

LAWS
OF THE
STATE OF DELAWARE

ONE HUNDRED AND SEVENTEENTH
SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

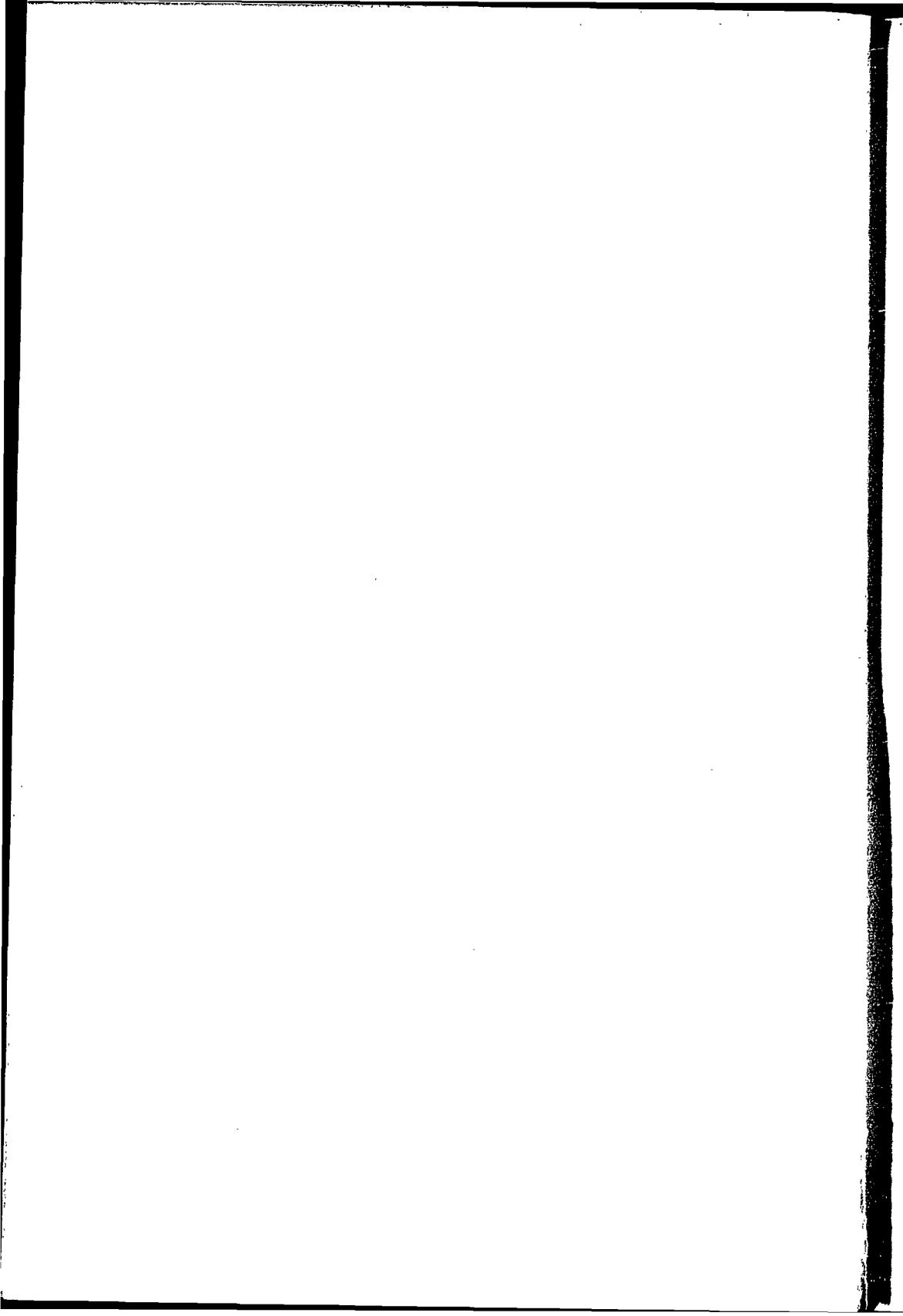
On Tuesday, January 6, A. D.
1953

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
OF AMERICA, THE ONE HUNDRED AND SEVENTY-SEVENTH

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LAWS OF DELAWARE

CHAPTER 1

PROVIDING FOR DISTRIBUTION OF DELAWARE CODE OF 1953

**AN ACT TO PROVIDE FOR THE DISTRIBUTION AND SALE
OF HOUSE BILL NO. 9, THE PROPOSED DELAWARE
CODE OF 1953.**

*Be it enacted by the General Assembly of the State of
Delaware:*

Section 1. The Secretary of State shall distribute the paper bound sets of House Bill No. 9, Proposed Delaware Code of 1953 as follows:

