

LAWS
OF THE
STATE OF DELAWARE

PASSED

AT A SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

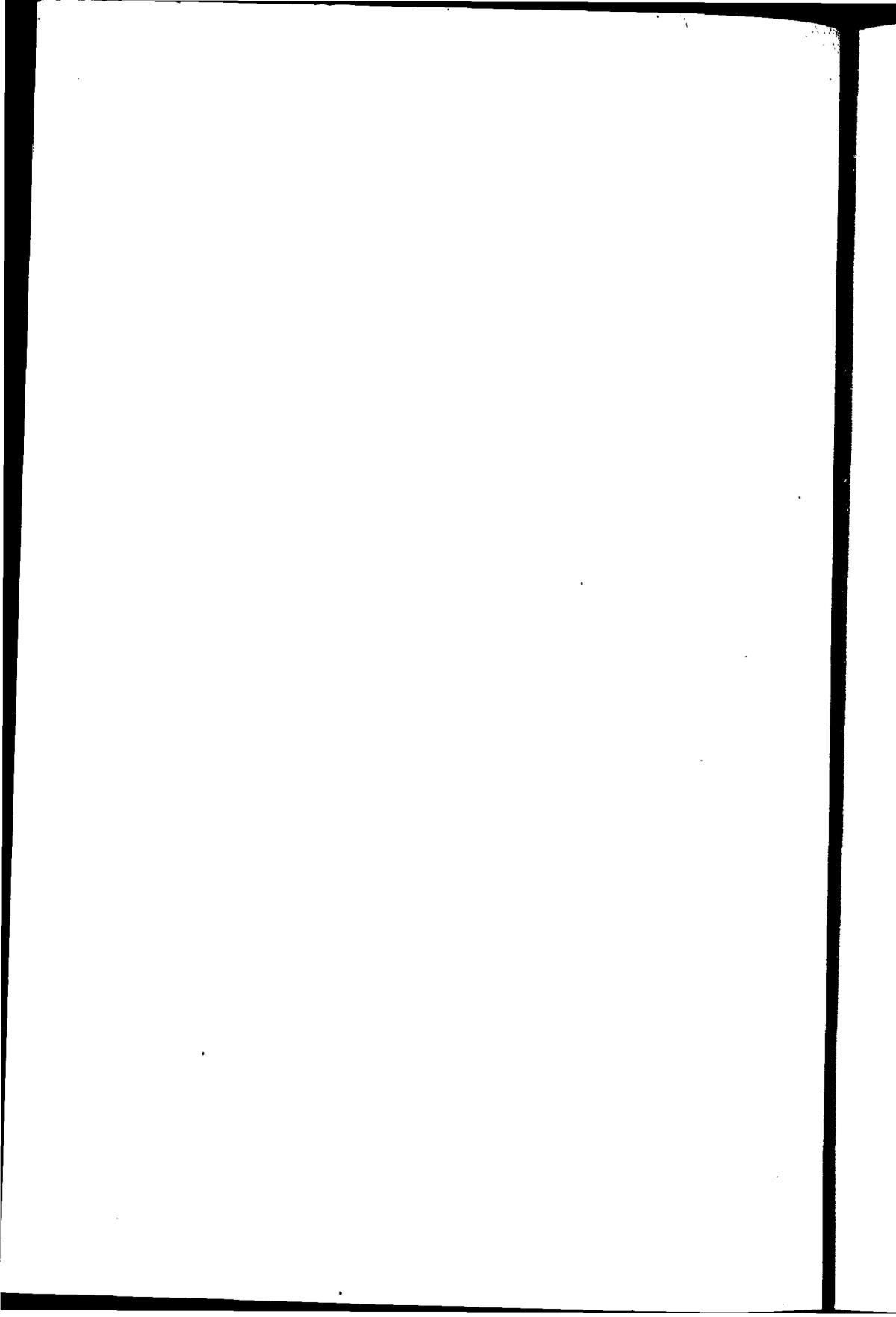
On Tuesday, January 6th, A. D. 1903

AND

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

VOLUME XXII—PART II.

1903 :
THE SENTINEL PRINTING COMPANY,
DOVER, DEL.



LAWS OF DELAWARE.

CHAPTER 254.

AMENDMENTS TO THE CONSTITUTION.

