the exclusive use of the Legislature, and under its control. Senate and Representative Chambers Control of.

SECTION 2. That the two communicating rooms situated at the northwest corner, on the first floor of said State House, are hereby designated as the Governor's Offices and assigned to said officer. Governor's offices.

SECTION 3. That the room situated on the north side of said State House on the first floor, adjoining the Governor's offices, is hereby designated as the office of the State Treasurer, and assigned to said officer. Office of State Treasurer.

SECTION 4. That the three communicating rooms, and the fire proof vault situated at the Southwest corner, on the first floor of said State House are hereby designated as the offices of the Secretary of State, and assigned to said officer. Offices of Secretary of State.

SECTION 5. That the room situated on the South side of said State House and on the first floor thereof, and adjoining the offices of the Secretary of State on the East side, is hereby designated as the office of the Auditor of Accounts, and assigned to said officer. Office of Auditor of Accounts.

SECTION 6. That the room situated on the South side of said State House, on the first floor thereof, and adjoining the office of the Auditor of Accounts on the East side, is hereby designated as the office of the Judiciary, and assigned to the use of the Judiciary of the State of Delaware. Office of Judiciary.

SECTION 7. That the room situated on the South side of said State House, on the first floor thereof, and adjoining the Office of State Librarian.

OF THE STATE LIBRARY.

office of the Judiciary on the East side, is hereby designated as the office of the State Librarian, and assigned to said officer.

Control of
offices.

SECTION 8. That the office of the Judiciary shall be under the control of the Chancellor and the other offices herein mentioned shall be under the control of the officers to whom they are respectively assigned by the provisions of this Act.

Approved June 1, A. D. 1898.

CHAPTER 5.

OF THE STATE LIBRARY.

AN ACT to amend Chapter 6, Volume 17, Laws of Delaware, entitled "An Act to establish the State Library."

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

Conti-
nent
ex-
penses
of
State
Library.

SECTION 1. That Section 8 of Chapter 6, Volume 17, Laws of Delaware be and the same is hereby stricken out and the following inserted in lieu thereof, "Section 8. That the Librarian shall be allowed the sum of one hundred dollars per year to defray the current expenses of the State Library, and for the expenditure of the money appropriated for that purpose he shall present his vouchers to a committee of the Legislature appointed at any biennial or adjourned session, to settle with the State Librarian."

Settle-
ment.

Appro-
priation
of
\$300
for
purposes
of Li-
brary.

SECTION 2. That said Chapter 6 be and the same is hereby further amended by striking out Section 10 of said Chapter and inserting in lieu thereof the following, "Section 10. That the Librarian shall annually, under the direction of the Supreme Court expend a sum not exceeding three hundred dollars for the purpose of purchasing judiciary re-

OF THE STATE LIBRARY.

ports, preference being given to supplying the missing volumes of sets of reports in the Library, and also for purchasing a copy of the History of Delaware by J. Thomas Scharf. Said sum to be paid the Librarian by the State Treasurer out of moneys appropriated for that purpose, upon the presentation of the endorsement and approval of the Judges of said Supreme Court or a majority of them." How paid.

SECTION 3. That in all future editions of the Laws of this State said Chapter 6 shall be published as hereby amended.

Approved April 28, A. D. 1898.

CHAPTER 6.

OF THE STATE LIBRARY.

CHAPTER 6 of Volume 17, Laws of Delaware, as amended by Chapter 5 current Volume. "An Act to establish the State Library."

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

SECTION 1. The State Library shall consist of the books, pamphlets, maps, charts and documents of every kind now belonging to the same, together with such others as it may hereafter acquire by gift, purchase, exchange or otherwise. Contents of State Library.

SECTION 2. The Governor shall, on the first Tuesday of April in the year A. D. 1883, and every two years thereafter, appoint a State Librarian, who shall hold his office for the term of two years, beginning on the ninth day of April next following his appointment, and until his successor is duly appointed and qualified. Before entering upon his duties the Librarian shall take the oath of office and give a bond to the State in the sum of two thousand dollars, with two sureties to be approved by the Governor, conditioned for the faithful performance of his official duties, the safe keeping and delivery to his successor of all property belonging to the Library; such oath and bond to be filed in the office of the Secretary of State. Appointment by the Governor of State Librarian. Term. Bond approved by Governor. Condition.

OF THE STATE LIBRARY.

Duties. SECTION 3. The Librarian shall have general charge of the State House, and shall see that the same is properly cared for. He shall, by and with the consent of the judges of the Court of Errors and Appeals, make such rules and regulations governing the Library and its use as may to them seem proper. He shall keep a complete record of all the books taken from the Library, and require the return of the same within thirty days, unless renewed by a written application; but in no case shall there be more than one renewal.

Books to be returned within 30 days, unless renewed.

Fine. When. In case any person taking books from the Library should fail to return the same within thirty days or renew as above provided, then, and in that event, he shall be fined by the Librarian the sum of ten cents per book for each and every week such book or books are so unlawfully retained. The said fine to be collected by the Librarian as such debts are by law now collected, and the proceeds arising from such collection to be expended by him in purchasing stationery for the Library.

How collected and expended.

Record to be kept of books, etc.

SECTION 4. The Librarian shall also keep a complete record of all books, pamphlets, &c., received by him for the State Library, properly label, and acknowledge the receipt of the same.

Duties as to disposal of the laws of the State and Judicial Reports.

SECTION 5. Immediately upon the publication of the laws by the Secretary of State, he shall deposit in the Library fifty copies, and the Librarian shall send a copy of the same to the library of each State and Territory in the Union, one to the Congressional Library, one to Delaware College, one to the Historical Society of the State of Delaware, and one to the New Castle County Law Library. The Secretary of State shall also, upon the receipt of the Judicial Reports, and the Chancery Reports, place in the Library, in addition to the number now required by law to be placed therein, a number of copies thereof equal to the number of States and Territories of the United States, and the Congressional Library, Delaware College, the Historical Society of the State of Delaware, and the New Castle County Law Library, and the Librarian shall thereupon transmit one copy thereof to the library of each State and Territory above named, one to the Congressional Library, one to Delaware College, one to the Historical Society of the State of Delaware, and one to the New Castle [County] Law Library.