

LAWS
OF THE
STATE of DELAWARE

PASSED AT THE
ONE HUNDREDTH SESSION
Of The GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

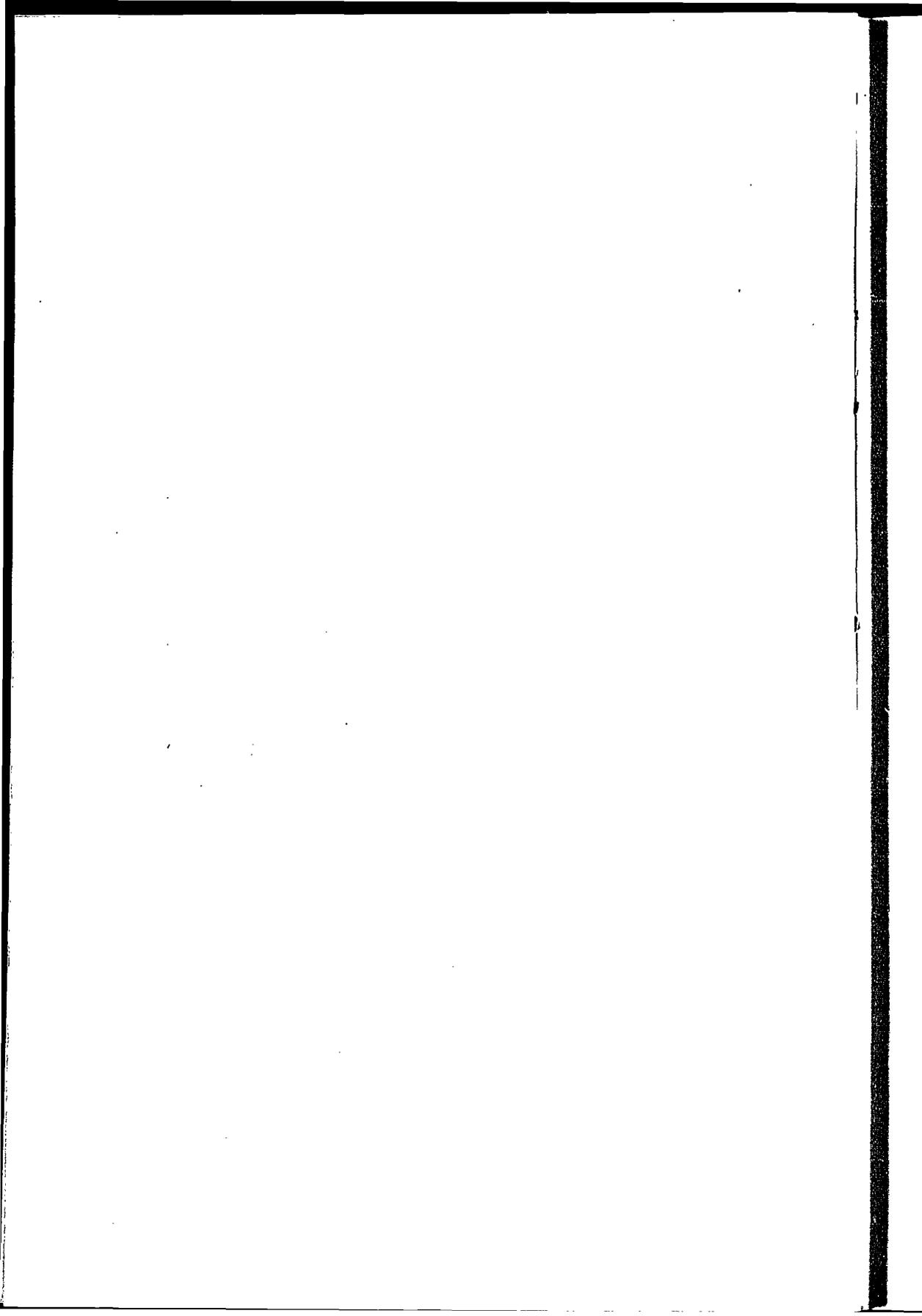
On Tuesday, January 6th, A.D. 1925

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED
STATES THE ONE HUNDREDTH AND FORTY-NINTH

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LAWS of DELAWARE

TITLE ONE

Construction of Statutes

CHAPTER 1

AMENDMENT TO CONSTITUTION

AN ACT agreeing to the proposed amendment to Article 5 of the Constitution of the State of Delaware relating to the Registration of Voters.

