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Law & Statistics

REGISTRATION

AND

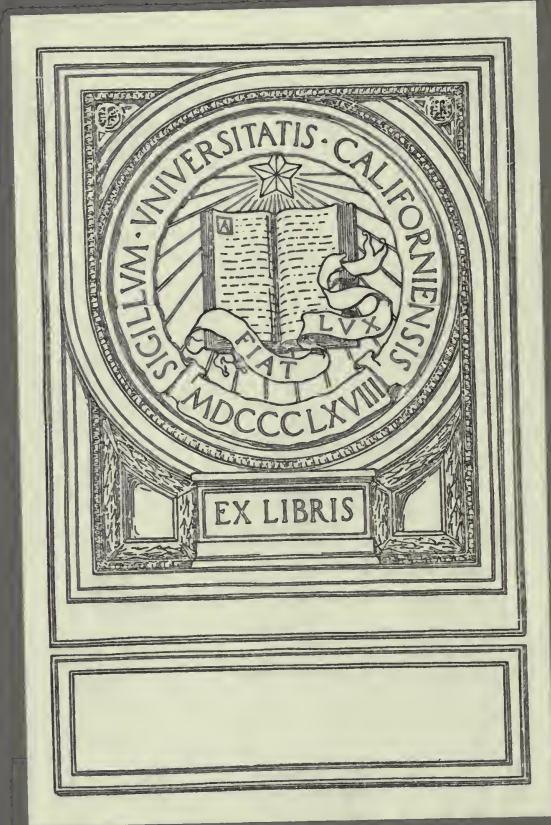
ELECTION LAWS

OF THE

STATE OF DELAWARE

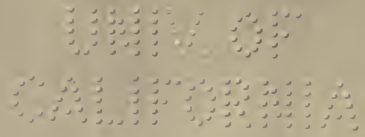
As Found in the Revised Statutes of 1915, and Amended by the
Ninety-fifth General Assembly.

PUBLISHED BY AUTHORITY OF A SENATE JOINT
RESOLUTION APPROVED MARCH 8, 1915, BY
GEO. H. HALL, SECRETARY OF STATE.



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1916

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Milford, Delaware

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CHAPTER 270.—VOLUME 28.

SENATE JOINT RESOLUTION authorizing the **Secretary of State** to have printed the **Election Laws**.

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

That the Secretary of State be and he is hereby authorized to have printed in pamphlet form, with an index thereto, two thousand copies of the Election and Registration Laws with the recent amendments thereto, for the information of those who register the vote and hold the elections of this State, and the Secretary of State is hereby directed and authorized to print as a part of said pamphlet Sections one, two and three of Article Five of the Constitution of the State of Delaware.

Approved March 8, A. D. 1915.



SECTIONS 1, 2 AND 3 OF ARTICLE V, OF THE CONSTITUTION OF THE STATE OF DELAWARE.
ELECTIONS.

Section 1. The general election shall be held biennially on the Tuesday next after the first Monday in the month of November, and shall be by ballot; but the General Assembly may by law prescribe the means, methods and instruments of voting so as best to secure secrecy and the independence of the voter, preserve the freedom and purity of elections and prevent fraud, corruption and intimidation thereat.

Section 2. Every male citizen of this State of the age of twenty-one years who shall have been a resident thereof one year next preceding an election, and for the last three months a resident of the county, and for the last thirty days a resident of the hundred or election district in which he may offer to vote, and in which he shall have been duly registered as hereinafter provided for, shall be entitled to vote at such election in the hundred or election district of which he shall at the time be a resident, and in which he shall be registered, for all officers that now are or hereafter may be elected by the people and upon all questions which may be submitted to the vote of the people; provided, however, that no person who shall attain the age of twenty-one years after the first day of January in the year of our Lord, nineteen hundred, or after that date shall become a citizen of the United States, shall have the right to vote unless he shall be able to read this Constitution in the English language and write his name; but these requirements shall not apply to any person who by reason of physical disability shall be unable to comply therewith; and provided also, that no person in the military, naval, or marine service of the United States shall be considered as acquiring a residence in this State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no idiot or insane person, pauper, or person convicted of a crime deemed by law felony, or incapacitated under the provisions of this Constitution from voting, shall enjoy the right of an elector; and the General Assembly may impose the forfeiture of the right of suffrage as a punishment for crime.

Section 3. No person who shall receive or accept, or offer to receive or accept, or shall pay, transfer, or deliver, or offer or promise to pay, transfer or deliver, or shall contribute, or offer or promise to contribute to another, to be paid or used, any money or other valuable thing as a compensation, inducement or reward for the registering or abstaining from registering of any one qualified to register, or for the giving or withholding, or in any manner influencing the giving or withholding, a vote at any general, special or municipal election in this State, shall vote at such election; and upon challenge of any of said causes the person so challenged before the officers authorized for that purpose shall receive his vote, shall swear or affirm before such officers that he has not received or accepted, or offered to receive or accept, or paid, transferred or delivered, or offered or promised to pay, transfer or deliver, or contribute, or offered or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation, inducement or reward for the registering or abstaining from registering of any one qualified to register, or for the giving or withholding, or in any manner influencing the giving or withholding, a vote at such election.

Such oath or affirmation shall be conclusive evidence to the election officers of the truth of such oath or affirmation; but if any such oath or affirmation shall be false, the person making the same shall be guilty of perjury, and no conviction thereof shall bar any prosecution under Section 8 of this Article.

TITLE EIGHT.

ELECTIONS.

- CHAPTER 56. REGISTRATION OF VOTERS.
- CHAPTER 57. DEPARTMENT OF ELECTIONS FOR THE CITY OF WILMINGTON.
- CHAPTER 58. PRIMARY ELECTIONS.
- CHAPTER 59. INSPECTORS OF ELECTIONS.
- CHAPTER 60. GENERAL ELECTIONS.
- CHAPTER 61. ELECTION OF ELECTORS OF PRESIDENT AND VICE-PRESIDENT.
- CHAPTER 62. ELECTION OF UNITED STATES SENATORS.
- CHAPTER 63. ELECTION OF REPRESENTATIVES IN CONGRESS.
- CHAPTER 64. CONTESTED ELECTIONS.

CHAPTER 56.

Registration of Voters.

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- printing and posting lists of registered voters.
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- Sec. 17. Assistant Registrars; duty to make entries; exception; registrar shall receive and file affidavits.
- Sec. 18. Sittings of judges to hear appeals; places;

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- Sec. 19. Registrar, custodian of books; attendance at hearing of appeals, and for corrections; to have books present and make entries as ordered by Judge.
- Sec. 20. Alternate registrars; powers; duties; books and appeal notices to be delivered to, when.
- Sec. 21. Registrar to deliver books to inspector &c., when; certain books and papers retained; open for inspection; copies may be made after general election; duplicate books delivered to clerk of the peace.
- Sec. 22. Registrars' powers to preserve order; to compel attendance of witnesses; to administer oaths; to commit offenders for trial; process to be issued to sheriff or constable; service of; fees of officer acting; no extra compensation to registrar for services under this section.
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- Sec. 24. Spirituous liquors in registration places; misdemeanor; penalty.
- Sec. 25. Fraudulent entries or alterations in registration books, misdemeanor; penalty.
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- Sec. 30. Domicile of persons in army or navy not lost. Sec. 36. Separate lists for each election district.
- Sec. 31. Registration of citizens in military or naval service. Sec. 37. Return of auxiliary registrar.
- Sec. 32. Auxiliary registrars; appointment; qualifying; duties. Sec. 38. Registrars of election districts to enter on registration books the names returned by auxiliary registrar; challenge; registrar to keep list; subject to inspection; registrar to make list of those registered and not registered; appeals.
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1619. Sec. 1. Registration Officers Outside of Wilmington; Appointed by Governor; Number; Qualifications; Designations; Terms of Office; Division Between Political Parties; County Executive Committee to Furnish Names; When; Failure to Furnish Names; Alternate Registrars Outside of Wilmington; Terms of Office; Powers and Duties; Vacancies; Oaths; Who May Administer; Registrars Ineligible to Office:—The Governor shall, sometime in the month of June in each year in which a general election is held, appoint in each elec-

tion district in this State, outside of the City of Wilmington, three capable persons, who shall be voters and resident in the Election District for which they shall be appointed, who shall be the registration officers of the Election District for which they are appointed; one of whom shall be designated as "Registrar," and the other two "Assistant Registrars," and not more than two of them shall be of the same political faith; provided, that the number of registration officers in each Representative District, shall be divided as equally as possible between the two leading political parties, as the same shall be determined upon by the Governor at the time of making the appointments. For each appointment accredited to any political party under this section the County Executive Committee of such political party shall furnish the Governor on or before the first day of June of the year in which said appointment is to be made a list of three names of properly qualified persons, from which lists the Governor shall make his appointments. Provided, however, that if the said lists of names are not furnished as aforesaid, then, and in that event the Governor shall appoint some suitable person or persons of such political party having all the qualifications provided by this section.

The terms of office of such Registration officers shall begin on the first Tuesday in July next after their appointment, and shall continue for two years thereafter, and until their successors shall be duly chosen and qualified.

I. It shall be the duty of the Governor, when appointing Registration officers for the several election districts of this State, at the same time to appoint in each election district in the State outside the City of Wilmington, one capable person, who shall be a voter and resident in the election district for which he shall be appointed, to be "Alternate Registrar" for the said election district. The term of office of said "Alternate Registrar" shall be the same as that of the Registrar, and whenever the Registrar provided for by this chapter shall be incapable from any cause whatsoever of performing the duties required of him by the laws of this State, the "Alternate Registrar" in the same election district shall act in his stead, and while acting shall possess all the powers and do and perform all the duties of a Registrar.

II. But nothing herein contained shall authorize or empower the Alternate Registrar to act at any time when there is a Registrar of the election district able and willing and present to act. If any Registration officer or Alternate Registrar shall remove from the election district for which he shall be appointed, or shall cease to be a voter therein, his office shall thereupon become vacant.

III. If any vacancy or vacancies should occur in the office of Registrar, Assistant Registrar, or Alternate Registrar before the expiration of such term, from any cause whatsoever, the Governor shall appoint some suitable person or persons to fill such vacancy or vacancies, who shall serve for the residue of such unexpired term or terms, who shall possess the same qualifications and be qualified in the same manner, possess the same powers and perform the same duties as the original appointee or appointees. Each Registrar, Assistant Registrar and Alternate Registrar appointed for an Election District outside of the City of Wilmington, before entering upon the duties of his office, shall take and subscribe before the Clerk of the Peace of the County in which he shall reside, and each Registrar, Assistant Registrar and Alternate Registrar appointed for an Election District in the City of Wilmington, before entering upon the duties of his office, shall take and subscribe before the Department of Elections for the City of Wilmington, the following oath or affirmation:

“I,, residing in
 Election District of Representative District in County, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Registrar (or Assistant Registrar or Alternate Registrar) for Election District in
 Representative District in County, according to the best of my ability.”

The Clerk of the Peace of the County and any member of or Clerk of said Department of Elections for the City of Wilmington is authorized and empowered to administer such oath or affirmation; provided that no fee be charged for administering such oaths or affirmations by said member or Clerk of said Department of Elections.

IV. Should any Registrar, Assistant Registrar or Alternate Registrar, after taking said oath and before entering upon the active duties of said office, become a candidate for any office to be voted for by the electors of the election district for which he is appointed Registrar, Assistant Registrar or Alternate Registrar, the said office shall ipso facto become vacant and be filled by the appointment of another person to the same. After any Registrar, Assistant Registrar or Alternate Registrar shall have entered upon the active duties of his office he shall thereby become ineligible to any office to be voted for at the next ensuing general election.

1620. Sec. 2. Oath of Office; When Taken; Duty to Act; Refusal to Qualify or Act; Penalty; Exemption from Jury and Military Duty; Persons Exempt from Jury Duty not Required to Act as Registration Officers:—Each and every person appointed as aforesaid to act as Registrar, Assistant Registrar or Alternate Registrar, shall qualify as such Registrar, Assistant Registrar or Alternate Registrar by taking or subscribing the oath or affirmation prescribed in the preceding section, within ten days after being notified of his appointment, and shall perform the duties of the office for the term for which he was appointed, unless he shall become disqualified by sickness or otherwise; but any Registrar, Assistant Registrar or Alternate Registrar who shall be appointed to fill a vacancy shall qualify forthwith.

If any Registrar, Assistant Registrar or Alternate Registrar who, being appointed either for a full term or to fill a vacancy, shall refuse to qualify as aforesaid, or, having qualified, shall fail or refuse to perform any of the duties of said office he shall forfeit and pay to the State a fine of one hundred dollars, upon conviction thereof by indictment in the Court of General Sessions of the county where such offense was committed.

The Registration officers aforesaid during the time they hold such office shall be exempt from the performance of military duty, and when in the actual discharge of the duties of their office from jury duty, and no person who by the laws of this State is exempt from jury duty shall be required to serve as Registration officer.

1621. Sec. 3. Registration Books; Prepared by Whom; at Whose Expense; Designations of; Entries in; Size; How Ruled:—It shall be the duty of the Governor to cause the fol-

lowing books to be prepared, at the expense of the State, for the use of the said Registration officers in each election district in this State, including those in the City of Wilmington, for the registration of names and facts following, to wit:

First: Two books for the Registration officers in each election District, including those in the City of Wilmington, to be known by the general name of "Registers," and to be so arranged as to admit of the convenient entry of the following particulars:

I. The name of the person applying to be registered, written in full (or his first Christian name, and also any other name by which he is generally known, written in full, with the initial or initials of any other name or names which he may have in addition thereto).

Second: His age on date of next General Election.

Third: The place of birth.

Fourth: The place of his residence, or street and number, if any, and his postoffice address.

Fifth: The time of his residence in the State, County and Election District in which he shall apply to be registered.

Sixth: If naturalized.

Seventh: If registered voter.

Eighth: If disqualified.

Ninth: Date of application for registration.

Tenth: If challenged.

Eleventh: Cause of challenge.

Twelfth: Appeal.

Thirteenth: Remarks, explanatory and supplementary.

II. Such Registers shall be uniform in their general character, shall be ruled in parallel columns, and shall be of such size to contain not less than fifteen hundred names.

III. The ruling and the heading in the above described Registers shall be substantially in the form following, to-wit:—

.....Name

.....Age on date of next General Election

.....Nativity

.....Residence

.....State

.....County

.....Election District

.....Naturalized

.....Registered Voter

.....Disqualified

.....Date of Application

.....If Challenged

.....Cause of Challenge

.....Appeal

.....Remarks

} Term of
Residence

Second: Two books for the Registration officers of each Election District, to be known by the name of "Books of Registered Voters" for alphabetical lists of all persons whose names may be entered on the Register aforesaid as "registered voters." Said books to be ruled in parallel columns and so arranged as to admit of the convenient entry in alphabetical order of the name of every person who may be entered on the registers aforesaid as a "Registered Voter," and in the parallel column opposite the name of such person the following particulars, to-wit:

First. His residence.

Second. His age, stating whether he will be of the age of twenty-one years or upwards on the day of the next General Election.

1622. Sec. 4. Delivery of Books, by Governor; When; to Whom; by Sheriff; When; to Whom; by Department of Elections for Wilmington; When; to Whom:—The Sheriff of each County shall sometime previous to the first Saturday in the month of July, in the year of holding the General Election, deliver to the Registrar of each election district of his county,

two of the books known as "Registers," two of the books known as "Books of Registered Voters"; provided, however, that the Sheriff of New Castle County shall not deliver said books for the several election districts in the City of Wilmington to the Registrars of each election district in said City, but the Governor shall, previous to the first Saturday in July of every General Election, deliver to the Department of Elections for the City of Wilmington two of the books known as "Registers," two of the books known as "Books of Registered Voters"; and provided further, however, that the Department of Elections for the City of Wilmington shall, within one week before the first day of registration of voters in the year of every General Election deliver to the Registrar of each Election District in the City of Wilmington two of the books known as "Registers," two of the books known as "Books of Registered Voters"; all of which said books addressed to the Registrar of each election district of the County, the Governor shall cause to be delivered to the Sheriff in each of the Counties of this State and to the Department of Elections for the City of Wilmington, respectively, at least five days before the first Saturday in July in the year of holding the General Election.

1623 Sec. 5. Endorsements on Books of Registration:—Each of the said Registrars immediately upon receiving said "Registers" and "Books of Registered Voters" shall endorse upon the back and write at the head of each "Register" and "Book of Registered Voters" delivered to him as aforesaid, the name of the County and the name of the election district of such County of which he is a Registrar and of which such books shall respectively be the "Registers" and "Books of Registered Voters" as aforesaid.

1624. Sec. 6. General Registration of Voters Biennially:—For the purpose of preventing fraud at all elections held on the Tuesday next after the first Monday in the month of November, as provided by Section 1 of Article V, of the Constitution, and of facilitating the ascertainment of those who are duly qualified electors according to the said Constitution and laws of this State, there shall be a general registration of all the qualified voters resident in each election district of this State.

1625. Sec. 7. Registration Officers; Duties; Places; Hours, Days and Notice of Sitting:—It shall be the duty of the Registrar and two Assistant Registrars appointed in each Election District in this State to register the names of all qualified

voters in each of such election districts as hereinafter provided in this Chapter. And to that end shall sit for the purpose of ascertaining and registering the persons who are qualified to enjoy the right of an elector at the general election then next following, at such public and suitable places in their respective election districts as will, in their judgment, be most convenient for the voters thereof, from eight o'clock A. M. until seven o'clock P. M., with an intermission from twelve to one o'clock, on the third Saturday in July on the first and second Saturdays in August, on the third Saturday in September and on the third Saturday next preceding the day of election.

Outside of the City of Wilmington each of said Registrars, at least ten days prior to the first sitting for the purpose of registration as aforesaid, shall give public notice, by advertisement, posted in ten or more of the most public places in his election district, of the places where the Registration officers shall sit for the registration of voters as aforesaid, and the day or days when they will sit at each of said places. In the City of Wilmington, the Department of Elections for the City of Wilmington shall, at least ten days prior to the first day set for the purpose of Registration as aforesaid, give public notice by advertisements, posted in ten or more of the most public places in each election district, in the City of Wilmington, of the places where the registration officers shall sit for registration of voters aforesaid, and the day or days when they will sit at each of said places.

1626. Sec. 8. Admission to Registration Room; Number of Witnesses; Persons Not Admitted; Ejecting of Persons:—The Registration officers shall admit into the room in which registration is being made one suitable person to be selected by and to represent each of the political parties having candidates to be voted for at the coming election, the applicants for registration (one at a time), and such witness or witnesses as the applicant may desire to establish his right to be registered, and such witness or witnesses as the person who challenges the right of any applicant to be registered may name, provided, however, that in no case shall there be more than one witness in the room at the same time, and provided further that no other person or persons shall be admitted into the room during the registration of voters, and they may eject from the room any of such persons behaving in a disorderly manner.

1627. Sec. 9. Registration Officers; Meeting; Duties; Entries

Made in Books:—The Registrar and the Assistant Registrars in each election district in this State shall at the times in this Chapter designated for registration meet in their respective election districts at the places which, as provided in this Chapter, shall be designated for such meeting, and at such times shall do and perform the following acts, viz:

First: They shall record in the registers in the column headed "name" the name of every male person who shall personally appear before them, and apply to be registered, writing his surname and first Christian name in full and also any other name by which he is generally known, with the initial or initials of any other name or names which he may have in addition thereto, the surname being written first. The names of said applicant for registration shall be numbered consecutively in the order of their application, the number being entered on the Registers in figures immediately before each name.

Second: They shall examine all persons, who personally apply, as to their qualifications as electors, and shall immediately enter in the Register the statements and facts below set forth, and in the manner following, viz:

I. In the column headed "Age on date of next General Election," whether he will be of the age of twenty-one years or upwards on the day of the next General Election.

II. In the column headed "nativity," they shall enter the State, territory or country in which the applicant states he was born.

III. Under the column headed "residence," the name and number of the street, avenue, or other location of the dwelling, if there be a number, and if there shall not be a number, the postoffice of the person so applying for registration, or such other clear and definite description of the place of said dwelling as shall enable it to be readily ascertained, fixed and determined.

IV. In the subdivision of the column headed "term of residence," how long he has resided in the State, how long in the County and how long in the election district in which he applies to be registered.

V. In the column headed "naturalized" the words "yes" or "no" or "native" as the facts shall appear.

VI. In the column headed "registered voter," if the registration officers shall be satisfied, upon examination or otherwise, that the applicant for registration is entitled to be registered as a registered voter, they shall write his name in full as written in the first column.

VII. In the column headed "disqualified," if they are satisfied upon examination or otherwise, that the applicant for registration is disqualified as an elector in the election district in which he shall apply to be registered, a line shall be heavily drawn in ink opposite his name headed "Registered Voter" and the cause of his disqualification shall be briefly stated in the column headed "disqualified," opposite his name as first recorded, and a line shall be drawn across his name as first entered, but in such manner that said name shall remain legible. Provided that every applicant for registration shall be held and considered to be a qualified voter, if he be a male citizen of this State of the age of twenty-one years and upwards, or who will be the age of twenty-one years on or before the day of election, next succeeding his registration, and will have resided in this State one year next before such election, and for the last three months thereof will have been a resident of the County, and for the last thirty days a resident of the election district in which he may offer to vote and in which he shall have been duly registered; provided that no person in the military, naval or marine service of the United States shall be considered as acquiring a residence in this State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no idiot, or insane person, pauper, or person convicted of a crime deemed by law a felony, or person who shall have been rendered incapable of voting by reason of violating Section 7 of Article V. of the Constitution of this State for ten years next following his conviction and sentence thereunder, shall be held or constituted a qualified voter.

VIII. In the column headed "Date of Application," they shall enter the day of the month and year on which application for registration is made.

IX. In the column headed "if challenged" the words "yes" or "no."

X. In the column headed "cause of challenge," they shall enter the objections and by whom made.

XI. In the column headed "Appeal" they shall enter "yes" or "no."

XII. In the column headed "remarks" they may enter such facts or statements as may be deemed pertinent to the qualification or disqualification of the applicant as an elector.

Third: In making the entries hereinbefore specified the Registration officers shall in every case make such entries in the columns above specified opposite the name of the applicant to whom such entries are intended to apply; if the Registration officers shall be in doubt, after the primary examination of the applicant for registration, and upon such evidence as may be immediately obtainable, whether such applicant ought to be registered as a registered voter, they may postpone the determination of the matter to their next sitting or to a later sitting at the request of the applicant.

Fourth: It shall be the duty of the Registration officers of each and every election district in this State, upon the close of each day's registration, to write in the line on their registers, immediately below the last person registered on said day the words "end of theday's registration," and immediately under said entry the said Registration officers shall sign their respective names with the proper designation of their office. The said entries shall in no way interfere with the numbering of the names of the persons as the same shall be entered upon said Registers, but the same shall be continued as if the said entries had not been made.

1627 A. Sec. 9 A. Registration of Moors—If any person, being of the race of people known as "Moors," and qualified to become a registered voter in Sussex County, at any primary, special or general election, shall apply for the registration of his name as a qualified voter of said County, upon the days appointed for the registration of voters therein, the Registrar or Alternate Registrar shall, upon request being made therefor, caused to be entered in the registration and election books, containing the names of the qualified voters of Sussex County, the word "Moor" after the name of such person so applying for registration and making the request as aforesaid.

1628. Sec. 10. Challenge for Bribery; Oath; Form of; Oath Conclusive; False Oath; Perjury; Conviction of Perjury a Bar to Prosecution Under Section 8, Article V. of Constitution; Refusal to Take Oath; Entry:—If, upon the personal appli-

cation of any one to be registered, he shall be challenged for having received or accepted, or for having offered to receive or accept, or for having paid, transferred or delivered, or for having offered or promised to pay, transfer or deliver, or for having contributed or offered or promised to contribute to another to be paid or used any money or other valuable thing as a compensation, inducement or reward for the registering or abstaining from registering of any one qualified to register, it shall be the duty of the Registrar to administer to the person so challenged an oath or affirmation, as follows, viz:

“You do solemnly swear upon the Holy Evangels of Almighty God (or ‘You do solemnly, sincerely and truly declare and affirm’) that you have not received or accepted or offered to receive or accept, or paid, transferred or delivered, or offered or promised to pay, transfer or deliver, or contributed or offered or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation, inducement or reward for the registering or abstaining from registering of any one qualified to register at the registration for this present year, so help you God” (or “so you do solemnly, sincerely and truly declare and affirm”).

Such oaths or affirmations shall be conclusive evidence to the Registration officers of the truth of such oath or affirmation; but if any such oath or affirmation shall be false, the person making the same shall be guilty of perjury, and a conviction thereof shall bar any prosecution under Section 8 of Article V. of the Constitution. If any person so challenged as aforesaid, shall refuse to make the oath or affirmation above prescribed, then it shall be the duty of the Registration officers to cause a line to be heavily drawn in ink opposite his name in the column headed “Registered Voter,” and in the column headed “Disqualified” to insert the words “disqualified for refusing to make the oath concerning bribery at registration,” opposite his name as first entered, and a line shall be drawn across the name as first entered, in such manner that said name shall remain legible.

1629. Sec. 11. Entries Made in Presence of Applicant:—When the Registration officers of any election district in this State, at any of the sittings hereinbefore provided for, shall enter in the Registers the name of any applicant for registration as a registered voter, they shall immediately thereafter enter, in the presence of such applicant, if he remains in attendance, in its proper alphabetical place in the “Book of

applicant, and also his residence and his age, if he will be of the age of twenty-one years or upwards on the day of the next following general election.

1630. Sec. 12. Review of Decision of Registration; Notice of Hearing; Entry When Name Struck Off:—Upon the affidavit of a legal voter in an election district, made before any person authorized by the laws of this State to administer oaths and presented to the Registration officers of the election district, of which said affiant is a voter, that in his opinion any person (naming him) is illegally registered in such election districts as a registered voter and setting forth the reasons thereof, it shall be the duty of the Registration officers to examine into the matter of the registration of such person, and, if said Registration officers deem it a proper case for a hearing, notice shall be given to such person, either personally or in writing, in the manner hereinafter provided, to appear before the said Registration officers at their next sitting to show cause why his name shall not be stricken from the “Books of the Registered Voters” of such election district. And if upon examination and inquiry the Registration officers shall be satisfied, at the sitting at which such person had notice to appear, that he ought not to be registered as a registered voter, a heavy line shall be drawn in ink through his name in the column headed “Registered Voter,” and a line shall be drawn through his name as first entered, but in such manner as said name shall remain legible, and the cause of his disqualification shall be briefly stated in the column headed “Disqualified,” and in the column headed “Remarks,” opposite his said name shall be written the words “adjudged disqualified on revision by the Registration officers,” and the date when his disqualification was ascertained as aforesaid; and in the books of “registered voters” a heavy line of ink shall be drawn through his name, his residence, and his age.

1631. Sec. 13. Removal From District After Registration; Transfer of Registration to District of Residence; When; Entries Upon Application for Removal:—If any person registered as a registered voter, in any election district in this State, shall after he is so registered, remove from the district in which he is so registered to any other district in the County, he may apply in person to the registration officers of the election district in which he is registered and have his name stricken from the “Registers” and from the “Books of Registered Voters” in which his name shall appear, and may obtain from said reg-

istration officers a certified copy of the entries in the register and books of registered voters relating to him, together with a certificate that his name has been stricken from the register and books of registered voters, as aforesaid; and it shall be lawful for him, after his name shall be so stricken from said registers and book of registered voters, to cause himself to be registered in the election district to which he may have removed upon producing the aforesaid certificate and copy of entries in said registers and books of registered voters; provided that by the next following general election he will have acquired in the election district to which he has removed the residence required by the Constitution. The registration officers to whom such person may apply to have his name stricken from the registers and books of registered voters shall draw a line in ink through his name and all the entries opposite his name in said registers and books of registered voters, and in the column in the registers headed "Remarks" shall enter "removed from this election district into election district in this County," and shall prepare and deliver to him the certified copy of entries and the certificate aforesaid.

1632. Sec. 14. Quorum; Majority May Act; Notices, How Given and When:—At every sitting of said Registration officers two shall constitute a quorum and the acts of a majority shall be as valid as the acts of all of them.

In all cases where written notice is required by this Chapter to be given to any person such notice shall be deemed sufficient if addressed to the person to be notified at the postoffice named by him, at the time of his application for registration, and deposited in the mail not later than the Wednesday next preceding the sitting of the Registration officers at which he may be notified to appear.

1633. Sec. 15. Comparison of Registration Books; Entry of Names Omitted; Correction of Books; Certificate of Registration Officers in Books of Registered Voters; Verification; Cost of Verification in New Castle County, How Paid; Certificate to Registers:—It shall be the duty of the Registration officers, immediately after the close of their last sitting, carefully to compare the two Registers, and see that they agree with each other in every particular, and also to compare the alphabetical lists of "Registered Voters" as contained in the "Books of Registered Voters" aforesaid, with the said Registers, and to see that the name of every person entered upon the Registers

as a Registered Voter is entered in its proper alphabetical place on each of the two lists of Registered Voters, with the residence and also the age if it be the age of twenty-one years or upwards on the day of the next general election, as entered on the Registers. If any name in the Registers which ought to have been entered on said alphabetical lists of Registered Voters shall have been omitted therefrom, it shall be the duty of said Registration officers to enter such name in its proper alphabetical place, on the proper alphabetical lists, together with the proper entries as they appear on the said Registers.

It shall be the further duty in such comparison of the alphabetical lists with the Registers to make such corrections on the alphabetical lists as will make the names and entries appearing on the alphabetical lists agree with the same names and entries as entered on the Registers. It shall also be the duty of the said Registration officers, within three days after their last sitting to append to each of said alphabetical lists of "registered voters" contained in said "Books of Registered Voters" a certificate, verified by the oath or affirmation of said Registration officers, or at least two of them, that the said "Book of Registered Voters" contains a complete list of the registered voters of said election district, as the same are entered in the "Books of Registered Voters" of such election district.

The Levy Court of New Castle County shall pay the fees for administering said oaths or affirmations made by the Registration officers of said County. The fee for administering each of said oaths or affirmations shall not exceed the sum of twenty-five cents.

The said Registration officers shall, within the three days aforesaid, also append to the registers of their election districts a certificate that each of said Registers is the official Register of such election district, and, so far as within their knowledge, no false or improper entries have been made therein, which certificate shall be made and verified by at least two of said Registration officers.

1634. Sec. 16. Appeals From Registration Officers; Decision of Judge, Final; Notice to Registrars; Time of Hearing:— From the decision of the Registration officers granting or refusing registration, or striking or refusing to strike a name or names from the Registration lists, any person interested, or any Registration officer may appeal to the Resident Associate Judge of the County, or in case of his disability or absence from

the County, to any judge entitled to sit in the Supreme Court, whose determination shall be final; and in order to prosecute said appeal it shall be the duty of the person taking the same to notify the "Registrar" of the election district from the decision of whose officers said appeal is taken, stating in said notice the time when said appeal will be presented to the Resident Associate Judge of his County or such judge of the Supreme Court as may sit for the purpose of receiving and hearing such appeal, which time shall be one of the days hereinafter named for such resident Associate Judge or Judge of the Supreme Court to sit for the purpose of receiving and hearing appeals.

