

LAWS
OF THE
STATE OF DELAWARE,

PASSED AT A

SPECIAL SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER,

ON THURSDAY, MAY 31ST, A. D. 1906

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED
STATES THE ONE HUNDRED AND
THIRTIETH.

PUBLISHED BY AUTHORITY.

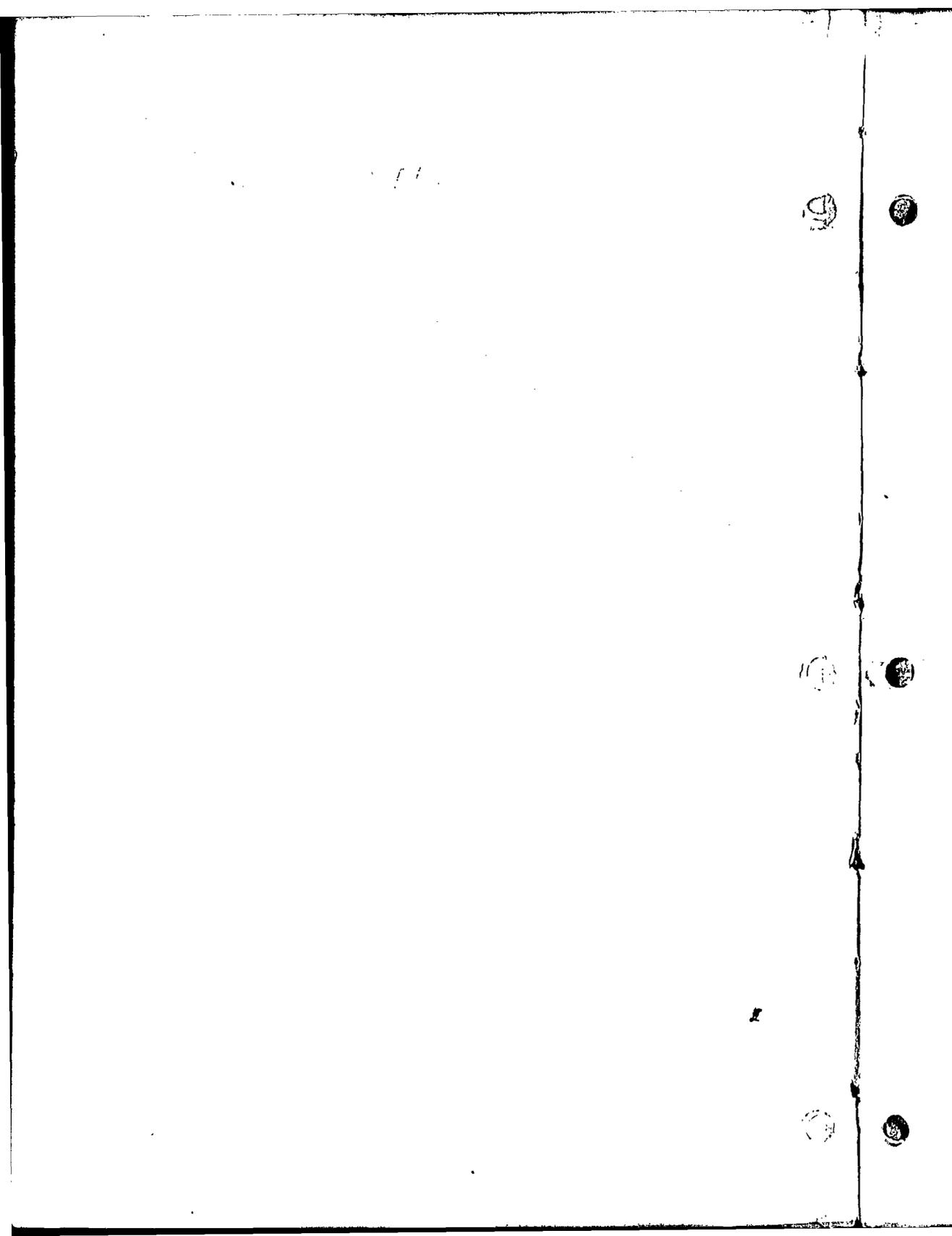
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LAWS OF DELAWARE.