WHEREAS, an Amendment to the Constitution of the State of Delaware was proposed in the Senate in the Ninety-ninth Session of the General Assembly as follows:

AN ACT proposing an Amendment to Article 5 of the Constitution of the State of Delaware, relating to the Registration of Voters.

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

Section 1. That Article 5 of the Constitution of the State of Delaware be amended by striking out all of Section 4 of said Article, and by inserting in lieu thereof a new Section 4, in the following language, viz:

“Section 4. The General Assembly shall enact uniform laws for the registration of voters in this State entitled to vote under this Article, which registration shall be conclusive evidence to

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the election officers of the right of every person so registered to vote at any General Election while his or her name shall remain on the list of registered voters, and who is not at the time disqualified under the provisions of Section 3 of this Article; and no person shall vote at such General Election whose name does not at that time appear in said list of registered voters.

“There shall be at least two registration days in a period commencing not more than one hundred and twenty days, nor less than sixty days before, and ending not more than twenty days, nor less than ten days before, each General Election, on which registration days persons whose names are not on the list of registered voters established by law for such election, may apply for registration, and on which registration days applications may be made to strike from the said registration list names of persons on said list who are not eligible to vote at such election; provided, however, that such registration may be corrected as hereinafter provided at any time prior to the day of holding the election.

“From the decision of the registration officers granting or refusing registration, or striking or refusing to strike a name or names from the registration list, any person interested, or any registration officer, may appeal to the resident Associate Judge of the County, or in case of his disability or absence from the County, to any Judge entitled to sit in the Supreme Court, whose determination shall be final; and he shall have power to order any name improperly omitted from the said registry to be placed thereon, and any name improperly appearing on the said registry to be stricken therefrom, and any name appearing on the said registry, in any manner incorrect, to be corrected, and to make and enforce all necessary orders in the premises for the correction of the said registry. Registration shall be a pre-requisite for voting only at general elections, at which Representatives to the General Assembly shall be chosen, unless the General Assembly shall otherwise provide by law.

“The existing laws in reference to the registration of voters, so far as consistent with the provisions of this Article, shall con-

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tinue in force until the General Assembly shall otherwise provide.”

AND WHEREAS, the said proposed Amendment was agreed to by two-thirds of all the members elected to each House in the said Ninety-ninth Session of the General Assembly;

AND WHEREAS, the said proposed Amendment was published by the Secretary of State three months before the then next General Election, to-wit, the General Election of 1924, in three newspapers in each County in the State of Delaware; Now therefore,

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

Section 1. That the said proposed amendment be and it is hereby agreed to and adopted and that the same shall forthwith become and be a part of the Constitution.

Approved March 2, A. D. 1925.

TITLE TWO

Jurisdiction and Property of the State

CHAPTER 2

JURISDICTION, LIMITS AND SOVEREIGNTY

AN ACT to cede to the United States certain lands under water in the Delaware River, for the purpose of aiding in the improvement of said river.

WHEREAS, the Federal Government is engaged in dredging and otherwise improving the bed of the Delaware River under authority of Congress, and in the course of such improvement it has been found necessary for the Federal Government to enter the area under water hereinafter described, adjoining the New Jersey shore of the Delaware River adjacent to and immediately south of Bulkhead Bar Dike, for the purpose of constructing a basin for the reception of material dredged from the channel of the Delaware River; and,

WHEREAS, the Federal Government has undertaken the construction of a stone and timber bulkhead to impound the area in question; and,

WHEREAS, when filled, this submerged area will form solid land above high water connected to marsh land to which the Federal Government has acquired title; and,

WHEREAS, it is of importance to enjoy possession and control of the submerged area thus reclaimed, the Government of the United States desires to acquire title to that portion of the bottom of the Delaware River on which the aforesaid land is to be constructed; therefore,