1635. Sec. 17. Assistant Registrars; Duty to Make Entries; Exception; Registrar Shall Receive and File Affidavits:—It shall be the duty of the Assistant Registrars in this Chapter provided for to make all the proper entries in the "Registers" and "Books of Registered Voters" as the same are required by this Chapter to be made, except such entries as are provided for in Section 18 of this Chapter; and it shall be the duty of the Registrar to receive and file all affidavits which may be filed.

1636. Sec. 18. Sittings of Judges to Hear Appeals; Places; Times; Hearings; What Appeals to be Heard, and When; Appeals from Certain Registration Decisions Not Received in Second Week of Appeals Except Upon Affidavit; Affidavit of Notice of Appeals; Notice to Registrars; Service of; Time of Service; Order of Judge; Entry of; How Made; Duties of Supreme Court Judge:—It shall be the duty of the Resident Associate Judge of New Castle County to sit at the Levy Court room of New Castle County and the resident Associate Judge of Kent County to sit at the Levy Court Room of Kent County, and the resident Associate Judge of Sussex County to sit at the office of the Clerk of the Peace for Sussex County, or if said places cannot conveniently be had, then at such proper and suitable places in the County seat of the respective Counties of this State as shall be designated by notice signed by the said resident Associate Judge of his County, and posted on the door of the respective places aforesaid, stating where he will sit, for the purpose of hearing appeals from the decision of the Registrars in the respective election districts of his County, on the first Tuesday in September in the year in which registration is required by law to be made, at ten o'clock in the morning of said day; on which day he shall receive appeals from such persons as shall have appealed from the decision of the

Registration officers of the respective election districts in his County, which shall be presented on said day, and he shall proceed to hear all appeals which shall have been filed as aforesaid on said day, and may continue the hearing of any such appeal or appeals from day to day during the remainder of the week, and shall sit again on the first Monday after the fourth Saturday in September for the purpose aforesaid, to hear and determine such appeals as shall not have been acted upon, and also such as may be presented and filed on said last mentioned day, and may continue the hearing of any appeal or appeals then unheard from day to day during the remainder of the week, and until all appeals which shall then have been filed shall have been heard and decided. The said resident Associate Judge shall again sit for the purpose of hearing appeals as aforesaid on the Tuesday next following the last day of registration as provided for in this Chapter, to receive appeals from such persons as shall have appealed from the decision of the Registration officers of the respective election districts in his county as aforesaid, made on the said last day of registration, and any other appeal or appeals which for any cause he may have continued from a preceding sitting, and shall proceed to hear all appeals which shall have been filed as aforesaid, and may continue the hearing of any such appeal or appeals from day to day during the remainder of the week, and shall sit again on the Tuesday next following, for the purpose aforesaid, to hear and determine such appeals as shall not have been acted upon the previous week, and also such as may be presented and filed on said last mentioned day, and may continue the hearing of any appeal or appeals then unheard from day to day during the remainder of the week, and until the close of the day next preceding the day of the election; provided that appeals from the decision of the Registration officers made on the first, second, third or fourth registration days shall not be received on the third or fourth appeal days, unless the appellant shall make oath before the said resident Associate Judge that the delay in presenting his said appeal was not for the purpose of hindering or delaying the said resident Associate Judge or the officer of registration in his election district in the discharge of the duties imposed upon them respectively under the provisions of this Chapter.

No appeal shall be received and acted upon by the resident Associate Judge unless the appellant shall, at the time of presenting his appeal make an affidavit, that notice of his intention

to present his appeal on this day was served upon the Registrar of his election district; any person applying to the said resident Associate Judge to have any name appearing on the register and books of registered voters in his election district in any manner incorrect to be corrected shall notify the Registrar of the election district on whose books such name is incorrectly entered of his intention to make application for the correction thereof, so that the said Registrar shall and may be present with his register and books of registered voters to make such corrections therein as the said resident Associate Judge shall order and direct; provided, that no correction shall be ordered to be made by the said resident Associate Judge unless he shall be satisfied by the oath of the applicant or otherwise that notice of the intended application for correction shall have been given to or served upon the Registrar of the appellant's election district of his intention to make application. All notices required to be given or served by the provisions of this section upon any Registrar shall be so given or served personally at least three days before the application is made or by leaving, in the presence of an adult male person, a written copy of such notice at the usual place of abode of such Registrar, at least three days before the application shall be made, and no application for correction or for hearing of an appeal shall be heard upon any day which is set apart by this Chapter as a day for the registration of voters.

Upon the decision of the respective resident Associate Judges on each and every appeal, said Judge making the decision shall order and direct the Registrar of the election district from the decision of whose Registration officers the appeal shall have been taken, and who shall be present with his "Registers" and "Books of Registered Voters" as hereinafter provided, to make such entries in his "Registers" and "Books of Registered Voters," as such Registrar is authorized, by the provisions of Section 4 of Article V of the Constitution of this State and by the provisions of this Chapter to order and direct to be made and as are required by law to be made, in said "Registers" and "Books of Registered Voters" by the Registration officers in case where a person is entitled to be registered as a Registered Voter or as any one who is disqualified.

All duties which are imposed upon the resident Associate Judge of the County by the provisions of this Chapter and especially of this Section, shall be imposed upon and required to be performed by such Judge of the Supreme Court as shall at

any time be sitting in any of the Counties of this State for the purpose of hearing appeals under this Chapter, in lieu of the resident Associate Judge of the County, when he shall be unable to sit either from disability or absence from the County.

1637. Sec. 19. Registrar, Custodian of Books; Attendance at Hearing of Appeals, and for Corrections; to Have Books Present and Make Entries as Ordered by Judge:—In order that the Registrar in each and every election district in this State may be enabled to perform the duties especially required of him by this Chapter, he shall retain and keep possession of and be responsible for the “Registers” and “Books of Registered Voters” of his election district at all times excepting when being used by the Registration Officer of his election district for the purpose of registration; and it shall be his duty to attend and be present at all hearings of which he had notice before the resident Associate Judge of the County or such Judge of the Supreme Court as may be sitting for that purpose, of appeals which shall have been taken from the decision of the Registration officers of his election district, and also upon the hearing for the correction of any name or names on his “Registers” or “Book of Registered Voters” improperly omitted or improperly appearing or in any manner incorrect thereon, and to have with him the said “Registers” and “Book of Registered Voters” and to make such entries in said books respectively as said resident Associate Judge or Judge of the Supreme Court for the purpose of hearing such appeals and making such corrections, may order and direct.

1638. Sec. 20. Alternate Registrars; Powers; Duties; Books and Appeal Notices to be Delivered to, When:—All the powers and duties conferred or enjoined upon Registrars by any of the provisions of this Chapter, are expressly made the powers and duties of all Alternate Registrars in the absence of the Registrar from his election district, or his disability to perform the duties imposed upon such Registrar by any of the provisions of this Chapter, and in order to enable the Alternate Registrar to perform the duties in this Section imposed upon him, it shall be the duty of the Registrar to deliver or cause to be delivered to the Alternate Registrar, the Register and Book of Registered Voters in the custody or possession of such Registrar, and all notices of appeal which shall have been served upon him, whenever it shall be the duty of the Alternate Registrar to act in the place and stead of such Registrars as provided in this Section.

1639. Sec. 21. Registrar to Deliver Books to Inspector, &c., When; Certain Books and Papers Retained; Open for Inspection; Copies May Be Made; After General Election, Duplicate Books Delivered to Clerk of the Peace:—It shall be the duty of the Registrar in the respective election districts of this State, on the morning of the day of the general election and one hour before the opening of the polls for said election, to deliver to the inspector, or other person authorized to hold said election in his, the said Registrar's election district, one of said "Registers" and one of said "Books of Registered Voters" in his possession, certified to as hereinbefore provided. The other of said "Registers," together with the other of said "Books of Registered Voters" and all other papers or documents relating to the registration of voters, he shall retain in his possession and safely keep; but the same shall at all proper times be open to the inspection of anyone desiring to examine the same, without fee or reward; and anyone desiring to do so may be permitted to make copies or partial copies of any of said lists, books, documents or papers.

Within one week after the following general election he shall deliver the said duplicates in his possession to the Clerk of the Peace of the County in which he resides, who shall safely keep the same, in his office, and the same shall be open to public inspection at all convenient times as other public records in the office of said Clerk of the Peace.

1640. Sec. 22. Registrars' Powers to Preserve Order; to Compel Attendance of Witnesses; to Administer Oaths; to Commit Offenders for Trial; Process to be Issued to Sheriff or Constable; Service of; Fees of Officer Acting; No Extra Compensation to Registrar for Services Under This Section:—Each of the Registrars shall in addition to the other powers conferred upon him by this Chapter have, during the respective times of the appointed sittings for registration, the powers of a Justice of the Peace to preserve order and enforce obedience to his lawful commands at or around the place of registration; to keep access to such place open and unobstructed; to prevent and suppress riots, tumults, violence and disorder at, around or near the place of registration, tending to intimidation, or to the obstruction of the work of registration, and to protect and keep safe the registers or books for the registration of voters, while in his and the Assistant Registrar's custody and possession. He may compel the presence of witnesses before them while sitting with the Assistant Registrars as Reg-

istration officers, for all purposes connected with the performance of the duties of their office, by summons and attachment, and shall have power to administer oaths or affirmations. He may, while sitting as such officer of registration, commit for trial any person committing at, or around the place of registration, a breach of the peace, or any offense forbidden by this Chapter. He shall have the power to issue any of said summons, attachments or commitments, when sitting in any election district in this State to the Sheriff of his county or to any Constable thereof. All such process shall be served by said officers in the same manner as if they were issued by a Justice of the Peace within such County.

The Sheriff or Constable in any County of this State, who shall serve any such process, shall receive the same fees and in like manner as it is or may be by law, provided that he shall receive fees in other State cases. But no Registrar shall charge or receive any compensation for any service rendered in accordance with the provisions of this Section in addition to the compensation or salary provided for in this Chapter.

1641. Sec. 23. Compensation; Registrar; Assistant Registrar; Alternate Registrar; Ascertainment and Certification; By Whom Paid; Cost of Printing, Posting, Notices, Ink and Stationery Paid by Levy Court:—Each Registrar shall receive five dollars per day for each day of actual service, either when sitting for the purpose of registration or in attendance upon the hearing of appeals before the resident Associate Judge of the county, or such Judge of the Supreme Court as may sit for hearing such appeals.

Each Assistant Registrar shall receive five dollars per day for each day of actual service, when sitting for the purpose of registration.

Each Alternate Registrar shall receive five dollars per day for each day of actual service, when sitting in the place of the Registrar for registration, or in attendance upon the hearing of appeals before the Resident Associate Judge of the County or such Judge of the Supreme Court as may sit for hearing such appeals.

It shall be the duty of the Levy Court in each of the Counties in this State, at its November session, to ascertain the amount of compensation under this Chapter due the Registrars, Alternate Registrars and Assistant Registrars in their

respective Counties; and when so ascertained, the President of the said Levy Court shall certify the same to the State Treasurer, who shall thereupon pay to the persons entitled the sums severally due them out of any money appropriated for that purpose.

Provided, however, that it shall be the duty of the Department of Elections for the City of Wilmington during the month of November to ascertain the amount of compensation under this chapter due the Registrars, Alternate Registrars and Assistant Registrars in the City of Wilmington; and when so ascertained the President of the said Department of Elections for the City of Wilmington shall certify the same to the State Treasurer who shall thereupon pay to the Department of Elections for the City of Wilmington the amount of compensation due the Registrars, Alternate Registrars and Assistant Registrars in the City of Wilmington, so certified as aforesaid, and the said Department of Elections shall thereupon pay to the persons entitled the sums severally due them out of the money so received from the State Treasurer.

The cost of printing and mailing the notices required by this Chapter and the rent of the room or rooms used by the said registration officers in the performance of the duties required by this Chapter, the cost of printing any forms or blanks that may be required, and the cost of the necessary ink and stationery used by them provided for by this Chapter, shall be paid by the Levy Court of the respective counties upon proper vouchers.

1642. Sec. 24. Spirituous Liquors in Registration Places; Misdemeanor; Penalty:—Whoever, during the sitting of the Registration officers in any election district in this State, shall bring, take, order or send into, or shall attempt to bring, take, or send into any place of registration, any distilled or spirituous liquors whatever, or shall, at any such time or place, drink or partake of any such liquor, shall be deemed and held to be guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not more than ninety days, or by a fine of not more than one hundred dollars, or both.

1643. Sec. 25. Fraudulent Entries or Alterations in Registration Books; Misdemeanor; Penalty:—If any Registrar, Alternate Registrar, or Assistant Registrar, shall fraudulently enter or fraudulently permit to be entered, in any register, the name of any person as a registered voter, who is not entitled to be

entered therein as a registered voter, or if any Registrar, Alternate Registrar, or Assistant Registrar, shall fraudulently refuse or omit to register, or shall fraudulently misspell in any register or in any book of registered voters in his charge, the name of any person entitled under the provisions of this Chapter to have his name entered in such register or book of registered voters, or if any Registrar, Alternate Registrar, or Assistant Registrar, shall fraudulently strike from any register or from either of said books of registered voters in his charge the name of any person entered therein; or if any Registrar, Alternate Registrar or Assistant Registrar, shall make any entry or entries in the said Register, or books of registered voters, except at the time and in the manner hereinbefore provided, or if any Registrar, Alternate Registrar or Assistant Registrar, shall do anything which is by this Chapter forbidden by him to do, or shall omit to do anything which is by this Chapter required to be by him done, he shall be deemed to have knowingly and wilfully violated his official duty. If any other person, not authorized by the proper registration officers, shall enter in any Register or Book of Registered Voters the name of any person as a registered voter, or shall strike from said Books the name of any person entered therein, he shall be deemed guilty of a misdemeanor and upon conviction thereof by indictment shall be fined not exceeding five hundred dollars, or be imprisoned not exceeding three years, or may be both fined and imprisoned, at the discretion of the Court.

1644. Sec. 26. Wrongful Registration; Assault; Riot, Breach of the Peace; Misdemeanors; Penalties:—If any person shall cause or attempt to cause himself to be registered in the name of any other person living or dead, or under any fictitious name, or shall cause or attempt to cause himself to be registered in any election district in this State, knowing that he has not the right to be registered; or if any person, knowing himself to be registered in any election district in this State shall cause or attempt to cause himself to be registered in any other election district in this State without having first caused his name to be stricken from the Register and Books of Registered Voters in which he may have been previously entered; or if any person, knowing himself to be disqualified as a voter at the next following general election shall cause or attempt to cause himself to be entered on the Registers in any election district in this State as a registered voter therein, knowing that he is not at that time a qualified voter and will not become so by the next following general election, or shall unlawfully interfere

with any Registrar, Alternate Registrar, or Assistant Registrar, in the discharge of his duties under this Chapter; or if any person shall make any assault or commit any assault and battery, or incite or create any riot or breach of the peace at or near to any place of registration in this State, during the sitting of any registration officers, he shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment shall be fined not exceeding five hundred dollars, or be imprisoned not exceeding three years, or may be both fined and imprisoned at the discretion of the Court.

1645. Sec. 27. Registration Books; Loss; Destruction; Mutilation; Secreting; Making False Entries in; Erasures in; False Copies of; Misdemeanors; Penalties:—If any Registrar, Alternate Registrar or Assistant Registrar, Inspector or Judge of Election shall lose any register or book of registered voters which may be in his charge or custody, or if any such officers shall wilfully destroy, mutilate, deface, falsify or fraudulently remove or secrete any register or books of registered voters, or shall knowingly make any false entry in or false copy of any register or part of any register, or fraudulently make any entry, erasure or alteration in any alphabetical list of registered voters, as contained in any book of registered voters, he shall be deemed to have knowingly and wilfully violated his official duty. Whoever, other than such officers, shall wilfully destroy, mutilate, deface, falsify or fraudulently remove or secrete any register or books of registered voters, or shall knowingly make any false entry in or false copy of any register or part of any register, or fraudulently make any entry, erasure or alteration in any alphabetical list of registered voters, as contained in any book of registered voters, shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment shall be fined not exceeding five hundred dollars or be imprisoned not exceeding three years, or may be both fined and imprisoned at the discretion of the Court.

1646. Sec. 28. Posted Lists; Mutilation; Defacement; Pulling Down; Destroying; Misdemeanors; Penalties:—Whosoever shall mutilate, deface, pull down or destroy at any time before the last sitting of the Registration officers any printed copy of the alphabetical list of registered voters, when the said lists are hung up as provided in Section 11, shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment, shall be fined not exceeding one hundred dollars or be imprisoned not exceeding one year, or may be both fined and im-

prisoned at the discretion of the Court.

1647. Sec. 29. Special Elections; Registration for; Entries How and When Made; Books Procured from Clerk of the Peace; Duty to Deliver Books; Books Delivered to Inspector Holding Special Election, and to Clerk of the Peace:—In any case of a special election held in this State, other than a special election to fill a vacancy occurring or existing in either House of the General Assembly while it is in session or within twenty days prior to the convening of said General Assembly in regular or special session, it shall be the duty of the Registration officers of the respective election districts in this State, hereinbefore provided for, to sit on the third and fourth Saturdays immediately preceding the day of such special election, from eight o'clock A. M. until seven P. M., with an intermission from twelve to one, at the place where the following special election will be held, or at some convenient and suitable place in the town or village in which such election will be held, and at such sittings to add to the registers and books of registered voters aforesaid of their respective election districts the names of all persons applying to them who may have become qualified to vote since the day of the last general election, or who may become qualified to vote by the day of such special election.

It shall be the duty of such Registration officers in adding any new names to make the same entries in the registers and books of registered voters aforesaid, as they are hereinbefore required to make when sitting as Registration officers before any general election.

The said Registration officers, within one week before their first sitting as provided for in this Section, shall procure from the Clerks of the Peace of their respective Counties the two registers, and the two books of registered voters, which shall have been delivered to the Clerks of the Peace as hereinbefore provided.

It shall be the duty of the Clerks of the Peace in the several Counties to deliver said books to the said Registration officers when the same shall be applied for as aforesaid.

In delivering one of the "Registers" and one of the "Books of Registered Voters" to the Inspector or other person authorized by law to hold the special election in his election district, as hereinbefore provided, it shall be the duty of the said Registrar to deliver the register and the book of registered voters,

which was not used at the previous general election; and the other of said registers and the other of said books of registered voters shall be delivered by the several Registrars to the Clerks of the Peace of their respective counties within one week after such special election.

1648. Sec. 30. Domicile of Persons in Army or Navy Not Lost:—Every person enlisted or engaged in any military or naval organization of this State or the United States and who prior to enlistment was a resident of any Hundred or Election District of this State, shall not lose his domicile in such Hundred or Election District by reason of such enlistment.

1649. Sec. 31. Registration of Citizens in Military or Naval Service:—Every male citizen of this State of the age of twenty-one years and upwards, and who is or shall hereafter be enlisted or engaged in any military or naval organization of this State or the United States shall be entitled to have his name registered as a voter in the Hundred or Election District in which he resided, prior to his enlistment, in the same right as he would have done had he remained continuously present in such Hundred or Election District during the period of his enlistment.

1650. Sec. 32. Auxiliary Registrars; Appointment; Qualifying; Duties:—The Governor of this State shall designate and appoint at the same time of appointing other registration officers of this State, some qualified citizen of the State as Auxiliary Registrar of Voters, who shall qualify as other Registrars are required to do, and whose duty it shall be to visit, sometime before the last Saturday in September in any year in which a General Election is held, the military or naval encampment of this State, or the United States, wherein the citizens of this State shall be enlisted or engaged in the discharge of military duty, for the purpose of registering, as hereinafter provided for, such citizens as voters of the Hundred or Election District in which they are entitled to be registered as designated in Section 31 of this Chapter.

1651. Sec. 33. Application for Registration Deemed a Personal Application Within Section 4, Article V. of Constitution:—Upon application being made to be registered as a voter of any Hundred or Election District of this State, by any officer or enlisted man of any military organization, before any Auxiliary Registrar of Voters as provided for in the foregoing Section of this Chapter, such application shall be deemed and

taken to be a personal application within the meaning of paragraph 3, section 4, of Article V. of the Constitution.

1652. Sec. 34. Notice of Time of Visiting Camps:—The Auxiliary Registrar herein provided for, shall notify the encampment or encampments of the time he will visit them for the purpose of registering voters, and he shall sit for registering during such hours of the day as shall be arranged to suit the convenience of such military organization.

1653. Sec. 35. Record of Applicants; How Kept:—The Auxiliary Registrar shall make and keep a complete list of the names of all those applying to him to be registered, together with their qualifications as to age, birth, nativity, etc., in the same manner and detail as is required to be done on the books of registration kept by the Registrars sitting in the various Hundreds or Election Districts of this State.

1654. Sec. 36. Separate Lists for Each Election District:—The Auxiliary Registrar shall make a separate and distinct list for each Hundred or Election District of this State of all those applying to him to be registered in such Hundred or Election District.

1655. Sec. 37. Return of Auxiliary Registrar:—Immediately upon the completion of these lists of registration and not later than the third Saturday next preceding the day of the next General Election, the Auxiliary Registrar shall make and certify under oath, and forward by registered mail or personal delivery, to the Registrars of the various Hundreds or Election Districts of this State, the names and qualifications as recorded by him of all those who applied to him to be registered in such Hundreds or Election Districts.

1656. Sec. 38. Registrars of Election Districts to Enter on Registration Books the Names Returned by Auxiliary Registrar; Challenge; Registrar to Keep List; Subject to Inspection; Registrar to Make List of Those Registered and Not Registered; Appeals:—The Registrars of and for the respective Hundreds or Election Districts of this State, who shall receive any such list from any Auxiliary Registrar as herein provided for, shall open such list of voters during the first hour of the next succeeding meeting of the officers of registration for the purpose of registering. Then and there the Registrar shall in a clear and distinct voice, audible to those in the room and as well to those about the window, where voters are gathered for

the purpose of being registered, read the name of each voter so returned by the Auxiliary Registrar for registration. Every name shall be entered upon the books of registration kept in and for such Hundred or Election District, if it is found that the person represented by such name would have been qualified to have appeared there in person and been registered. But any member of the Board of Registration or any qualified voter of the Election District may challenge the registering of the names upon the book of registration, for the Hundred or Election District; and the question of the right to register such name shall be determined by the registration officers just as they are authorized to determine like questions concerning those who present themselves before them there in the Election District. The Registrar shall keep complete and inviolate the list of names and qualifications just as he received them from the Auxiliary Registrar, but such list shall always be subject to the inspection of the qualified voters of the Election District, provided it shall not be taken from the possession of the Registrar.

The Registrar of the Election District shall also make and keep for the inspection of the voters of his Election District a list of all those names which he has received from the Auxiliary Registrar and which have been granted registration on the books of that Hundred or Election District, and he shall also keep another separate list of all the names so received by him which have been denied registration upon said books, and those lists shall in like manner be at all times subject to the inspection of the qualified voters of that Hundred or Election District. And from the action of the Registration officers in so granting or refusing registration to any name received from the Auxiliary Registrar, any Registration officer or interested person may appeal as provided for in Section 4 of Article V. of the Constitution.

1657. Sec. 39. Compensation of Auxiliary Registrars; How Paid:—The Auxiliary Registration officer provided for by this Chapter shall receive such compensation per day as is allowed to Registrars sitting in the various districts of this State, and he shall be allowed and paid by the State Treasurer such an amount for traveling expenses as shall be approved by the State Auditor upon vouchers presented him.

CHAPTER 57.
DEPARTMENT OF ELECTIONS FOR THE CITY OF
WILMINGTON.

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| <p>Sec. 1. Constitution of.</p> | <p>Sec. 7. Dismissal of registrars; filling vacancies; clerk; counsel, &c.; limit of expense; how paid.</p> |
| <p>Sec. 2. Appointment; qualifications; terms of office; not to hold or be candidates for office; vacancies; of different political faith; oath; organization; officers; quorum; rules; compensation; when and how paid.</p> | <p>Sec. 8. Appointment of registrars; removal; vacancies.</p> |
| <p>Sec. 3. Office; rental, how paid.</p> | <p>Sec. 9. Registration officers; appointment; when; qualifications; division between parties; political committees to furnish lists; in default of lists, department may appoint; terms of office.</p> |
| <p>Sec. 4. Neglect of duty; corrupt or fraudulent conduct; misdemeanors; penalties.</p> | <p>Sec. 10. Alternate Registrar; qualification; term of office; when to act; powers and duties.</p> |
| <p>Sec. 5. Notice to Attorney General of violations of Chapter.</p> | <p>Sec. 11. Alternate; when not to act; removal from district of registration officers; office vacant.</p> |
| <p>Sec. 6. Division of city into election districts; number of voters in district; each election district within one representative district; designations of districts.</p> | <p>Sec. 12. Vacancies in registration offices; how filled; term of appointees; qualifications; powers;</p> |

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| | oath of registration of-
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| Sec. 15. | Places of registry and
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1658. Sec. 1 Constitution of:—For the objects and purposes hereinafter set forth the Governor of the State of Delaware shall, in the manner and at the times and for the terms set forth in Section 2 of this Chapter, appoint five persons of the City of Wilmington, who shall constitute a Department of Elections for the said City of Wilmington, and with the powers and duties prescribed in the Sections following.

1659. Sec. 2. Appointment; Qualifications; Terms of Office; Not to Hold or be Candidates for Office; Vacancies; of Different Political Faith; Oath; Organization; Officers; Quorum; Rules; Compensation; When and How Paid:—Commencing with the month of August in the years 1909, 1911 and 1913, and on or before the tenth day thereof, and with the month of April in the years 1909 and 1913, and before the first day thereof, and

every sixth year thereafter, the Governor shall appoint one member of said Department of Elections for the City of Wilmington, for a term of six years. No person shall be eligible to appointment as a member of said Department of Elections who is not a citizen of the United States of America and a resident in the said City for which he is appointed, and who has not resided therein for a term of five years next preceding his appointment. No member of said Department of Elections shall hold or be a candidate for any elective office during his membership in said Department, nor until the expiration of six months after he shall have ceased to be a member of said Department. When any vacancy occurs in said Department by or from any cause whatsoever the Governor aforesaid shall fill the unexpired term by appointment, but at no time shall all the members of said Department be of the same political faith and opinion. Each of said members shall, before entering upon his duties and within one month from the time of his appointment, take and subscribe and file in the office of the Clerk of the Peace of New Castle County the oath or affirmation prescribed by the Constitution. Commencing on the first Tuesday in April 1913, and biennially thereafter, the members of said Department of Elections shall meet and organize said Department by electing one of their number to be the President of the Department, and shall also elect a Clerk. The term of office of the President shall be two years from the date of such organization. Three members shall be sufficient for the purpose of organization and shall constitute a quorum for the transaction of business. The said Department shall have the power to make rules for its government not inconsistent with the Constitution and laws of the State. Each member of the Department of Elections shall receive as compensation for his services in any year in which there is held a general or special election a salary of five hundred dollars. The legal compensation of all members of the Department of Election shall be paid quarterly, on the last days of March, June, September and December, by the State Treasurer out of any money belonging to the State not otherwise appropriated.

1660. Sec. 3. Office; Rental How Paid:—The said Department of Elections may rent some suitable and convenient place in the said City, and fit up the same for an office for the use of the said Department of Elections at a yearly rental not to exceed three hundred dollars, to be paid upon warrants of the President of the Department of Elections in the same manner as is provided for the payment of the legal compensation of

members of said Department of Elections.

1661. Sec. 4. Neglect of Duty; Corrupt or Fraudulent Conduct; Misdemeanors; Penalties:—If any member of the Department of Elections, of whom any duty is required in this Chapter, shall be guilty of any wilful neglect of such duty, or of any corrupt or fraudulent conduct or practice in the execution of the same, he shall on conviction thereof, be adjudged guilty of a misdemeanor and shall be punished by imprisonment in the County jail for not more than two years, or by a fine of not more than two hundred dollars, or both.

1662. Sec. 5. Notice to Attorney General of Violations of Chapter:—It is hereby made the special duty of the Department of Elections to notify the Attorney General of all violations under this Chapter.

1663. Sec. 6. Division of City into Election Districts; Number of Voters in District; Each Election District Within One Representative District; Designations of Districts:—The Department of Elections shall, on or before the first day of June, commencing in the year eighteen hundred and ninety-eight, and in every sixth year thereafter, on or before the first day of June, divide the city into as many election districts as they shall deem necessary, and shall establish the boundaries thereof. Each election district shall contain as near as may be, not more than three hundred, nor less than one hundred qualified voters. Each of said Election Districts shall be entirely within the boundaries of one representative district. On or before the first day of June, commencing in the year nineteen hundred, and biennially thereafter, said Department of Elections may divide such of the election districts, and such only as, by the election last preceding such division, shall be found to contain a greater number of voters than can conveniently vote therein. They shall also designate each of said election districts by appropriate titles or distinctions.

1664. Sec. 7. Dismissal of Registrars; Filling; Vacancies; Clerk; Counsel &c; Limit of Expense; How Paid:—They shall have power to dismiss any Registrar at any time and supply his place with another person. They may also employ a clerk, counsel and such other assistance as, in the judgment of the members of said Department of Elections, shall be necessary and proper for the faithful performance by it of the duties by this Chapter imposed; Provided the expense thereof shall not exceed fifteen hundred dollars in any one year in which the

General Election is held, which said sum shall not include the compensation of members of the Department of Elections and Registrars, to be paid upon warrants of the president of the Department of Elections in the same manner as is provided for the payment of the legal compensation of members of said Department of Elections.

1665. Sec. 8. Appointment of Registrars; Removal; Vacancies:—They shall hereafter appoint all Registrars in the City of Wilmington, and shall make all necessary removals of registration officers, and fill all vacancies which from any cause occur.

1666. Sec. 9. Registration Officers; Appointment; When; Qualifications; Division Between Parties; Political Committees to Furnish Lists; in Default of Such Lists, Department May Appoint; Terms of Office:—They shall in the month of June, in each year in which a general election is held, appoint for each Election District in the City of Wilmington three capable persons, who shall be voters and residents in the Election District, for which they shall be appointed, who shall be the registration officers of the Election District for which they are appointed; one of whom shall be designated as “Registrar,” and the other two “Assistant Registrars,” and not more than two of them shall be of the same political faith; provided, that the total number of registration officers in each representative district shall be divided as equally as possibly between the two leading political parties, as the same shall be determined upon by the Department of Elections at the time of making the appointments. And further, for each appointment accredited to any political party under this section, the City Executive Committee of such political party shall furnish the Department of Elections on or before the first day of June of the year in which said appointment is to be made, a list of three names of properly qualified persons, from which list the Department of Elections shall make its appointments. If the said lists of names are not furnished as aforesaid, then and in that event the Department of Elections shall appoint some suitable person or persons, of such political party having all the qualifications provided by this section.

The terms of office of such registration officers shall begin on the first Tuesday in July next after their appointment and shall continue for two years thereafter, and until their successors shall be duly chosen and qualified, unless sooner removed as provided in this Chapter.

1667. Sec. 10. Alternate Registrar; Qualification; Term of Office; When to Act; Powers and Duties:—They shall also, when appointing Registration officers for the several election districts of the City of Wilmington, at the same time appoint in each election district in the said City one capable person, who shall be a voter and resident in the election district for which he shall be appointed, to be “Alternate Registrar” for the said election district. The term of office of said “Alternate Registrar” shall be the same as that of the Registrar; and whenever the Registrar provided for by this Chapter shall be incapable from any cause whatsoever of performing the duties required of him by the laws of this State, the Alternate Registrar in the same election district shall act in his stead, and while acting shall possess all the powers and do and perform all the duties of a Registrar.