TITLE SECOND.

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

CHAPTER I.

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 166, Volume 21, Laws of Delaware, as Amended and Published as Chapter 15, Volume 22, Laws of Delaware.

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

Section 1. That Section 2 of an Act entitled "An Act to raise revenue for the State by taxing certain corporations," being Chapter 166, Volume 21, Laws of Delaware, as amended and published as Chapter 15, Volume 22, Laws of Delaware, be and the same is hereby amended by striking out the whole of said Section 2 of the Act so amended and published as aforesaid, and inserting in lieu thereof the following, viz:

"Section 2. That on or before the first Tuesday in January next and annually thereafter, it shall be the duty of the Presi-

Chapter 15,
Volume 22,
amended

OF THE REVENUES OF THE STATE.

Report to Sec-
retary of State

dent, Treasurer or other proper officer, or any two directors, of any corporation now existing or hereafter to be incorporated under the provisions of the laws of this State of the character specified in the preceding section, to make report to the Secretary of State, stating specifically the location of its principal office in this State, and the name of the agent upon whom service of process against said corporation may be served; the location or locations (town or towns, city or cities, street or streets and numbers, if numbers there be) of the place or places of business of said corporation without this State; the name and addresses of all the directors and officers of the company and when the terms of each expire; the amount of its authorized capital stock, if any, and the amount actually paid in; the date appointed for the next annual meeting of the stockholders for the election of directors; as well also the following particulars, namely: Each telegraph, telephone, cable or express company not owned by a railroad company and not otherwise taxed, shall state the gross amount of its receipts from business done in this State for the year preceding the making such report; each gas company and electric light company shall state the amount of its receipts for light or power supplied within this State for the year preceding the making of such report, and the amount of dividends declared or paid during the same time; each company organized for the distribution of heat or power or organized for the purpose of producing or distributing steam, heat or power, shall state the amount of its receipts for the distribution of heat or power, or for the production or distribution of steam, heat or power within this State for the year preceding the making of such report, and the amount of dividends declared or paid during the same time; each parlor, palace or sleeping car company shall state the gross amount of its receipts for fare or tolls for transportation of passengers within this State during the same time; each oil or pipe line company engaged in the transportation of oil or crude petroleum shall state the gross amount of its receipts from the transportation of oil or petroleum through its pipes or in and by its tanks or cars in this State during the same time; each fire, marine, live stock, casualty or accident insurance company shall state the total amount of premiums re-

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ceived by it for insurance upon the lives of persons resident or property located within this State, during the same time.

Every other corporation shall file with the Secretary of State on or before the first Tuesday in January in each year an annual report, which shall state the location of the principal office in this State, and the name of the agent upon whom service of process against said company may be served; the location or locations (town or towns, city or cities, stating the streets and numbers, if numbers there be) of the place or places of business of said company without this State; the names and addresses of all the directors and officers of the company, and when the terms of each expire; the date appointed for the next annual meeting of stockholders for the election of directors; the amount of its authorized capital, the amount actually paid in, the amount invested in real estate, the tax annually thereon, and the amount invested in manufacturing or mining in this State, or both; and, if exempt from taxation under the provisions of the Act so amended and published as aforesaid, the specific facts entitling such corporation to exemption from taxation aforesaid.