AN ACT PROPOSING AMENDMENTS TO ARTICLE 9 OF THE CONSTITUTION OF THE STATE OF DELAWARE CONCERNING CORPORATIONS.

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

Section 1. That the following amendments be and the same are hereby proposed to Article 9 of the Constitution of this State:

First. That all of Section 3 of Article 9 of the Constitution of this State after the word "Corporation," where it occurs the second time in Section 3, be stricken out. Stock, how issued.

Section 2. That Section 6 of said Article 9 be stricken out and in lieu thereof substitute and adopt the following, viz.:

"Section 6. Shares of the capital stock of corporations created under the laws of this State, when owned by persons or corporations without this State, shall not be subject to taxation by any law now existing or hereafter to be made." Stock owned without this State not subject to taxation.

Approved March 17, A. D. 1903.

TITLE FIRST.

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

CHAPTER 255.

OF LIMITS.

AN ACT TO CHANGE THE VOTING PLACE IN THE SECOND ELECTION DISTRICT OF THE ELEVENTH REPRESENTATIVE DISTRICT IN NEW CASTLE COUNTY.

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

Voting place in
2d Election Dis-
trict of 11th
Rep. District to
be at Kirkwood
Hotel.

Section 1. That after the approval of this Act all persons entitled to vote at any general or special election in the Second Election District of the Eleventh Representative District in New Castle County, shall vote at the public house of William Smith, at Kirkwood, known as the Kirkwood Hotel, in said District.

Section 2. That all acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Approved March 24, A. D. 1903.

OF THE STATE LIBRARY.

CHAPTER 256.

OF THE STATE LIBRARY.

AN ACT TO AMEND CHAPTER 5, VOLUME 21, OF THE LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND CHAPTER 6, VOLUME 17, LAWS OF DELAWARE, ENTITLED "AN ACT TO ESTABLISH THE STATE LIBRARY," BY INCREASING THE ANNUAL APPROPRIATION FOR THE PURPOSE OF PURCHASING JUDICIARY REPORTS.

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

Section 1. That Section 2 of Chapter 5, Volume 21, of the Laws of Delaware be and the same is hereby amended by striking out in the fifth line of said Section the word "three" and inserting in lieu the word "five." ^{Increase of appropriation.}

Approved April 16, A. D. 1903.

OF THE PASSING AND PUBLICATION OF LAWS.

CHAPTER 257.

OF THE PASSING AND PUBLICATION OF LAWS.

AN ACT TO REVIVE AND EXTEND THE TIME OF RECORDING PRIVATE ACTS.

Preamble. Whereas, by Section 3 of Chapter 4 of the Revised Statutes of the State of Delaware, it is provided that private statutes, namely, such as are not of a public nature or published as such, shall be recorded in the Recorder's Office in one of the counties of this State within twelve months after their passage or they shall be void; and

Preamble. Whereas, a number of the private and unpublished acts heretofore passed have been allowed to become void through various causes; therefore, for the purpose of relieving the parties interested of the embarrassments and disappointments arising from such neglect in the premises;

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of each branch concurring therein):

Private acts revived. Section 1. That all unpublished acts heretofore passed that have become void on account of not being duly recorded in compliance with the provisions aforesaid and that have not, by special acts, been repealed or become void by lapse of the time for which they were limited, be and the same are hereby revived, renewed and re-enacted and, together with the provisions therein contained, are respectively declared to be in full force for the period mentioned in the original acts, and all acts and transactions done and performed under the provisions of said acts respectively, shall have the same force and effect and be as valid to all intents and purposes as if the said acts had been severally recorded, according to law. Provided that this enactment shall not take effect in the case of any act that has become void as aforesaid until a certified copy thereof procured of the Secretary

Exception.

OF THE PASSING AND PUBLICATION OF LAWS.

of State shall be duly recorded in the Recorder's Office of one of the counties of this State; and provided further that no such copy of a voided act shall be received for record after the expiration of one year from the passage of this Act.

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

Approved March 13, A. D. 1903.

CHAPTER 258.

OF THE PASSING AND PUBLICATION OF LAWS.

AN ACT REQUIRING THE SECRETARY OF STATE, IN PUBLISHING THE LAWS OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY, TO PUBLISH THE GENERAL CORPORATION LAW OF THIS STATE WITH ALL AMENDMENTS, MADE THERETO AT THIS SESSION, INCORPORATED THEREIN.

