

LAWS  
OF THE  
STATE OF DELAWARE

PASSED

AT A SESSION OF THE GENERAL ASSEMBLY,

COMMENCED AND HELD AT DOVER,

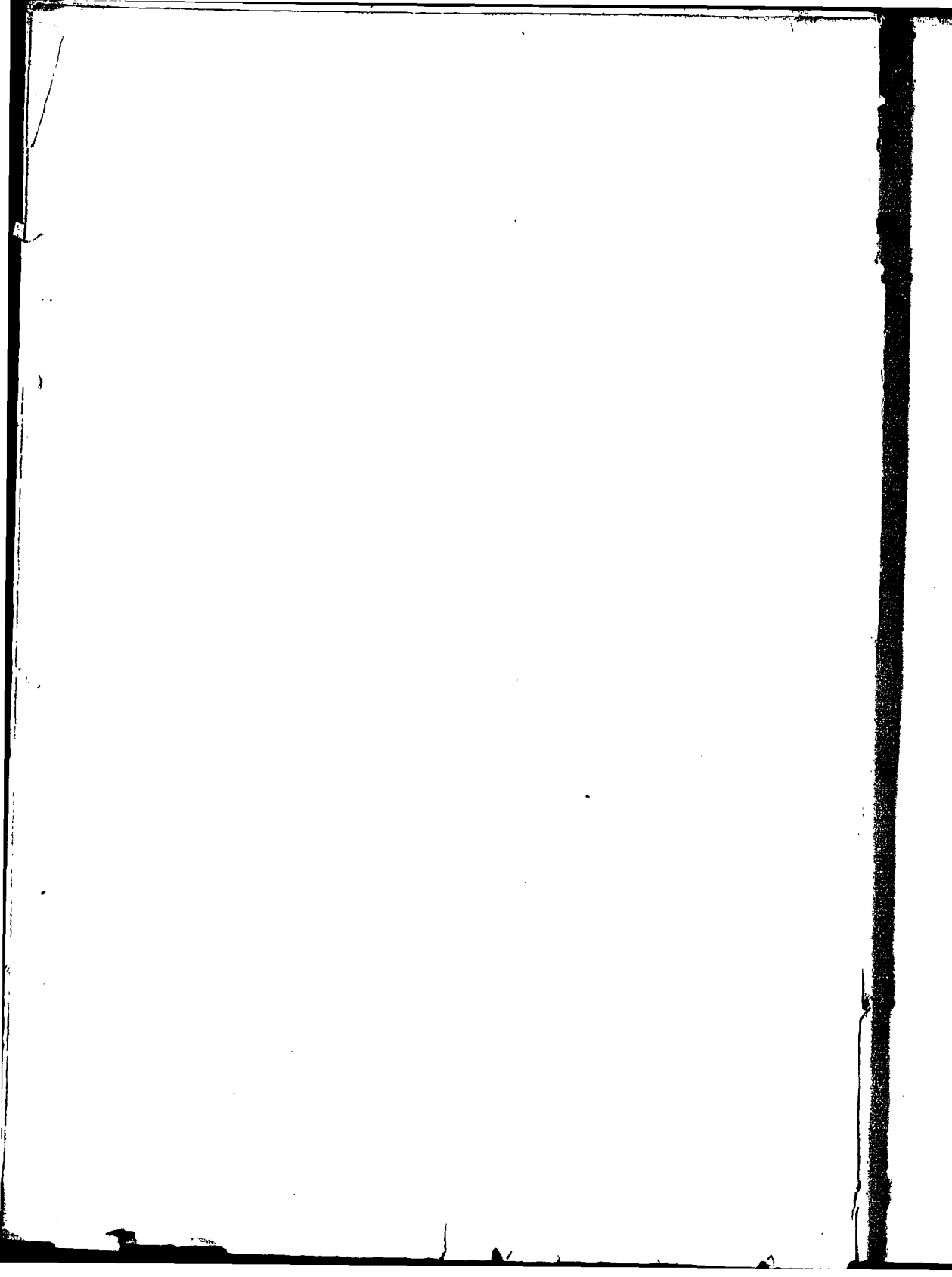
ON TUESDAY, JANUARY 1, A. D. 1895,

AND

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

VOLUME XX—PART I.

1895:  
THE DELAWAREAN POWER PRINT,  
DOVER, DELAWARE.



# LAWS OF DELAWARE.

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## TITLE FIRST.

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

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### CHAPTER I.

