

LAWS  
OF THE  
STATE OF DELAWARE

ONE HUNDRED AND NINETEENTH  
SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 1, A. D.  
1957

AND

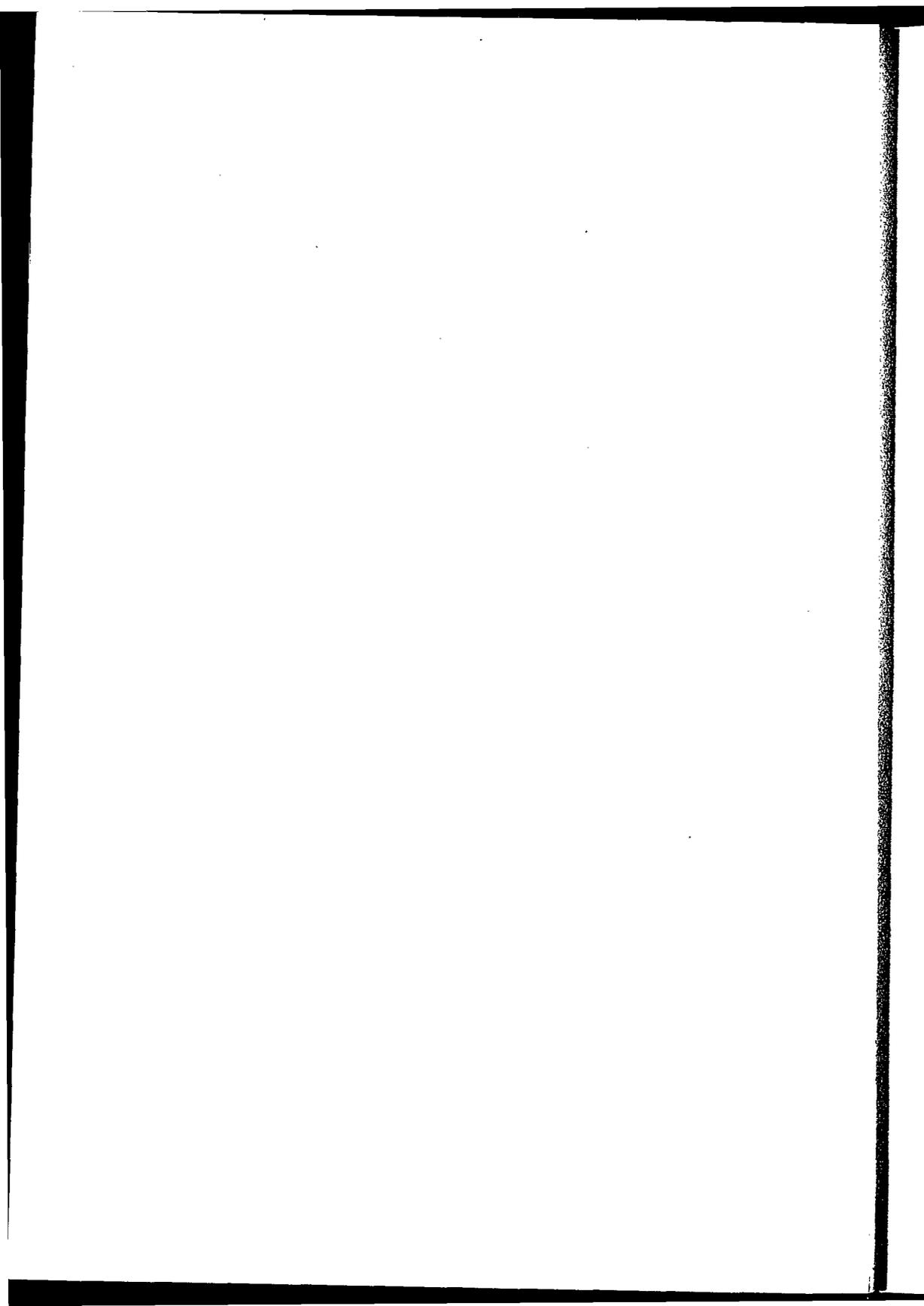
IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES  
OF AMERICA, THE ONE HUNDRED AND EIGHTY-FIRST

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VOLUME LI

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Printed by  
Milford Chronicle Publishing Company  
Milford, Delaware



# LAWS OF DELAWARE

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## CHAPTER 1

### INCREASING SALARY OF GOVERNOR

#### **AN ACT TO AMEND CHAPTER 21, TITLE 29 DELAWARE CODE RELATING TO THE GOVERNOR.**

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

Section 1. That § 2101 Title 29 Delaware Code be amended by striking out and repealing said § 2101 and enacting in lieu thereof the following new section:

#### **§ 2101. Salary**

The annual salary of the Governor shall be \$17,500.00, commencing with the day of his inauguration.