1668. Sec. 11. Alternate; When Not to Act; Removal From District of Registration Officers; Office Vacant:—Nothing herein contained shall authorize or empower the Alternate Registrar to act at any time when there is a Registrar of the election district able, willing and present to act. If any Registration officer or Alternate Registrar shall remove from the election district for which he shall be appointed, or shall cease to be a voter therein, his office shall thereupon become vacant.

1669. Sec. 12. Vacancies in Registration Offices; How Filled; Term of Appointees; Qualifications; Powers; Oath of Registration Officers:—If any vacancy or vacancies should occur in the office of Registrar, Assistant Registrar or Alternate Registrar, before the expiration of such term, from any cause whatsoever, the said Department of Elections shall appoint some suitable person or persons to fill such vacancy or vacancies who shall serve for the residue of such unexpired term or terms, who shall possess the same qualifications and be qualified in the same manner, possess the same powers and perform the same duties as the original appointee or appointees. Each Registrar, Assistant Registrar and Alternate Registrar, before entering upon the duties of his office, shall take and subscribe before the said Department of Elections the following oath or affirmation:

“I,residing in
 Election District ofRepresentative
 District inCounty, do solemnly
 swear (or affirm) that I will support the Constitution of the
 United States, and the Constitution of the State of Delaware,

and that I will faithfully discharge the duties of the office of Registrar (Assistant Registrar or Alternate Registrar) for Election District in Representative District in County, according to the best of my ability.”

Any member of or the Clerk of said Department of Election is authorized and empowered to administer such oath or affirmation; provided that no fee be charged for administering such oaths or affirmations.

1670. Sec. 13. Officers Becoming Candidates; Office Vacant; How Filled; Officers Ineligible to be Voted For:—Should the said Registrar, Assistant Registrars or either of them or Alternate Registrar, after taking said oath and before entering upon the active duties of the said office, become a candidate for any office to be voted for by the electors of the election district for which he is appointed Registrar, Assistant Registrar or Alternate Registrar, the said office shall ipso facto become vacant and be filled by the appointment of another person to the same. After any Registrar, Assistant Registrar, or Alternate Registrar shall have entered upon the active duties of his office he shall thereby become ineligible to any office to be voted for at the next ensuing general election.

1671. Sec. 14. Time of Registration Officers to Take Oath; Oath of Appointees to Fill Vacancies; Refusal to Qualify or to Perform Services; Penalty; Certificate of Appointment; Removal of Registration Officers; Notice; When; Term of Office of Appointee; Registration Officers Free From Military and Jury Duty; Persons Exempt From Jury Duty Ineligible For Registration Officers:—Each and every person appointed as aforesaid to act as Registrar, Assistant Registrar or Alternate Registrar shall qualify as such Registrar, Assistant Registrar or Alternate Registrar by taking and subscribing the oath or affirmation prescribed in the preceding section within ten days after being notified of his appointment, and shall perform the duties of the office for the time for which he was appointed, unless he shall become disqualified by sickness or otherwise. Every Registrar, Assistant Registrar or Alternate Registrar, who shall be appointed to fill a vacancy, shall qualify forthwith. If any Registrar, Assistant Registrar or Alternate Registrar, who being appointed either for a full term or to fill a vacancy, shall refuse to qualify as aforesaid, or having qualified, shall fail or refuse to perform any of the duties of said

office, he shall forfeit and pay to the State a fine of one hundred dollars, upon conviction thereof by indictment in the Court of General Sessions of the County where such offense was committed.

The Department of Elections shall deliver a certificate of appointment to whomsoever it shall appoint and who shall be sworn into office as Registrar, said certificate to be in such form as shall be prescribed by such Department of Elections, specifying the election district in and for which the person to whom the same is issued is appointed to serve, and the date of the expiration of his term of office. The Department of Elections shall have full power and authority to remove any of the registration officers appointed by them as aforesaid for want of requisite qualifications or cause, but in either of such cases such removal, unless made while the Registrars are actually on duty, on a day of registration, and for improper conduct as a registration officer, shall only be made after notice in writing to the officer sought to be removed, which notice shall set forth clearly and distinctly the reasons for removal. Any person appointed to fill any vacancy shall serve for the unexpired term of the person whose office he is appointed to fill.

The registration officers during the time they hold such office shall be exempt from the performance of military duty, and when in the actual discharge of the duties of their office, from jury duty, and no person who by the laws of the State is exempt from jury duty shall be required to serve as a registration officer.

1672. Sec. 15. Places of Registry and Election; Designated; Furnished &c; Places Excluded:—The said Department of Elections shall designate and appoint a place of registry and polling place in each Election District in the City; at the places so designated all elections shall be held and the work of registration performed. The said Department shall hire all such places and cause the same to be fitted up, warmed, lighted and cleaned; such place shall be in the most public, orderly and convenient portion of the district; no building or part of a building shall be designated or used as a place of registration or polling place in which, or in any part of which, spirituous or intoxicating liquor is or has been sold within sixty days next preceding the time of using the same.

1673. Sec. 16. Necessary Conveniences, Supplies, &c; Department to Have Custody of and Furnish:—Said Department of

Elections shall prepare and furnish all necessary maps, forms, oaths, certificates, blanks and instructions for the use of registration officers, and provide for the furnishing of such officers therewith and with all necessary supplies, and also a copy of the registration and election laws. Said Department shall have and retain the custody of all books, maps, forms, oaths of office and of removal, blanks, instructions, and all other records and supplies of every kind or description pertaining to said Department.

1674. Sec. 17. Record of Deaths; Made and Supplied to Registrars; Duty of Registrars in Relation Thereto:—Said Department of Elections shall from time to time and at all times, and at least once in each and every year in which an election is held, have full power and authority to make or cause to be made such full, complete and accurate copies, as it shall deem necessary, of the records of the names, residences, age and cause of death of each male person who shall die in said City of Wilmington, as the facts in respect to such death shall be furnished to the Registrar of Births, Deaths and Marriages for the City, and shall keep, preserve and file all such copies of such records. It shall be the duty of said Department of Elections, in each year in which an election is held, to cause to be delivered to the Registration Officers in each Election district in the City, on or before the first day of registration, an alphabetical record of all male persons twenty-one years of age and upwards who, in the district in which the said registration officers are to serve, have died since the last election. Such records shall be known and designated as the Record of Deaths. It shall be the duty of each Registrar in each election district, upon the receipt of such record, to securely attach the same to the inside of the Registers in his custody, to the end that it may be preserved; and each Registrar shall examine the Registers in his custody as to the name of every person upon said Registers who, by said Records of Deaths, shall by a coincidence in respect to said names and facts appear to have deceased, and opposite to and against every such name to enter in the column headed "Disqualified" the word "Dead" and the month, day and year of such entry, and in the column headed "Remarks" the words "stricken from the Register," adding against each such entry made in the column of Remarks the initial letters of the name of the Registrar making such entry; and through the name of every such person stricken from the Registers, and then only, shall draw a line indicative that such name is stricken from the Registers of that election district.

1675. Sec. 18. Compensation of Election Officers and Other Expenses; How Paid:—The compensation of Inspectors of Election or other persons authorized by law to hold the same, Poll Clerks and other officers of election, in the City of Wilmington, the costs and expenses of all necessary election notices, posters, maps, advertisements, books, blanks, stationery, the rent and cost of fitting up, warming, lighting, cleaning and safe keeping of all places of registration and polling places, of carting ballot boxes, and of all supplies of every kind and nature for elections in said City, shall be paid as other general election expenses are, and upon proper warrants and vouchers made by the said Department of Elections.

1676. Sec. 19. Department of Engineering and Surveying in Wilmington to Furnish Maps:—It shall be the duty of the Department of Engineering and Surveying of the City of Wilmington to furnish to the Department of Elections of said City, upon its request, a map or maps of the several Wards of the City, or of any and all portions thereof.

1677. Sec. 20. Change of Name or Numbers of Streets Regulated:—It shall not be lawful for any of the authorities, officers or agents of the City of Wilmington to number or re-number, or change the name of any street, avenue, lane, road or way in the said City, or in anywise to change or alter any such number or name, save between the first day of July and the last day of August of any year.

1677 A. Sec. 21. Clerks; Appointment; Lists; Term; Duties; Refusal to Serve; Penalty:—That the Department of Elections for the City of Wilmington shall, sometime in the month of October in each year in which a general election is held, appoint in each election district of said city two capable persons who shall be clerks of election of the election district for which they are appointed; one of whom in each election district shall be a member of one of the leading political parties in said city, and the other of whom shall be a member of the other leading political party of the said city. For each appointment of clerk accredited to any political party under this Act, the County Executive Committee of such party shall furnish said Department of Elections for said City, on or before the first day of October of the year in which the appointment is to be made a list of three names of properly qualified persons for each appointment so accredited, from which lists the said Department of Elections shall appoint the Clerks of Elections as aforesaid. Provided, however, that if the said lists of names are not fur-

nished as aforesaid, then in that event said Department of Elections shall appoint some suitable person or persons of such political party as aforesaid, and having all the qualifications provided by this Section. The terms of office of said Clerks of Election shall be two years commencing on the date of their appointment. The Clerks of Election shall during their term of office discharge and perform at all elections held in the Election District for which they are appointed (other than primary elections and elections for members of the Board of Public Education) all duties which are now or hereafter may be by law imposed upon clerks of election. Any vacancies occurring in the office of clerks of election in any election district in the City of Wilmington shall be filled by said Department of Elections for the unexpired term, and when filling such vacancies the said Department of Elections shall select some person of the same political party as the Clerk who has been originally appointed.

If any Clerk of election, who having been appointed under the provisions of this Act, shall refuse to qualify or having qualified shall fail or refuse to perform any of the duties of said office, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than Fifty nor more than One Hundred Dollars.

CHAPTER 91. VOLUME 28.

**DEPARTMENT OF ELECTIONS FOR THE CITY OF
WILMINGTON.**

AN ACT in relation to the Printing of Ballots by the Department of Elections to be used at Municipal Elections in the City of Wilmington.

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 branch thereof concurring therein) :

Section 1. Ward Number to be Printed on Ballots:—At the next Municipal Election held in the City of Wilmington and at each Election thereafter, the Department of Elections shall cause to be printed on the margin at the top of the ballots, printed by said Department of Elections, the Ward number for which said ballots are to be used in the following words:—

“Ballot for Ward.”

Approved March 15, A. D. 1915.

CHAPTER 58.

PRIMARY ELECTIONS.

- Sec. 1. Defined.
- Sec. 2. By ballot; throughout County at same time; no two parties on same day; not more than two days in any one year for any political party.
- Sec. 3. Held by board of election officers; how composed and appointed.
- Sec. 4. Inspector outside of Wilmington; who shall be; judges; how appointed; inspector and judges in Wilmington; how appointed; terms of office; qualifications; vacancies; inspector and judges of party not having an inspector; how appointed; refusal of appointee to qualify or act; penalty; how recovered; what deemed a refusal; time of appointment.
- Sec. 5. Oath of officers; when taken; form.
- Sec. 6. Clerks; how chosen; when; oath; when administered; by whom; form.
- Sec. 7. Qualifier of primary election officers; appointment; duties; compensation; oath of inspector or judge chosen on day of election; how administered.
- Sec. 8. Oath of qualifier; when taken; form; by whom administered; failure to take oath; misdemeanor; penalty.
- Sec. 9. Registration days.
- Sec. 10. Voting books of qualified voters for primary elections outside of Wilmington; sheriff to furnish registrars; how ruled, &c.; entries in; how and when compared and certified; redelivered to sheriff; when.

- Sec. 11. Voting books of qualified voters for primary elections in Wilmington; department of elections to furnish to registrars; how and when compared; corrected and certified; verification under oath; redelivery to department of elections.
- Sec. 12. Department of elections to compare and correct books; when; disposition of books.
- Sec. 13. Stealing, destroying, falsifying, secreting, &c., primary election books by officer having custody; misdemeanor; penalty.
- Sec. 14. Similar offense by other persons; misdemeanor; penalty.
- Sec. 15. Time for holding primary elections; revision of registration in Wilmington; date of; delivery of primary election books by clerk of the peace to election department for municipal primary elections; who may vote at; time for opening and closing polls.
- Sec. 16. Notice of primary election; by whom; to whom; when given; delivery of voting books; duty of inspector; refusal or neglect; misdemeanor; penalty.
- Sec. 17. Electors; qualifications; votes received; how; may vote at but one primary election; return of books by inspectors; by department of elections; neglect; misdemeanor; penalty.
- Sec. 18. Receiving illegal, or refusing legal votes; misdemeanor; penalty.
- Sec. 19. Illegal voting; soliciting or receiving reward for vote; voting at primary election of more than one party; voting more than once; unlawfully influencing, hindering or preventing voter; unlawfully influencing, advising or interfering with election officer; other offenses under general law; misdemeanors; penalties.
- Sec. 20. Territory in primary election district; how, when and by whom determined; general election districts not to be divided; place of holding; places excluded; designation of districts.

- Sec. 21. Failure of department of elections, or sheriff, or clerk of the peace to deliver primary election books; misdemeanor; penalty.
- Sec. 22. Intoxicating liquors in place where primary election held; drinking same therein; misdemeanors; penalties.
- Sec. 23. Ballot boxes; delivery at polling places; description thereof; other box.
- Sec. 24. Ballot boxes; how placed; locked.
- Sec. 25. Announcement of votes; number of cast; public reading and count of votes; disposition of ballots; tally; announcement of result.
- Sec. 26. Tally sheets and certificates; disposition of same and of ballots and poll lists; sealing of box; blank tally sheets, certificates, poll books and stationery, by whom furnished; printed instructions.
- Sec. 27. Poll books; how made; method of voting; record kept; announcement of number of votes cast at any time, upon request.
- Sec. 28. Roped or chained area at voting window; only voters allowed within enclosed area; violation a misdemeanor; penalty.
- Sec. 29.. Watchers; privileges of; removal for misconduct; unlawful exclusion of; misdemeanor; penalty.
- Sec. 30. Challenges; election officers must decide; oath of voter; form of; ballot received, or rejected, when; challenges shall not delay voting; challenging vote for delay a misdemeanor; penalty.
- Sec. 31. Election officers; powers of.
- Sec. 32. Compensation of primary election officers; how paid.
- Sec. 33. Removal of election officer; when; by whom; substitutes.
- Sec. 34. Nominees; vacancies; how filled.

- Sec. 35. Nominee; how ascertained; by whom; tie votes; contests; how and by whom decided; form of proceedings; oath of county committee, &c.; failure to faithfully discharge duties; misdemeanor; penalty.
- Sec. 36. Ballots; by whom and when printed; form of; how voted; notice of candidacy.
- Sec. 37. Chapter not to apply to primary elections for delegates to State convention; when; such primary elections at expense of County committee, &c.; primary elections for delegates to county or city conventions; expenses how paid.
- Sec. 38. Sale of intoxicating liquors on day of primary election not prohibited.

1678. Sec. 1. Defined:—A primary election within the meaning of this Chapter is an assemblage of voters who are members of any political party, organization or association, duly convened for the purpose of nominating a candidate or candidates for public office, or for the purpose of selecting delegates or representatives to any political convention thereafter to be held for the purpose of selecting candidates as aforesaid, which at the last general election before the primary election polled at least ten per centum of the entire vote of the State, or any division or subdivision thereof, for which nominations were made.

1679. Sec. 2. By Ballot; Throughout County at Same Time; No Two Parties on Same Day; Not More than Two Days in Any One Year for Any Political Party:—All primary elections to be held by any political party, organization or association, for the purpose of nominating or selecting candidates to be voted for at any subsequent election, or for the purpose of selecting delegates or representatives to any political convention to be held for the purpose of selecting candidates as aforesaid shall be by ballot. The primary election for any political party, organization or association, for the nomination of the same class of candidates to be voted for at any subsequent election, or for the selection of delegates

or representatives to any political convention thereafter to be held for the purpose of selecting candidates as aforesaid, shall be held in the several Hundreds or Districts at the same time. Notice of the time and places for holding all primary elections shall be given by publishing the same once each day for at least five days before the time of holding the same, in one or more daily newspapers printed in the County in which said primary election shall be held, or in two issues of two weekly newspapers next before the time of holding such primary elections, in case no daily newspaper is published in the County. No two political parties, organizations or associations shall hold their primary elections on the same day. The number of days that shall be allowed for holding primary elections to nominate persons to be voted for at a general election and to nominate persons to be voted for at municipal elections in the City of Wilmington, shall not exceed two for each political party, organization or association in any one year.

1680. Sec. 3. Held by Board of Election Officers; How Composed and Appointed:—Every primary election to be held by any political party, organization or association for the purpose of nominating or selecting candidates by ballot to be voted for at any subsequent election, or for the purpose of selecting delegates or representatives to any political convention thereafter to be held for the purpose of selecting candidates as aforesaid, shall be held by a Board of Election officers consisting of one inspector, who shall be a judge and the presiding officer, and two other judges at each voting precinct; and if it should so happen that but one person as presiding officer or judge should have been appointed by such political party, organization or association, to hold such primary election, or having been appointed and being absent, the electors there present at the hour appointed for opening such primary election shall proceed without ballot to choose from among the qualified voters of the election district there present a presiding officer, judge or judges, as the case may require; in choosing such presiding officer, judge or judges, two qualified voters of the district, to be nominated and appointed by the electors, shall be the judges.

1681. Sec. 4. Inspector Outside of Wilmington; Who Shall be; Judges, How Appointed; Inspector and Judges in Wilmington; How Appointed; Terms of Office; Qualifications; Vacancies; Inspector and Judges of Party Not Having an Inspector; How Appointed; Refusal of Appointee to Qualify or Act;

Penalty; How Recovered; What Deemed a Refusal; Time of Appointment:—The Inspector of each election district for all primary elections held, outside the City of Wilmington, under the direction of any political party, organization or association, shall be the person who was the candidate of the political party, organization or association, holding such primary election for the office of inspector, at the general election next preceding such primary election; provided, that in cases where the primary election is held without regard to the division of any Hundred into election districts for general election purposes, the person who was the candidate for the office of Inspector as aforesaid, for the election district in which the place of voting at such primary election is situated, shall be the inspector of such primary election. The two judges, as provided by Section three of this Chapter, shall be appointed by the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election. The inspector and judges of all primary elections held in the City of Wilmington shall be appointed by the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election, from the persons designated to conduct the next subsequent general election. The term of office of said inspectors and judges shall be for one year. Said committee or governing authority shall designate which persons shall act as inspector, and which persons shall act as judges of such primary elections. The persons so appointed shall be residents of the primary election district for which they are appointed. In all cases when primary election officers are appointed as herein provided, representatives of the interest of each candidate shall be as nearly equally divided as possible upon the board of election officers. If any person designated in this section to be inspector of any primary election shall die, remove from his primary election district, or be for any reason physically unable to attend in his primary election district at any primary election held by his political party, organization or association, then the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election, shall appoint an inspector to fill the vacancy thereby created. If any political party, association or organization desires to hold a primary election for the purpose of nominating candidates for public office, and there is no recognized member of said politi-

cal party, association or organization among the persons designated in this Chapter to serve as inspectors and judges of such primary elections, or not a sufficient number of recognized members for said purpose, then the regularly organized and constituted County Committee or governing authority of such political party, association or organization, shall appoint the inspector and judges to hold such primary election. In case of refusal or neglect on the part of any person designated by this Chapter or appointed pursuant to the provisions hereof to be an inspector or judge, as the case may be, of any primary election, to qualify according to the requirements of this Chapter, or to serve, or to act, he shall be liable to a penalty of two hundred dollars, recoverable by the County Treasurer, by civil action in any court of record, in the name of the County Treasurer and for the use and benefit of the County; and the failure on the part of any such person to comply with any of the requirements of this Chapter preliminary to opening the polls, or to attend on the day of any primary election during his term, unless prevented by sickness or other sufficient cause, the burden of proof of which shall be upon the delinquent, shall be deemed a refusal within the meaning of this Chapter. The election officers, whose appointment is provided for in this Section, shall be appointed at least two weeks before such primary election is to be held.

1682. Sec. 5. Oath of Officers; When Taken; Form:—Before opening the election, the presiding officers and judges shall each take and subscribe an oath according to the following form, viz: “I do solemnly swear (or affirm) that in the primary election to be held on the day of
 A. D., I will not knowingly or wilfully receive or consent to the receiving of the vote of any alien, and also that I will not receive or consent to the receiving of the vote of any person whom I shall believe not entitled to vote, unless my associates shall adjudge such person to be entitled to vote. That I will not receive or reject, nor concur in receiving or rejecting any vote through partiality or under bias, and that I will determine every matter that shall come before me and perform every act and duty by law required of me, touching the said primary election, truly, faithfully and impartially, according to the best of my skill and judgment; that I will cause the ballots that shall be taken at said primary election to be fully read and ascertained, and a true statement thereof to be made, according to the best of my knowledge and ability; that I have not received, nor will not receive directly or in-

directly from or through any candidate to be voted for at said primary election, or any representative of any such candidate or other person, any money, pay, or other valuable thing or reward; that I have not been promised, or in any manner been led to believe that I will at any time directly or indirectly receive any money, pay, or other valuable thing or reward from such candidate or representative of such candidate or other person other than that provided by this Chapter, and if I shall discover any partiality, unfairness or corruption in the conducting of the said primary election, I shall disclose the same to the executive authority that shall have directed the holding of the said primary election, and to the Attorney General, to the end that the subject may be investigated, so help me God (or so I solemnly affirm).”

1683. Sec. 6. Clerks, How Chosen; When; Oath; When Administered; By Whom; Form:—Each of the said judges, after being duly qualified, shall choose one clerk of the primary election to be held, to whom the presiding officer or one of the judges who is hereby authorized to administer the same, shall on the day of such primary election administer the oath or affirmation, which shall be subscribed as follows, viz: “I do solemnly swear (or affirm) that as clerk of this primary election to be this day held, I will not use or assent to any falsehood, fraud or deceit, and I will keep the polls and perform my duties truly, faithfully and impartially, so help me God (or so I solemnly affirm).”

1684. Sec. 7. Oath of Office; How Administered:—Oaths of the presiding officer, judges and clerks shall be administered as follows:—to the judges and clerks by the presiding officer and to such presiding officer by one of the judges, and such presiding officer shall immediately send such oaths or affirmations subscribed as aforesaid by mail to the Chairman of the Committee or governing authority holding such Primary Election.

1685. Sec. 8. * * * * *

1686. Sec. 9. Registration Days:—The time for the registration officers to sit in the several Counties for ascertaining and registering, under the provisions of Chapter Fifty-six, the persons who are or may become qualified to enjoy the right of an elector at the General Election, shall be on the third Saturday in July, on the first and second Saturdays in August, on the third Saturday in September, and on the third Saturday next preceding the day of General Elections.

1687. Sec. 10. Voting Books of Qualified Voters for Primary Elections Outside of Wilmington; Sheriff to Furnish Registrars; How Ruled &c; Entries in; How and When Compared and Certified; Re-Delivery to Sheriff; When:—The Sheriff of the respective Counties shall, in addition to the registers and things he is now required by law to furnish to the registrar of each Hundred or Election District of his County, outside of the City of Wilmington, before the first day of any registration of voters of said County, outside of the City of Wilmington, made under the provisions of Chapter Fifty-six, prepare and furnish two books for each of said registrars, outside of the City of Wilmington, to be known by the name of "Voting Books of Qualified Voters for Primary Elections," for alphabetical lists of all persons whose names may be entered on the registers pursuant to Chapter Fifty-six. Said books shall be ruled in parallel columns and so arranged as to admit of the convenient entry in alphabetical order of the name of every person who may be entered on the register aforesaid as a "qualified voter" or "may become qualified voter," and in the parallel column opposite the name of such person the following particulars, to-wit: First, his residence; second, the day of registration. Said books shall contain six parallel columns for the entry of the word "voted," together with the date of voting. When the registration officers, at any of the sittings hereinbefore provided, shall enter in the register the name of any applicant for registration as a "qualified voter" or "may become qualified voter," they shall immediately thereafter enter, in the presence of such applicant, if he remains in attendance, in its proper alphabetical place in the "Voting Book of Qualified Voters for Primary Elections" hereinbefore provided for, the name of such applicant and also his residence, and date of registration. The said two "Voting Books of Qualified Voters for Primary Elections" shall be compared and certified on the last day of registration in the month of August, in the same manner and by the same persons as now required by Section 15 of Chapter Fifty-Six. It shall be the duty of the registrar, within one secular day after the certification by the registration officers as herein required, to deliver to the Sheriff, who shall safely keep the same, the two "Voting Books of Qualified Voters for Primary Elections" required by this Chapter.

1688. Sec. 11. Voting Books of Qualified Voters for Primary Elections in Wilmington; Department of Elections to Furnish to Registrars; How and When Compared, Corrected and Certified; Verification Under Oath; Re-Delivery to Department of

Elections:—The Department of Elections for the City of Wilmington shall, in addition to the registers and things they are now required by law to furnish to the registration officers in said City, before the first day of any registration of voters of said city made pursuant to the provisions of Chapter Fifty-six, prepare and furnish to the said registration officers in every election district in said city, now existing or hereafter created, two "Voting Books of Qualified Voters for Primary Elections," said books being in the same form as designated in Section 10 of this Chapter. The said two "Voting Books of Qualified Voters for Primary Elections," shall be compared by the registration officers, on the last day of registration in the month of August, to see that they agree with each other in every particular, and also with the register to see that every name entered on the register as a "qualified voter" or "may become qualified voter" is entered in its proper alphabetical place on each of the two "Voting Books of Qualified Voters for Primary Elections," together with the residence and date of registration. If any name in the registers which ought to have been entered on the said alphabetical list shall have been omitted therefrom, it shall be the duty of said registration officers to enter such name in its proper alphabetical place on the alphabetical list, together with the proper entries as they appear on the said registers. It shall be the further duty, in such comparison of the alphabetical list with the registers, to make such corrections in the alphabetical lists as will make the names and entries appearing on the alphabetical lists agree with the same names and entries as entered on the registers. It shall be the duty of the said registration officers, immediately after their last sitting in the month of August, to append to each of said alphabetical lists of "qualified voters" contained in said "Voting Books of Qualified voters for Primary Elections" a certificate, verified by oath or affirmation of the said registration officers, or at least two of them, that the said "Voting Books of Qualified Voters for Primary Elections" contain a complete list of the "qualified voters" and "may become qualified voters" of said Election District as the same are entered in the Registers of voters of such election district. After said two "Voting Books of Qualified Voters for Primary Elections" have been compared and certified as aforesaid, the said registration officers in each of said election districts shall, immediately after said certification, return the same to the said Department of Elections.

1689. Sec. 12. Department of Elections to Compare and Cor-

rect Books; When; Disposition of Books:—It shall be the duty of said Department of Elections to compare and correct said two "Voting Books of Qualified Voters for Primary Elections," at any time before the day the first primary election is held in the year of a general election, and, when it shall appear by any data in their possession that any person has registered in more than one election district, they shall, upon due inquiry, strike his name from the said "Voting Books of Qualified Voters for Primary Elections" of any and all election districts in which he is not a "qualified voter," and shall, opposite his name, state the reason therefor. Said two "Voting Books of Qualified Voters for Primary Elections," in each election district of the City of Wilmington, shall be preserved and delivered by said Department of Elections as hereinafter prescribed and directed.

The Levy Court of the respective Counties shall pay the fees for administering the oaths or affirmations, made by the Registration officers, as in the next foregoing section prescribed. The fee for administering each of such oaths or affirmations shall not exceed the sum of twenty-five cents.

1690. Sec. 13. Stealing, Destroying, Falsifying, Secreting, &c; Primary Election Books by Officer Having Custody; Misdemeanor; Penalty:—Every inspector of any primary election, poll clerk, or other officer or person having the custody of any "Voting Book of Qualified Voters for Primary Elections," oath, return of votes, certificate, poll list, or any paper, document, or evidence of any description in this Chapter directed to be made, filed or preserved, who is guilty of stealing, wilfully destroying, mutilating, defacing, falsifying or fraudulently removing or secreting the whole or any part thereof, or who shall fraudulently make any entry, erasure or alteration therein, except as allowed and directed by the provisions of this Chapter, or who permits any other person to do so shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall be punished for every such offense by imprisonment for a period not exceeding two years, or by a fine of not more than two hundred dollars, or both.

1691. Sec. 14. Similar Offense by Other Persons; Misdemeanor; Penalty:—Every person not an officer, such as is mentioned in the last preceding section, who is guilty of any of the acts specified in said section, or who advises, procures or abets the commission of the same, or any of them, shall, upon con-

viction thereof, be adjudged guilty of a misdemeanor, and for every such offense shall be punished by imprisonment for a period not exceeding two years, or by a fine of not more than two hundred dollars, or both.

1692. Sec. 15. Time for Holding Primary Elections; Revision of Registration in Wilmington; Date of; Delivery of Primary Election Books by Clerk of the Peace to Election Department for Municipal Primary Elections; Who May Vote at; Time for Opening and Closing Polls:—The time for holding any primary election shall be after the third day of registration, for the ensuing general election, and the time for holding primary elections in the City of Wilmington to nominate candidates to be voted for at a municipal election shall be in the month of May after the day for the revision of the registration of voters. The time for the revision of the registration of voters in the City of Wilmington for municipal elections shall be and the same is hereby made the fourth Saturday previous to the day set for holding the election for municipal officers in the said city. The members of the Department of Elections for the City of Wilmington, in addition to the duties now required of them by law, shall demand of the Clerk of the Peace of New Castle County between the fifth and tenth of April of any year in which a municipal election is held, and it shall be the duty of the said Clerk of the Peace to Deliver to the said Department of Elections for the City of Wilmington, within two days after said demand, the original "Voting Books of Qualified Voters" and "Registers" for all the election districts in the City of Wilmington; and it shall be the duty of the Department of Elections for the City of Wilmington to revise and prepare the "Voting Book of Qualified Voters" as provided for General Elections, and all persons and only they whose names appear on the said "Voting Books of Qualified Voters" shall be entitled to vote at a primary election to nominate candidates to be voted for at the subsequent municipal election in the City of Wilmington, nor shall any person whose name is on the said "Voting Books of Qualified Voters" be disqualified from voting at the municipal election or be compelled to register because of the fact that he failed to vote at the previous general election. The time for opening the polls for the purpose of conducting the primary election under the provisions of this Chapter shall be one o'clock in the afternoon, and the time for closing the polls at such primary election shall be seven o'clock in the evening.