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

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1. That all the right, title, interest, and property of this State in and to such portion of certain submerged land in the Delaware River adjoining the New Jersey shore of the Delaware River adjacent to and immediately south of Bulkhead Bar Dike as is now embraced within the boundaries of this State, the location of which area with reference to United States Engineer Department triangulation of the said river is more particularly described as follows:

Beginning at triangulation station Dike's End, which is an iron bolt set in concrete on the northeast side of the post light at the outer end of Bulkhead Bar Dike; thence South three degrees sixteen minutes thirty-six seconds East (S 3° 16' 36" E), two thousand and two and forty-one hundredths (2,002.41) feet to a point A; thence South twenty-one degrees thirty-seven minutes fifty-one seconds East (S 21° 37' 51" E) four thousand and fifty-five and six-tenths (4,055.6) feet to a point B; thence South thirty degrees fifty-one minutes ten seconds East (S 30° 51' 10" E) two thousand two hundred and thirteen and two-tenths (2,213.2) feet to a point C; thence South fifty-four degrees twenty-six minutes forty seconds East (S 54° 26' 40" E) two thousand five hundred and eight and four-tenths (2,508.4) feet to a point D, which is a point on the upstream outer corner of the wharf at Fort Mott, New Jersey; thence North forty-nine degrees thirty-three minutes two seconds East (N 49° 33' 2" E) five hundred and fifty-six and one-tenth (556.1) feet to a point E, which is a point on the concrete sea wall at the shoreward end and on the upstream side of the said wharf at Fort Mott, New Jersey; thence in a general northerly direction a distance of ten thousand five hundred (10,500) feet more or less along the present high water line to a point F, which is a point on the high water line at the shoreward end of Bulkhead Bar Dike on a one degree two minute twenty-two second (1° 2' 22") curve; thence along said curve a distance covered by a central angle of forty degrees twenty-eight minutes fifty-two seconds (40° 28' 52") to the point of beginning; the bearing and length of the chord from F to station Dike's End, the point of beginning, being South seventy-one degrees thirty-nine minutes twenty-four seconds West (S 71° 39' 24" W), three thousand eight hundred

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and twenty-seven and eight-tenths (3,827.8) feet; this tract of submerged land covering an area of six hundred and five (605) acres, more or less; shall be, and hereby are ceded to and vested in the United States of America as fully, absolutely, and to the same extent as this State now holds and is entitled to the same, together with the jurisdiction thereof.

2. The sovereignty and jurisdiction of this State over the land herein conveyed, to such extent as existing at the present time, is hereby retained so far as that all civil and criminal process issued under authority of any law of this State may be executed in any part of the premises so conveyed.

3. This act shall take effect immediately.

Approved April 14, A. D. 1925.

CHAPTER 3

JURISDICTION, LIMITS AND SOVEREIGNTY

AN ACT to authorize the Governor and Secretary of State of the State of Delaware to convey to the United States of America certain lands belonging to the State of Delaware.

WHEREAS, for the improvement of the grounds of the University of Delaware, at Newark, Delaware, it is deemed advisable to widen South College Avenue of Newark, on the Easterly side of said Avenue, from the Southerly side of Main Street to the Northerly side of Delaware Avenue; and

WHEREAS, the United States of America now owns a certain lot, piece or parcel of land, bounded on the West by said South College Avenue, on the South by said Delaware Avenue, and on the North and East by lands of the State of Delaware. Now therefore,

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

Section 1. That the Governor and the Secretary of State of the State of Delaware are hereby authorized, empowered and directed to execute and deliver, in the name of and under the Great Seal of the State of Delaware, a deed conveying to the United States of America, and its Assigns, a strip or piece of land on the East side of said lot, piece or parcel of land now owned by the United States of America, referred to in the preamble to this Act, equal in width to the amount of land taken on the West side of said lot, piece or parcel of land, belonging to the United States of America, for the purpose of widening said South College Avenue of Newark.

Section 2. The Governor and Secretary of State of the State of Delaware are hereby further authorized, empowered and directed to do all and every other thing, and to sign, execute and deliver any other deed, agreement or paper necessary to make a valid conveyance from the State of Delaware to the United States of America, of said strip or piece of land, equal

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in width to the strip or piece of land taken and used for the purpose of widening South College Avenue, as aforesaid.

Approved March 25, A. D. 1925.