

**LAWS**  
OF THE  
**STATE OF DELAWARE**

ONE HUNDRED AND EIGHTEENTH  
SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 4, A. D.  
1955

AND

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

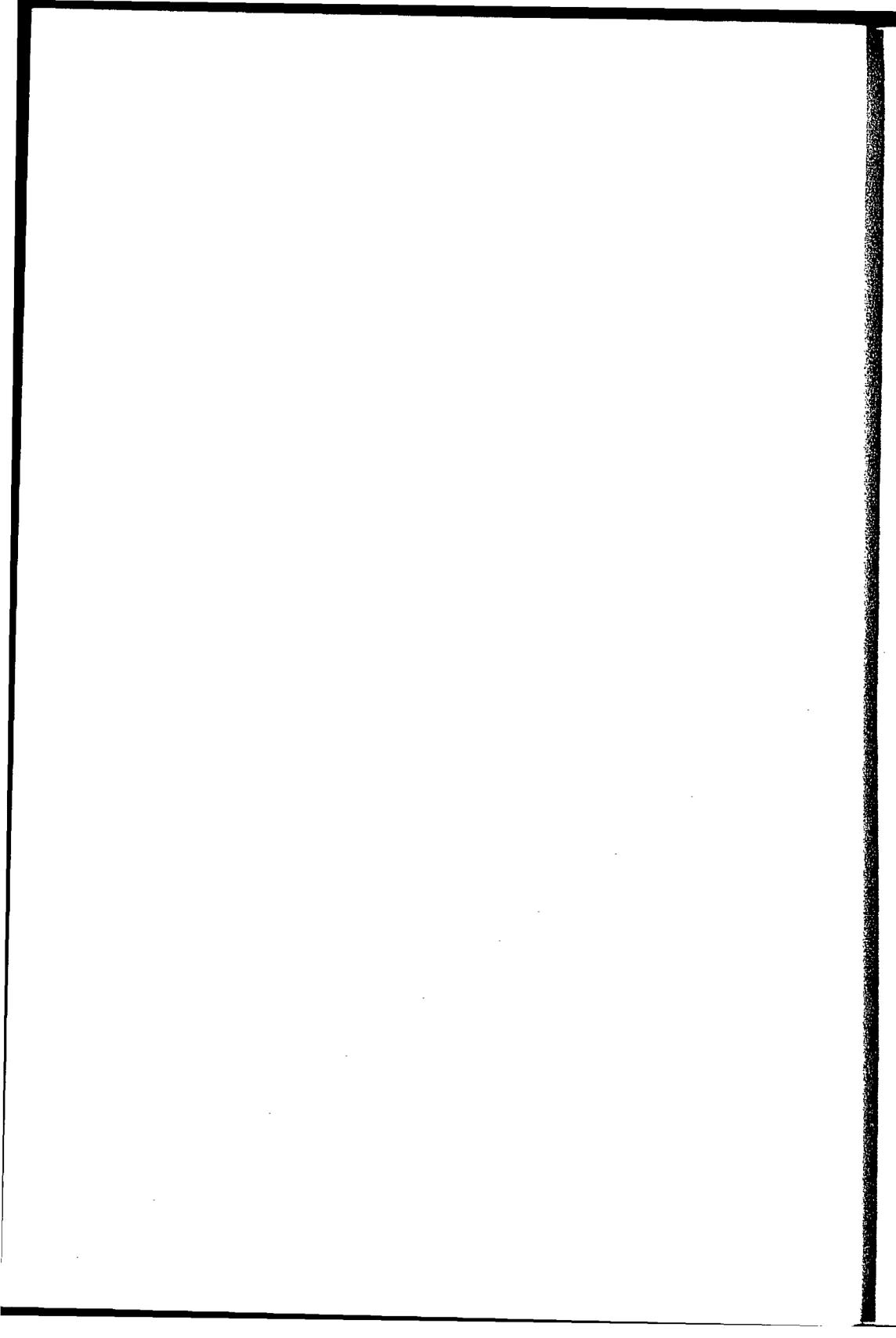
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**VOLUME L**

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**PART I**



# LAWS OF DELAWARE

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## CHAPTER 1

### GEORGETOWN

**AN ACT TO AMEND AN ACT ENTITLED, "AN ACT AMENDING, REVISING, AND CONSOLIDATING THE CHARTER OF THE TOWN OF GEORGETOWN", BEING CHAPTER 166, VOLUME 43, LAWS OF DELAWARE, AS AMENDED BY DIVIDING THE TOWN INTO WARDS AND PROVIDING FOR THE ELECTION OF THE MEMBERS OF THE TOWN COUNCIL FROM SAID WARDS.**

*Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the members elected to each branch concurring therein):*

Section 1. That Chapter 166, Volume 43, Laws of Delaware, as amended, is amended by inserting therein a new Section to be designated as Section 2A as follows:

Section 2A. The Town shall be divided into four (4) Wards. All the territory within the Town limits lying south of the center line of East Market Street and east of the center line of South Bedford Street shall be the first ward; all the territory within the Town limits lying north of the center line of East Market Street and east of the center line of North Bedford Street shall be the second ward; all the territory within the Town limits lying west of the center line of North Bedford Street and north of the center line of West Market Street shall be the third ward; and all that territory within the Town limits lying south of the center line of West Market Street and west of the center line of South Bedford Street shall be the fourth ward.

Section 2. Section 3, Chapter 166, Volume 43, Laws of Delaware, is amended by striking out said Section and substituting in lieu thereof a new Section 3 as follows:

Section 3. The government of the Town and the exercise of all powers conferred by this Chapter except as otherwise provided herein, shall be vested in a Mayor and Town Council. The Town Council shall consist of four (4) members. One of the members of the Council shall reside in that portion of the Town known as the first ward, one in that portion known as the second ward, one in that portion known as the third ward, and one in that portion known as the fourth ward. The Mayor and Councilmen shall not receive any salary for their services, but may be allowed a fixed sum of Ten Dollars (\$10.00) for attendance at each duly authorized meeting of the Town Council.

Section 3. Section 4, Chapter 166, Volume 43, Laws of Delaware, as amended, is amended by adding to said Section the following new paragraph:

At the annual election held on the first Saturday in March, 1955, there shall be elected two (2) members of Council for a term of two years to fill the vacancy created by the expiration of the two (2) members of the council whose terms expire, one of said councilmen shall reside in the first ward and one shall reside in the second ward. At the annual election to be held in the next following year, a mayor and two (2) councilmen shall be elected for a term of two years to fill the vacancy created by the expiration of the term of the mayor and two (2) councilmen whose terms expire. One of said councilmen shall reside in the third ward and one shall reside in the fourth ward; and thereafter the successor of every member shall be elected from each of the four wards residing respectively in the several wards and a Mayor to serve for a term of two years.

Approved February 10, 1955.

## CHAPTER 2

AUTHORIZING TRANSFER OF PUBLIC LANDS TO  
TOWN OF GEORGETOWN**AN ACT AUTHORIZING THE STATE OF DELAWARE TO  
TRANSFER A PORTION OF CERTAIN PUBLIC LANDS  
IN THE TOWN OF GEORGETOWN TO THE TOWN OF  
GEORGETOWN.**

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

Section 1. That the Governor and the Secretary of the State of Delaware are hereby authorized and directed to execute in the name of and under the great seal of the State of Delaware, a deed conveying unto the Town of Georgetown, a municipal corporation of the State of Delaware, in consideration of the payment of Fifty Dollars (\$50.00) by the said The Town of Georgetown to the State of Delaware all that certain lot, piece or parcel of land, situate in the Town of Georgetown, Georgetown Hundred, Sussex County, State of Delaware, more particularly bounded and described as follows, to-wit;

Beginning at a monument at the east corner of the intersection of Laurel Road with West Pine Street; thence from said beginning point North forty-four degrees and eighteen minutes East along the line of Pine Street a distance of twenty feet; thence South forty-five degrees forty-two minutes East one hundred and sixty-two feet; thence curving to the right on the arc of a circle the radius of which is eighty-two feet, a distance of forty feet; thence curving to the left on the arc of a circle the radius of which is four hundred and sixty-four feet, a distance of one hundred and five feet to the Easterly side of Gardiner Avenue; thence along the Easterly side of Gardiner Avenue, North twenty-nine degrees fifty-three minutes West seventy-eight and one-half feet to a point in line with the Southeasterly side of Laurel Road leading Southwesterly; thence across Laurel Road, North twenty-eight degrees thirty-four minutes West thirty and ninety-six one hundredths feet to a

point in the Northwesterly line of Laurel Road leading Southwesterly; thence along the Northeasterly side of Laurel Road leading Northwesterly, as it is now located North forty-five degrees forty-two minutes West one hundred and ninety-six and three-tenths feet, to the Place of Beginning, — CONTAINING Four Thousand Three Hundred and Ninety Square Feet, — being a part of the same lands deeded to the State of Delaware by William Linden Rawlins et al, bearing date the 15th day of December, A. D., 1939, and now of record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book No. 322, Page 188 &c., Reference thereunto being had will more fully and at large appear.

