

LAWS  
OF THE  
STATE OF DELAWARE

PASSED

AT A SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 3rd, A. D. 1911

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED  
STATES THE ONE HUNDRED AND THIRTY-FIFTH

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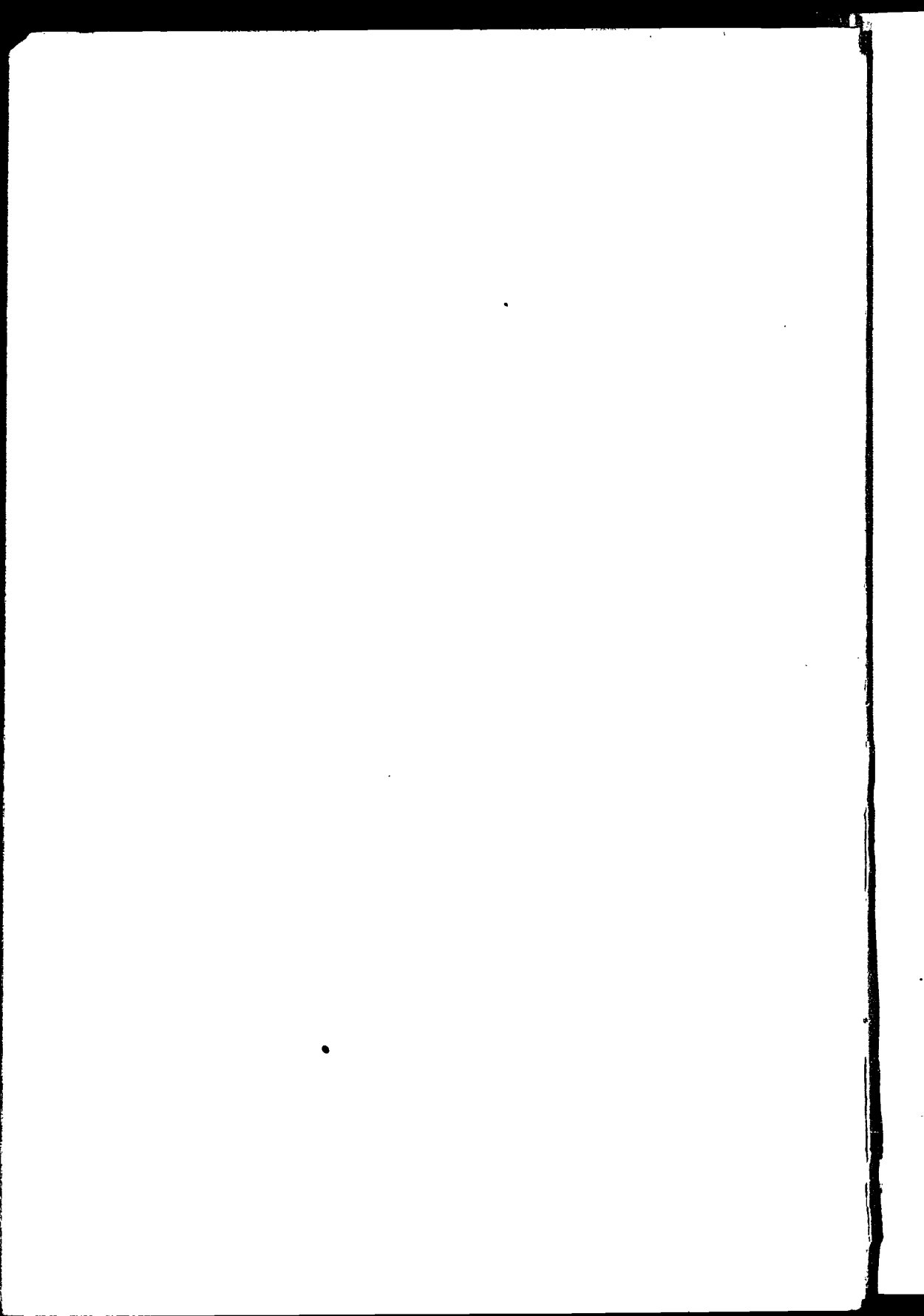
VOLUME XXVI

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# 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 1.

#### AMENDMENT TO CONSTITUTION.

AN ACT proposing an Amendment to Section 10 of Article II of the Constitution of the State of Delaware, in relation to, the Journals of the Legislature.

*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 Section 10 of Article II of the Constitution of the State of Delaware be amended by striking out all of said Section 10 of Article II, and inserting in lieu thereof the following:

Sec. 10 of Article 2 to be amended.

"Section 10. Each House shall keep a journal of its proceedings, and publish the same immediately after every session, except such parts as may require secrecy. The

Each House to keep a journal and publish same.

## AMENDMENT TO CONSTITUTION.

Names of members voting to be entered on journal.

No bill, or joint resolution to pass unless final vote be taken by yeas and nays, nor without concurrence of a majority of all the members elected.

names of the members voting for and against any bill or joint resolution, except in relation to adjournment, shall on the final vote be entered on the journal; and the yeas and nays of the members on any question shall, at the desire of any member, be entered on the journal. No bill or joint resolution, except in relation to adjournment, shall pass either House unless the final vote shall have been taken by yeas and nays, nor without the concurrence of a majority of all the members elected to each House."

Approved April 13, A. D. 1911.

AMENDMENT TO CONSTITUTION.

CHAPTER 2.

AMENDMENT TO CONSTITUTION.

AN ACT to amend Section 19, Article 2, of the Constitution of the State of Delaware.