#### OF LIMITS.

AN ACT to amend an act entitled "An act to divide South Murderkill Hundred into Two Election Districts."

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

SECTION 1. That Section 2, Chapter 450, Volume 18, Laws of Delaware, be and is hereby amended by striking out the last sentence of the said section: "And be it further provided that in the election of Assessor the districts shall be represented alternately." South Murderkill Hundred divided into two election districts.

*Passed at Dover, April 8, 1895.*

## OF THE STATE LIBRARY.

## CHAPTER 2,

## OF THE STATE LIBRARY.

AN ACT providing for an Addition to the State Library Building.

WHEREAS, The present building used for a State Library is entirely inadequate for the purpose for which it is used; and inasmuch as it will not hold the valuable books belonging to the State; and

WHEREAS, It is the duty of the State to preserve for the future the books in the library from destruction and decay; therefore

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

SECTION 1. That John Pyle and William T. Records, John W. Jolls and H. H. McMullen, be and they are hereby nominated, constituted and appointed commissioners on the part of the State, whose duty it shall be to have erected at the end of the east wing of the State House an additional room or rooms forty feet long and the width of said east wing of the State House at a cost not to exceed the sum of ten thousand dollars (\$10,000). The commissioners hereby appointed shall have all needful power and authority therefor, including the rearrangement of the interior of the present library building as well as the building to be erected. They shall advertise for proposals for all work required for the erection of said building and rearrangement of the present building and award the contract therefor to the lowest responsible bidder or bidders, and they shall render their accounts of expenditures, together with a full report of all their proceedings, to the next General Assembly; the accounts in the meantime to be presented to the State Auditor for settlement. The acts of a majority of said commissioners shall be as valid as if agreed upon by all, and they shall be paid for their services a reasonable compensation to be allowed at the next session of the General Assembly. In case of a vacancy in the Board by a refusal to act, absence, sickness or otherwise, the Governor shall have power from time to time to fill such vacancy.

SECTION 2. That the commissioners shall from time to time have power to draw upon the State Treasurer for such sum

Commissioners appointed.

Addition to State House.

Cost.

Powers of Commissioners.

Contract to lowest bidder.

Accounts and report of commissioners. State Auditor.

Compensation to commissioners.

Vacancy.

May draw on State Treasurer.

## OF THE PASSING AND PUBLICATION OF LAWS.

or sums of money as they may deem necessary to complete the work; provided such sum or sums in the aggregate shall not exceed the sum of ten thousand dollars (\$10,000).

SECTION 3. That the State Treasurer be and he is hereby authorized, empowered and directed to pay out of any moneys in the treasury not otherwise appropriated the sum authorized to be expended under the provisions of this act and present his vouchers to the committee appointed to settle with the State Treasurer in January, 1896, or to the next General Assembly.

*Passed at Dover, May 8, 1895.*

## CHAPTER 3.

## OF THE PASSING AND PUBLICATION OF LAWS.

## AN ACT to revive and extend the time of Recording Private Acts.

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

WHEREAS, A number of the private and unpublished acts heretofore passed have been allowed to become void through ignorance of the aforesaid enactment; therefore, for the purpose of relieving the parties interested of the embarrassments and disappointments arising from such neglect in the premises ; therefore

*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):*

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

Duty of  
State  
Treasurer.

Certain void  
acts re-  
enacted.

## OF THE PASSING AND PUBLICATION OF LAWS.

the time for which they were limited, be and the same are hereby severally 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.

Aets done  
under void  
acts made  
valid.

*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 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.

When cer-  
tified copy  
of void act is  
recorded.

SECTION 2. That this act shall be deemed and taken to be a public act and be published as such.

*Passed at Dover, April 2, 1895.*

## TITLE SECOND.

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

## CHAPTER 4.

## OF THE LEVY COURT

A FURTHER SUPPLEMENT to an act entitled "An act authorizing the Levy Court of New Castle County to make a loan for the benefit of the Trustees of the Poor of New Castle County," passed March 30th, 1883.

WHEREAS, The trustees appointed and acting under and pursuant to the act to which this is a supplement and prior supplements thereto which have been heretofore passed have nearly concluded their labors and performed their duties as prescribed in and by said act and supplements and will shortly desire to render a final accounting of their trust; and

Trustees of  
the loan for  
the benefit  
of Trustees  
of Poor of  
New Castle  
County.