1693. Sec. 16. Notice of Primary Election; by Whom; to Whom; When Given; Delivery of Voting Books; Duty of Inspector; Refusal or Neglect; Misdemeanor; Penalty:—Whenever a political party, organization or association desires to hold a primary election for the purpose mentioned in Section 2 of this Chapter, the chairman or secretary of the regularly organized and constituted county or city committee or governing authority of such political party, organization or association, shall notify by letter the respective parties having the custody of the "Voting Books of Qualified Voters for Primary Elections" or the "Voting Books of Qualified Voters" in this Chapter provided, of their intention of holding a primary election, stating the day on which they desire the election held, which notification shall be at least two weeks prior to the time for holding such primary election. If no previous notice shall have been received by the said parties from any other political party of its intention to hold a primary election on that day, the said party shall, on or before twelve o'clock of the day for holding such primary election for that political party, organization or association, deliver to each Inspector of such primary election, the two "Voting Books of Qualified Voters for Primary Elections" provided for in this Chapter, in case of a County Primary Election, or the two "Voting Books of Qualified Voters" in case of a Municipal Primary Election, for each general election district that may be contained in the primary election district to which such "Voting Books of Qualified Voters for Primary Elections" or "Voting Books for Qualified Voters" shall apply. It shall be the duty of the said Inspector to have the same at the place of holding the primary election at the time of opening the polls on primary election day. If any inspector shall refuse, neglect or fail to have the said "Voting Books of Qualified Voters for Primary Elections" at the place of holding the primary elections for any general or special election in the County, or the "Voting Books for Qualified Voters" at the place of holding the primary election for any municipal election in the City of Wilmington, at the time designated in this Chapter, he shall, upon conviction therefor, be adjudged guilty of a misdemeanor, and shall be punished for each such offense by imprisonment in the county jail for a period not exceeding ninety days, or by a fine not exceeding one hundred dollars, or both.

1694. Sec. 17. Electors; Qualifications; Votes Received, How; May Vote at But One Primary Election; Return of Books by Inspectors; by Department of Elections; Neglect; Misde-

meanor; Penalty:—The qualification of electors under this Chapter shall be such as the political party, organization or association authorizing such election may prescribe and publish, and in default of any prescribed or published rule, the past usages of such political party or organization shall be recognized and adopted, and ignorance of such past usages shall be no defense against any of the penalties of this Chapter. As each person shall apply to vote at any primary election, for any general or special election in the County, the officers thereof shall examine the "Voting Books of Qualified Voters for Primary Elections" provided by this Chapter, and as each person shall apply to vote at any primary elections held for any municipal election, the officer thereof shall examine the "Voting Books of Qualified Voters" provided by this Chapter, and if they find thereon the name of the person applying to vote and be satisfied that he is the person whose name is so registered, they shall enter the word "voted" after his name and such voter shall not be permitted to vote at any succeeding primary election held for that particular election, by any other political party, organization or association. The entry of the word "voted" as aforesaid shall be in such a manner as to indicate at what primary election the voter has voted. No person whose name is not contained in the "Voting Book of Qualified Voters for Primary Elections," shall be allowed to vote or participate in any primary election for any general or special County election, and no person whose name is not contained in the "Voting Book of Qualified Voters" shall be allowed to vote or participate in any primary election for any municipal election. It shall be the duty of the inspector within two days after the day of the primary election to return the said "Voting Books of Qualified Voters for Primary Elections" or "Voting Books of Qualified Voters," used by him at any primary election, to the person or persons from whom he received the same, who shall preserve them, and in case of the "Voting Books of Qualified Voters," within forty days after they have been returned to the Department of Elections for the City of Wilmington, the said Department shall deliver the said Books and Registers to the Clerk of the Peace of New Castle County, taking from them a receipt. If any Inspector shall neglect, refuse or fail to return said Voting Books as directed in this Section, the said Inspector so neglecting, failing or refusing shall, upon conviction therefor, be adjudged guilty of a misdemeanor and shall for every such offense be punished by a fine not exceeding one hundred dollars or by imprison-

ment for a period not exceeding thirty days, or both.

1695. Sec. 18. Receiving Illegal, or Refusing Legal, Votes; Misdemeanor; Penalty:—If at any primary election, the presiding officer and judge shall knowingly and wilfully receive, or advise, or consent to the receiving of, the vote of any person not entitled to vote at such primary election, or if such presiding officer or judge shall knowingly and wilfully refuse to receive the vote of any person entitled to vote at such primary election, every such presiding officer or judge shall, for every such offense, forfeit and pay the sum of one hundred dollars to any person who will sue for the same, or shall, for every such offense, upon conviction thereof, be adjudged guilty of a misdemeanor, and be fined not less than one hundred dollars, and, in either case, be imprisoned until the fines, forfeitures and costs are paid in full or discharged by the Court.

1696. Sec. 19. Illegal Voting; Soliciting or Receiving Reward for Vote; Voting at Primary Election of More Than One Party; Voting More Than Once; Unlawfully Influencing, Hindering or Preventing Voter; Unlawfully Influencing, Advising or Interfering With Election Officer; Other Offenses Under General Law; Misdemeanors; Penalties:—If at any primary election hereafter held by any political party, organization or association, as provided in this Chapter, any person falsely personate any elector or other person, and vote or attempt or offer to vote in or upon the name of any person, whether living or dead, or in or upon any false, assumed, or fictitious name, or in or upon any name not his own, or shall knowingly, willingly or fraudulently vote more than once for any candidate for the same office, or shall vote in any other primary election district than the one in which he is a bona fide resident, or vote or attempt to vote more than one ballot at any primary election district, or shall solicit from any candidate or from any other person, or shall receive, directly or indirectly, from such candidate or from any other person any money, or promise of place or position, or any valuable consideration of any kind, for his vote or support, or if any person shall vote at the primary election of more than one political party, organization or association, held for the purpose of nominating or selecting a candidate or candidates to be voted for at any subsequent general election, or for the purpose of selecting delegates or representatives to any political convention thereafter to be held for the purpose of selecting candidates as aforesaid, before any one general election, or, not being entitled thereto, shall vote

or attempt or offer to vote in any primary election district, or having once voted shall attempt or offer to vote again, or shall knowingly, wilfully or fraudulently do any unlawful act to secure opportunity for himself or for any other person to vote, or shall by force, threat, menace, intimidation, bribery or reward or offer to or promise thereof, or otherwise unlawfully either directly or indirectly influence or attempt to influence any elector in giving his vote, or shall promise any place or position for the purpose of securing any voter's support or prevent or hinder or attempt to prevent or hinder any qualified voter from freely exercising the rights of suffrage, or by any such means induce or attempt to induce any such voter to refuse to exercise any such right, or shall, by any such means or otherwise, compel or induce or attempt to compel or induce any inspector of any primary election or other officer of any primary election in any primary election district to receive the vote of any person not legally qualified or entitled to vote at the said primary election in such district, or shall knowingly, wilfully or fraudulently interfere with, delay or hinder in any manner any inspector of any primary election, poll clerk or other officer of any primary election in the discharge of his duty, or by any such means or other unlawful means, knowingly, wilfully or fraudulently counsel, advise, induce or attempt to induce any inspector of any primary election, poll clerk or other officer of any primary election, whose duty it is to ascertain, proclaim, announce or declare the result of any such primary election or to give or make any certificate, document, report, return or other evidence in relation thereto, to refuse or neglect to comply with his duty, or to violate any law regulating the same, or to receive the vote of any person in any primary election district not entitled to vote therein or to refuse to receive the vote of any person entitled to vote therein, or shall aid, counsel, or advise, procure or assist any voter, person or inspector of any primary election, or other officer of such primary election, to do any act by law forbidden, or in this Chapter constituted an offense, or to omit to do any act by law directed to be done, every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall, when not herein otherwise particularly specified, be punished for every offense by imprisonment for not more than two years, or by a fine of not more than two hundred dollars, or both.

Any act or deed declared an offense by the general laws of this State concerning elections and not herein particularly men-

tioned, shall also be an offense in all primary elections, and shall be punished in the same form and manner as is provided for the punishment of similar offenses by the general laws; and all the penalties and provisions of the general laws shall apply in such cases with equal force, and shall be as effective as though fully set out in this Chapter.

1697. Sec. 20. Territory in Primary Election District; How, When and By Whom Determined; General Election Districts Not to be Divided; Place of Holding; Places Excluded; Designation of Districts:—The regularly organized and constituted County Committee or governing authority of the political party, organization or association holding any primary election shall, at least two weeks before such primary election is held, determine what territory shall comprise a primary election district; provided, that such primary election district shall be so formed that the whole of each election district for the general election shall be in one primary election district. They shall also designate the place of holding the primary election in each primary election district and secure the room for holding the same. Said room, in all cases where one primary election district comprises more than one general election district, shall be in the general election district where the greatest number of votes were polled by the political party, organization or association holding such primary election, at the general election next preceding the said primary election. They shall also designate each of said districts by appropriate titles or distinctions. No primary elections shall be held under the provisions of this Chapter in a place or building where intoxicating liquor is sold.

1698. Sec. 21. Failure of Department of Elections, or Sheriff, or Clerk of the Peace, to Deliver Primary Election Books; Misdemeanor; Penalty:—If the Sheriff of any County or the members of the Department of Elections for the City of Wilmington shall wilfully neglect, refuse or fail to deliver to each Inspector of Primary elections the "Voting Books of Qualified Voters for Primary Elections" or "Voting Books of Qualified Voters" in his or their custody, for each general election district that may be contained in the primary election district for which he is appointed, or the Clerk of the Peace of New Castle County shall unlawfully neglect, refuse or fail to deliver to the Department of Elections for the City of Wilmington the said "Voting Books of Qualified Voters," then in that case the said Sheriff or any member of said Department of

Elections or the said Clerk of the Peace so neglecting, failing or refusing shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall for every such offense be punished by imprisonment for a period not exceeding one year, or by a fine of not more than two hundred dollars, or both, and such conviction shall of itself work a forfeiture of his office.

1699. Sec. 22. Intoxicating Liquors in Place Where Primary Election Held; Drinking Same Therein; Misdemeanors; Penalties:—Whoever, during the time that any primary election is in progress in any primary election district or during the time the ballots cast thereat are being counted, shall bring, take, order or send into, or attempt to bring, take or send into any place of holding any primary election, any intoxicating liquors whatever, or shall at any such time and place drink or partake of any such intoxicating liquors, shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall for every such offense be punished by a fine of not less than five dollars, and not exceeding ten dollars.

1700. Sec. 23. Ballot Boxes; Delivery at Polling Places; Description Thereof; Other Box:—The Sheriff of the respective Counties shall provide and deliver, or cause to be provided and delivered to the officers at every polling place in their County, outside of the City of Wilmington, (and the Department of Elections shall perform the same duties in the City of Wilmington), where a primary election is to be held, a ballot box, the same to be provided with a lock and key; the said ballot box to be not less than twelve inches long, nine and one-half inches wide, and nine inches high; both sides of said box shall be entirely of clear glass and shall have a lid so constructed that the said lid will slide with ease. The lid of said ballot box shall have an opening in the top not more than one inch long and not more than three-sixteenths of an inch wide; the opening to be entirely enclosed with iron, steel or tin, which material shall be securely fastened to the lid. Said Sheriff or said Department, as the case may be, shall also furnish to the officers holding any primary election a box of sufficient size to hold the ballots cast at such primary election.

1701. Sec. 24. Ballot Boxes; How Placed; Locked:—That part of the ballot box composed of glass shall be so placed during the time that any primary election is in progress that it can be seen at all times by the persons on the outside of the polling places. The lid of the ballot box shall be securely locked dur-

ing the time that the primary election is being conducted, and shall not be unlocked until the polls are closed.

1702. Sec. 25. Announcement of Votes; Number of Cast; Public Reading and Count of Votes; Disposition of Ballots; Tally; Announcement of Result:—At the time for closing the polls at a primary election held under the provisions of this Chapter, the presiding officer shall publicly proclaim in a clear and distinct voice the number of votes that have been cast at such primary election as shown by the poll books kept by the clerks. After closing the polls at a primary election, the presiding officer and judges shall openly and publicly remove the lid of the box containing the ballots. The ballots shall be taken separately from the box. One of the judges shall keep in his custody the said box while the other judge shall publicly in the presence of the watchers, hereinafter provided for, take the ballots one by one from the box and read the same. When a ballot shall be read it shall be submitted to each of the other judges for inspection and put in the other box directed to be procured in Section 23 of this Chapter, it being first seen that the said box is empty; two Clerks at least shall keep an accurate account of the ballots as they are read, which shall be done on the tally sheets hereinafter provided to be furnished, by writing the name of every person voted for in the margin under a designation of the office for which the vote is given to him. The clerk shall make a distinct mark with a pen and ink in the row opposite such name for every vote such person shall receive for the same office. At the close of the canvass of the ballots cast for each candidate, the inspector shall publicly announce the vote and the result of the canvass.

1703. Sec. 26. Tally Sheets and Certificates; Disposition of Same and of Ballots and Poll Lists; Sealing of Box; Blank Tally Sheets, Certificates, Poll-Book and Stationery; by Whom Furnished; Printed Instructions:—After having counted the ballots cast at any primary election, the officers holding such election shall forthwith fill out and sign two tally sheets and two certificates, hereinafter provided to be furnished, with the number of votes in words at length entered thereon that have been cast for each and every candidate at such primary election, and the exact time that said canvass was completed. One of said certificates, together with one of said tally sheets and one poll list, shall be delivered by the inspector outside of the City of Wilmington, on the first secular day following such primary election, to the chairman of the regularly organized

and constituted County Committee or governing authority of the political party, organization or association holding such primary election. One of said certificates, together with one of said tally sheets and one poll list, shall be delivered by the inspectors in the City of Wilmington to the Chairman of the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election, within one hour from the time that the canvass of the votes has been completed. The said ballots, after having been counted, shall be deposited in the box furnished for that purpose, together with the other of said certificates, tally sheets and poll lists. The lid of said box shall be secured by tape crossed and sealed in sealing wax by one of the judges not being the inspector, and shall be delivered by the Inspector on the first secular day following such primary election, to the Sheriff of the County, who shall make such disposition of the same as the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election may direct. The regularly organized County Committee or governing authority of the political party, organization or association holding any primary election shall furnish at every polling place in the county where a primary election is to be held, blank tally sheets, blank certificates, blank poll books and stationery sufficient for the use of the officers holding such primary election. They shall also furnish to the primary election officers printed instructions of the parts of this Chapter that in the judgment of the said committee is necessary for the proper performance of their duties.

1704. Sec. 27. Poll Books; How Made; Method of Voting; Record Kept; Announcement of Number of Votes Cast at any Time, Upon Request:—The poll books used at any primary election shall have every line therein numbered, commencing with the figure one, and continuing serially. On offeringing to vote at a primary election the voter shall deliver to the presiding officer a single ballot containing the name or names of the person or persons for whom he desires to vote. He shall announce his name and residence, and, if he is qualified as heretofore provided, his vote shall be received and deposited in the ballot box having the glass sides, and his name and residence entered on the poll book on the line directly opposite the first unoccupied number, in order that the election officers may, at any time during the progress of the primary election, know the exact number of votes that have been cast. The

election officers of such primary election shall at any time announce to any person who is in the act of voting and so inquiring, the number of votes that have been cast up to that time.

1705. Sec. 28. Roped or Chained Area at Voting Window; Voters Only Allowed Within Enclosed Area; Violation a Misdemeanor; Penalty:—The Sheriff of the respective Counties shall furnish at every polling place where a primary election is held, outside of the City of Wilmington, and the Department of Elections shall perform the same duty in the City of Wilmington, two pieces of rope or chain. The officers holding such primary election shall place the said rope or chain at a distance not less than six feet on either side of the window or door where a primary election is held; the said rope or chain shall be at least twelve feet in length, and shall be at least twenty-four inches from the ground and shall so remain during the time such primary election is in progress. No person shall be permitted to be on the inside of said rope or chain excepting to cast his ballot, after which he shall immediately retire. Any person violating the provisions of this Section shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall for every such offense be punished by a fine of ten dollars.

1706. Sec. 29. Watchers; Privileges of; Removal for Misconduct; Unlawful Exclusion of; Misdemeanor; Penalty:—Each candidate for nomination at any primary election shall have the right to appoint one qualified elector as watcher, who shall be entitled to be in the room where such primary election is held, from the commencement to the close of such primary election and signing of the certificates thereof. If any person appointed watcher shall so conduct himself as to interfere with the progress of any primary election he may, upon complaint made by the primary election officers to the chairman of the regularly, organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election, or to any member thereof from the Hundred wherein such interference occurs, at the direction of the said chairman or member aforesaid, be removed from the room where such primary election is being held, and the candidate whose representative the watcher so removed was shall be without representation during the continuance of said primary election. If any person shall exclude or attempt to exclude any elector, except in the manner hereinbefore provided, who has been appointed watcher, from the room where

any primary election is being held, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall for every such offense be punished by a fine of one hundred dollars, or by imprisonment for a period not exceeding ninety days, or both.

1707. Sec. 30. Challenges; Election Officers Must Decide; Oath of Voter; Form of; Ballot Received, or Rejected, When; Challenges Shall Not Delay Voting; Challenging Vote for Delay, a Misdemeanor; Penalty:—Any recognized member of the political party, organization or association in whose interest any primary election is held, may challenge the right of any person offering to vote at such primary election; and the board of election officers holding the same shall determine whether the person so offering is entitled to vote, and shall receive or reject such vote, as the evidence for or against the right of the person to vote shall warrant. The officers may, of their own motion, or in case of challenge if there be doubt of the propriety of receiving the offered vote, require of the person so offering to vote, his oath or affirmation, which shall be administered by the presiding officer, who is hereby authorized to administer the same in the following form, viz: “Do you solemnly swear (or affirm) that you are a legally qualified voter under the rules of the.....party authorizing this primary election; that you will be legally qualified to vote at the following election for which candidates are now being selected to be voted for; that you are at this time a bona fide resident of this primary election district; that you have not voted, or you will not vote at any other voting place this day; that you have not voted or you will not vote at the primary election of any other political party, organization or association held for the purpose of nominating or selecting candidates to be voted for at the ensuing election, so help you God (or so you solemnly affirm).” After the voter has taken the said oath or affirmation, the ballot of such voter shall be received and deposited in the ballot box; and if any person offering to vote at any primary election decline to make the oath or affirmation demanded, his vote shall be rejected. If at the time a person proposes to vote he is challenged and there are several persons waiting their turn to vote, said challenged person shall stand to one side until unchallenged voters have had an opportunity to vote, when his case shall be taken up and disposed of; Provided, that if any person shall challenge a qualified voter, resident of such primary election district, well known as a member of the political party, organization or association holding

such primary election, for the purpose of annoying or delaying voters, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall for each and every such offense be punished by a fine of one hundred dollars, or by imprisonment for a period not exceeding six months, or both.

1708. Sec. 31. Election Officers; Powers of:—Each of the officers of any primary election is clothed with the powers and duties of a County Constable, and is required to see that good order is preserved at such election, and may arrest and present for commitment to any justice of the peace any and all persons guilty of any unlawful conduct.

1709. Sec. 32. Compensation of Primary Election Officers; How Paid:—The compensation of the officers and clerks for holding primary elections under the provisions of this Chapter shall be two dollars and fifty cents for each judge and clerk and three dollars for each inspector at each primary election so held. The expenses for holding primary elections under the provisions of this Chapter, including stationery, pay of officers and clerks, shall be paid by the Levy Court of the county wherein such primary election is held to nominate persons to be voted for at a subsequent general election, and by The Mayor and Council of Wilmington in any year when a primary election is held in the City of Wilmington to nominate officers to be voted for at the subsequent municipal election in the said City.

1710. Sec. 33. Removal of Election Officer; When; by Whom; Substitutes:—If any person appointed to hold a primary election shall conduct such election in violation of any of the provisions of this Chapter, the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election is empowered and directed to remove such officer or officers and substitute others in their stead, and the person so substituted shall take the oath or affirmation prescribed by Section 5 of this Chapter, which said oath or affirmation shall be administered by any qualified inspector or judge, who is authorized to administer the same.

1711. Sec. 34. Nominees; Vacancies; How Filled:—In all cases the candidate receiving the highest number of votes shall be declared the nominee of the political party, organization or association holding such primary election. In case of death, resignation or removal of any candidate subsequent to a nom-

ination, the political party, organization or association in which such vacancy exists, shall provide the manner in which such vacancy shall be filled.

1712. Sec. 35. Nominee; How Ascertained; by Whom; Tie Votes; Contests; How and by Whom Decided; Form of Proceedings; Oath of County Committee &c; Failure to Faithfully Discharge Duties; Misdemeanor; Penalty:—The regularly organized and constituted County Committee or governing authority of the political party, organization or association holding any primary election, is empowered to calculate the aggregate number of all the votes that shall have been cast, in all the Hundreds or Districts of the County or any subdivisions thereof, for every person voted for for any one office at such primary election, and to declare the candidate or candidates in cases where candidates for more than one office are to be nominated, receiving the highest number of votes, the nominee or nominees of such political party, organization or association, for the office for which he was voted for at such primary election. In all cases of a tie vote or of contests, the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election shall have the power to hear and determine such contests, and to decide who shall be entitled to the nomination. The proceedings in such cases shall be in such form and manner as the said committee or governing authority shall determine upon. Before entering upon the discharge of the duties set forth in this Section, the members of the committee or governing authority aforesaid shall be sworn by a Notary Public to faithfully and honestly discharge the duties herein imposed; the failure upon the part of any member of the said committee or governing authority to discharge such duties faithfully and honestly shall be deemed a misdemeanor, and the person so offending shall upon conviction thereof, be fined not less than one hundred dollars nor more than five hundred dollars, and be imprisoned for a period of not less than sixty days nor more than one year.

1713. Sec. 36. Ballots; by Whom and When Printed; Form of; How Voted; Notice of Candidacy:—The ballots used at any primary election shall be printed by the regularly organized and constituted County Committee or governing authority of the political party, organization or association holding such primary election. The names of all candidates for nomination for the same office shall be placed under the title of said office,

the surname of candidates to be placed in alphabetical order, and shall not be separated one from another by any other matter. Where there are several candidates for the nomination for the same office, the elector shall indicate his choice by crossing out the name of all the candidates except those for whom he desires to vote, and in case an elector has omitted to cross out the names on his ballot as aforesaid, the said ballot shall not be counted for any such candidate or candidates. Any person desiring to be voted for as a candidate for nomination at any primary election shall notify the regularly organized and constituted County Committee or governing authority of the political party, organization or association of which he is a member, in writing of such desire at least ten days before such primary election is to be held. The said ballots shall be printed and ready for distribution at least five days before the day of such primary election.

1714. Sec. 37. Chapter Not to Apply to Primary Elections for Delegates to State Convention; When; Such Primary Elections at Expense of County Committee, &c; Primary Elections for Delegates to County or City Conventions; Expense How Paid:—The provisions of this Chapter shall not apply to any primary election held for the election of delegates to any State convention called for the purpose of electing delegates or representatives to any national or State political convention; provided, however, that the regularly organized County Committee or governing authority of the national or State political party, organization or association by or for which the primary election is held for the election of delegates to any State convention held for the election of delegates to any national or State political convention, shall bear the expense of conducting such primary election as set forth in this Section; provided, further, that the said governing authority ordering or issuing the call for a primary election to elect delegates or representatives to any County or City convention, shall bear all the expense incurred by reason of such election.

1715. Sec. 38. Sale of Intoxicating Liquors on Day of Primary Election, Not Prohibited:—The laws now in force prohibiting the sale of intoxicating liquors on the day of any general, special or municipal election are excepted, and shall not apply to any election contemplated by this Chapter.

CHAPTER 59.

INSPECTORS OF ELECTIONS.

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| <p>Sec. 1. Inspectors outside of Wilmington; election of; vacancies.</p> | <p>Sec. 3. Unqualified inspector elected; office vacant; vacancy how filled.</p> |
| <p>Sec. 2. Inspectors in Wilmington; appointment; qualifications; examination of; certificate of appointment; terms of office; removal from office; failure to qualify to create vacancy; vacancies; organization.</p> | <p>Sec. 4. Exemption from jury and military duty; persons so exempt not required to serve as inspector.</p> <p>Sec. 5. In Wilmington, inspectors not required to serve for two successive terms.</p> |

1716. Sec. 1. **Inspectors Outside of Wilmington; Election of; Vacancies:**—Inspectors of Election for the several Election Districts in this State (outside of Wilmington Hundred) shall be elected in the Districts aforesaid from among the qualified electors of each of said Districts by the qualified electors thereof in the Districts aforesaid, at the General Election, biennially, at the same time and in the same place as appointed by law for holding the General Election; the said Inspectors shall be voted for upon the same ballots voted for other officers at said election.

In case of any vacancy among said Inspectors by death, resignation, removal out of the Hundred or Election District, refusal to serve, or otherwise, the Governor shall appoint some qualified voter of the Election District in which such vacancy occurs, to be the Inspector thereof, who shall have all the powers and perform all the duties given to and imposed upon Inspectors of Election. If from any cause such vacancy exists at the time of holding said general election, the provisions of Section 28 of Chapter Sixty shall apply.

1717. Sec. 2. Election Officers in Wilmington; Appointment; Qualifications; Examination of; Certificate of Appointment; Terms of Office; Removal from Office; Failure to Qualify to Create Vacancy; Vacancies:—The Department of Elections for the City of Wilmington shall, at the same time when they are required by law to appoint registration officers, and from the lists furnished them by the City Executive Committees of the two leading political parties, as provided by Section 9 of Chapter 57, select and appoint for each Election District in said City three persons as Election Officers, who shall become Inspector and Judges of Election as hereinafter provided, which three persons shall be the same persons who are appointed Registrar and Assistant Registrars for said Election District. Every person so selected to be such Election Officer shall, on receipt of notice thereof, appear within ten days thereafter, before said Department, for the purpose of examination, and if found qualified shall, unless excused by said Department by reason of ill health or other good and sufficient cause, be bound to serve as such officer at every election for the term for which he is appointed. The failure on the part of any such person to present himself for examination within the time prescribed, or to comply with any of the requirements of this section preliminary to receiving his certificate of appointment, or to attend on the day of any election during his term, unless prevented by sickness or other sufficient cause, the burden of proof of which shall be upon the delinquent, shall be deemed a refusal to comply with the requirements of this section or to serve or to act as election officer within the meaning of this section. The Department of Elections shall deliver a certificate of appointment to whomsoever shall be nominated, approved and sworn into office by it as such election officer, said certificate to be in such form as shall be prescribed by such Department of Elections, specifying the Election District in and for which the person to whom the same is issued is appointed to serve, and the date of the expiration of his term of office. The persons so appointed Election Officers under the provisions of this section shall, respectively, hold office for the term of two years unless sooner removed for want of requisite qualifications or for cause; in either of which cases such removal, unless made while such Election Officers are actually on duty on a day of election and for improper conduct as an Election Officer, shall only be made after notice in writing to the officers sought to be removed, which notice shall set forth clearly and distinctly the reasons for his removal. Any person appointed to fill any

vacancy shall serve for the unexpired term of the person whose office he is appointed to fill. The neglect or refusal of any person so appointed Election Officer as aforesaid to appear and qualify as such Election Officer within the time herein prescribed shall be deemed to create a vacancy in said office.

Said Department of Elections shall have power to dismiss any such Election Officer at any time and supply his place with another person and to make all necessary removals and transfers of said Election Officers and fill all vacancies which from any cause may occur. Whenever from any cause there shall exist a vacancy in the office of such Election Officer, a person shall be appointed to fill such vacancy from the unused names, if any there be, upon the list so furnished said Department of Elections as aforesaid by the political party from which the said Department of Elections made the appointment for the office so become vacant.

Said Election Officers, when they have met on the day of holding any general or special election at the place designated for holding such election in their respective election districts, shall organize as a Board by selecting one of their number to act as Chairman, but in case of failure to so organize by the time fixed for the opening of the polls in such District, the Chairman shall be selected by lot. After such organization the Election Officer so selected as Chairman of said Board of Election Officers shall be the Inspector of Elections of said Election District, and the remaining two Election Officers shall respectively be the Judges of Election of said Election District.

1718. Sec. 3. Unqualified Inspector Elected; Office Vacant; Vacancy How Filled:—If any person who shall be elected, appointed and certified as Inspector of Election shall not have been capable of being elected or appointed to such office, the office shall be deemed vacant; and an Inspector shall be appointed to fill such vacancy in the same manner as if the person elected or appointed had died after his election or appointment.

1719. Sec. 4. Exemption From Jury and Military Duty; Persons so Exempt Not Required to Serve as Inspector:—Inspectors of Election, during the time they hold such office, shall be exempt from the performance of military duty, and, when in the actual discharge of the duties of their office, from jury duty, and no person who, by the laws of this State, is exempt from jury duty, shall be required to serve as an Inspector.

1720. Sec. 5. In Wilmington, Inspectors Not Required to Serve for Two Successive Terms:—In the City of Wilmington, no person shall be required to serve as an Inspector of Election for two successive terms.

CHAPTER 60.

GENERAL ELECTIONS.

- ARTICLE I. GENERAL PROVISIONS**—Sections 1 to 95.
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Sections 96 to 104.
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- Sec. 7. Printer of ballot and envelope; duty of; violation; misdemeanor; penalty.
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- Sec. 100. Vacancies among in- Sec. 104. Board of Canvass; how constituted; duties how performed.

GENERAL ELECTIONS—Article 3.**Military Interference With Elections.**

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| <p>Sec. 105. Bringing armed soldiers into State to interfere with elections; felony; penalty.</p> <p>Sec. 106. Abetting or counselling military interference with elections; felony; penalty.</p> <p>Sec. 107. Administering oaths as pre-requisite of voting not authorized by Constitution or laws of State; misdemeanor; penalty.</p> <p>Sec. 108. Voter interfered with by military power &c; civil remedy.</p> <p>Sec. 109. Citizens to make disclosures; failure; penalty.</p> <p>Sec. 110. Limitation of actions</p> | <p>under sections 108 and 109.</p> <p>Sec. 111. Elector prevented voting at regular voting place; where and how he may vote.</p> <p>Sec. 112. Duty of inspector for special polls as to return of election.</p> <p>Sec. 113. Duty of Superior Court sitting as Board of Canvass.</p> <p>Sec. 114. Court acting as Board of Canvass may choose place of meeting; when.</p> <p>Sec. 115. Number of polls not limited to two in each district.</p> <p>Sec. 116. Clerk of election; oath; compensation of inspectors and clerks.</p> |
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GENERAL ELECTIONS—Article 4.**Exercise of Right of Suffrage by Electors in Military or Naval Service.**

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| <p>Sec. 117. Right to Vote.</p> <p>Sec. 118. Poll for receiving votes; where opened; who entitled.</p> <p>Sec. 119. Hours of voting.</p> <p>Sec. 120. Election officers; election and appointment.</p> | <p>Sec. 121. Oath of officers.</p> <p>Sec. 122. Elections by ballot; challenge.</p> <p>Sec. 123. Poll lists; entries.</p> <p>Sec. 124. Duty of election officers in receiving and depositing ballot.</p> |
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| <p>Sec. 125. Counting votes; signing lists &c.</p> <p>Sec. 126. Ballots; classified; counted; certified; carried for; delivered to prothonotary.</p> <p>Sec. 127. Delivery to Board of Canvass.</p> <p>Sec. 128. Appointment of persons to visit camps with ballots &c; duties of.</p> <p>Sec. 129. Style of ballots used; list of nominees.</p> | <p>Sec. 130. Registration officers to keep separate lists of names returned by auxiliary registrar; clerk of the peace to furnish copies &c.</p> <p>Sec. 131. Election messenger; commission; oath.</p> <p>Sec. 132. Violation of election laws; penalty.</p> <p>Sec. 133. Compensation of messenger.</p> <p>Sec. 134. Double ballots.</p> |
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GENERAL ELECTIONS—Article 1.

General Provisions.