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

Section 1. That the Secretary of State is hereby required and directed in publishing the laws of the present Session of the General Assembly, to publish the General Corporation Law of this State with all amendments, made thereto at this session, incorporated therein.

Secretary of
State to publish
Corporation
Law with all
amendments.

Approved April 7, A. D. 1903.

TITLE SECOND.

Of the Public Revenue; and the Assessment, Collection and Appropriation of Taxes.

CHAPTER 259.

OF THE REVENUES OF THE STATE.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RAISE REVENUE FOR THE STATE BY TAXING CERTAIN CORPORATIONS," BEING CHAPTER 15, VOL. 22, LAWS OF DELAWARE.

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

Exemptions.

Section 1. That said Chapter 15, as printed and published in Volume 22, Laws of Delaware, entitled "An Act to raise revenue for the State by taxing certain corporations," be and the same is hereby amended by striking out all of Section 4 of said Act after the word "dollars" in the 59th line of said Section 4, and by inserting in lieu thereof the following, viz.: "Provided that this Act shall not apply to railroad, railway, canal or banking corporations, or to savings banks, cemeteries or religious corporations, or to purely charitable or educational associations, or manufacturing or mining corporations, or to any mercantile corporation whose capital actually paid in is invested in a mercantile business carried on within this State, and which is now subject to a license tax for the carrying on of said business under Chapter 117, Volume 13, Laws of Delaware, or to any corporations at least fifty per centum of whose capital stock issued and outstanding is invested in business carried on within this State, and if any

OF THE REVENUES OF THE STATE.

other corporation shall have less than fifty per centum of its capital stock issued and outstanding invested in business carried on within this State, such company shall pay the annual license fee or franchise tax herein provided for companies not carrying on business in this State, but shall be entitled in the computation of such tax to a deduction from the amount of its capital stock issued and outstanding of the assessed value of its real and personal estate within this State."

Approved March 18, A. D. 1903.

CHAPTER 260.

OF THE REVENUES OF THE STATE.

AN ACT TO AMEND SECTION 5, OF CHAPTER 15, VOLUME 22, LAWS OF DELAWARE, ENTITLED "AN ACT TO RAISE REVENUE FOR THE STATE BY TAXING CERTAIN CORPORATIONS," INCREASING THE PERIOD FOR THE PAYMENT OF ANNUAL FRANCHISE TAXES BEFORE THEY SHALL BEGIN TO BEAR INTEREST.

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

Section 1. That Chapter 15, Volume 22, Laws of Delaware, entitled "An Act to raise revenue for the State by taxing certain corporations," be and the same is hereby amended by striking out the word "March" in the twelfth line of Section 5 of said chapter, and inserting in lieu thereof the word "May." Extension of time before interest is due.

Approved March 18, A. D. 1903.

OF THE REVENUES OF THE STATE.

CHAPTER 261.

OF THE REVENUES OF THE STATE.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE GOVERNMENT OTHER THAN LEGISLATIVE EXPENSES FOR THE FISCAL YEAR ENDING ON MONDAY IMMEDIATELY PRECEDING THE SECOND TUESDAY OF JANUARY, IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND FOUR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (with the concurrence of three-fourths of all the members elected to each House of the General Assembly):

Appropriations
for year 1903.

Section 1. That the several amounts named in this Act, or so much thereof as may be necessary, are hereby appropriated and authorized to be paid out of the Treasury of this State to the respective public officers and for the several purposes specified for the current fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord one thousand and four*; provided, however, that all parts or portions of the several sums appropriated by this Act which, on said Monday immediately preceding said second Tuesday of January, A. D. 1904, shall not have been paid out of the Treasury shall be converted back into the General Fund of the Treasury. The said several sums hereby appropriated are as follows, viz.:

Unexpended
moneys con-
verted back
into Treasury.

Governor.

For the Governor for salary, two thousand dollars. For postage, stationery and expenses of Governor's office, five hundred dollars.

Secretary of
State.

For the Secretary of State for salary, one thousand dollars.

For the Secretary of State, to pay the contingent expenses of his office, twelve hundred dollars.

For the Secretary of State for indexing and preparing for publication laws of the Session of the Legislature held in the year 1903, five hundred and fifty dollars.

For the Secretary of State as compensation for performing

*Printed as enrolled.