Section 2. That the said land to be conveyed shall be used by the Town of Georgetown for the purpose of widening the street known as "Laurel Road" where the same intersects with the street known as "West Pine Street".

Approved February 24, 1955.

## CHAPTER 3

REGARDING OFFENSIVE USE OF PROPERTY NEAR  
THE GOVERNOR BACON HEALTH CENTERAN ACT TO AMEND TITLE 16, DELAWARE CODE, IN RE-  
GARD TO OFFENSIVE USE OF PROPERTY NEAR THE  
GOVERNOR BACON HEALTH CENTER.

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

Section 1. § 5311 (a), Title 16, Delaware Code, is amended to read as follows:

**§ 5311. Restriction on offensive use of property within three miles**

(a) No person shall erect or cause to be erected any structure, or use or cause to be used any structure or premises within a radius of three miles of the Governor Bacon Health Center for any of the following manufacturing activities:

- (1) Pyroxylin manufacture or processing; the manufacture of explosive or highly flammable cellulose products.
- (2) Fireworks or explosives manufacture.
- (3) Animal glue or animal gelatine manufacture.
- (4) Reduction of garbage, offal, animals or fish on a commercial basis.
- (5) Operation of a tannery.
- (6) Organic fertilizer manufacture.

However, nothing in this section shall prohibit the raising of poultry, or livestock, and the processing of the same, or the processing of farm produce, or the erection of any structure or installation of any facilities, or the use of any struc-

ture, facilities, or premises, for a manufacturing or industrial use not specified herein.

Approved February 25, 1955.

## CHAPTER 4

## APPROPRIATION FOR ERADICATION OF BRUCELLOSIS

**AN ACT TO APPROPRIATE THE SUM OF FIFTY THOUSAND DOLLARS TO THE STATE BOARD OF AGRICULTURE TO BE USED FOR THE PURPOSE OF ERADICATION OF BRUCELLOSIS IN CATTLE AND PAYING INDEMNITIES ON CONDEMNED ANIMALS.**

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

Section 1. The sum of fifty thousand dollars (\$50,000) is appropriated to the State Board of Agriculture to be used for the purpose of eradicating Brucellosis in cattle and paying indemnities on condemned animals during the remaining portion of the fiscal year ending June 30, 1955.

Section 2. This Act shall be known as a supplementary appropriation and the funds hereby appropriated are to be paid out of the General Fund of the State Treasury from funds not otherwise appropriated. Any of the funds appropriated herein that are not expended during the fiscal year ending June 30, 1955 will revert to the General Fund of the State.

Approved March 2, 1955.

## CHAPTER 5

PLACING JURISDICTION AND CONTROL OF SUSSEX  
COUNTY PRISON IN THE LEVY COURT OF  
SUSSEX COUNTY

**AN ACT TO REPEAL CHAPTER 71, TITLE 11, OF THE DELAWARE CODE ENTITLED "SUSSEX COUNTY PRISON, PRISON FARM, COURT HOUSE AND COURT HOUSE ANNEX" BY PLACING JURISDICTION AND CONTROL OF THE SUSSEX COUNTY PRISON, PRISON FARM, COURT HOUSE AND COURT HOUSE ANNEX IN THE LEVY COURT OF SUSSEX COUNTY.**

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

Section 1. Chapter 71, Title 11, of the Delaware Code is hereby repealed.

Section 2. Chapter 61, Title 9, Delaware Code of 1953, is amended by adding a new sub-chapter IV to be entitled "Sussex County Prison and Farm, Court House and Annex" as follows:

**§ 6151. General powers, duties, and jurisdiction over the prison, prison farm, court house and court house annex**

The Levy Court shall have full and complete jurisdiction and control over the prison, prison farm and land leased in connection therewith, court house and court house annex of Sussex County and over all personal property and equipment used in connection with the property committed to its jurisdiction; and, in this connection, the Levy Court shall have and assume all of the jurisdiction, powers and duties heretofore exercised by or vested in the Board of Trustees except as otherwise provided in this chapter.

The Levy Court may acquire by lease, purchase or otherwise all necessary lands and buildings and all equipment, food, food stuffs, uniforms, clothing, books, ledgers, stationery and all other articles and things necessary for the carrying out of