WHEREAS, The details of their duties may require more time to conclude than is at present allowed them and there is no person or body expressly provided to whom their accounts shall be rendered and by whom their vouchers shall be audited and such accounts passed; and

WHEREAS, There will likely remain in the hands of said trustees a sum of money which they will be unable to apply to the purchase or redemption of the bonds of New Castle county by reason of the non-maturity of said bonds (all bonds which have matured to this time having been paid and a considerable number of bonds not yet due having been paid before maturity); now therefore

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

SECTION 1. That the time limited by the acts above recited shall be and the same is hereby further extended for

Time  
extended.

## OF THE LEVY COURT.

the further period of two years, making fourteen years altogether from the passage of the original act to which this is a further supplement, with the same powers and authority in the said trustees now acting, and, in case of the death of any of them, in the survivor or survivors of the said trustees which they now have and exercise with respect to their said trust created pursuant to said acts. And the said trustees or their survivors, or survivor, are hereby authorized and directed to pass their accounts before the Chancellor, as other trustees are now authorized and required, and the Chancellor is hereby authorized to examine, approve, audit and allow their accounts in accordance with the usual practice in such cases, and allow each of said trustees who shall have served for the full period embraced in the said trust, the sum of six hundred dollars and a proportionate part of the sum of six hundred dollars to each trustee who shall have served but a portion of the said period, and the allowances made shall be in full payment of any and all services rendered under the aforesaid trust. The said trustees are hereby authorized and directed, when their final account shall so have been passed, to turn over, transfer and pay to the Receiver of Taxes and County Treasurer of New Castle county such securities and cash as shall by said account appear to remain in their hands applicable to the said trust, \* by the said Receiver of Taxes and County Treasurer by him to be held in special trust to pay or redeem so many of the bonds to which such funds in the hands of said trustees would be applicable as the said funds, balance and securities will suffice to redeem and pay, and until bonds can be secured and fall due to which said funds can be applied, the said Receiver of Taxes and County Treasurer shall deposit the sums coming into his hands in some bank or trust company at interest for the benefit of said fund and whenever said fund shall by redemption and payment of bonds as aforesaid be reduced below the sum of one thousand dollars, such fractional sum, less than one thousand dollars, shall be transferred by the said treasurer to the general fund of said county.

SECTION 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 3. This act shall be deemed and taken to be a public act.

*Passed at Dover, March 30, 1895*

\* So enrolled.

Same powers as heretofore.

Accounts to be passed before Chancellor.

Compensation to trustees.

At end of time to turn over trust fund to Receiver of Taxes, &c.

Fund held as special trust by Receiver of Taxes.

To be deposited at interest. Where.



## TITLE FOURTH.

## Of Elections.

## CHAPTER 5.

## OF THE ELECTION OF ASSESSORS.

AN ACT to amend Chapter 30, Volume 17, Laws of Delaware, entitled "An act to provide for the Election of Three Assessors for Wilmington Hundred."

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

SECTION 1. That Section 1 of Chapter 30, Volume 17 of the Laws of Delaware, entitled "An act providing for the election of three assessors for Wilmington hundred," passed at Dover, April 6, 1883, be and the same is hereby amended by striking out all of said Section 1 of said act after the word "follows" in fourth line thereof and inserting in lieu thereof the following, to wit: "The first assessment district of said hundred shall consist of so much of said hundred as is contained or comprised within the limits of the First, the Second, the Fourth and the Eighth wards of the city of Wilmington, as the said wards are now laid out, or as the said wards, or either of them, may be hereafter extended or enlarged by act of the General Assembly."

"The second assessment district of the said hundred shall consist of so much of said hundred as is contained or comprised within the limits of the Third, the Fifth, the Tenth, the Eleventh and the Twelfth wards of the city of Wilmington, as the said wards are now laid out, or as the said wards, or either of them, may be hereafter extended or enlarged by act of the General Assembly."

"The third assessment district of the said hundred shall consist of so much of said hundred as is contained or com-

Section 1,  
Chapter 30,  
Volume 17,  
amended.

Assessment  
districts of  
Wilmington  
hundred,  
limits of  
first.

limits of  
second.

limits of  
third.

## OF THE ELECTION OF ASSESSORS.

prised within the limits of the Sixth, the Seventh and the Ninth wards of the city of Wilmington, as the said wards are now laid out or as the said wards, or either of them, may be hereafter extended or enlarged by act of the General Assembly."

Assess-  
ments and  
collections  
heretofore  
made.

SECTION 2. That all assessments now or heretofore made, and all collections of taxes, in any or all of the said assessment districts, are hereby made valid and legal.

*Passed at Dover, April 22, 1895.*