1721. Sec. 1. Political Party Defined; Certificate of Number of Voters; Clerk of the Peace May Demand; Principal Political Parties Defined:—A political party within the meaning of this Chapter shall be an organization of bona fide citizens and voters of any County in this State, which shall by means of a convention, primary election or otherwise, nominate candidates for public offices to be filled by the people at any general or special election within the State. No organization shall be regarded as a political party that does not represent at least five hundred bona fide citizens and voters of the County in which it exists. If the Clerk of the Peace should have any doubt as to the sufficiency of the number of bona fide voters represented by any organization in any County, he may demand a certificate containing the signatures and addresses of two hundred and fifty voters belonging to such an organization as to that fact.

Whenever in the laws of this State relating to general or special elections the words "principal political parties" occur, or words equivalent thereto or so designating political parties shall be used, the same shall be taken to designate the Democratic Party and the Republican Party.

1722. Sec. 2. Ballots; Printing; Certifications of Nominations and Party Device; What Device May Be Adopted; Two Parties May Not Adopt Same Device; Counter Claims For, How Decided; Death, Resignation or Removal of Candidate; Subsequent Certificates:—

The Clerks of the Peace for the several Counties shall cause to be printed on the ballots herein provided for, the names of the candidates nominated by the parties recognized by them as political parties within the meaning of this Chapter. The nomination of the candidates for the office of Governor and other State offices, United States Senators, Representatives in Congress and Presidential Electors, shall be certified to the several Clerks of the Peace by the Presiding Officer and Secretary of the several State Party Conventions or Committees, and the nominations of the candidates for the County, Hundred and District offices shall be certified to the respective Clerks of the Peace of the County in and for which such nominations have been made by the Presiding Officer and Secretary of the proper Party Convention or Committee. The certificate shall be in writing and shall contain the name of each person nominated, his residence and the office for which he is nominated. The persons making such certificate shall add to their signatures their respective places of residence and shall acknowledge said certificate before an officer duly authorized to take acknowledgements of Deeds, and a certificate of such acknowledgment shall be affixed to the instrument.

The certificate shall also designate a title for the party which such Convention or Committee represents, together with any simple figure or device by which its lists of candidates may be designated on the ballot. The figure or title or device selected and designated by the State Convention or Committee of any party shall be used by that party throughout the State. Only one figure or device shall be used by a party at any election. The same title, figure or device shall not be used by more than one party, and the party first certifying a name, title, figure or device to the Clerks of the Peace shall have the prior right to use the same. Such figure or device may be the figure of a star, an eagle, a plow, or some such appropriate symbol, but the coat of arms or seal of the State, or of the United States, or the flag of the United States, shall not be used as such figure or device.

In case of death, resignation or removal of any candidate subsequent to nomination, a supplemental certificate of nom-

ination may be filed by the proper officers of the State, County, District or Hundred Committees.

In case of a division in any party and claim by two or more factions to the same party name or title, figure or device, if the division occurs at a State Convention, or extends throughout the State, the Clerks of the Peace of the several Counties shall, within ten days after any one of them has received the certificates of the contending factions, assemble in the office of the Clerk of the Peace at Dover and determine to which faction the name, title or figure properly belongs, giving the preference to the Convention held at the time and place designated in the call of the regularly constituted party authorities; if within five days thereafter the other faction shall present no other party name, or title, figure or device, and certify the same to the Clerks of the Peace, the latter shall again immediately assemble and select some suitable title, figure or device for said faction, and the same shall be placed above the list of its candidates on the ballots. If the certificate of the contending factions shall not be received by the Clerks of the Peace in time for them to assemble at Dover before publishing the device and list of candidates in the newspapers, then and in that case each Clerk of the Peace shall determine for himself which faction shall be entitled to the name, title, figure or device, and shall select a name, title, figure or device for the other faction. In case of division in any party extending only through a County, District or Hundred, the Clerk of the Peace of the County in which such division occurs, upon the receipt of certificates from the contending factions, shall determine which faction is entitled to the party name, figure or device, and to have their nominations printed in the proper party column; and should the other faction fail to do so, the Clerk of the Peace shall select for them a name or title, figure or device.

1723. Sec. 3. Certificates of Nominations; Time of Filing; How Long Kept:—Certificates of nominations herein directed to be filed with the Clerks of the Peace shall be filed not less than twenty days before the day fixed by law for the election of the persons in nomination.

The Clerks of the Peace of the several Counties shall cause to be preserved in their respective offices all certificates of nomination filed under the provisions of this Chapter for six months after the date of the filing thereof.

1724 Sec. 4. Publication of Nominations; How; How Arranged; What Excluded:—At least ten days before an election to fill any public office the Clerk of the Peace of each County shall cause to be published in at least two newspapers within his County the nominations to office certified to him as directed in Section two. He shall make no less than two publications in each of such newspapers before election. Such publications shall be made in two newspapers representing the two principal political parties. In all cities where a daily newspaper is published, such notice shall also be published in two daily papers representing such political parties, if such there be. The lists of nominations published by the Clerk of the Peace shall be arranged so far as practicable in the order and form in which they will be printed upon the ballots and shall designate the devices under which the lists of candidates of each party will be printed. The Clerk of the Peace shall not include, in the publication to be made according to this Section, the name of any candidate, whose certificate of nomination shall have been filed in his office, who shall have notified him in writing duly signed and acknowledged that he will not accept the nomination. The names of such candidates shall not be included in the names of the candidates to be printed on the ballot, as hereinafter provided.

1725. Sec. 5. Ballots; Printing by Clerk of the Peace; Size; Form; Style; Color; Arrangement:—The Clerk of the Peace in each County shall cause the names of all candidates, to be voted for in his County and the several Hundreds or Districts in the same, to be printed in parallel columns on one ballot, all nominations of any party being placed under the title and device of such party as designated by its authorized agent or agents in the certificate or certificates; or if none be designated, under some suitable title and device to be selected by the Clerk of the Peace. The ballots shall be of uniform size and of the same quality and color of paper and sufficiently thick that the printing cannot be distinguished from the back. The arrangement of the ballot shall in general conform, as nearly as possible, to the plan hereinafter given; the device named and chosen and the list of candidates of the Democratic Party shall be placed in the first column on the left hand side of said ballot, of the Republican Party in the second column, and of any other party in such order as the Clerk of the Peace shall decide.

<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">DEVICE</div> DEMOCRATIC PARTY		<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">DEVICE</div> REPUBLICAN PARTY	
For Electors of President and Vice President	JOHN DOE	For Electors of President and Vice President	JOHN DOE
For Electors, etc.	JOHN DOE	For Electors, etc.	JOHN DOE
For Electors, etc.	JOHN DOE	For Electors, etc.	JOHN DOE
For Governor	JOHN DOE	For Governor	JOHN DOE
For Lieutenant Governor	JOHN DOE	For Lieutenant Governor	JOHN DOE

1725 A. Sec. 5A. Representative District Number to be Printed on Ballots:—The Clerk of the Peace in each County shall cause the correct Representative District Number for which the ballots provided for in this Chapter are to be used, to be plainly printed on the margin at the top of the Ballot, as nearly as possible in the following form:—

OFFICIAL BALLOT FOR REPRESENTATIVE DISTRICT
NUMBER _____,

1726. Sec. 6. Death, Removal or Resignation of Candidates After Printing of Ballots; New Nominations; Pastors &c; Clerks of Election to Place on Each Ballot:—In case of the death, removal or resignation of any candidate after the printing of such ballots and before such election, it shall be lawful for the Chairman of the State, County, Hundred or District Political Organization, by which such candidate was nominated, to make a nomination to fill such vacancy and to provide the election officers of each Election District, in which such candidate is to be voted for, with a number of pasters containing only the name of such candidate, at least equal to the number of ballots provided for each Election District, and to deliver said pasters in the same manner as it is hereinafter provided that ballots shall be delivered; and it shall be the duty of the Clerks of Election to put one of such pasters in a careful and proper manner and in the proper place on each ballot, before they shall deliver the same to voters.

1727. Sec. 7. Printer of Ballot and Envelope; Duty of; Violation; Misdemeanor; Penalty:—If the printer of such ballot or envelope or any person employed in printing the same shall knowingly give or deliver or knowingly permit to be taken any of said ballots or envelopes by any person other than the Clerk of the Peace for whom such ballots and envelopes are being printed, or shall print, or cause or permit to be printed, any ballot or envelope in any other form than the one prescribed by this Chapter, or with any other names thereon than those authorized by the Clerk of the Peace, or with the names spelled or the names or devices thereon arranged in any other way than that authorized and directed by the said Clerk of the Peace, he shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than one hundred dollars nor more than five hundred dollars, or be imprisoned not less than one nor more than five years, or both at the discretion of the Court.

1728. Sec. 8. Ballots; Number of to be Printed; How Distributed; Packages of; Number of Voters How Ascertained; Additional Ballots Printed, When; Pencils or Crayons and Rubber Bands Furnished; Envelopes; Number of; How Distributed:—The Clerk of the Peace in each County shall cause to be printed, within the State of Delaware, in the form hereinbefore provided, not less than eight ballots for every voter in each Election District in his County; the number of voters shall be ascertained in each Election District by reference to the highest number of votes polled therein at any preceding election, with due allowance for any estimated increase thereof. If a new Election District has been established in his County, the number shall be estimated by said Clerk of the Peace according to the best information he can obtain.

The Clerk of the Peace in each County, in addition to the above mentioned ballots, shall cause to be printed such further number of ballots as shall be directed by the Chairman of any committee of any political party, in any county, provided, however, that the said Clerk of the Peace shall not have printed any ballots upon the order or request of any Chairman of any political party unless the said request shall have been made to him in writing at least thirty days prior to the holding of the election at which the said ballots are to be used, nor unless a deposit sufficient to cover the cost of the ballots be made at the time they are ordered. The ballots so ordered by the said Chairmen of the various political parties shall be delivered to the said Chairmen or to their agents upon their request or order at least five days before the election at which the said ballots are to be used. In addition to the ballots so ordered by the Chairmen of the various political parties, the Clerk of the Peace shall deliver to each Chairman of the various political parties, two ballots for every voter in each Election District, who at the last preceding election cast his ballot for the head of the ticket of such political party, which ballots shall be furnished to the County Chairman free of all charges. The Clerk of the Peace shall cause the ballots, other than those delivered to the Chairmen of the various political parties for each Election District, to be carefully wrapped and tied in two packages. One of such packages shall contain two ballots for every voter in each Election District in his county, and shall be retained by the Clerk of the Peace, and the ballots therein contained shall only be used to take the place of any ballot that may have been destroyed or lost by any accident or casualty. The other packages of ballots shall be delivered by the Clerk of the Peace in the manner hereinafter provided for.

The Clerk of the Peace in each county shall also provide un-
gummed envelopes of a sufficient size to contain the ballot to
be used at any election. Each envelope shall have printed
thereon,

Official Envelope

For

Representative District Number

Date of Election

.....
.....

Clerks of Election,

and shall be signed by the Clerks of Election, on the lines above
the words "Clerks of Election."

He shall have prepared four envelopes for each voter in
each Election District in his County, and the number shall be
ascertained in each Election District by reference to the high-
est number of votes polled therein at any preceding election,
with due allowance for any estimated increase thereof. If a
new Election District has been established in his County, the
number shall be estimated by said Clerk of the Peace, accord-
ing to the best information he can obtain. The Clerk of the
Peace shall cause the envelopes for each Election District to
be carefully wrapped and tied in two packages, one package
containing one envelope for each voter in each Election Dis-
trict, in his County, shall be retained by the Clerk of the Peace,
and the envelopes therein contained shall only be used to take
the place of like envelopes that may have been destroyed or
lost by any accident or casualty. The said packages of en-
velopes shall be plainly marked and securely sealed with wax.
The Clerk of the Peace in each County shall also provide, and
enclose in each of said packages, not less than one dozen black
or indelible pencils or crayons and a sufficient number of rub-
ber bands to secure the number of envelopes in each Election
District.

**1729. Sec. 9. Inspectors Outside of Wilmington; Ballots, En-
velopes, Pencils and Rubber Bands How to Procure; From
Whom; When; Safe Keeping; on Default of so Procuring,
Clerk of the Peace to Deliver to Whom; How and to Whom De-
livered in Wilmington; Duty of Department of Election as**

to:—It shall be the duty of each Inspector of Election outside of the City of Wilmington to appear at the office of the Clerk of the Peace of his County, on the day preceding the election, before the hour of three o'clock in the afternoon, and the Clerk of the Peace shall deliver to him the packages of ballots, envelopes, pencils and rubber bands for his Election District; and the said Inspector shall safely keep the said packages and produce the same at the place of election and at the time of the opening of the election. In case there shall be a vacancy in the office of any inspector on the day preceding the election, or any Inspector for any cause shall not apply to the proper Clerk of the Peace for the packages herein mentioned for his Election District by the hour of three o'clock in the afternoon of the day preceding the election, the said Clerk of the Peace shall deliver said packages to some trusty person, who shall deliver them on the day of the election to the Inspector of Election of such Election District, at the place of Election, and immediately upon the qualification of the election officers.

In the City of Wilmington, it shall be the duty of the President of the Department of Elections, or in case he cannot attend, of some other member of said Department authorized in writing by the said President, to appear at the office of the Clerk of the Peace of New Castle County, on the day preceding such election, on or before the hour of three o'clock in the afternoon, and the said Clerk of the Peace shall deliver to him the packages provided for each Election District in the City of Wilmington. The said Department of Elections shall safely keep the same and deliver to each Board of Election Officers at the polling place, on the day of the election, at the time provided by law for the delivery of the ballot boxes, the ballots, envelopes, pencils and rubber bands intended for their several and respective districts.

1730. Sec. 10. Breaking Packages Containing Ballots, Envelopes &c. Before Opening of Election; Misdemeanor; Penalty:—Any Inspector or any other Election Officer or any other person whatever who shall break any package containing ballots, envelopes, pencils and rubber bands, so as aforesaid delivered by the Clerk of the Peace to the persons in Section 9 of this Chapter designated, or take any ballot, envelope, pencil or rubber band therefrom, or suffer the same to be done by another, before the opening of the election, shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment, shall be fined not less than three hundred dollars nor more than five hundred dollars and may, at the discretion

of the Court, be imprisoned for a term not less than one year nor more than two years.

1731. Sec. 11. Loss or Destruction of Ballots or Envelopes; New Supply; Duty of Election Officers When no Ballots or Means of Voting at Election; Defaults; Penalties:—If by any accident or casualty, the ballots or envelopes delivered to any Inspector or other person by any Clerk of the Peace shall be lost or Destroyed, it shall be the duty of such person having such package in his custody to report the loss at once to the Clerk of the Peace from whom the same were obtained, and make affidavit of the circumstances of the loss, whereupon said Clerk of the Peace shall at once re-supply such person. In case such person having in custody said packages fails or refuses to report and make proof of said loss, any qualified elector may do so, and thereupon such Clerk of the Peace shall at once send a new supply by some trusty person as provided in other cases. In case, for any reason, there should be found no ballots or other necessary means or contrivances for voting, at the opening of the election, it shall be the duty of the election officers at such election place to secure the same as speedily as possible, and if necessary, such election officers shall have ballots printed or written and envelopes procured; such ballots and envelopes shall conform so nearly as possible to the official ballots and envelopes, and the printing and the preparation and the care of the same shall be under the same provisions and penalties as the printing and the care of the other ballots and envelopes prescribed in this Chapter.

1732. Sec. 12. Neglect or Refusal of Clerk of the Peace to Perform Duties; Misdemeanors; Penalties:—If any Clerk of the Peace or his Clerk or any one acting for him shall neglect or refuse to have the ballots and envelopes printed and prepared according to the provisions of this Chapter, or shall neglect or refuse to deliver them in time to the parties properly entitled to receive them, or shall neglect or refuse to do or perform any other duty in and about the preparation and distribution of the ballots and envelopes required to be done and performed by him by the provisions of this Chapter, he shall be deemed guilty of a misdemeanor, and shall be fined not less than one thousand nor more than five thousand dollars, and he may in the discretion of the Court be imprisoned for not less than one nor more than five years.

1733. Sec. 13. Ballots Left Over; Destruction by Clerk of the Peace; When:—The several Clerks of the Peace shall preserve the ballots left over in their hands after supplying the

Election Districts, as hereinbefore provided, until six o'clock P. M. of the day of the election, and shall then count and destroy by totally consuming by fire all of such ballots but one, which he shall preserve in his office as a record together with his certificate of the number of ballots counted and destroyed by him.

1734. Sec. 14. Fraudulent Destruction &c. of Certificate of Nomination; Forgery of Official Endorsement on Ballot or Envelope; Printing or Circulation of Imitation Ballot or Envelope; Misdemeanors; Penalties:—Whoever shall falsely make or fraudulently deface or fraudulently destroy any certificate of nomination, or any part thereof, or shall file any certificate of nomination, knowing the same or any part thereof to be falsely made, or shall suppress any certificate of nomination which has been duly filed or any part thereof, or shall forge or falsely make the official endorsement of any ballot or envelope or either of them, or shall print or cause to be printed any imitation ballot or envelope or circulate the same, or shall conspire with others to do any of said acts, or induce or attempt to induce any other person to do any of said acts, whether or not said acts or any of them be committed or attempted to be committed, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned in the discretion of the Court not more than five years.

1735. Sec. 15. Ballot Boxes and Tally Lists; Duty of Sheriff as to; Compensation of Inspector or Trusty Person for Delivery of Packages Containing Ballots &c:—The Sheriff shall make the ballot boxes and the tally lists and all other papers to be delivered to the several Inspectors conform to the requirements of this Chapter. The Inspector or the trusty person, for his services in receiving and delivering at the place of holding the election as aforesaid the packages containing the ballots, envelopes, pencils and rubber bands, shall receive two dollars.

1736. Sec. 16. Instruction Cards; Printing and Posting of; Form of:—The Clerk of the Peace of each County shall cause to be printed in large type on cards, in English and such other language as he may deem necessary, instructions for the guidance of electors in preparing their ballots. He shall furnish twelve of such cards in each of the languages determined upon by him to each of the Election Inspectors, at the same time he delivers to him the ballots and envelopes for his election district. Each Inspector shall cause to be posted one of each of

said cards in each place or compartment provided for the preparation of ballots, and one of each kind of such cards at or near to the outer end of the enclosure leading to the polling place, and not nearer than thirty feet of the polling place, and not less than three of each of such cards, and three samples of each of the ballots in and about the polling place at the opening of the polls on the day of election, which sample ballots shall be printed on different colored paper than the genuine ballots. Said cards shall contain full instructions to the voters as to what must be done: First, to obtain ballots and envelopes for voting; Second, to prepare the ballots for voting; Third, for depositing the ballot in the envelope; Fourth, to obtain either a new ballot or an envelope or both, in place of either or both accidentally defaced, mutilated or spoiled, also copies of Sections 37, 39, 42 and 43 of this Chapter.

1737. Sec. 17. Election Districts; Boundaries; Polling Places; Wilmington; New Castle County Outside of Wilmington; Kent County; Sussex County:—The General Election in and for the several Counties of this State on the Tuesday next after the first Monday of November shall be held in the respective Election Districts of the Representative Districts of said Counties at the places hereinafter appointed for that purpose, that is to say:—

For the City of Wilmington.

The boundaries of the Election Districts within the City of Wilmington and the place in each Election District for holding elections therein shall be the Election Districts established and the polling places designated by the Department of Elections for the City of Wilmington, in accordance with the provisions of Chapter Fifty-seven of this Code relating thereto, and all persons entitled to vote in the said several respective Election Districts thus established shall vote at the place designated and appointed by the said Department of Elections for holding elections in the said several respective Election Districts.

For New Castle County Outside of the City of Wilmington.

N. C. 1. The First Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded by a line beginning on the Delaware River at Holly Oak or Tide Creek, thence with the several meanderings of the main or most northerly branch thereof until it intersects the Baltimore and Philadelphia Railroad: thence westerly by the center line of the right of way of said Railroad until it intersects the

Lodge Road, formerly called Cabin Road, at Silverside Station; thence with the center line of said Lodge Road in a northerly direction until the said Lodge Road intersects the Faulk Road at Talley's Corner; thence with the center line of said Faulk Road to Miller's Corner at the crossing of the said Faulk Road and the Grubb Road; thence with the center line of said Grubb Road until it strikes the Naaman's Creek Road; thence Northerly from the said intersection of the Grubb Road with the Naaman's Creek Road in a straight line to the Pennsylvania Line, at a point where the Grubb Road if extended North of Naaman's Creek Road in a direct line with the last course of said Grubb's Road would intersect said State Line; thence by the said Pennsylvania State Line to the Delaware River; and thence by the Delaware River to the point of beginning.

All persons entitled to vote in said First Election District shall vote at the building known as Claymont Hall.

N. C. 2. The Second Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded by a line beginning on the Carr Road at its intersection with Quarryville Creek, and running thence in a westerly direction by the center line of said Road to a point where said Road runs into the Shipley Road; thence Southerly by the center line of said Shipley Road to Dixon's Corner, where said Shipley Road is joined by the Weldin Road; thence Westerly by the center line of said Weldin Road until it runs into the Faulk Road; thence Southerly by the center line of said Faulk Road to the Wilmington and Great Valley Turnpike, commonly called Concord Pike; thence Southerly by the center line of the said Turnpike and Elliott Avenue to the City line of the City of Wilmington; thence Westerly by the course of said City line to Brandywine Creek; thence Northerly up said Brandywine Creek by the several meanderings thereof until it crosses the Pennsylvania State line; thence Easterly along said State line to a point where the Grubb Road, if extended North of Naaman's Creek Road in a direct line with the last course of said Grubb's Road would intersect said State Line; thence Southerly along said extended line of the Grubb Road, crossing Naaman's Creek Road and following the center line of said Grubb Road Southerly and Easterly to where it intersects the Faulk Road at Miller's Corner; thence Southerly by the center line of said Faulk Road to where it intersects the Lodge Road at Talley's Corner; thence Easterly along the center line of said Lodge Road to the point where it crosses Quarryville Creek; thence down said Quarryville Creek with its several meander-

All persons entitled to vote in said Second Election District shall vote at Sharpley's School House.

N. C. 3. The Third Election District of the Sixth Representative District is all that portion of Brandywine Hundred bounded by a line beginning on the Delaware River at Holly Oak or Tide Creek, thence with the several meanderings of the main

ings to the point where it crosses the Carr Road, being the point or place of beginning.

or most northerly branch thereof until it intersects the Baltimore and Philadelphia Railroad; thence Westerly by the center line of the right of way of said Railroad until the Railroad intersects the Lodge Road at Silverside Station; thence with the center line of the said Lodge Road in a Northerly direction until said Lodge Road intersects Quarryville Creek; thence down said Creek by the several meanderings thereof until it crosses the Carr Road, and thence running in a Westerly direction by the center line of said Carr Road to a point where said Road runs into the Shipley Road; thence Southerly by the center line of said Shipley Road to Dixon's Corner, where said Shipley Road is joined by the Weldin Road; thence Westerly by the center line of said Weldin Road until it runs into Faulk Road; thence Southerly by the center line of said Faulk Road to the Wilmington and Great Valley Turnpike, commonly called Concord Pike; thence Southerly by the center line of said Turnpike and Elliott Avenue to the City Line of the City of Wilmington; thence Easterly by said City Line to the Delaware River; and thence up said Delaware River to Holly Oak or Tide Creek, the point of beginning.

All persons entitled to vote in said Third Election District shall vote at Shellpot School House.

N. C. 4. The First Election District of the Seventh Representative District is all that portion of Christiana Hundred, bounded on the East by the Wilmington City Line and the boundary line of New Castle Hundred, on the South by the boundary lines of New Castle Hundred and White Clay Creek Hundred, on the West by the boundary lines of White Clay Creek Hundred and Mill Creek Hundred, and on the North by a line beginning on the Easterly side of Red Clay Creek, at the intersection of the line dividing land now or lately owned by G. M. D. Lynam and land now or lately owned by Richard *Ruthwell; thence extending Easterly along the said line from said point to the Lane leading from the property now or lately

*So enrolled.

owned by Richard Rothwell; thence Northerly along said lane to its intersection with the Black Road; thence along the center line of said Black Road in an Easterly direction to the intersection of said Road with the Newport and Gap Turnpike; thence in a Northerly direction from the Newport and Gap Turnpike along the center line of the Road leading from Newport to Price's Corner, to a point where the Marsh Road, sometimes called Folly Woods Road, crosses said Road; thence along the center line of said Marsh Road in an Easterly direction, crossing the Newport Pike and continuing along the center of said Marsh Road in an Easterly direction to a sharp Southerly turn in said Marsh Road; thence continuing along the center of said Marsh Road in a Southerly direction to the Christiana River.

All persons entitled to vote in said First Election District shall vote at Red Men's Hall, in the Town of Newport.

N. C. 5. The Second Election District of the Seventh Representative District is all that portion of Christiana Hundred bounded on the north by the Wilmington and Lancaster turnpike, on the west by Mill Creek Hundred, on the south by a line beginning on the easterly side of Red Clay Creek at the intersection of the line dividing the land now or lately owned by G. M. D. Lynam and land now or lately owned by Richard Rothwell; thence extending easterly along the said line from said point to the land leading from the property now or lately owned by Richard Rothwell; thence northerly along said lane to the intersection with the Black Road; thence along the center line of said Black Road in an easterly direction to the intersection of said road with the Newport and Gap turnpike; thence in a northerly direction from the Newport and Gap turnpike along the center line of the road, leading from Newport to Price's Corner and to a point where the Baltimore and Ohio Railroad crosses said road; thence along the center line of the right of way of the said Baltimore and Ohio Railroad Company in an easterly direction to a point which is the West-erly Boundary, now or late of William M. Brackin; thence northwesterly along said Boundary line to a point in the center of New Road; thence northwesterly along the division line between lands now or late of Edward Woodward and lands now or late of William M. Brackin; thence northwesterly along the division or property line between the lands now or late of Edward Woodward and lands now or late of Abner Hollingsworth to a point in the center of the road leading from Wil-mington and Kennet turnpike to Price's Corner; thence north-

erly along the center of said public road to its intersection with the center line of Wilmington and Lancaster turnpike and place of beginning.

All persons entitled to vote in said Second Election District shall vote at Foard's store in the town of Marshallton.

N. C. 6. The Third Election District of the Seventh Representative District is all that portion of Christiana Hundred bounded by a line commencing in the center line of the public road at the Barley Mill (on the Brandywine) formerly operated by Pyle and McIntyre, thence running along the center line of said Road in a westerly direction past the St. Joseph's Catholic Church and across the Kennett Turnpike; thence continuing along the center line of said Road by its several courses to the eastern bank of Red Clay Creek; thence following the said Creek in a Northerly direction by its several courses to the stream, upon which is located the mill formerly known as Fulton's Mill and more lately known as Griffith's Mill or Hillside Mill; thence up said stream by its several courses and windings to said Fulton's Mill; thence Easterly by the center line of the road leading to Campbell's Shops and Montchanin, crossing the Kennett Turnpike to where it intersects the du Pont Road; thence along the center line of the du Pont Road to where said Road intersects the Road from Rockland to Chadd's Ford at Adams Cross Roads, and thence by the center line of said Road from Rockland to Chadd's Ford to Rockland Bridge at the Rockland Paper Mills on the Brandywine; and thence down the Brandywine its several courses to the point of Beginning at the Barley Mill.

The triangular plot of land at the Village of Montchanin, on which is now located the public school house and other buildings and dwellings, constitutes a part of the said Third Election District.

All persons entitled to vote in said Third Election District shall vote at the house known as the Rodney Inn, now or lately occupied by Sarah Donnan.

N. C. 7. The Fourth Election District of the Seventh Representative District is all that portion of Christiana Hundred bounded by a line commencing in the center line of the public road at Rockland Paper Mills on the Brandywine in Christiana Hundred, thence running along the center line of said Road in a westerly direction and by the center line of the road from Rockland to Chadd's Ford to the intersection of said Chadd's

Ford Road with the duPont Road at Adams Cross Roads; thence along the center line of said duPont Road Southerly to where said Road intersects the Road from Rockland to Wooddale; thence Westerly along the center line of said Wooddale Road following its several courses direct to the corner formerly known as Campbell's Shops on the Kennett Turnpike; thence after crossing said Turnpike continuing by the several courses of said Road to the Mill formerly known as Fulton's Mill, and more lately known as Griffith's Mill or Hillside Mill; thence by the stream running from said Mill by its several courses and windings to where it empties into Red Clay Creek; thence up said Red Clay Creek by its several courses and the boundary line of Mill Creek Hundred to the Pennsylvania State Line; thence Easterly along said State Line to the Brandywine River; thence down said Brandywine River by its various courses, being the boundary line of Brandywine Hundred to the said Rockland Paper Mills, the point of Beginning.

All persons entitled to vote in said Fourth Election District shall vote at the public house now or lately belonging to George Lancaster in the Town of Centreville.

N. C. 8. The Fifth Election District of the Seventh Representative District is all that portion of Christiana Hundred bounded by a line commencing in the middle of the public road at the Barley Mill, formerly occupied by Pyle and McIntyre, thence running along the center line of said Road in a westerly direction past the St. Joseph's Catholic Church and across the Kennett Turnpike; thence continuing along said Road by its various courses to the Eastern Bank of Red Clay Creek; thence along the said Creek in a Southerly direction by its several courses to the center line of the Lancaster Turnpike; thence along the center line of said Turnpike in an easterly direction to the western boundary of the City of Wilmington; thence following the said boundary line by its several courses in a Northern direction to the south bank of the Brandywine; thence along the said Brandywine by its several courses in a westerly direction to the point of beginning, the Barley Mill.

All persons entitled to vote in said Fifth Election District shall vote at the building known as duPont School House.

All persons entitled to vote in said Sixth Election District shall vote at Tinsman's Paper Store at Richardson Park.

N. C. 8—A. The Sixth Election District of the Seventh Representative District is all that portion of Christiana Hundred

bounded on the East by the Wilmington City Line and the boundary line of New Castle Hundred, on the South by the center line of the Marsh Road, sometimes called the Folly Woods Road, extending from the Christiana River in a Northerly, then Westerly direction, crossing the Newport Pike, at or near the property now or lately of M. F. Hayden, and continuing thence Westerly to a point where it intersects with the Road leading from Newport to Price's Corner; on the West by the said Road leading from Newport to Price's Corner, and on the North by a line beginning at the intersection of the said Road leading from Newport to Price's Corner with the Baltimore and Ohio Railroad; thence along the center line of the right-of-way of the said Baltimore and Ohio Railroad in an Easterly direction to a point where the said Railroad crosses Mill Creek; thence along said Mill Creek in an Easterly direction to its intersection with Silver Brook; thence Northerly along the center line of Silver Brook in its various courses to a point in the division line between lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the right-of-way of the old Delaware and Western Railroad; thence Easterly along the said division line between the lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the said right-of-way to a point in the Easterly side of an old Lane leading from the Newport Pike to the lands now or lately of the estate of Dr. J. P. Stidham, and being also the division line between said lands now or lately of the estate of J. P. Stidham and A. C. Cleland; thence North, Northwesterly along the said Easterly side of the said Lane and division line between the said lands now or lately of the estates of J. P. Stidham and A. C. Cleland to a corner; thence still along the Easterly side of said Lane and said division line between lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland Northerly to a corner; thence Northeasterly along still another division line between lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland to a point in the line of the City of Wilmington.