(1) One copy gratis to each member of the Senate and House of Representatives;

(2) One copy gratis to each of the following: the Attorney General and each Deputy Attorney General and each State or County office, department, commission, board, bureau or agency, each State or County court and each judge thereof and each justice of the peace; which shall be kept and remain in their respective offices and be delivered to their successors as the property of such offices;

(3) One hundred and fifty sets to the Prothonotary of New Castle County, twenty-five sets to the Prothonotary of Kent County and twenty-five sets to the Prothonotary of Sussex County for the purpose of sale to residents of this State. The Secretary of State and the State Treasurer shall charge the respective Prothonotaries with the sets of the Proposed Code delivered to them at the selling price thereof;

(4) The remaining sets to the State Library and into the custody of the Librarian.

Section 2. The librarian shall distribute one set of the Proposed Code to each of the following: the State Library of each State of the United States, the Library of Congress, the University of Delaware, the law library in each County, the New Castle County Chancery Law Library, each public library in this State, and the Historical Society of the State of Delaware. The Librarian shall retain the custody of the remaining sets of the Proposed Code, and shall sell or dispose of them to residents of this State, as provided by law. The Librarian shall be charged by the State Treasurer with all sets of this Code left in his custody for sale and shall semi-annually, on or about the first days of January and July, account to the State Treasurer for all sales so made by him and for the unsold sets remaining in his custody. Receipts from sales of this Code shall be paid currently to the State Treasurer.

Section 3. The selling price of the Proposed Code to residents of this State shall be \$20.00 per set.

Section 4. The exclusive right to sell copies of the Code to non-residents of this State has been granted to West Publishing Co., of St. Paul, Minnesota, and Edward Thompson Co. of Brooklyn, New York, pursuant to chapter 128 of volume 48, Laws of Delaware. Therefore, copies of this Code shall not be sold by or on behalf of the State to any non-resident of the State or for resale to a non-resident.

Section 5. The Prothonotaries of the respective counties may obtain additional sets of the Proposed Code from time to time, as necessity may require, from the Librarian, for which they shall be charged by the State Treasurer at the aggregate selling price of the additional sets so obtained. The Prothonotaries shall be allowed a commission of 2 per cent for selling sets of the Code delivered to them in accordance with this section. The Prothonotaries shall currently pay to the State Treasurer the proceeds of all sales less their commissions, and shall account to the State Treasurer for all such sales, and for all unsold sets in their hands from time to time and upon going out of office, and shall deliver all unsold sets to their successors in office. The commissions on sales shall be received by the Protho-

taries for the sole use of the County of the Prothonotary, as in the case of other fees of the office, and shall be paid by the Prothonotaries to the respective Receivers of Taxes and County Treasurers and accounted for as fees of the office.

Section 6. This act shall apply only to the distribution of the paper bound sets of the Code now in possession of the Secretary of State. Distribution as provided for in this act may be made whether or not the Proposed Code is adopted by the General Assembly. Such distribution may be made before, after or during the consideration of the Proposed Code by the General Assembly and is not dependent upon the action of the General Assembly.

Approved February 5, 1953.

CHAPTER 2

RELATING TO MUNICIPAL PARKING AUTHORITIES

AN ACT TO AMEND TITLE 22, DELAWARE CODE OF 1953, RELATING TO "MUNICIPALITIES" BY AUTHORIZING MUNICIPALITIES ESTABLISHING PARKING AUTHORITIES TO FINANCE THE COST OF LAND ACQUISITION FOR PARKING FACILITIES BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 508, Title 22, Delaware Code of 1953, is amended by adding at the end thereof a new paragraph as follows:

Any municipality establishing an authority under this chapter may, under such terms and conditions as it may deem appropriate, provide for and pay to such authority such sum or sums of money necessary to acquire in whole or in part the lands upon which such authority may undertake to erect a parking facility as herein provided; the municipality for the purpose of providing said money may issue its general obligation bonds secured by the faith and credit of the municipality. The aggregate amount of general obligation bonds issued by a municipality under this provision shall be in addition to and not within the limitations of any existing statutory debt limitation of the municipality.