Approved January 9, 1957.

## CHAPTER 2

RELATING TO USE OF FUNDS BY DOVER SPECIAL  
SCHOOL DISTRICT FOR CAPITAL IMPROVEMENTS

**AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF THE DOVER SPECIAL SCHOOL DISTRICT TO USE CAPITAL IMPROVEMENT FUNDS OBTAINED UNDER CHAPTER 529, VOLUME 50, LAWS OF DELAWARE, FOR PURPOSES AUTHORIZED IN SUCH CHAPTER EVEN THOUGH SUCH PURPOSES DIFFER FROM THOSE LISTED IN THE NOTICE OF ELECTION FOR THE LOCAL REFERENDUM HELD THEREUNDER.**

WHEREAS, Chapter 529, Volume 50, Laws of Delaware, provided \$1,245,000 for capital improvements within the Dover Special School District, and

WHEREAS, \$498,000 of said sum was to be raised by bonds issued by the Dover Special School District after a referendum in that District, and

WHEREAS, the State Board of Education of the State of Delaware acting pursuant to Chapter 529, Volume 50, Laws of Delaware, determined that the school construction program is necessary in and for the Dover Special School District and certified that the cost thereof to be \$1,095,000 and that the State share of such cost be \$657,000 and the share to be borne by the Dover Special School District be \$438,000, and

WHEREAS, a referendum was duly held in the Dover Special School District on January 14, 1956 and authorized the Board of Education of the District to sell bonds in the amount of \$438,000, and

WHEREAS, the Notice of Election issued in connection with such referendum and the Certificate of Necessity issued by the State Board of Education listed an addition to the Roe Site School, which is now the East Dover Elementary School, containing eleven standard and one special classrooms and other improvements to be built with such funds, and

WHEREAS, the Board of Education of the Dover Special School District now believes that the best interest of the school district would be served by using the same funds for classrooms and other improvements in schools within the district, but not in the exact amount or with the exact allocation listed in the said Notice of Election and Certificate of Necessity, to-wit: build only five standard classrooms and one special classroom to the said Roe Site School, now the East Dover Elementary School, and add six classrooms to the South Dover Elementary School, and,

WHEREAS, the uses to which such funds are proposed to be put are in keeping with the Provisions of Chapter 529, Volume 50, Laws of Delaware,

NOW, THEREFORE

*Be it enacted by the General Assembly of the State of Delaware (three-fourths of all Members elected thereto concurring therein):*

Section 1. The Board of Education of the Dover Special School District is authorized to use funds raised by the sale of bonds of said District as such sale was authorized by referendum held January 14, 1956 for any purposes authorized by Chapter 529, Volume 50, Laws of Delaware, and the said Board of Education is not bound by the exact amounts of the allocations listed in the Notice of Election or by the Certificate of Necessity heretofore issued, and is authorized to use funds for the construction of only five standard classrooms and one special classroom on the Roe Site School, now the East Dover Elementary School, and six classrooms on the South Dover Elementary School, and also other improvements referred to in the Certificate of Necessity and Notice of Election.

Approved January 11, 1957.

## CHAPTER 3

PROVIDING THAT LEWES SPECIAL SCHOOL DISTRICT  
BE PERMITTED TO FINANCE ADDITIONAL  
CAPITAL IMPROVEMENTS

AN ACT TO AMEND CHAPTER 529, VOLUME 50, LAWS OF  
DELAWARE, TO PROVIDE THAT LEWES SCHOOL  
DISTRICT BE PERMITTED TO FINANCE ADDITIONAL  
CAPITAL IMPROVEMENTS THEREUNDER AND AP-  
PROPRIATING THE NECESSARY FUNDS.

*Be it enacted by the General Assembly of the State of Delaware (three-fourths of all the Members elected to each Branch concurring therein):*

Section 1. Section 13, Chapter 529, Volume 50, Laws of Delaware, is hereby amended by adding the following new entry to the table contained therein:

NAME OF DISTRICT	Maximum TOTAL COST	Maximum STATE SHARE	Maximum LOCAL SHARE
Lewes-c . . . . .	\$98,000	\$98,000	. . . .

Section 2. Chapter 529, Volume 50, Laws of Delaware, is hereby further amended by changing the words and figures showing the total Maximum Total Cost and Maximum State Share in Section 13 and in other sections of said chapter to reflect the amount of the authorization for the Lewes School District as provided in Section 1.

Approved February 4, 1957.