N. C. 8—B. The Seventh Election District of the Seventh Representative District is all that portion of Christiana Hundred contained within the following boundaries. Beginning at a point in the City line of Wilmington and in the center of the Wilmington and Lancaster turnpike; thence by the said center of the said Lancaster turnpike in a general westerly direction to the intersection of the road leading from said Lancaster turnpike to Price's Corner; thence by the said road to a point in the property line between lands now or late of Abner Hol-

lingsworth and lands now or late of Edward Woodward; thence by said division or property line southeasterly and continuing along the said property or division line between lands now or late of Edward Woodward and lands now or late of William M. Brackin to a point in the center of the New Road; thence southeasterly along a line being the westerly boundary of lands now or late of William M. Brackin to its intersection with the northerly side of the Baltimore and Ohio Railroad Company; thence along the center line of the right of way of the said Baltimore and Ohio Railroad Company in an easterly direction to a point where the said Railroad crosses Mill Creek; thence along said Mill Creek in an Easterly direction to its intersection with Silver Brook; thence Northerly along the center line of Silver Brook in its various courses to a point in the division line between lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the right of way of the old Delaware and Western Railroad; thence Easterly along the said division line between the lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the said right of way to a point in the Easterly side of an old lane leading from the Newport pike to the lands now or lately of the estate of Dr. J. P. Stidham, and being also the division line between said lands and lands now or lately of the estate of A. C. Cleland; thence North Northwesterly along the said Easterly side of the said lane and division line between the said lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland to a Corner; thence still along the Easterly side of said lane and said division line between lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland Northerly to a Corner; thence Northeasterly along still another division line between the lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland to a point in the line of the City of Wilmington and place of beginning.

All persons entitled to vote in said Seventh Election District shall vote at such place in the town of Elsmere, as the Inspector who is to hold said Election shall designate.

N. C. 9. The First Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at the intersection of Pike Creek with White Clay Creek, thence with the several meanderings of the main branch of the said Pike Creek to the intersection of said Creek with the public road at the Mill now or lately owned by William M. Logan; thence with the center line of said public road until it strikes the Limestone Road at Harmony School

House; thence with the center line of said Limestone Road to Mermaid; thence with the center line of the public road passing by Red Clay Creek Church until it strikes Red Clay Creek at Barker's Bridge; thence down said Red Clay Creek with the various courses thereof until it joins White Clay Creek; thence Westerly by said White Clay Creek to the mouth of Pike Creek, the place of Beginning.

All persons entitled to vote in said First Election District shall vote at the stone house now or lately occupied by David Ecoff in the Village of Marshallton.

N. C. 10. The Second Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at the intersection of Pike Creek with the public road at the Mill now or lately owned by William M. Logan, thence up said Pike Creek with the several meanderings of the main branch thereof to the center line of the public road leading from Pike Creek to Corner Ketch, near the residence now or late of Ellwood Woodward; thence West-erly by the center line of said road to its intersection with the center line of the public road leading from Corner Ketch to the Mill Creek Meeting House; thence Northerly by the center line of the road last aforesaid, passing said Meeting House and the residence of Thomas C. Mitchell to the fork of said road, and thence by the center line of the westerly fork of said road to the Pennsylvania State boundary line; thence easterly along said State boundary line until it intersects with Red Clay Creek; thence down said Red Clay Creek to Barker's Bridge; thence by the center line of the public road leading from said Barker's Bridge towards Red Clay Creek Church West-erly by Red Clay Creek Church to Mermaid on the Limestone Road; thence with the center line of said Limestone Road to Harmony School House; thence with the center line of the public road leading from Harmony School House to the mill on Pike Creek, now or lately owned by William M Logan, the place of Beginning.

All persons entitled to vote in said Second Election District shall vote at the District School House No. 29 in the Town of Hockessin.

N. C. 11. The Third Election District of the Eighth Representative District is all that portion of Mill Creek Hundred bounded by a line beginning at the intersection of Pike Creek with White Clay Creek, thence with the several meanderings of the main branch of said Pike Creek to the center line of the

public road leading from Pike Creek to Corner Ketch near the residence now or lately of Ellwood Woodward; thence West-erly by the center line of said Road to its intersection with the center line of the public road leading from Corner Ketch to the Mill Creek Meeting House; thence Northerly by the center line of the Road last aforesaid and passing said Meeting House and the residence of Thomas C. Mitchell to the fork of said road; and thence by the center line of the Westerly fork of said road to the Pennsylvania State boundary line; thence westerly along said State boundary line to its intersection with White Clay Creek, and thence down said White Clay Creek by its several courses to the mouth of Pike Creek, the place of Beginning.

All persons entitled to vote in said Third Election District shall vote at District School House No. 37, at Milford Cross Roads.

N. C. 12. The First Election District of the Ninth Representative District is all that portion of White Clay Creek Hundred bounded by a line beginning at the point on the Pennsylvania State Line where White Clay Creek intersects said State Line, thence Southerly by said White Clay Creek to the mouth of Booby Run; thence up said Booby Run to the Creek Road; thence Southerly by the center line of said Creek Road and by the center line of North College Avenue to the intersection of said North College Avenue with Main Street in the Town of Newark; thence Easterly by the center line of said Main street to the point where it intersects South College Avenue; thence with the center line of said South College Avenue and the Depot Road Southerly to the boundary line of Pencader Hundred; thence Westerly by the boundary line of Pencader Hundred until it intersects the Maryland State Line; thence Northerly along the State Lines of Maryland and Pennsylvania to the intersection of White Clay Creek with said Pennsylvania State Line, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the public house known as Deer Park Hotel

N. C. 13. The Second Election District of the Ninth Representative District is all that portion of White Clay Creek Hundred bounded by a line beginning at the mouth of Booby Run on White Clay Creek, thence up said Booby Run to the Creek Road; thence Southerly by the center line of said Creek Road and by the center line of North College Avenue to Main Street

in the Town of Newark; thence Easterly by the center line of said Main Street to the point where it intersects South College Avenue; thence with the center line of said South College Avenue and the Depot Road Southerly to the boundary line of Pencader Hundred; thence Easterly by the boundary line of Pencader Hundred to the Northeast Corner of said Pencader Hundred on or near the property now or late of Robert Cook, formerly of A. B. Crawford; thence running due North from the said Northeast Corner of Pencader Hundred to a Run known as Scott's Run; thence along said Run Northerly to its junction with White Clay Creek; thence Westerly and Northerly along the course of said White Clay Creek, being the boundary of Mill Creek Hundred, to the Pennsylvania State Line; and thence along said State line to the mouth of Booby Run, the place of Beginning.

All persons entitled to vote in said Second Election District shall vote at the public house known as the Washington House.

N. C. 14. The Third Election District of the Ninth Representative District is all that portion of White Clay Creek bounded by a line beginning at the Northeast corner of Pencader Hundred on or near the property now or late of Robert Cook, formerly of A. B. Crawford, thence running due North to a Run known as Scott's Run; thence along said Run to its junction with White Clay Creek; thence Easterly down said White Clay Creek, being the boundary of Mill Creek and Christiana Hundreds, to its junction with Christiana Creek; thence up said Christiana Creek by its various meanderings, being the boundary of New Castle and Pencader Hundreds, until it intersects the boundary line of Pencader Hundred; thence Northerly along said boundary line of Pencader Hundred to the point of Beginning.

All persons entitled to vote in said Third Election District shall vote at the public house in the Town of Christiana known as Christiana Hotel, now or lately kept by William B. Curinder.

N. C. 15. The First Election District of the Tenth Representative District is all that portion of New Castle Hundred bounded by a line beginning at the Delaware River in the center line of Delaware Street in the City of New Castle, thence by the said center line of Delaware Street until it intersects the center line of Fourth Street; thence by the said center line of Fourth

Street until it intersects the center line of the street or road leading from New Castle to Wilmington; thence by the said center line of said street or road to a point where said road or highway reaches the limits of New Castle Hundred near Eden Park; thence by the boundary of said Hundred to the Delaware River and thence by said river to the place of Beginning.

All persons entitled to vote in said First Election District shall vote at the old Court House in the City of New Castle.

N. C. 16. The Second Election District of the Tenth Representative District is all that portion of New Castle Hundred bounded by a line beginning at the point of intersection of Fourth Street and Delaware Street in the City of New Castle, thence by the said center line of Fourth Street until it intersects the center line of the street or road leading from New Castle to Wilmington; thence by the said center line of said street or road to a point where said road or highway reaches the limits of New Castle Hundred, near Eden Park; thence Westerly by the boundary of said Hundred to a point in the center line of the Christiana River; thence by the center line of said Christiana River to a point in the center of the drawbridge over said River at the Town of Newport; thence from the center of said River by the center line of the road leading from Newport to New Castle until said road intersects the road known as the New Castle and Frenchtown Road (or Delaware Street extended); thence by the said road or street to the place of Beginning.

All persons entitled to vote in said Second Election District shall vote at the shop of Charles H. Clewell in the City of New Castle.

N. C. 17. The Third Election District of the Tenth Representative District is all that portion of New Castle Hundred bounded by a line beginning at a point in the center of the drawbridge over the Christiana River at Newport; thence from the center of said River by the center line of the road leading from Newport to New Castle until the said road intersects the road known as the New Castle and Frenchtown Road (or Delaware Street extended); thence by road or street to the center line of the right of way of the Wilmington and New Castle cut-off Delaware Railroad; thence by said center line of said Delaware right of way of the cut-off of the Delaware Railroad until said cut-off intersects the right of way of the main line of the Delaware Railroad; thence by center line of said Delaware Railroad until it intersects the center line of the public road

at State Road Station; thence by the center line of said public road to a point dividing lands of James W. Denning from lands late of John Johns; thence by said dividing line to a point in the center of the right of way of the Delaware Railroad; thence by the center of said right of way to the point of intersection of the road (extended) that leads from the New Castle and Frenchtown road to the road that leads from New Castle to Christiana; and thence by the center line of said road and the extension of said center line to the center line of the Christiana River; thence by the center line of said River to the place of Beginning.

All persons entitled to vote in said Third Election District shall vote at the store of John E. Taylor, Northwest corner of Ninth and Clayton Streets in the City of New Castle, Delaware.

N. C. 18. The Fourth Election District of the Tenth Representative District is all that portion of New Castle Hundred bounded by a line beginning at a point in the center line of the right of way of the cut-off of the Delaware Railroad where it intersects Delaware Street (extended) in the City of New Castle, thence by the center line of said Delaware Street to the Delaware River; thence by the said Delaware River to a point dividing lands of Florence B. Hilles from lands of Mark M. Cleaver; thence by said dividing line to the center line of the public road leading from New Castle to Delaware City; thence by the center line of said public road to a point of intersection with the road known as Federal School Lane; thence by the center line of said road to the center line of the road leading from Wilmington to Red Lion; thence by the center line of said road to a point in the center line of the right of way of the Delaware Railroad at State Road Station; thence by said center line of said right of way to a point of intersection with the right of way of the Wilmington and New Castle cut-off of the Delaware Railroad; thence by the center line of said cut-off right of way to the place of Beginning.

All persons entitled to vote in said Fourth Election District shall vote at the building of the Good Will Fire Company in the City of New Castle.

N. C. 19. The Fifth Election District of the Tenth Representative District is all that portion of New Castle Hundred bounded by a line beginning at a point on the Delaware River

dividing lands of Florence B. Hilles from lands of Mark M. Cleaver; thence by said dividing line to the center line of the public road leading from New Castle to Delaware City; thence by the center line of said public road to a point of intersection with the road known as Federal School Lane; thence by the center line of said road to the center line of the road leading from Wilmington to Red Lion; thence by the center line of said road to a point dividing lands of James W. Denning from lands late of John Johns; thence by said line to the center line of the right of way of the Delaware Railroad; thence by the center of said right of way to a point of intersection of the road (extended) that leads from the New Castle and Frenchtown road to the road that leads from New Castle to Christiana; thence by the center line of said road and the extension of said center line to the center line of the Christiana River; thence by the center line of said River and other lines dividing New Castle Hundred from White Clay Creek, Pencader and Red Lion Hundreds to the Delaware River; and thence by said River to the place of Beginning.

All persons entitled to vote in said election district shall vote at Odd Fellow's Hall in the Village of Bear.

N. C. 20. The First Election District of the Eleventh Representative District is all that portion of Pencader Hundred bounded by a line beginning at the intersection of the New Castle and Frenchtown Turnpike leading to State Road Station where it intersects the Maryland State boundary line, thence by the center line of said Turnpike in a Northeasterly course through the Village of Glasgow to the intersection of said Turnpike with the boundary line between Pencader Hundred and New Castle Hundred; thence Northerly along said boundary line to the Christiana Creek; thence Westerly, North-easterly and Westerly along the boundary line between Pencader Hundred and White Clay Creek Hundred to the Maryland State Line; thence Southerly along said Maryland State Line to the center of said New Castle and Frenchtown Turnpike, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the building now or lately owned or occupied by William C. Brooks.

N. C. 21. The Second Election District of the Eleventh Representative District is all that portion of Pencader Hundred bounded by a line beginning at the intersection of the New

Castle and Frenchtown Turnpike leading to State Road Station, where it intersects the Maryland State Boundary Line, thence by the center line of said Turnpike in a Northeasterly Course through the Village of Glasgow to the intersection of said Turnpike with the boundary line between Pencader Hundred and New Castle Hundred; thence Southerly by the boundary lines between Pencader Hundred and the Hundreds of New Castle, Red Lion and St. Georges; thence Westerly by the boundary lines between Pencader Hundred and St. Georges Hundred to the Maryland State Line; thence Northerly along said Maryland State Line to the center line of said New Castle and Frenchtown Turnpike, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the house now or lately occupied by Samuel M. McClenaghan.

N. C. 22. The First Election District of the Twelfth Representative District is all that portion of Red Lion Hundred bounded by a line beginning on the Delaware River at the mouth of St. Georges Creek, thence proceeding up the center line of said Creek to the Chesapeake and Delaware Canal; thence crossing said Canal and continuing up the center line of said Creek from the Northerly side of said Canal to Dragon Creek; thence with the center line of said Dragon Creek until it intersects the road known as the River Road leading from St. Georges to New Castle; thence with the center line of said Road Northerly to Red Lion Creek; thence down the center line of the said Red Lion Creek to the Delaware River; and thence down said River, including Fort Delaware, to St. Georges Creek, the place of Beginning.

All persons entitled to vote in said First Election District shall vote at the School House in District No. 76 in Delaware City or at such other place in Delaware City as the Inspector who publishes the election shall designate.

N. C. 23. The Second Election District of the Twelfth Representative District is all that portion of Red Lion Hundred bounded by a line beginning on the Delaware River at the mouth of St. Georges Creek, thence proceeding up the center line of said Creek to the Chesapeake and Delaware Canal; thence crossing said Canal and continuing up the center line of said Creek from the northerly side of said Canal to Dragon Creek; thence with the center line of said Dragon Creek until it intersects the Road known as the River Road leading from

St. Georges to New Castle; thence with the center line of said Road northerly to Red Lion Creek; thence Westerly up said Red Lion Creek and along the boundary line between Red Lion and New Castle Hundreds and Southwesterly along the boundary line between Red Lion Hundred and Pencader Hundred; and thence Easterly along the boundary line between Red Lion Hundred and St. Georges Hundred to the mouth of St. Georges Creek, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the public house now or lately occupied by John Sutton, Jr. in the Village of St. Georges.

N. C. 24. The First Election District of the Thirteenth Representative District is all that portion of St. Georges Hundred bounded by a line beginning at the mouth of a small branch emptying into Appoquinimink Creek between lands now or late of William A. Cochran and lands now or late of Alexander M. Vail; thence by a straight line through lands now or late of William A. Cochran and lands now or late of Richard W. Cochran, crossing the public road leading from Middletown to Odessa at the point where it is intersected by the road leading from said Middletown and Odessa Road to the Brick Mill; thence along the center line of said road leading to the brick mill and crossing the dam belonging to said mill to the center of the road leading from Odessa to Armstrong's Corner; thence with the center line of the Road leading from Odessa to Armstrong's Corner to the point where it intersects the Delaware Railroad; thence with the center line of the right of way of said Railroad Northerly to Mt. Pleasant and to the center line of the public road leading from Mt. Pleasant to Boyd's Corner; thence along the center line of the last mentioned Road Easterly to Boyd's Corner; thence by the center line of said last mentioned road as it leads to Port Penn until it intersects Augustine Creek; thence down the center line of the said Creek by the various courses thereof to the Delaware River; thence down the Delaware River to the mouth of Appoquinimink Creek; thence up the center line of said Appoquinimink Creek to the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the Public House now or lately occupied by William T. Chance in the Town of Odessa.

N. C. 25. The Second Election District of the Thirteenth Representative District is all that portion of St. Georges Hundred bounded by a line beginning on the Delaware River at the

mouth of St. Augustine Creek, thence up said Creek with the center line thereof to the point where it intersects the public road leading from Port Penn to Boyd's Corner and Mt. Pleasant; thence Westerly with the center line of said Road to Boyd's Corner; thence Westerly with the center line of said last mentioned Road to the center line of the Delaware Railroad at Mt. Pleasant; thence Northerly along the center line of the right of way of said Railroad to the center line of the Chesapeake and Delaware Canal; thence Easterly along the boundary line between the Hundred of St. Georges and the Hundred of Red Lion to the Delaware River; thence Southerly along said Delaware River, including Reedy Island, to the mouth of St. Augustine Creek, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the old Hotel in the Town of Port Penn.

N. C. 26. The Third Election District of the Thirteenth Representative District is all that portion of St. Georges Hundred bounded by a line beginning at the mouth of a small Branch emptying into Appoquinimink Creek between lands now or late of William A. Cochran and lands now or late of Alexander M. Vail, thence by a straight line through lands now or late of William A. Cochran and lands now or late of Richard W. Cochran, crossing the public road leading from Middletown to Odessa at the point where it is intersected by the road leading from said Middletown and Odessa Road to the brick mill; thence along the center line of said road leading to the brick mill and crossing the dam belonging to said mill to the center of the road leading from Odessa to Armstrong's Corner; thence with the center line of the road leading from Odessa to Armstrong's Corner to the point where it intersects the Delaware Railroad; and thence with the center line of the right of way of said Railroad Southerly to the point where said Railroad intersects the public road leading from Summit Bridge to Middletown; thence with the center line of said last mentioned public road and with the center line of Broad Street in the Town of Middletown to the intersection of said Broad Street with Main Street in the said Town of Middletown; thence Westerly with the center line of said Main Street and with the center line of the Road leading from Warwick, Maryland, to Middletown, Delaware, to the intersection of said Road with the Maryland State Line; thence Southerly along said State Line to the boundary line between the Hundred of St. Georges and the Hundred of Appoquinimink; thence West-

erly along said last mentioned boundary line to the point of Beginning.

All persons entitled to vote in said Third Election District shall vote at the public house now or lately occupied by George W. Ortlip.

N. C. 27. The Fourth Election District of the Thirteenth Representative District is all that portion of St. Georges Hundred bounded by a line beginning at the line dividing the State of Delaware from the State of Maryland, where the road leading from Warwick, Maryland, to Middletown, Delaware, intersects the same, and thence with the center line of said Road and with the Main Street of the Town of Middletown to the intersection of said Main Street and Broad Street; thence with the center line of said Broad Street and the public road leading to Summit Bridge Northerly to the Delaware Railroad; thence along the center line of the right of way of said Delaware Railroad to the Chesapeake and Delaware Canal; thence Westerly along the boundary line between the Hundred of St. Georges and the Hundreds of Red Lion and Pencader to the Maryland State boundary line; and thence Southerly by said State boundary line to the point of Beginning.

All persons entitled to vote in said Fourth Election District shall vote at the public house now or lately occupied by Alexander Maxwell in the Town of Middletown.

N. C. 28. The First Election District of the Fourteenth Representative District is all that portion of Appoquinimink Hundred bounded by a line beginning in the center line of the right of way of the Delaware Railroad where the said Railroad intersects the boundary line between the Hundred of Blackbird and the Hundred of Appoquinimink, thence Northerly with said Railroad through the Town of Townsend to the point where said Railroad intersects the boundary line between the Hundred of Appoquinimink and the Hundred of St. Georges; thence Easterly along the boundary line between the Hundreds of St. Georges and Appoquinimink to the Delaware River; thence down said Delaware River to the boundary line between the Hundred of Appoquinimink and the Hundred of Blackbird; thence Southwesterly along the boundary line between the Hundred of Appoquinimink and the Hundred of Blackbird to the center line of the Delaware Railroad, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the office building now or late of Daniel B. Maloney in the Town of Townsend.

N. C. 29. The Second Election District of the Fourteenth Representative District is all that part of Appoquinimink Hundred bounded by a line beginning in the center line of the right of way of the Delaware Railroad, where the said Railroad intersects the boundary line between the Hundred of Blackbird and the Hundred of Appoquinimink, thence Northerly with said Railroad through the Town of Townsend to the point where said Railroad intersects the boundary line between the Hundred of Appoquinimink and the Hundred of St. Georges; thence Westerly by said boundary line to the Maryland State boundary line; thence Southerly along said State boundary line to Cyprus Creek, where it intersects said State boundary line; thence Northerly and Easterly along the center line of said Cyprus Creek and the boundary line between the Hundreds of Appoquinimink and Blackbird to the Delaware Railroad, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the Hotel now or lately occupied by James C. Townsend in the Town of Townsend.

N. C. 30. The First Election District of the Fifteenth Representative District is all that portion of Blackbird Hundred bounded by a line beginning in the center of the State Road at Smyrna River Bridge in the boundary line between the Counties of Kent and New Castle, thence from said Bridge by the center line of said State Road Northerly through the Village of Blackbird to Blackbird Creek, the dividing line between the Hundreds of Blackbird and Appoquinimink; thence North-easterly down Blackbird Creek by its various courses, being the boundary line between the Hundreds of Appoquinimink and Blackbird to the Delaware River; thence down said Delaware River to the mouth of Smyrna River; thence Westerly along the center line of said Smyrna River, being the boundary line between the Counties of Kent and New Castle, to the center line of the State Road at Smyrna River Bridge, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the Hotel now or lately occupied by Vincent O. Hill in the Village of Blackbird.

N. C. 31. The Second Election District of the Fifteenth Repre-

representative District is all that portion of Blackbird Hundred bounded by a line beginning in the center of the State Road at Smyrna River Bridge in the boundary line between the Counties of Kent and New Castle, thence from said Bridge by the center line of said State Road Northerly through the Village of Blackbird to Blackbird Creek, the dividing line between the Hundreds of Blackbird and Appoquinimink; thence Westerly by said boundary line to the Maryland State Line; thence Southerly along said State boundary line to its intersection with the boundary line between the Counties of Kent and New Castle; thence Easterly by said County boundary line to the center of the State Road at Smyrna River Bridge, the point of beginning.

All persons entitled to vote in said Second Election District shall vote at the office now or late of the Road Commissioners for Blackbird Hundred in the Town of Blackbird.

For Kent County.

K. 1. The First Election District of the First Representative District is all that portion of Duck Creek Hundred bounded by a line beginning in the center line of the State Road at the Bridge across Smyrna River at Duck Creek Mills at the boundary line between Kent and New Castle Counties, running thence Southerly by the center line of said State Road through Smyrna to the Bridge at Garrison's Mills on Little River at the boundary line between Duck Creek Hundred and Little Creek Hundred; thence Easterly along said boundary line to the Delaware River; thence Northerly along the Delaware River to the boundary line of Blackbird Hundred; thence Westerly along said boundary line to the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the Smyrna House in the Town of Smyrna.

K. 2. The Second Election District of the First Representative District is all that portion of Duck Creek Hundred bounded by a line beginning in the center line of the State Road at the Bridge across Smyrna River at Duck Creek Mills at the boundary line between Kent and New Castle Counties, running thence Southerly by the center line of said State Road through Smyrna to the Bridge at Garrison's Mills on Little River at the boundary line between Duck Creek Hundred and Little Creek Hundred; thence Westerly by the boundary line between Duck Creek Hundred and Little Creek Hundred to the center

line of the right of way of the Delaware Railroad; thence Northerly along said center line of said right of way between Kenton Hundred and Duck Creek Hundred to the Southerly boundary line of Blackbird Hundred; thence Easterly by the boundary line between Blackbird Hundred and Duck Creek Hundred to the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the town Hall in the Town of Smyrna.

K. 3. The First Election District of the Second Representative District is Little Creek Hundred.

All persons entitled to vote in said First Election District shall vote at the office now or lately occupied by Ezekiel W. Reed in the Town of Leipsic.

K. 4. The Second Election District of the Second Representative District is all that portion of East Dover Hundred bounded by a line beginning at the Bridge over the Race at Moore's Mill in the center of the public road leading from Dover to Rising Sun on the Southerly boundary of East Dover Hundred, thence running Northerly with the center of said public road and State Street in the Town of Dover through said Town of Dover to the Westerly side of the Mill Pond formerly known as Shakespeare's Mill Pond; thence Northwesterly along the Westerly side of said Pond and by the center line of Fork Branch to the Delaware Railroad; thence in a Northerly direction by the center line of the right of way of said Railroad to the boundary line between Little Creek Hundred and East Dover Hundred; thence Easterly by said boundary line to the Delaware River; thence Southerly by the Delaware River to the boundary line between East Dover Hundred and North Murderkill Hundred; and thence Northwesterly by said boundary line to the point or place of Beginning.

All persons entitled to vote in said Second Election District shall vote at the County Court House Building in the Town of Dover.

K. 5. The First Election District of the Third Representative District is all that portion of Kenton Hundred bounded by a line beginning at a point on the Maryland State boundary line where said boundary line is intersected by the center line of the road leading from Millington to Clayton, thence along the center line of said road in an Easterly direction to the center line of the road leading to the Middle Alley Road and the

Kenton Road; thence along the center line of the said Road leading to the Middle Alley Road and the Kenton Road in a Southerly direction to the center line of the Kenton Road; thence along the center line of said Kenton Road in an Easterly direction to the Whitehouse; thence in a Southerly direction along the center line of the Road leading from the Whitehouse to the Road leading from Springs Mills to Brenford, and thence in an Easterly direction along the center line of said Road leading from Springs Mills to Brenford to the center line of the Delaware Railroad at Brenford; thence Northerly along the center line of the right of way of said Delaware Railroad to the boundary line between the Counties of Kent and New Castle; and thence Westerly along said boundary line to the Maryland State boundary line; and thence Southerly along said State boundary line to the center of the road leading from Millington to Kenton, the point of Beginning.

All persons entitled to vote in said First Election District shall vote in the building now or lately occupied and used as a wheelwright shop by Thomas Holladay in the Town of Clayton.

K. 6. The Second Election District of the Third Representative District is all that portion of Kenton Hundred bounded by a line beginning at a point on the Maryland State boundary line, where said boundary line is intersected by the center line of the Road leading from Millington to Clayton, thence along the center line of said Road in an Easterly direction to the center line of the road leading to the Middle Alley Road and the Kenton Road; thence along the center line of the said Road leading to the Middle Alley Road and the Kenton Road in a Southerly direction to the center line of the Kenton Road; thence along the center line of said Kenton Road in an Easterly direction to the Whitehouse; thence in a Southerly direction along the center line of the road leading from the Whitehouse to the Road leading from Springs Mills to Brenford; and thence in an Easterly direction along the center line of said Road leading from Springs Mills to Brenford to the center line of the Delaware Railroad at Brenford; thence Southerly along the center line of the right of way of said Delaware Railroad to the boundary line between Kenton Hundred and West Dover Hundred; thence Westerly along said boundary line to the Maryland State boundary line; thence Northerly along said State boundary line to the center of the Road leading from Millington to Clayton, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the Public House now or lately kept by Samuel Fortner in the Town of Kenton.

K. 7. The Election District of the Fourth Representative District is all of West Dover Hundred and all that portion of East Dover Hundred lying next to West Dover Hundred and separated from the rest of East Dover Hundred by the following boundary lines:—Beginning at the middle of the public road leading from the Horse Head Road to Kenton, where said Road intersects the boundary line between Kenton Hundred and East Dover Hundred, thence running along the center line of said Road to the center line of the Horse Head Road; thence running in a Westerly direction along the center line of said Horse Head Road a short distance to a short Road leading from the said Horse Head Road to the Road leading from Dover to Hazlettsville, known as the Hazlettsville Road; thence running along the center line of said short Road from the Horse Head Road to the said Hazlettsville Road; thence running in a Westerly direction along the center line of the said Hazlettsville Road a short distance to the Road leading therefrom to Wyoming; thence running along the center line of the said Road leading from the said Hazlettsville Road to Wyoming to the point where it intersects the boundary line between East Dover Hundred and North Murderkill Hundred.

All persons entitled to vote in said Election District shall vote at the store house now or lately occupied by Henry Whitaker in the Town of Hazlettsville.

K. 8. The First Election District of the Fifth Representative District is all that portion of East Dover Hundred bounded by a line beginning at the center line of Lockerman Street at its intersection with State Street in the Town of Dover, thence running Westerly with the center line of Lockerman Street until it reaches the Delaware Railroad on the Southern side of the Station House; thence Northerly with the center line of the right of way of Delaware Railroad until it intersects with the Horse Head Road; thence in a Westerly course with the center line of said Road to the intersection of said Road with the Road leading to Kenton; thence by the center line of said Kenton Road Northwesterly to the Southern boundary line of Kenton Hundred; thence Easterly by the boundary line between Kenton Hundred and East Dover Hundred to the center line of the right of way of the Delaware Railroad; thence Southeasterly by said center line of said Road to Fork Branch; thence South-

easterly along the center line of said Fork Branch and the Westerly side of the Mill Pond formerly known as Shakespeare's Mill Pond, to the center line of said State Street in the Town of Dover; thence Southerly by the center line of said State Street to its intersection with Lockerman Street, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the Armory Building in the Town of Dover.

K. 9. The Second Election District of the Fifth Representative District is all that portion of East Dover Hundred beginning at the bridge over the race at Moore's Mill in the public road leading from Dover to Rising Sun on the boundary line between the Hundreds of East Dover and North Murderkill, and thence running Northerly with the center line of said Public Road and with the center line of State Street in the Town of Dover until said State Street intersects Lockerman Street; thence Westerly with the center line of said Lockerman Street until it reaches the Delaware Railroad on the South side of the Station House; thence Northerly with the center line of the right of way of said Delaware Railroad until it intersects with the Horse Head Road; thence in a Westerly course with the center line of said Road to the intersection of said Road with the short road leading from said Horse Head Road to the Road leading from Dover to Hazletville, known as the Hazletville Road; thence along the center line of said short road Southerly to the said Hazletville Road; thence Westerly by the center line of said Hazletville Road to the Road leading therefrom to Wyoming; thence along the center line of said Wyoming Road to the point of its intersection with the boundary line between East Dover Hundred and North Murderkill Hundred; thence in an Easterly direction with said Hundred boundary line to the place of Beginning.

All persons entitled to vote in said Second Election District shall vote at the carriage shop now or lately occupied by Robert H. Lewis on Governor's Avenue in the Town of Dover.