Provided, that no part of this section shall apply to corporations as are now by law under the supervision of the Insurance Commissioner; if such report is not so made and so filed the corporation shall forfeit to the State the sum of two hundred dollars, to be recovered with costs in an action of debt, to be prosecuted by the Attorney General, who shall prosecute such actions whenever it shall appear that this section has been violated; and *provided further*, if such report shall not be so made and filed, all the directors of any such corporation who shall wilfully refuse to comply with the provisions thereof and who shall be in office during the default shall at the time appointed for the next election, and for a period of one year thereafter be thereby rendered ineligible for election or appointment to any office in the company as directors or otherwise; no director shall be thus disqualified for the failure and to make and file such report if he shall file with the Secretary of State before the time appointed for holding the next election of directors after such default, a certificate stating that he has endeavored to have such report made and filed,

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but that the officers have neglected to make and file the same, and shall report the items required to be stated in such annual report so far as they are within his knowledge, or are obtainable from sources of such information open to him, verified by him to be true to the best of his knowledge, information and belief; the Secretary of State shall upon application furnish blanks in proper form and shall safely keep in his office all such reports, which reports shall be open to the inspection of all persons at proper hours.

Penalty for
failure to
report

In case any such corporation shall fail to file such report within the time required by this section, and in case of the agent in charge of the principal office of such company upon whom process against such company may be served shall die, or shall resign, or shall remove from the State, or such agent cannot with due diligence be found, it shall be lawful while such default continues, to serve process against such corporation upon the Secretary of State, and such service shall be as effectual to all intents and purposes as if made upon the president or head officers of such corporation, and within two days after such service upon the Secretary of State as aforesaid, it shall be the duty of the Secretary of State to notify such corporation thereof by letter directed to such corporation at its registered office, in which letter shall be inclosed a copy of the process or other paper served, and it shall be the duty of the plaintiff in any action in which said process shall be issued to pay to the Secretary of State, for the use of the State, the sum of three dollars, which said sum shall be taxed as a part of the costs in said suit if the plaintiff shall prevail therein; the Secretary of State shall keep a book to be called the "process book," in which shall be entered alphabetically, by the name of the plaintiff and defendant therein, the title of all causes in which processes have been served upon him, the teste of the process so served and the return day thereof, and the day and hour when the service was made."

Approved June 29, A. D. 1906.

OF THE REVENUES OF THE STATE.

CHAPTER 2.

OF THE REVENUES OF THE STATE.

AN ACT to Provide for the Collection of the Revenue of the State.

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

Section 1. That upon the neglect or refusal of any corporation, incorporated under the laws of this State, to pay the State Tax assessed against it, the State Treasurer shall suggest and the Governor may appoint an agent or agents within or without the State, for the collection of the said delinquent State Tax. The reasonable compensation of such agent or agents shall be borne by such delinquent corporations and may be recovered therefrom in an action of debt in any court of competent jurisdiction in this State by such agent or agents so appointed to collect said delinquent State taxes.

Governor may appoint agents to collect State tax

Compensation, how paid

When the delinquent corporations shall be shown to be insolvent and without assets, the said reasonable compensation of such agent or agents shall be paid by the State, by a warrant or warrants of the Governor upon vouchers duly approved by and filed in the office of the State Treasurer.

The Governor may at any time revoke any such appointment of such agent or agents: such revocation to be effected by an order in duplicate, signed by the Governor, one of which shall be mailed to such agent or agents and the other filed in the office of the State Treasurer.

Governor may revoke appointment

Approved June 29, A. D. 1906.

RESOLUTIONS.

CHAPTER 3.

Senate Resolution appropriating certain money out of the State Treasury to pay the compensation of the members of the Senate and certain expenses connected with the present Extraordinary Session of the General Assembly.

Appropriation
for salaries of
members of
Senate, its
Clerks, etc.

Be it resolved, That the following amounts be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the payment of the compensation of the members of the Senate and the expenses connected with the Extraordinary Session thereof, viz:

Isaac T. Parker.....	\$ 78.00
Alvin B. Conner, President pro tem.....	78.00
George W. Sparks,.....	65.00
Thomas M. Monaghan,.....	65.00
Thomas J. Stirling,.....	65.00
John M. Mendinhal,.....	65.00
Artemas Smith.....	65.00
David C. Rose,.....	65.00
John A. Latta,.....	65.00
John W. Houston,.....	65.00
Remsen C. Barnard,.....	65.00
Simeon S. Pennewill,.....	65.00
David H. Boyce,.....	65.00
Archie B. Lingo,.....	65.00
Thomas W. Jefferson,.....	65.00
Thomas C. Moore,.....	65.00
J. Edward Goslee, Clerk,.....	165.00
C. Sherburne Rice, Acting Reading Clerk,.....	65.00
Rev. G. P. Smith, Chaplain,.....	25.00

HOUSE RESOLUTION.