## CHAPTER 4

RELATING TO BOARD OF ASSESSMENT FOR  
CITY OF WILMINGTON**AN ACT TO AMEND CHAPTER 121 VOLUME 28, LAWS OF  
DELAWARE AS AMENDED BY CHAPTER 142 VOLUME  
36, LAWS OF DELAWARE, RELATING TO THE DATE  
OF COMPLETION OF ASSESSMENT AND THE DATE  
OF HEARING APPEALS BY THE BOARD OF ASSES-  
MENT FOR THE CITY OF WILMINGTON.**

*Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the Members of each Branch thereof concurring therein):*

Section 1. That Section 14 of Chapter 121, Volume 28, Laws of Delaware, be amended by striking out all of said Section and substituting in lieu thereof the following Section to be known as Section 14:

Section 14. The Board of Assessment shall complete the assessment for tax on or before the First day of March of each year. After making such assessment the Board of Assessment shall place the same on file in the office of the Board, and shall give public notice, by advertisements printed in two newspapers and posted in the most public places within the city, that such assessment, being completed, is ready for public inspection, and also designating the time appointed by this act for the sitting of said Board to hear appeals. Such notice, by advertisement as aforesaid, shall be continued until the time for sitting of said Board for appeals as aforesaid. During the period herein provided for public inspection of said assessment, the said Board shall keep some person in its office during regular office hours, whose duty it shall be to aid the persons assessed in ascertaining the amount of their assessment. The said Board shall also furnish a copy of its assessment roll to the officer or officers designated by law to collect said taxes as soon as the same is completed, and shall furnish to him or them from time to time copies of corrections made therein.

Section 2. That Section 15, as amended by Chapter 142, Volume 36, Laws of Delaware, be further amended by striking out all of Section 15 and inserting in lieu thereof the following Section to be known as Section 15:

Section 15. The Board of Assessment for the City of Wilmington shall also hear and determine all appeals respecting the assessments. The Board shall sit at its office, or some other public and convenient place in the City of Wilmington, on each secular day during the month of March in each and every year, from 9 A. M. to 5 P. M., and at such other times as the Board may deem necessary, for the purpose of hearing appeals from assessments, and shall continue to sit during the above mentioned time, or so long as may be necessary to adjudge appeals. Upon appeals the said Board shall have power to alter any assessment, and shall also have the power to make additional assessments or alterations whether appeal has been filed or not, but where no appeal has been filed, proper notice of such additions or alterations shall be given to the owners or their agents whenever possible; the said Board in connection with said assessment shall have the power to determine and to do whatever may appertain to justice and right. Appeals shall be made in writing and in such form as the Board shall direct. No appeal shall be received or heard, or adjudication or appeal made, nor shall the assessment list be altered or added to after the thirty-first day of March; provided, however that real estate not assessed prior to the first day of March may be assessed by the said Board at any time before the assessment roll is sent to The Council, previous notice of such intended assessment, designating the time at which the same will be made, being given by said Board, in writing, to the owner or owners, or if he, she, or they, be absent from the City, then to the person or persons in possession of the premises.

Approved February 14, 1957.

## CHAPTER 5

## RELATING TO HARNESS RACING MEETS

**AN ACT TO AMEND SECTION 522, TITLE 28 OF THE DELAWARE CODE, RELATING TO THE AWARD OF DATES FOR HARNESS RACING MEETS.**

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

Section 1. Subsections (c) and (d) of Section 522, Title 28 of the Delaware Code are amended to read as follows:

(c) The Commission shall, on or before the 15th day of January of each year, award all dates for harness horse racing in this State within the current year, but the dates so awarded shall not exceed 60 days in the aggregate for the entire State, and subject to the provisions hereinafter stated, not more than 20 days in the aggregate for any county. The dates awarded to Kent County shall be used for racing only in Kent County, and the dates awarded to New Castle County shall be used for racing only in New Castle County, and the dates awarded to Sussex County shall be used for racing in said county or, with the prior approval of the Commission, the Sussex County licensee may assign the 20 days awarded to it to a corporation duly licensed by the Commission for the current year to conduct harness racing in New Castle County. If the harness racing dates as applied for do not conflict with each other or with the horse racing dates awarded under Chapter 3 of this title, the Commission shall award the dates applied for, anything to the contrary herein contained notwithstanding. The racing dates awarded in any year for Kent County shall not conflict or overlap with the racing dates awarded to any other licensee and shall begin not later than September 15th or, if that day falls on a Sunday, September 16th. If an application is made for a license for Sussex County it shall not be necessary for the applicant to submit to the Commission the blueprints and specifications referred to in subsection (a) of this section if the application states that the racing dates which the Commission may award will be assigned by the applicant to the New Castle County licensee for use in New Castle County.

(d) No more than 40 days of harness horse racing shall be held in any one county in this State within any one year and no more than two meetings shall be held in any one county within this State within any one year.

Approved February 15, 1957.