K. 10. The First Election District of the Sixth Representative District includes all those portions of North Murderkill Hundred and South Murderkill Hundred bounded by a line beginning at a point on the Maryland Line where the boundary line between West Dover Hundred and North Murderkill Hundred intersects the same, thence running with said Maryland Line South to the point where the County Road leading from Sandtown to Greensboro intersects the same; thence Easterly South

of the Village of Sandtown by Cohee's Shops and the Public School House near Mrs. Charles Warren by the center line of the public road leading by Willis' Chapel to the Big Ash on the public road leading from Felton to Whiteleysburg; thence by the center line of said Road to the Owls Nest Road; thence running in a Northerly direction along the center line of the said Owls Nest Road to the intersection of the Cowgill Road from Woodside to Petersburg; thence running in a Northeasterly direction along the center line of said Cowgill Road to the Reed Road running from Woodside to duPont School House; thence running in a Northwesterly direction along the center line of said Reed Road to duPont School House; thence running in a Northerly direction along the center line of the public road leading from Willow Grove to Camden a short distance to Stubbs Corner; thence running in a Westerly and Northwesterly and Westerly direction along the center line of the public road leading from duPont School House to the Alms House to Gray's Corner; thence continuing in a direct Westerly line to the Southern boundary line of West Dover Hundred; thence following the Southern boundary line of West Dover Hundred in a Westerly direction to the place of Beginning.

All persons entitled to vote in said First Election District shall vote in the building now or lately owned by Mrs. Annie Culver in the Town of Willow Grove.

K. 11. The Second Election District of the Sixth Representative District includes all that portion of North Murderkill Hundred, South Murderkill Hundred and Mispillion Hundred, bounded by a line beginning at the intersection of the Southern line of South Murderkill Hundred, with the State of Maryland, thence running along the division line between Mispillion Hundred and South Murderkill Hundred to the public road leading from Whiteleysburg to Harrington; thence running in a Southeasterly and Easterly direction along the center line of said public road to the public road leading from Masten's Corner to Vernon, at or near White's Church; thence running in a Northeasterly direction along the center line of the said public road leading from Masten's Corner to Vernon a short distance to the public road leading therefrom to the Town of Harrington, being a continuation of the road leading from Whiteleysburg to Harrington; thence by the center line of said public road in a Southeasterly direction to its intersection with West Street in the Town of Harrington; thence running in a northerly direction along the

center line of said West Street to the center line of Wolcott Street in said Town of Harrington; thence running in an Easterly direction along the center line of said Wolcott Street to the center line of Dorman Street in said Town of Harrington; thence running in a Northerly direction along the center line of said Dorman Street to Brown's Branch, being the North-west corner of lands now or late of Joseph Ward; thence running in an Easterly direction with the course of said Branch to the Delaware Railroad; thence running in a Northerly direction along the center line of the right of way of said Delaware Railroad to Beaver Dam Branch in South Murderkill Hundred; thence following the course of said Beaver Dam Branch in a northwesterly direction to the public road leading from Felton to Whiteleysburg; thence Westerly with the center line of said last mentioned road to what is known as the "Big Ash"; thence in a Northerly direction with the center line of the public road leading by Willis' Chapel; thence by the public School House near Mrs. Charles Warren and on by Cohee's Shops and Sandtown, leaving the Village to the North; thence by the center line of the County Road leading from Sandtown to Greensboro to the Maryland Line; and thence by the said Maryland Line South to the place of Beginning.

All persons entitled to vote in said Second Election District shall vote at Masten's Corner at such place as shall be procured by the Inspector or other officer holding the election in said District.

K. 12. The First Election District of the Seventh Representa-District is all that portion of North Murderkill Hundred bounded by a line beginning at a point in the boundary line between West Dover Hundred and North Murderkill Hundred, in the center of the public road running Easterly to Gray's Corner, thence by the center line of said public road to Gray's Corner; thence running Easterly, Southeasterly and Easterly, along the center line of the public road leading from the Alms House to duPont School House, to Stubb's Corner, to the center line in the public road leading from Camden to Willow Grove, thence in a Northeasterly direction by the center line of said Camden and Willow Grove Road to the center line of the Cedar Lane Road; thence along the center line of the Cedar Lane Road in a Southeast-erly direction to the center line of the public road from Camden to Canterbury; thence along the center line of said Camden Road a short distance in a Northerly direction to the center line of the public road leading to Green's Mill and Rising

Sun; thence along the center line of the Green's Mill and Rising Sun Road in an Easterly direction to the center line of the public road leading from Camden to Magnolia at Rising Sun; thence following the center line of said Camden and Magnolia Road in a Southeasterly direction to the boundary line between the Hundred of North Murderkill and the Hundred of South Murderkill; thence Easterly along said boundary line to the boundary line of East Dover Hundred; thence Northwesterly and Westerly along the boundary lines between North Murderkill Hundred and East Dover Hundred and West Dover Hundred to the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the building now or lately occupied by William H. Sarde in the Town of Camden.

K. 13. The Second Election District of the Seventh Representative District is all that portion of North Murderkill Hundred bounded by a line beginning at the intersection of the public road leading from Camden to Magnolia with the boundary line between the Hundred of North Murderkill and the Hundred of South Murderkill; thence Westerly along said boundary line to the intersection of the Owls Nest Road with the Cowgill Road from Woodside to Petersburg; thence running in a Northeasterly direction along the middle of said Cowgill Road to the Reed Road running from Woodside to duPont School House; thence running in a Northwesterly direction along the center line of the said Reed Road to duPont School House; thence running in a Northerly direction along the center line of the public road leading from Willow Grove to Camden a short distance to Stubbs' Corner; thence in a Northeasterly direction by the center line of said Camden and Willow Grove Road to the center line of Cedar Lane Road; thence along the center line of the Cedar Lane Road in a Southeasterly direction to the center line of the public road from Camden to Canterbury; thence along the center line of said Camden Road a short distance in a Northerly direction to the center line of the public road leading to Green's Mill and Rising Sun; thence along the center line of the Green's Mill and Rising Sun Road in an Easterly direction to the center line of the public road leading from Camden to Magnolia at Rising Sun; thence following the center line of said Camden and Magnolia Road in a Southeasterly direction to its intersection with the boundary line between North Murderkill and South Murderkill Hundred, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the Town of Woodside, at such place as shall be procured by the Inspector or other officer holding the election in said Election District.

K. 14. The First Election District of the Eighth Representative District is all that portion of South Murderkill Hundred bounded by a line beginning at a point at or near Locust Grove School House on the line dividing North Murderkill and South Murderkill Hundreds, and running thence Southerly by the center line of the public road leading to and by Virden's Mill; and thence Southerly by the center line of the same public road to Boswell's Mill; and thence Southerly by the same public road to the Felton and Frederica Road; thence Southwesterly with the center line of said Frederica and Felton Road to Roe's Corner on the Road from Canterbury to Roe's Village; thence Easterly by the center line of a public road to the public road leading to Spring Mills; and thence by the center line of said last mentioned Road to said Spring Mills; and thence Southerly to the line dividing Milford Hundred from South Murderkill Hundred; thence Westerly along the boundary line between South Murderkill Hundred and the Hundreds of Milford and Mispillion, to the center line of the right of way of the Delaware Railroad; thence Northerly along the center line of said right of way to Beaver Dam Branch; thence following the course of said Beaver Dam Branch in a Northwesterly direction to the public road leading from Felton to Whiteleysburg; thence by the center line of said Road from Felton to Whiteleysburg to the Owls Nest Road; thence running in a Northerly direction along the center line of the said Owls Nest Road to the boundary line between North Murderkill Hundred and South Murderkill Hundred; thence Easterly by said boundary line to Locust Grove School House, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the Public House now or lately occupied by George C. Herring in the Town of Felton.

K. 15. The Second Election District of the Eighth Representative District is all that portion of South Murderkill Hundred bounded by a line beginning at a point at or near Locust Grove School House on the line dividing North Murderkill and South Murderkill Hundreds, and running thence Southerly by the center line of the public road leading to and by Virden's Mill; and thence Southerly by the center line of the same

public road to Boswell's Mill; and thence Southerly by the same public road to the Felton and Frederica Road; thence Southwesterly with the center line of said Frederica and Felton Road to Roe's Corner on the road from Canterbury to Roe's Village; thence Easterly by the center line of a public road to the public road leading to Spring Mills; and thence by the center line of said last mentioned Road to said Spring Mills; and thence Southerly to the line dividing Milford Hundred from South Murderkill Hundred; thence Easterly by said boundary line to the Delaware Bay; thence Northerly by said Delaware Bay to the boundary line between South Murderkill Hundred and East Dover Hundred; thence Northwesterly by said boundary line to the boundary line between North Murderkill Hundred and South Murderkill Hundred; and thence Southwesterly by said last mentioned boundary line to Locust Grove School House, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the public house called the Delaware House in the Town of Frederica.

K. 16. The First Election District of the Ninth Representative District is all that portion of Mispillion Hundred bounded by a line beginning in the division line between Mispillion Hundred and South Murderkill Hundred in the center line of the public road leading from Whiteleysburg in the State of Maryland to Harrington, thence running in a Southeasterly and Easterly direction along the center line of said public road to the public road leading from Masten's Corner to Vernon, at or near White's Church; thence running in a Northeasterly direction along the middle of said public road leading from Masten's Corner to Vernon a short distance to the public road leading therefrom to the Town of Harrington, being a continuation of the road leading from Whiteleysburg to Harrington; thence running in a Southeasterly direction by the center line of said road to its intersection with West Street in the Town of Harrington; thence running in a Northerly direction along the center line of said West Street to the center line of Wolcott Street in said Town of Harrington; thence running in an Easterly direction along the center line of said Wolcott Street to the center line of Dorman Street in said Town of Harrington; thence running in a Northerly direction along the center line of said Dorman Street to Brown's Branch, being the Northwest corner of lands now or late of Joseph Ward; thence running in an Easterly direction with the course of said Branch

to the center line of the right of way of the Delaware Railroad; thence running in a Northerly direction along the center line of said right of way of said Railroad to the boundary line between Mispillion Hundred and South Murderkill Hundred; thence Easterly along said boundary line to the boundary line between the Hundreds of Milford and Mispillion; thence Southerly along said last mentioned boundary line to the center line of the right of way of Junction and Breakwater Railroad; thence Westerly along the center line of the said right of way of said Railroad until it intersects with the center line of the Climer and Wolcott Road; thence Easterly with the center line of said Climer and Wolcott Road until it intersects with the center line of a lane running Westward between the lands of Amos Cole and Benjamin Harrington; thence by the center line of said Lane Westward to the center line of the public road leading from Harrington to Farmington; thence by the center line of said Harrington and Farmington Road until it intersects with the center line of what is known as the Queenstown Road leading toward Anthony's Cross Roads; thence with the center line of said Queenstown Road Westerly until it intersects with the center line of the public road leading by Brownsville toward Riley Melvin's Cross Roads; thence Westerly by the center line of said public road by Brownsville to Riley Melvin's Cross Roads; thence still Westerly by the center line of said Road until it intersects with the Maryland State Line; thence Northerly along said Maryland State Line until it intersects with the boundary line between South Murderkill Hundred and Mispillion Hundred; thence Northeasterly along said last mentioned boundary line to the center line of said Road leading from Whiteleysburg to Harrington, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the Town Hall of Harrington situate in the Town of Harrington.

K. 17. The Second Election District of the Ninth Representative District is all that portion of Mispillion Hundred bounded by a line beginning at the West side of said Hundred at the Maryland Line in the center line of a public road leading to Riley Melvin's Cross Roads, thence Easterly by the center line of said public road through Riley Melvin's Cross Roads and by Brownsville until it intersects with what is known as the Queenstown Road near Anthony's Cross Roads; thence Easterly by said Queenstown Route or Road and by the center line thereof to the center line of the public road leading from Har-

rington to Farmington; thence by the center line of said last mentioned public road until it reaches a Lane that runs Eastward between the lands of Amos Cole and Benjamin Harrington; thence by the center line of said Lane until it intersects with the Climer and Wolcott Road; thence Easterly by the center line of said Climer and Wolcott Road until it intersects with the center line of the right of way of the Junction and Breakwater Railroad; thence Easterly by the center line of said right of way of said Railroad to the boundary line between Mispillion and Milford Hundreds; thence Southerly along said boundary line until it intersects with the boundary line between Kent and Sussex Counties; thence Westerly along said last mentioned boundary line until it intersects with the Maryland State boundary line; thence Northerly along said last mentioned boundary line until it intersects with the center line of the public road leading to Riley Melvin's Cross Roads, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the public school building in the Town of Farmington.

K. 18. The First Election District of the Tenth Representative District is all that portion of Milford Hundred bounded by a line beginning at the Bridge across Murderkill River near Frederica, where the State Road crosses said Murderkill River, thence Southerly along the center line of said State Road through the Town of Milford to the Bridge across Mispillion River at the boundary line between the Counties of Kent and Sussex; thence Easterly along said boundary line to the Delaware Bay; thence Northwesterly along said Delaware Bay to the boundary line between the Hundreds of South Murderkill and Milford; thence Westerly along said last mentioned boundary line to the center line of the State Road at the Bridge across the Murderkill River, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the public house known as the National Hotel in the Town of Milford.

K. 19. The Second Election District of the Tenth Representative District is all that portion of Milford Hundred bounded by a line beginning at the Bridge across Murderkill River near Frederica, where the State Road crosses said Murderkill River, thence Southerly along the center line of said State Road through the Town of Milford to the Bridge across Mispillion River at the boundary line between the Counties of Kent and

Sussex; thence Westerly by said boundary line to the boundary line between Mispillion Hundred and Milford Hundred; thence Northerly along said last mentioned boundary line to its intersection with the southerly boundary line of South Murderkill Hundred; thence Northeasterly along the boundary line between South Murderkill Hundred and Milford Hundred to the center line of the State Road at the Bridge across Murderkill River, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the public house known as the Central Hotel in the Town of Milford.

For Sussex County.

S. 1. The First Election District of the First Representative District is all that portion of Cedar Creek Hundred bounded by a line beginning on the West side of the Delaware Bay at the old or closed mouth of Cedar Creek, thence up said Creek by the various meanderings thereof in a Southwesterly direction past the brick granary and Cedar Creek Mills to Cubbage's Mill to the public road leading to Lincoln; thence by the center line of said public road Westerly through the Town of Lincoln and across the State Road to the Shawnee Road, being a corner of the Stuart lands; thence along the center line of said Shawnee Road and the Road leading to Oakley Station on the Queen Anne Railroad to the boundary line between Cedar Creek Hundred and Nanticoke Hundred; thence Northerly along said boundary line to the boundary line between Kent and Sussex Counties; thence Northeasterly along said last mentioned boundary line to the Delaware Bay Shore; thence down said Delaware Bay Shore Southerly to the old mouth of Cedar Creek, being the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the Armory in the Town of Milford.

S. 2. The Second Election District of the First Representative District is all that portion of Cedar Creek Hundred bounded by a line beginning on the West Side of the Delaware Bay at the old or closed mouth of Cedar Creek, thence up said Creek by the various meanderings thereof in a Southwesterly direction past the brick granary and Cedar Creek Mills to Cubbage's Mill to the public road leading to Lincoln; thence by the center line of said public road Westerly through the Town of Lincoln and across the State Road to the Shawnee Road, being a corner of the Stuart lands; thence along the center line of

said Shawnee Road and the Road leading to Oakley Station on the Queen Anne Railroad to the boundary line between Cedar Creek Hundred and Nanticoke Hundred; thence Southerly by said boundary line to the boundary line of Georgetown Hundred; thence Easterly along the boundary lines between Cedar Creek Hundred and the Hundreds of Georgetown and Broadkilm to the Delaware Bay Shore; thence Northwesterly along said Delaware Bay Shore to the old mouth of Cedar Creek, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the public hall in the Town of Lincoln.

S. 3. The First Election District of the Second Representative District is all that portion of Nanticoke Hundred bounded by a line beginning at a point where Gravelly Branch intersects the dividing line between Georgetown and Nanticoke Hundreds and running in a Southwesterly course to what was formerly known as Rest's Old Mill; thence along said Branch to what was formerly known as Collins' Mills to its mouth, being at the head of Middleford Mill Pond, being in the boundary line between the Hundreds of Seaford and Nanticoke; thence running Northwesterly along the boundary line between the Hundred of Nanticoke and the Hundreds of Seaford and Northwest Fork to the boundary line between the Counties of Kent and Sussex; thence Northeasterly along the boundary line between the Counties of Kent and Sussex to the boundary line of Cedar Creek Hundred; thence Southeasterly along the boundary lines between Nanticoke Hundred and the Hundreds of Cedar Creek and Georgetown to the intersection thereof with Gravelly Branch aforesaid, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at Owen's Station at such place as shall be procured by the Inspector or other officer holding the election in said Election District.

S. 4. The Second Election District of the Second Representative District is all that portion of Northwest Fork Hundred bounded by a line beginning at Norton's Mill Stream in the boundary line between the Hundreds of Nanticoke and Northwest Fork, thence in a Westerly direction with the center line of the public road leading to Dale's Crossing; thence by the center line of the public road to Cocked Hat; thence by the center line of the public road to the farm of Oliver A. Newton to a road leading to Bridgeville; thence by the center line of said last mentioned road in a Northwesterly direction to the

first public road on the right leading to Scott's Store; thence by the center line of said last mentioned road to Scott's Store; thence by the center line of said road to Wooden Hawk; thence following the center line of said Road and crossing another road at Adams' Mills; thence by the center line of the road leading to Andersontown to the Maryland State Line; thence Southerly by said Maryland State Line to the boundary line between the Hundreds of Seaford and Northwest Fork; thence Easterly along said last mentioned boundary line to the boundary line of Nanticoke Hundred; thence Northerly along the boundary line between Northwest Fork Hundred and Nanticoke Hundred to Norton's Mill Stream, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the public house now or lately kept by Manlove Adams in the Town of Bridgeville.

S. 5. The Third Election District of the Second Representative District is all that portion of Northwest Fork Hundred bounded by a line beginning at Norton's Mill Stream in the boundary line between the Hundreds of Nanticoke and Northwest Fork; thence in a Westerly direction with the center line of the public road leading to Dale's Crossing; thence by the center line of the public road to Cocked Hat; thence by the center line of the public road to the farm of Oliver A. Newton to a road leading to Bridgeville; thence by the center line of said last mentioned Road in a Northwesterly direction to the first public road on the right leading to Scott's Store; thence by the center line of said last mentioned road to Scott's Store; thence by the center line of said Road to Wooden Hawk; thence following the center line of said Road and crossing another road at Adams' Mills; thence by the center line of the road leading to Anderstown to the Maryland State Line; thence Northerly along said Maryland State Line to the boundary line between the Counties of Kent and Sussex; thence Easterly along said last mentioned boundary line to the boundary line between Northwest Fork Hundred and Nanticoke Hundred; thence Southerly by said last mentioned boundary line to Norton's Mill Stream, the point of Beginning.

All persons entitled to vote in said Third Election District shall vote in the Town of Greenwood at such place as shall be procured by the Inspector or other officer holding the election in said Election District.

S. 6. The First Election District of the Third Representative District is all that portion of Nanticoke Hundred bounded by a line beginning at a point where Gravelly Branch intersects the dividing line between Georgetown and Nanticoke Hundreds, and running in a Southwesterly course to what was formerly known as Rest's Old Mill, thence along said Branch to what was formerly known as Collins' Mills to its mouth, being at the head of Middleford Mill Pond, being in the boundary line between the Hundreds of Seaford and Nanticoke; thence Southerly by said boundary line to the boundary line between Nanticoke Hundred and Broad Creek Hundred; thence Easterly by said last mentioned boundary line to the boundary line of Dagsboro Hundred; thence Northerly along the boundary line between Nanticoke and Dagsboro and Georgetown Hundreds to Gravelly Branch, the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the place known as Old Furnace at such place as shall be procured by the Inspector or other officer holding the election in said Election District.

S. 7. The Second Election District of the Third Representative District is all that portion of Seaford Hundred bounded by a line beginning at a point at the foot of Spring Alley in the Town of Seaford on the North Bank of the Nanticoke River, being at the boundary line between the Hundred of Seaford and the Hundred of Broad Creek; thence with the center line of said Spring Alley to High Street; thence Westward with the center line of High Street to Arch Street; thence Northward with the center line of Arch Street to the County Road forming the Northern boundary line of the Town of Seaford; thence Westward with the center line of said County Road to its intersection with Pine Street; thence with the center line of the Road leading by Ross Station to Wesley Church; thence with the center line of the County Road leading from said Wesley Church over the Branch and by the farms of John J. Kinder, Charles Friedel, Amos K. Corbin and others, to the point of intersection of said Road with the County Road, leading from Bridgeville to Federalsburg, being in the boundary line between the Hundreds of Northwest Fork and Seaford; thence Easterly with said boundary line to the boundary line between the Hundred of Seaford and the Hundred of Nanticoke; thence Southwesterly along the boundary line between the Hundred of Seaford and the Hundreds of Nanticoke and Broad Creek to the foot of Spring Alley in the Town of Seaford, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the Town of Seaford at such place within said Second Election District as shall be selected by the Inspector or other officer holding the election in said Second Election District.

S. 8. The Third Election District of the Third Representative District is all that portion of Seaford Hundred bounded by a line beginning at a point at the foot of Spring Alley in the Town of Seaford on the North Bank of the Nanticoke River, being at the boundary line between the Hundred of Seaford and the Hundred of Broad Creek, thence with the center line of said Spring Alley to High Street; thence Westward with the center line of High Street to Arch Street; thence Northward with the center line of Arch Street to the County Road forming the Northern boundary line of the Town of Seaford; thence Westward with the center line of said County Road to its intersection with Pine Street; thence with the center line of the Road leading by Ross Station to Wesley Church; thence with the center line of the County Road leading from said Wesley Church over the Branch and by the farms of John J. Kinder, Charles Friedel, Amos K. Corbin and others to the point of intersection of said Road with the County Road leading from Bridgeville to Federalsburg, being in the boundary between the Hundreds of Seaford and Northwest Fork; thence Westward by the center line of said last mentioned Road to the Maryland State boundary line; thence Southerly by said State boundary line to the boundary line between the Hundred of Seaford and the Hundred of Little Creek; thence Northeasterly by the boundary line between the Hundred of Seaford and the Hundreds of Little Creek and Broad Creek to the foot of Spring Alley in the Town of Seaford, the point of Beginning.

All persons entitled to vote in said Third Election District shall vote at the Town of Seaford at such place within said Third Election District as shall be selected by the Inspector or other officer holding the election in said Election District.

S. 9. The Election District of the Fourth Representative District shall embrace all of Broad Creek Hundred.

All persons entitled to vote in said Election District shall vote at or near the store house now or late of H. L. Moore at Broad Creek, otherwise known as M. M. Holt's store.

S. 10. The First Election District of the Fifth Representative District is all that portion of Little Creek Hundred bounded by

a line beginning at Warrington's store in the boundary line between the Hundred of Little Creek and the Hundred of Gumboro, thence in a Westerly course by the center line of the public road by the farm of E. H. Warrington; thence by said center line of said public road over the Branch by the farm of J. Cannon to the Junction of said Road with another public road; thence with the center line of the first mentioned public road in a Northwesterly direction by the residence of T. Ward and J. Ward to the Millstream of Ellis' Mills; thence over said Stream to the main country road leading from Laurel to Smith's Mills by King's Church; thence in a Westerly course by the center line of a new road by the farm of E. C. Gordy to the old State Road; thence South down the center line of said old State Road to Mrs. H. Lynch; thence in a Westerly course by the farm of E. H. Olliphant and the farm of S. Hill to the main road leading from Laurel to Delmar; thence by the center line of said Road in a Northerly direction to the road leading to Bacon's Switch; thence by the center line of said last mentioned road in a Southerly direction leading to Bacon's Switch to the Easterly side of the right of way of the Delaware Railroad; thence Northerly along the Easterly line of the lands of the said Railroad to Clayton Avenue in the Town of Laurel; thence Easterly by the center line of said Clayton Avenue to the center line of Central Avenue; thence Northerly by the center line of Central Avenue to the foot of said Avenue in the Town of Laurel on the Laurel River, being at the boundary line between the Hundreds of Little Creek and Broad Creek; thence Southeasterly by said last mentioned boundary line to Warrington's Store, the point of Beginning.

All persons entitled to vote in said First Election District shall vote in the Town of Laurel at such place in said District as shall be selected by the Inspector or other officer holding the election in said Election District.

S. 11. The Second Election District of the Fifth Representative District is all that portion of Little Creek Hundred bounded by a line beginning at Warrington's Store in the boundary line between the Hundred of Little Creek and the Hundred of Gumboro, thence in a Westerly course by the center line of the public road by the farm of E. H. Warrington; thence by said center line of said public road over the Branch by the farm of J. Cannon to the Junction of said Road with another public road; thence with the center line of the first mentioned public road in a Northwesterly direction by the residence of T. Ward and J. Ward to the Mill Stream of Ellis' Mills; thence over

said Stream to the main country road leading from Laurel to Smith's Mills by King's Church; thence in a Westerly course by the center line of a new road by the farm of E. C. Gordy to the old State Road; thence South down the center line of said old State Road to Mrs. H. Lynch; thence in a Westerly course by the farm of E. H. Olliphant and the farm of S. Hill to the main road leading from Laurel to Delmar; thence by the center line of said Road in a Northerly direction to the road leading to Bacon's Switch; thence by the center line of said last mentioned road in a Southerly direction leading to Bacon's Station across the Railroad down the main country road by Jonathan Rickards, by the farm of J. W. Richards, until it strikes the road leading to Spring Hill; thence Southerly by the center line of said last mentioned road to the fork of the road near Ralph Store; thence in a Northerly direction to the land of Charles Walson; thence in a Westerly course around said land back; thence in a Westerly direction to the main country road by William B. Rickards, S. P. Twilley and J. E. Twilley to the corner of D. M. Phillips; thence by the center line of said public road in a Westerly direction to William Owens; thence in a southerly direction to A. R. Bradley; thence in a Westerly direction to a point of R. Twilley's farm in the Maryland State boundary line; thence Southerly by said boundary line to a corner in said boundary line; thence Easterly along said State boundary line to the boundary line between Little Creek Hundred and Gumboro Hundred; thence Northwesterly along the boundary line between Little Creek Hundred and Gumboro Hundred to Warrington's Store, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at or near the store house of William L. Sirman in the Town of Delmar.

S. 12. The Third Election District of the Fifth Representative District is all that portion of Little Creek Hundred bounded by a line beginning at Laurel River at the foot of Central Avenue in the Town of Laurel at the boundary line between Little Creek Hundred and Broad Creek Hundred, thence Southerly by the center line of said Central Avenue to the center line of Clayton Avenue; thence with the center line of Clayton Avenue in a Westerly direction to the easterly line of lands of the Delaware Railroad Company; thence with the Easterly line of lands of the Delaware Railroad Company in a Southerly direction to Bacon's Station; thence by the public road crossing said Railroad along the center of the main country road by

Jonathan Rickards, by the farm of J. W. Rickards, till it strikes the road leading to Spring Hill; thence Southerly by the center line of said last mentioned road to the fork of the road near Ralph Store; thence in a Northerly direction to the land of Charles Walson; thence in a Westerly course around said land back; thence in a Westerly direction to the main country road by William B. Rickards, S. P. Twilley and J. E. Twilley to the corner of D. M. Phillips; thence by the center line of said public road in a westerly direction to William Owens; thence in a Southerly direction to A. R. Bradley; thence in a Westerly direction to a point of R. Twilley's farm in the Maryland State boundary line; thence Northerly along said State boundary line to the boundary line between Little Creek Hundred and Seaford Hundred; thence Easterly along the boundary lines between Little Creek Hundred and the Hundreds of Seaford and Broad Creek to the center line of Central Avenue at the Laurel River in the Town of Laurel, being the point of Beginning.

All persons entitled to vote in said Third Election District shall vote at the Town of Laurel at such place in said District as shall be selected by the Inspector or other officer holding the election in said Election District.

***S. 13.** The First Election District of the Sixth Representative District is all that portion of Dagsboro Hundred bounded by a line beginning in the center line of the public road at Millsboro Mills at the boundary line between Dagsboro Hundred and Gumboro Hundred; thence Northerly by the center line of said public road, being the Main Street of Millsboro, in a Westerly direction through the Town of Millsboro; thence by the center line of said public road to Phillips' Hill, and thence still with the center line of said public road by way of Carey's Methodist Episcopal Church to the boundary line between Dagsboro Hundred and Gumboro Hundred; thence Northerly by the boundary lines between Dagsboro Hundred and the Hundreds of Gumboro, Broad Creek and Nanticoke, to the boundary line between Dagsboro Hundred and Georgetown Hundred; thence Easterly along said last mentioned boundary line to the boundary line between Dagsboro Hundred and Indian River Hundred; thence Southerly along said last mentioned boundary line to the center line of the public road at Millsboro Mills, the place of Beginning.

*Amend—Chapter 100, Volume 28. See end of Sussex County Election District division.

All persons entitled to vote in said First Election District shall vote at the building owned by George W. Marvel or some other suitable building to be selected by the Inspector or other officer holding the election in said Election District, at or within a radius of one-half a mile from Marvel's Old Tan Yard.

***S. 14.** The Second Election District of the Sixth Representative District is all that portion of Dagsboro Hundred bounded by a line beginning in the center line of the public road at Millsboro Mills at the boundary line between Dagsboro Hundred and Indian River Hundred, thence with the center line of said public road, being the Main Street of Millsboro in a Westerly direction through the Town of Millsboro; thence by the center line of said public road to Phillips' Hill, and thence still with the center line of said public road by way of Carey's Methodist Episcopal Church to the boundary line between Dagsboro Hundred and Gumboro Hundred; thence Southeasterly by said boundary line to the boundary line between Dagsboro Hundred and Baltimore Hundred; thence Northeasterly along said last mentioned boundary line to the boundary line between Indian River Hundred and Dagsboro Hundred; thence West-erly along said last mentioned boundary line to the center line of the public road at Millsboro Mills, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at the Town of Dagsboro, at such place as shall be selected by the Inspector or other officer holding the election in said Election District.

S. 15. The Third Election District of the Sixth Representative District shall embrace all of Gumboro Hundred.

All persons entitled to vote in said Third Election District shall vote at the office now or lately owned by Jane E. Hearn, and now or lately occupied by E. H. Tyre.

S. 16. The First Election District of the Seventh Representative District is all that portion of Baltimore Hundred bounded by a line beginning in the center of the public road at the Baltimore Mill Dam in the boundary line between Baltimore Hundred and Dagsboro Hundred, thence running down the center line of said public road by Peter R. Hickman by way of Trap School House to H. H. Hickman's Store; thence down the center line of said County Road to the center line of the County Road opposite the farm of George L. Barnett; thence running

*Amend—Chapter 100, Volume 28. See end of Sussex County Election District division.

along the center line of said last mentioned road to a Bridge across Williams Creek, known as Derrickson's Old Mill; thence down said Williams Creek and Assawaman Bay to the Maryland State boundary line; thence Easterly along said State boundary line to the Atlantic Ocean; thence Northerly by the shore of said Atlantic Ocean to Indian River Bay; thence along the boundary line between Baltimore Hundred and Indian River Hundred Westerly to the boundary line between Dagsboro Hundred and Baltimore Hundred; thence Southerly along said last mentioned boundary line to the center line of the public road at Baltimore Mill Dam, being the point of Beginning.

All persons entitled to vote in said First Election District shall vote at the School House of School District No. 181 in the Town of Millville.