*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 of each House concurring therein) :*

Section 1. That Section 19, Article 2, of the Constitution of the State of Delaware, be amended by adding to the end thereof the following words "provided, however, that the General Assembly may by a vote of two-thirds of all the members elected to each House pass laws relating to the laying out, opening, alteration or maintenance of any road or highway which forms a continuous road or highway extending through at least a portion of the three counties of the State."

Sec. 19. Article 2, of the Constitution amended.

Approved March 28, A. D. 1911.

AMENDMENT TO CONSTITUTION.

CHAPTER 3.

AMENDMENT TO CONSTITUTION.

AN ACT proposing certain amendments to Article IV of the Constitution of this State, relating to the number of Judges constituting a quorum in the Superior Court, the Court of General Sessions and the Court of Oyer and Terminer, the sessions of said courts, and the distribution of the business therein, respectively.

*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) :*

Sec. 5, Article 4, of the Constitution amended.

Section 1. That Section 5 of Article IV of the Constitution of this State be, and the same is, hereby amended by striking out all of said Section after the first paragraph thereof and substituting therefor the following new paragraph, to-wit:

Judges to designate who shall hold court. No more than three to sit. Who shall preside.

“The said five judges shall designate those of their number who shall hold the said Courts in the several Counties. No more than three of them shall sit together in any of the said Courts. In each of the said Courts the Chief Justice when present shall preside, and in his absence the senior Associate Judge present shall preside.

Quorum.

One shall constitute a quorum in the said Courts, respectively, except in the Court of Oyer and Terminer, where three shall constitute a quorum, and except in the Superior Court sitting to hear appeals from the Orphans’ Court or a Register’s Court, when two shall constitute a quorum, and except in the Court of General Sessions sitting to try cases of prosecution under Section 8 of Article V of this Constitution or sitting to hear contested applications for license to sell intoxicating liquors, when two shall constitute a quorum.

AMENDMENT TO CONSTITUTION.

One judge may open and adjourn any of said Courts."

One may open and adjourn court.

Section 2. That Article IV of the Constitution of this State be, and the same is, hereby amended by striking out all of Section 6 thereof and substituting therefor the following new Section 6, to wit:

Article 4, further amended.

"Section 6. Subject to the provisions of Section 5 of this Article, two or more sessions of the Superior Court, or Court of General Sessions, or one or more sessions of each of the said Court, or one Session of the Court of Oyer and Terminer and one or two of either, or one of each of the other of the said courts may at the same time be held in the same county or in different counties, and the business in the several counties may be distributed and apportioned in such manner as shall be provided by the rules of the said courts respectively."

Two or more sessions may be held at same time.

Approved March 20, A. D. 1911.

## OF THE STATE LIBRARY.

## CHAPTER 4.

## OF THE STATE LIBRARY.

AN ACT to amend Chapter 6, Volume 17, Laws of Delaware, entitled, "An Act to establish a State Library," by fixing the time during which the Library shall be kept open.

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

Sec. 6, Chap.  
6, Vol. 17,  
amended.

Section 1. That Section 6, Chapter 6, Volume 17, Laws of Delaware, entitled, "An Act to establish a State Library," be and the same is hereby amended by striking out the figures "10" where they occur in the ninth line of said Section and inserting in lieu thereof the figure "9," and by striking out the figure "2" where it occurs in the tenth line of said Section and inserting in lieu thereof the words "half past one," and by striking out the figure "4" where it occurs in the tenth line of said Section and inserting in lieu thereof the words "half past four."

Words "half  
past one"  
and "half  
past four"  
inserted.

Approved March 16, A. D. 1911.



OF THE STATE LIBRARY.

CHAPTER 5.

OF THE STATE LIBRARY.

AN ACT authorizing the State Librarian to make a Catalogue of the State Library.

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

Section 1. That the State Librarian, be and he is hereby directed and authorized to make a full, complete and comprehensive catalogue of the books, pamphlets and documents in the Library. That the said catalogue shall be published and printed in pamphlet form for distribution. There shall be at least six hundred copies printed, two hundred and fifty of which shall be substantially bound; said printing shall be done under the provisions of law in relation to State Printing, Stationery and Supplies, and shall be under the supervision of the Librarian.

Librarian directed to make catalogue.

Shall be printed for distribution.

Number of copies to be printed.

Under supervision of Librarian.

Section 2. That after said catalogue shall have been published as provided in Section 1, it shall be the duty of the Supreme Court of the State of Delaware, to examine and approve the same and to fix the proper compensation to be paid the Librarian for his services in making said catalogue, and to draw a warrant for the amount of such compensation on the State Treasurer and the State Treasurer is directed to pay said warrant out of the general funds of the State.

Supreme Court to examine, approve and fix compensation.

State Treasurer directed to pay.

Approved March 28, A. D. 1911.

## OF THE STATE LIBRARY.

## CHAPTER 6.

## OF THE STATE LIBRARY.

AN ACT authorizing the State Librarian to receive and preserve all books and pamphlets deposited with him by the Medical Societies of Delaware.

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

Section 1. That the State Librarian is hereby authorized and directed to receive all books, pamphlets and papers deposited with him by the Medical Societies of Delaware, and for the purpose of preserving same, he shall set aside some part of the State Library in which a suitable case shall be placed for filing said books, pamphlets and papers. Such books, pamphlets and papers shall be at all times open for the inspection of the public.

Approved March 28, A. D. 1911.

State Librarian authorized to provide suitable case, and set aside part of Library for books and pamphlets of Medical Societies.