Henry M. Lang, Sergeant-at-Arms,.....	65.00
Theodore L. Cook, Page,.....	13.00
Fannie S. Harrington, for typewriting.....	10.00
J. E. Goslee,.....	20.00
The Sentinel Printing Co.....	5.00

Passed June 14, A. D. 1906.

CHAPTER 4.

House Resolution appropriating certain money out of State Treasury to pay expenses incurred by the House at the Extraordinary Session, 1906.

Be it Resolved, by the House of Representatives, that the several sums of money hereinafter named, be and the same are hereby appropriated to pay the expenses incurred by the House at this Extraordinary Session, 1906 and the State Treasurer is hereby authorized and directed to pay the same in the following sums, to wit:—

Appropriation for salaries of members of House, its Clerks, etc.

Henry Stafford.....	\$ 65.00
Willard S Meredith.....	65.00
M. Howard Jester.....	65.00
Dr. T. O. Cooper.....	65.00
Frank M. Sevier.....	65.00
Jacob K. Hanby.....	65.00
William H. Miller.....	65.00
William M. Eastburn.....	65.00
John P. Armstrong.....	65.00
Elwood L. Wilson.....	65.00
John B. Mahoney.....	65.00
Willard T. Smith.....	65.00
Frank J. Penington.....	65.00
Edward Hart.....	65.00
Andrew J. Wright.....	65.00

HOUSE RESOLUTION.

William H. Baggs.....	65.00.
William D. Denney.....	78.00
Gamaliel Garrison.....	65.00.
Thomas C. McGinnis.....	65.00
Alden R. Benson.....	65.00
John G. Meredith.....	65.00
Daniel B. Murray.....	65.00
Frank J. Prettyman.....	65.00.
Frank W. Davis.....	65.00
Charles D. Abbott.....	65.00
John T. Vandenburg.....	65.00
Daniel W. Ellis.....	65.00
Charles W. Messick.....	65.00
Edward Pierce Ellis.....	65.00
Rufus D. Lingo, Jr.....	65.00
Timothy E. Townsend.....	65.00
Henry O. Bennum.....	65.00
Harry V. Lyons.....	65.00.
Thomas S. Lewis, Clerk.....	65.00
Theodore Burton, Reading Clerk.....	65.00
A. V. L. George, Enrolling Clerk.....	65.00
Rev. L. E. Barrett, Chaplain.....	25.00
James M. Satterfield, Attorney.....	25.00.
W. B. Macklin, Sergeant-at-Arms.....	65.00
Charles Swain, Page.....	5.00
Thomas S. Lewis, Clerk for printing.....	13.67
Edith B. Ingersoll, typewriting.....	10.00
Charles Swain, Page extra.....	8.00
Thomas S. Lewis, indexing and Printing Journal..	100.00.

Passed June 14, A. D. 1906.

SENATE JOINT RESOLUTION.

CHAPTER 5.

Senate Joint Resolution No. 1 providing for an adjournment of the General Assembly until Monday, June 11th, A. D. 1906.

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

That when the Senate and House of Representatives ad- Adjournment
journ on this 31st day of May, A. D. 1906, they do adjourn
to meet Monday, June 11th, A. D. 1906, at 5.30 P. M.
o'clock.

Approved May 31, A. D. 1906.

CHAPTER 6.

SENATE JOINT RESOLUTION NO. 2.

Senate Joint Resolution fixing the time for final adjournment of the General Assembly.

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

That the Senate and House of Representatives in extraor- Adjournment
dinary Session now assembled will adjourn without date on
Thursday, the fourteenth day of June, A. D. 1906, at 12
o'clock Noon.

Approved June 13, A. D. 1906.