Approved June 4, 1953.

CHAPTER 3

PROVIDING FOR THE OMISSION OF THE DELAWARE CODE OF 1953
FROM THE PRINTED SESSION LAWS

**AN ACT TO PROVIDE FOR THE OMISSION OF HOUSE BILL
NUMBER 9, DELAWARE CODE OF 1953, FROM THE
PRINTED SESSION LAWS OF THE 117TH GENERAL
ASSEMBLY.**

WHEREAS, House Bill No. 9, being the Delaware Code of 1953, has been approved by both chambers and signed by the Governor and whereas said bill consists of more than five thousand printed pages;

AND, WHEREAS, § 907, Title 29, Delaware Code of 1953 requires the Secretary of State to have 1500 copies of the session laws accurately printed;

AND, WHEREAS, a contract for the printing of the Delaware Code of 1953 has been entered into on behalf of the State by the Revised Code Commission under authority of the provisions of Chapter 377, Volume 47, Laws of Delaware and Chapter 128, Volume 48, Laws of Delaware, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The printing of the Session Laws for the 117th General Assembly as provided for in § 907, Title 29, Delaware Code of 1953 shall not include House Bill No. 9, known as the Delaware Code of 1953.

Approved March 23, 1953.

NOTE: House Bill No. 9, "AN ACT TO REVISE, RECODIFY, ARRANGE AND CONSOLIDATE INTO A CODE THE PUBLIC AND GENERAL STATUTES OF THE STATE OF DELAWARE.", known as the Delaware Code of 1953, approved by the Governor February 12, 1953 was omitted from this volume pursuant to the above instructions.

CHAPTER 4

ABOLISHING NEW CASTLE COUNTY BUREAU OF REGISTRATION

AN ACT TO AMEND CHAPTER 3, TITLE 15, OF THE DELAWARE CODE OF 1953 ENTITLED "BUREAU OF REGISTRATION FOR NEW CASTLE COUNTY", BY TRANSFERRING ITS POWERS AND DUTIES AND ABOLISHING SAID BUREAU.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 3, Title 15, Delaware Code of 1953 is amended by repealing all § § 301, 302, 303, 304, 305, 306 and 307.

Section 2. The Department of Elections for New Castle County shall have complete jurisdiction over all the matters, powers, and functions now vested by law in the Bureau of Registration for New Castle County as presently constituted and established and shall possess and exercise all the rights, powers and privileges which are now possessed and exercised by the said Bureau of Registration as completely as the said Bureau of Registration is now authorized to perform, as well as such other rights, powers and privileges as by this Act conferred.

Section 3. Within ten days after the approval of this Act, the Bureau of Registration for New Castle County and every officer, clerk and every other person having possession of or control of any records, books, papers and any other property relating to registration in New Castle County, shall surrender and deposit the same with the President of the Department of Elections for New Castle County or with such person as the President shall designate.

Section 4. The phrase "Bureau of Registration for New Castle County", as used in the Laws of this State, shall be taken to mean and hereafter shall be printed as "Department of Elections for New Castle County."

Section 5. The word "Bureau" wherever appearing in this title of the Delaware Code of 1953 shall be taken to mean and be printed as "Department".

Section 6. The Bureau of Registration for New Castle County is abolished.

Section 7. This Act shall become effective ten days after its approval.

Section 8. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

Approved March 5, 1953.

CHAPTER 5

RELATING TO NARCOTIC DRUGS

AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE OF 1953 RELATING TO NARCOTIC DRUGS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 4722 of Title 16 of the Delaware Code of 1953 is hereby amended to read as follows:

“§ 4722. Whoever violates or fails to comply with any of the provisions of this Chapter shall be imprisoned not less than two (2) nor more than ten (10) years and in addition may be fined not more than Three Thousand Dollars (\$3,000.00). For a second offense, the offender shall be imprisoned not less than five (5) nor more than ten (10) years and in addition may be fined not more than Three Thousand Dollars (\$3,000.00). For a third or subsequent offense, or if the offender shall previously have been convicted two (2) or more times in the aggregate of any violation of the laws of the United States or of this or any other State, Territory or District relating to narcotic drugs or marijuana, the offender shall be imprisoned not less than ten (10) nor more than twenty (20) years and in addition may be fined not more than Three Thousand Dollars (\$3,000.00).”

Approved March 5, 1953.