S. 17. The Second Election District of the Seventh Representative District is all that portion of Baltimore Hundred bounded by a line beginning in the center of the public road at the Baltimore Mill Dam in the boundary line between Baltimore Hundred and Dagsboro Hundred, thence running down the center line of said public road by Peter R. Hickman, by way of Trap School House to H. H. Hickman's store; thence down the center line of said County Road to the center line of the County Road opposite the farm of George L. Barnett; thence running along the center line of said last mentioned road to a bridge across Williams Creek, known as Derrickson's Old Mill; thence down said Williams Creek and Assawaman Bay to the Maryland State boundary line; thence Westerly along said State boundary line to the boundary line between Baltimore Hundred and Gumboro Hundred; thence Northerly and Northeasterly along the boundary lines between Baltimore Hundred and the Hundreds of Gumboro and Dagsboro to the center line of the public road at Baltimore Mill Dam, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote at Selbyville, at such place as shall be procured by the Inspector or other officer holding the election in said Election District.

S. 18. The Election District of the Eighth Representative District shall embrace all of Indian River Hundred.

All persons entitled to vote in said Election District shall vote at the old store house now or lately of Wesley W. Stevenson.

S. 19. The Election District of the Ninth Representative District shall embrace all of Georgetown Hundred.

All persons entitled to vote in said Election District shall vote at the County Court House in the Town of Georgetown.

S. 20. The First Election District of the Tenth Representative District shall embrace all of Broadkilm Hundred.

All persons entitled to vote in said Election District shall vote in the Village of Milton at the Milton Academy.

S. 21. The Second Election District of the Tenth Representative District is all that portion of Lewes and Rehoboth Hundred bounded by a line beginning at Broadkilm Inlet at the entrance to the Delaware Bay, thence up Broadkilm Sound on the line of Broadkilm Hundred to Broadkilm River; thence up said River to Mill Creek; thence up said Mill Creek to Black Oak Gut; thence up Black Oak Gut and across the new road leading from Lewes to Nassau to the old road leading from Milton to Lewes, at or near Yellow Hill School House; thence with the center line of said public road by way of Five Points and Prettyman's Corner to the center line of the public road leading from Lewes to Rehoboth at William H. Virden's farm; thence in a Southeasterly direction across said Virden farm and Southwest of the farm house to the head of Wolf's Glade; thence down and with the stream in said Wolf's Glade to Lewes Creek; thence turning and running in an Easterly direction to a point on the ocean shore one-half mile south of Cape Henlopen Life Saving Station; thence Northerly along the said ocean shore to the Delaware Bay; thence Westerly and Northwesterly along the shore of the said Delaware Bay to Broadkilm Inlet at the entrance to said Bay, the point of Beginning.

All persons entitled to vote in said Second Election District shall vote in the Town of Lewes at the house now or lately occupied as a tavern by Edward Watson.

S. 22. The Third Election District of the Tenth Representative District is all that portion of Lewes and Rehoboth Hundred bounded by a line beginning at a point in the boundary line between Broadkilm Hundred and Lewes and Rehoboth Hundred in Mill Creek at the mouth of the Black Oak Gut, thence up Black Oak Gut and across the new road leading from Lewes to Nassau to the old road leading from Milton to Lewes, at or near Yellow Hill School House; thence with the center line of said public road by way of Five Points and Prettyman's Corner, to the center line of the public road leading from

Lewes to Rehoboth at William H. Virden's farm; thence in a Southeasterly direction across said Virden farm and Southwest of the farm house to the head of Wolf's Glade; thence down and with the stream in said Wolf's Glade to Lewes Creek; thence turning and running in an Easterly direction to a point on the ocean shore one-half mile south of Cape Henlopen Life Saving Station; thence Southerly along said ocean shore to Indian River Inlet; thence Westerly through said Inlet; thence Northerly, Westerly and Northwesterly along the Southern boundary of Lewes and Rehoboth Hundred to the intersection of said Southern boundary with the Southern boundary line of Broadkilm Hundred; thence Northerly and Northeasterly along the boundary line between Broadkilm Hundred and Lewes and Rehoboth Hundred to the mouth of Black Oak Gut in Mill Creek, the point of Beginning.

All persons entitled to vote in said Third Election District shall vote at Westcott's Shops at Westcott's Corner in said Election District.

CHAPTER 100. VOLUME 28.

**An Act Changing the Boundaries of the First and Second
Election Districts of the Sixth Representative
District in Sussex County.**

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

Section 1. That all that portion of the Sixth Representative District in Sussex County lying North of a line beginning at what is known as "The Lower Mill Stream" between Dagsboro and Millsboro and following said stream up through Irons Branch and Indian Branch to a bridge across the road which leads from Phillips' Hill to Hickory Hill; thence with said road towards Phillips' Hill by the Joshua Phillips Home Place to Mission Store, formerly Mission Post Office, and thence with said road to the Gumboro Hundred line, shall be known and the same is hereby created the First Election District, with the voting place in the Town of Millsboro.

Section 2. That all that portion of the Sixth Representative District in Sussex County lying South of that line described in Section One of this Act, shall be known and the same is

hereby created as the Second Election District of Representative District Number Six in Sussex County, with the voting place in the Town of Dagsboro.

Section 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 15, A. D. 1915.

1738. Sec. 18. Room for Holding Elections; Inspector to Provide; Location; Plan of; Entrance; Change of Voting Place; Notice; Furniture; Booths; Duty of Department of Elections as to:—It shall be the duty of each Inspector of Elections in this State, outside the City of Wilmington, to provide a room for the holding of any general or special election in his Election District, which shall be adapted to the requirements of this Chapter. Said room shall be at the place established by law in each Election District for the holding of elections, or in as close proximity thereto as practicable, having due regard to the convenience of the voters. If any Inspector shall select a place for the holding of any general or special election in his Election District, other than the one established by law, he shall do it in time to give the notice of holding such election required by law. Said room shall have a door or entrance of easy or convenient access, and, if practicable, a separate means of exit. It shall be provided on the outside with a passage at least four feet wide and with a railing, rope or wire on each side, commencing at least thirty feet away from and leading to the entrance to such place of election, and passing the place assigned for the challengers, and thence to the entrance of the room in which the election is held. The Inspector shall provide for the room a railing therein separating the part of the room to be occupied by the Election Officers from the remainder of the room. He shall also provide a suitable table and chairs for the use of the Election Officers. The table shall occupy such a position in said room as to enable the Election Officers and the challengers hereinafter provided for to easily communicate with each other. He shall cause to be constructed in the room at least one booth for every one hundred and fifty voters, or fractional part thereof, in Each Election District; provided that there shall not be less than three booths at any one Election District. The booths shall be at least three feet square and six feet high, if the ceiling will admit it. They shall each contain a shelf properly constructed and a cardboard box fastened to the booth to contain the ballots hereinafter provided for, and shall be so constructed and arranged

that all the Election Officers in the room can see whether more than one voter enters any one of them at any one time.

In the City of Wilmington, it shall be the duty of the Department of Elections to select a voting place in each Election District within the City, and to provide the room, in which the election is to be held, to protect the same with the required railing or rope, to construct therein the necessary number of booths, and to do all other things required to be done by the Inspectors of Election outside of the City of Wilmington, in and about the furnishing and fitting up of said room.

If at any time it shall be impracticable to hold the election in any Election District at the place appointed by law, the Inspector of such Election District or other officer authorized by law to hold the election therein shall have power to appoint some other place in said Election District as near as can be conveniently obtained to the place appointed by law; and he shall give public notice of the place so appointed, by advertisements posted in at least five of the most public places of the Election District, if circumstances will admit of such notice being given, but if not, then he shall give such public and general notice as the circumstances will permit.

1739. Sec. 19. Assistance to Voters Physically Unable to Exercise Franchise; Feigning Physical Defect a Misdemeanor; Penalty; Disclosing Nature of Vote a Misdemeanor; Penalty:— Any person who shall be physically unable to prepare or fold his ballot, or deposit his ballot in his envelope, by reason of defective eyesight, or the loss of the use of one or both hands, or inability to walk with safety without assistance, as manifestly renders him unable to prepare, fold his ballot, or deposit his ballot in his envelope, or to reach the polling place alone with safety, shall be permitted to bring with him into the election room and booth any elector or two electors, if the nature of the disability manifestly requires more than one, such as a total disability to walk to the polling district, for the purpose of rendering him the necessary assistance. No voter shall receive any other assistance in voting than that herein provided for. In case any elector shall feign any of such physical defects, he shall be guilty of a misdemeanor, and upon conviction thereof by indictment shall be fined one hundred dollars and shall be imprisoned for not more than two years.

In case any elector, who may be selected to assist any person by reason of the physical defects hereinabove mentioned, shall reveal how such elector has voted or what person or per-

sons were voted for by him on any ballot or give any information concerning the appearance of any ballot voted, such elector or electors so offending shall be guilty of a misdemeanor, and upon conviction thereof by indictment shall be fined one hundred dollars and shall be imprisoned not less than one nor more than three years.

1740. Sec. 20. Challengers; Appointment; Duties; Powers; Resisting Challengers a Misdemeanor; Penalty:—Each of the political parties may select and accredit some suitable person as a challenger to stand without the door or entrance of the room in which the election is to be held, and by the side of the passage hereinbefore provided for; in case of failure of any or all of the political parties to select such person or persons as challenger or challengers, it shall be the duty of the Inspector and Judges to make such selection or selections; the challengers may be changed and their places filled in like manner during the day. Such challengers shall be protected in the discharge of their duty by the Inspectors of Election.

Such challengers shall be appointed by the respective County Committees of each of the political parties. Such challengers, chosen for any general or special election, shall be peace officers of the State, with the same powers for preserving the peace as Inspectors of Election have. Any person resisting such challenger or challengers shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment shall be fined not more than one hundred dollars and may, at the discretion of the Court, be imprisoned for a term not exceeding one year.

1741. Sec. 21. Special Officers at Entrance of Polling Place; Duties; Powers; Resisting a Misdemeanor; Penalty:—The Democratic and Republican County Committees may each select and designate one suitable, reputable and sober person as a special officer to stand at the entrance of the polling place, to be not less than thirty feet away from the entrance to the voting room as provided by law, to regulate the admission of persons to the polling place; while so stationed and performing their duties as herein provided, the persons so designated shall be clothed with all the powers of officers of the peace as those given by law to Inspectors of Election; any person resisting such special officer shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment shall be fined not more than one hundred dollars, and may, at the discretion of the Court, be imprisoned for a term not exceeding one year.

1742. Sec. 22. Sheriff to Deliver Ballot Boxes; List of Officers; Tape; Sealing Wax; Certificates; Tally Lists; Directions; Blank Forms of Oaths; Outside of Wilmington; Department of Elections, Similar Duties of in Wilmington:—The Sheriff of each County shall, after the twenty-third day and before the twenty-seventh day of October in the year of holding the General Election, deliver to the Inspector of each Election District or other officer, authorized by law to hold the election therein (outside of the City of Wilmington) two suitable ballot boxes, with a piece of tape and sealing wax, together with a list of all the officers to be chosen at the then next General Election, written or printed forms of tally lists, of certificates of election in said election district, of the oath or affirmation of the inspector or other person authorized by law to hold the election therein, and persons to be taken as Judges of Election, and also of the clerks who shall be chosen to act at such election, and of the certificate of administering such oaths or affirmations, with printed or written directions as to correcting, completing and signing such oath or affirmation and certificate of administering the same, and shall also deliver to each Inspector or other officer authorized by law to hold the election as aforesaid (outside of the City of Wilmington) a book of blank forms of oaths (or affirmations) provided for in Section 53 of this Chapter.

The Department of Elections for the City of Wilmington shall, in addition to the Registers and things they are now required by law to furnish to the Inspectors of Election in said City, between the twenty-third and twenty-seventh days of October in the year of holding the General Election, deliver to the minority member of the Board of Election Officers of each Election District in the City of Wilmington two suitable ballot boxes with a piece of tape and sealing wax, together with a list of all the officers to be chosen at the then next General Election, written or printed forms of tally lists, of certificates of Election in said Election District, of the oath or affirmation of the Inspector or other person authorized by law to hold the election therein, and of the persons to be taken as Judges of Election, and also of the Clerks who shall be chosen to act at such election, and of the certificate of administering such oaths or affirmations, with printed or written directions as to correcting, completing and signing such oath or affirmation, and certificate of administering the same, and shall also deliver to such Election Officer a book of blank forms of oaths (or affirmations) provided for in Section 53 of this Chapter.

1743. Sec. 23. Ballot Boxes; Description of:—The ballot

boxes shall each be of sufficient size to contain all the ballots and envelopes of the election district, with one of the tally lists and certificates of election; in the lid of one of the boxes there shall be a hole sufficient only to admit with convenience one ballot and envelope, and it shall be furnished with a lock and key for securing the lid; the lid of the other box shall be without a hole, and it shall be so constructed as to be secured with tape or sealing wax.

1744. Sec. 24. Tally Lists:—There shall be two of the said tally lists, each of which shall consist of a margin on the left for the names of the persons voted for, and squares formed by parallel lines drawn from left to right, and from the bottom to the top of the sheet, each square to be sufficient to contain five distinct rows of five distinct dots of a pen in each row, and there shall be a sufficient number of squares in each row of squares from left to right to contain more dots than any other person will probably receive votes in the election district.

1745. Sec. 25. Certificates of Election; Form of; Filling Blanks in:—There shall be two of the said certificates of election which may be according to the following form, viz:—

“.....County and Election District of Representative District, ss: At the general election held in the said election district, on the Tuesday next after the first Monday in November, A. D. Nineteen hundred and.....the votes stand as follows:

For the Office of Electors of President and Vice-President.

..... Receivedvotes
 Receivedvotes

For the Office of Governor.

..... Receivedvotes
 Receivedvotes

For the Office of Lieutenant Governor.

..... Receivedvotes
 Receivedvotes

For the Office of Senator in the Senate of the United States..

..... Receivedvotes
 Receivedvotes

For the Office of Representative in Congress.

..... Received votes
 Received votes

For the Office of Attorney General.

..... Received votes
 Received votes

For the Office of Insurance Commissioner.

..... Received votes
 Received votes

For the Office of State Treasurer.

..... Received votes
 Received votes

For the Office of Auditor of Accounts.

..... Received votes
 Received votes

For the Office of Senator in the General Assembly.

..... Received votes
 Received votes

For the Office of Senator in the General Assembly in Lieu of.

..... Received votes
 Received votes

For the Office of Representatives in General Assembly.

..... Received votes
 Received votes

For the Office of Prothonotary.

..... Received votes
 Received votes

For the Office of Clerk of the Peace.

..... Received votes
 Received votes

For the Office of Register of Wills.

..... Receivedvotes
 Receivedvotes

For the Office of Recorder.

..... Receivedvotes
 Receivedvotes

For the Office of Register in Chancery.

..... Receivedvotes
 Receivedvotes

For the Office of Clerk of the Orphans' Court.

..... Receivedvotes
 Receivedvotes

For the Office of Levy Court Commissioners.

..... Receivedvotes
 Receivedvotes

For the Office of County Treasurer.

..... Receivedvotes
 Receivedvotes

For the Office of Receiver of Taxes and County Treasurer.

..... Receivedvotes
 Receivedvotes

For the Office of County Comptroller.

..... Receivedvotes
 Receivedvotes

For the Office of Sheriff.

..... Receivedvotes
 Receivedvotes

For the Office of Coroner.

..... Receivedvotes
 Receivedvotes

For the Office of Assessor.

..... Received votes
 Received votes

For the Office of Inspector.

..... Received votes
 Received votes

And we further certify that the Clerks appointed by us were duly sworn or affirmed according to law, and that we were duly sworn or affirmed.

In Testimony Whereof, we the Judges of said Election for said Election District have hereunto set our hands the day and year aforesaid.”

In the said written or printed forms of certificates before the same shall be delivered by the Sheriff as above directed, the name of the County and Election District and of the Representative District and the date of the year shall be inserted in the blanks for said purposes in the foregoing form; and the offices to be filled at the election shall be inserted with blanks under each to contain the names of the persons who may be voted for, with the number of votes; and the offices not to be filled at the election, shall be omitted.

1746. Sec. 26. Oath of the Election Officers; Form; Certificate of Qualification; Form; Filling in Blanks:—The form of the oath or affirmation to be administered to the Inspector or other officer authorized by law to hold the election and Judges shall be as follows, viz:

“I,, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Inspector (or Judge) of the election forelection district inRepresentative District inCounty, according to the best of my ability.”

There shall be three distinct forms of the foregoing oaths or affirmation written or printed on one sheet; which forms shall be numbered and distinguished as No. 1, No. 2 and No. 3. On the same sheet after the last of said forms shall be written or printed a form for the certificate of the qualification of the

Inspector or other officer authorized by law to hold the election and Judges as follows, to wit :

“County and
 Election District..... Representative
 District, ss. We, subscribers, Inspector (or other officers authorized by law to hold the election) and the Judges, for said Election District of the general election, therein held on the Tuesday next after the first Monday of November in the year of our Lord one thousand nine hundred andcertify that on said day, before opening the said election in said election district, the foregoing oath or affirmation was duly administered to each of us, according to law.”

All blanks in said certificates shall be filled by the Sheriff or by his order, before delivering the same to the inspector or other officer authorized by law to hold the election.

In addition to all the duties in this Chapter imposed upon said Inspectors and Judges of Election, the faithful discharge of the duties of each of said officers, so taking the oath in this Section prescribed, shall be held and construed to include that he will not knowingly or wilfully, receive, or consent to the receiving of, the vote of any person whom he shall believe not entitled to vote, unless his associates shall adjudge such persons to be entitled to vote, that he will not receive or reject, nor concur in receiving or rejecting, any vote through partiality or undue bias, that he will determine every matter that shall come before him, and perform every act and duty by law required of him touching the said election, truly, faithfully and impartially according to the best of his skill, judgment and ability, that he will cause the ballots that shall be taken at said election to be fairly read and ascertained and a true statement thereof to be made according to the best of his knowledge and ability, and that if he shall discover any partiality, unfairness or corruption in the conducting of the said election, he will disclose the same to the Attorney General to the end that the subject may be investigated. This paragraph shall be written or printed upon every sheet containing the foregoing forms of oaths and be read to each officer at the time he takes the oath in this Section prescribed.

1747. Sec. 27. Time and Place of Election; Notice of by Inspector; Advertisements:—The Inspector or other officer authorized by law to hold the election of each election district shall within two days after receiving from the Sheriff or Department of Elections for the City of Wilmington a list of officers to be

chosen at the general election, give public notice of the time and place of holding the then next general election in his election district and of the officers to be voted for at such election, by advertisements posted in at least five of the most public places in his election district.

1748. Sec. 28. Absence of Inspector; Who to Hold Election; Duty of Registrar and Alternate Registrar:—If at the time for holding the general election there shall be no Inspector or other officer authorized by law to hold the election of any election district, or if, outside of the City of Wilmington, he shall be absent from the place of election at half-past eight o'clock, or in the City of Wilmington he shall be absent from the place of election at seven o'clock of the forenoon of the day of the election, the Registrar of the said election district who shall be present with his Register and Book of Registered Voters for said District, or in the event of the Registrar's absence, the Alternate Registrar of said election district who may be present with a Register and Book of Registered Voters of said election district, shall serve as the Inspector of said Election District and perform all the duties required of him as such Inspector.

1749. Sec. 29. Inspector to be Judge and Presiding Officer; Other Judges How Chosen; Alternate Judge to Act When; in Case of Absence of Judges; Who to Act; Substitutes of Same Political Party:—Outside of the City of Wilmington the Inspector or other officer authorized by law to hold the election in any election district shall be a Judge of the general election held therein and the presiding officer. There shall also be two other judges of the said election, one of whom shall be chosen by the County Committee of the Democratic Party and the other by the County Committee of the Republican Party. In making said appointments, the respective County Committees shall name and certify two persons respectively, one of whom they shall designate as Judge and the other as Alternate Judge, and the said certification shall be presented to the Inspector or other officer authorized by law to hold the election in the respective election districts on the morning of the general election and one hour before the opening of the polls. Should either or both of those designated to be the Judge be absent, the person named for Alternate Judge shall be Judge; if from any cause both the persons named by either or both political parties should be absent, a majority of the voters then present may elect such judge or judges in such a manner as at the time may be deemed most expedient for ascertaining the sense of

the majority; the person or persons so chosen shall be of the same political party as those persons in whose place they are respectively chosen.

The appointment, qualification, examination, certificate of appointment, term of office, and removal of, and the filling of vacancies among, Inspectors to serve in the City of Wilmington, shall be as provided in Section 2 of Chapter Fifty-nine.

1750. Sec. 30. Refusal of Judge of Election to Serve; Penalty:—If any person chosen to be a Judge of an election, in any election district, shall refuse to serve, he shall forfeit and pay to the State a fine of fifty dollars upon conviction thereof by indictment in the Court of General Sessions in the County where such offense is committed.

1751. Sec. 31. Oath of Judge; How Executed and Adapted; Certificate of Qualification; Signing of:—Before opening the election the Inspector or other officer authorized by law to hold the election, and Judges, shall each take an oath or affirmation according to the form prescribed in Section 26. Such oath to be administered to the Judges by the Inspector or other officer authorized by law to hold the election and by one of them to him; and they shall each, after taking such oath or affirmation, sign one of the written or printed forms thereof delivered to the Inspector or other officer authorized by law to hold the election, by the Sheriff of the County, as provided in Section 26, that is to say: The form distinguished as No. 1 shall be signed by the Inspector or other officer authorized by law to hold the election, his name being first inserted in the blank; the form No. 2 shall be signed by one of the Judges, his name being first inserted in the blank, and the form No. 3 shall be signed by the other Judge, his name being first inserted in the blank; before signing the said forms, it shall be ascertained whether the Inspector or other officer authorized by law to hold the election or either of the Judges conscientiously refuse to take an oath, and in case of such conscientious refusal, the form for the person so refusing shall be made correct by effacing the words "swear or" in the beginning of the form; as to the person who shall not conscientiously refuse to take an oath the form shall be made correct by effacing the words "or affirm" in the beginning of the form. The Inspector or other officer authorized by law to hold the election and the Judges shall also sign the certificate of their qualification as written or printed upon the sheet containing the aforesaid forms.

1752. Sec. 32. Clerks of the Election; How Chosen; Oath;

Form of; Additional Clerks; Oath:—Each of the said Judges after being duly qualified shall choose one Clerk of the Election, who shall take and subscribe an oath or affirmation which shall be administered to him by the Inspector or other officer authorized by law to hold the election, or by one of the Judges. The form of said oath or affirmation shall be as follows:

“I,, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Clerk of the Election for
 Election District in Representative
 District in County, according
 to the best of my ability.”

In addition to all the duties in this Chapter imposed upon said Clerks of the Election, the faithful discharge of the duties of each of said Clerks, so taking the oath in this Section prescribed, shall be held and construed to include that he will not use or assent to any falsehood, fraud or deceit, and that he will keep the polls and perform his duties truly, faithfully and impartially. This paragraph shall be written or printed upon every sheet containing the foregoing form of oath, and be read to each Clerk at the time he takes the oath in this Section prescribed.

If in reading the votes and keeping the tally lists, it shall become necessary to appoint one or more additional clerks, the Inspector or other officer authorized by law to hold the election and Judges may do so, administering to each clerk so appointed the foregoing oath or affirmation; no other certificate need be made of the oath or affirmation administered to the clerks than that contained in the form of the certificate prescribed in the twenty-fifth section.

1753. Sec. 33. Ballot Boxes; Examination of; Key; to Whom Delivered; by Whom Kept:—Before opening the election the Inspector or other officer authorized by law to hold the election and the Judges shall also examine the ballot box provided with a lock and key, and see that the same contains nothing. The box shall then be locked and the key delivered to one of the Judges, who shall keep the same, and the box shall be kept by the Inspector or other officer authorized by law to hold the election or the other Judge, so that the person having the key shall not have possession of the box till the same shall be opened as hereinafter directed.

1754. Sec. 34. Election Room; What Officers Shall be in; Others Not Admitted; Others Entering; Misdemeanor; Penalty:—The Inspector or other officer authorized by law to hold the election, Judges of the election and the Clerks shall, during the time of the election being open, be and continue in a room or place by themselves, separate from the other electors, and, except as in this Chapter otherwise provided, no persons other than such Inspector or other officer authorized by law to hold the election, Judges and Clerks, during the time of the election being open, shall be admitted within such room or place without the unanimous consent of the Inspector or other officer authorized by law to hold the election and the Judges; and if any person shall enter such room or place without such consent, such person shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or be imprisoned for a term not less than one nor more than two years, or both at the discretion of the Court.

1755. Sec. 35. Election Room; What Officers Allowed in; Others Entering; Interference; Molestation; Disturbance; Delay; Misdemeanors; Penalty; Representative of Each Party May be Present at Opening; Retirement, When:—The Inspector or other officer authorized by law to hold the election, the Judges chosen as provided in Section 29 of this Chapter, and the Clerks chosen as provided in Section 32 of this Chapter, shall be the only persons who may lawfully enter the voting room or place where the election is held, except as herein provided; and if any person or persons shall enter the voting room or place where the election is held before the hour of opening the polls on the day of election or at the time of opening the election, or at any time during the day of the election and before the hour of closing the election, or attempt to enter the same for the purpose of interfering with the election officers in the discharge of their duties as such or for any purpose, or shall attempt to molest, disturb or prevent the election officers from proceeding regularly with any general or special election, or shall take charge or attempt to take charge of any voting room or place where the election is held within the time herein mentioned for the purpose of preventing or delaying an election, or for any other purpose on election day, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five hundred nor more than one thousand dollars, and shall be imprisoned for a term not exceeding three years, provided that a single representative of each political party, having nominated a ticket,

and such party being represented on the ballot then printed for any general or special election, may at the opening of the election be present to aid in the proper qualification of the several election officers, but as soon as the election officers shall be qualified or ready to open the election, or the proper hour therefor having arrived, such representatives of such political party shall immediately retire from the voting room or the place where the election is held.

1756. Sec. 36. Hour of Opening Election; by Whom:—The general election shall be opened in every election district of the State on the Tuesday next after the first Monday in the month of November in the year in which the same is held, outside of the City of Wilmington, between the hours of eight and nine o'clock, and in the City of Wilmington between seven and seven-thirty o'clock, in the morning, by the Inspector, or other officer authorized by law to hold the election, making proclamation that the same is open.

1757. Sec. 37. Clear Space of Thirty Feet at Entrance of Polling Place; Position of Challengers; How Voters Shall Enter; Challengers; Unlawful Entry on Thirty Foot Space or Within Railing Leading to Election Room; Misdemeanor; Penalty:—One challenger appointed and designated by each political party, as hereinbefore provided, shall be entitled to stand at the side of the passage and near the entrance to the room. No other person shall remain within thirty feet of said entrance except for the purpose of offering his vote, except as provided in this Chapter; voters shall approach and enter the passage in the order in which they appear for the purpose of voting. If any person offering to vote shall be challenged by one of the challengers, or by any one of the election officers, his right to vote shall be at once determined by the proper officer, and, if his vote is refused, he shall immediately stand aside, give place to the person next in line and retire without delay from within the thirty feet space around the entrance to the room.

Whoever, not in this Chapter authorized so to do, shall enter or attempt to enter the election room or within the railing leading to the entrance of the election room, or shall remain within thirty feet of the polling place, contrary to the provisions of this Chapter, shall be guilty of a misdemeanor and on conviction thereof shall be fined not more than two hundred dollars.

1758. Sec. 38. Secreting Person in Election Room; Misdemeanor; Penalty:—Whoever, other than the election officers,

shall secrete or attempt to secrete himself in any part of the polling room during the hours of the election for any purpose whatsoever, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars, and may in the discretion of the Court be imprisoned for a term not exceeding one year.

1759. Sec. 39. Removal or Destruction of Election Supplies; Tearing Down or Defacing Instruction Cards; Destruction or Removal of Booth or Railing; Misdemeanors; Penalty:—Whoever shall, during the election, remove or destroy any of the supplies or other conveniences placed in the booths as aforesaid or delivered to the voter for the purpose of enabling him to prepare his ballot, or shall, during an election, remove, tear down or deface the cards printed for the instruction of the voters, or shall, during an election, destroy or remove any booth, railing or other convenience provided for such election, or shall induce or attempt to induce any person to commit any of such acts, whether or not any such acts are committed or attempted to be committed, shall be guilty of a misdemeanor, and on conviction shall be punished by imprisonment for not less than six months nor more than one year.

1760. Sec. 40. Disclosure by Election Officer, How Elector Voted or Appearance of Ballots or Envelopes; Misdemeanor; Penalty:—Whoever, being an election officer, shall reveal to any person how any elector has voted, or what person or persons were voted for by him on any ballot, or shall give any information concerning the appearance of any ballot voted or envelope used, shall be guilty of a misdemeanor, and on conviction thereof by indictment shall be fined not more than five hundred dollars and shall be imprisoned not less than two and not more than five years.

1761. Sec. 41. Intimidation, Persuasion, Bribery &c. of Voters by Election Officer; Violation of Official Oath; Perjury; Penalty; Section Printed on Oath Blanks:—If any election officer shall in any manner attempt to influence, persuade, intimidate, bribe or coerce any voter in the marking of his ballot, or in the making of the choice of the person or persons for whom he votes, or shall disclose the manner in which any person has voted, he shall be deemed to have knowingly and wilfully violated his official duty, and to be guilty of wilful and deliberate perjury, and upon conviction thereof by indictment, he shall, in addition to the penalties and disabilities annexed to such crime, be fined not more than five hundred dollars, and

may at the discretion of the Court be imprisoned not exceeding two years.

This Section shall be written or printed upon every sheet containing the forms of oaths prescribed in this Chapter for Inspectors, Judges and Clerks of Election, and be read to each such officer at the time he takes the oaths so prescribed.

1762. Sec. 42. Inducing the Making of Distinguishing Mark on Ballot; Misdemeanor; Penalty:—Whoever shall induce or attempt to induce any elector to write, paste or otherwise place on his ballot the name of any person, or any sign or device of any kind, as a distinguishing mark by which to indicate to any other person how such elector has voted, or shall enter into or attempt to form any agreement or conspiracy with any other person to induce or attempt to induce any elector to so place any distinguishing mark or name on his ballot, whether or not such act be committed or attempted to be committed, shall be guilty of a misdemeanor and on conviction shall be imprisoned for not exceeding two years.

1763. Sec. 43. Election Officers; Inducing to Violate Provisions of Chapter; Misdemeanor; Penalty; Duty of Inspector to Read to Election Officers Sections 42 and 43; Violation of Provisions of a Violation of Official Oaths:—Whoever shall induce or attempt to induce any election officers to violate any of the provisions of this Chapter, whether or not such election officers shall violate or attempt to violate any of the provisions of this Chapter, shall be guilty of a misdemeanor, and on conviction shall be imprisoned for a term not exceeding five years. It shall be the duty of each Inspector to distinctly read this and the preceding section to the election officers at the opening of the polls. The observance of the provisions of said two sections by election officers shall be held and construed to be included in the duties of the office of said election officers, and the violation of said provisions by election officers shall be held and construed to be a violation of their official oaths, provided in this Chapter.

1764. Sec. 44. Ballots and Envelopes; Opening Packages; Deposit of Ballots in Booths; Delivery of Twenty-Five Envelopes to Clerk; Signing of Envelopes; Delivery to Elector:—At the opening of the election, after the qualification of the several officers and in the presence of the others, the Inspector or the Chairman of the Board of Inspectors shall open the packages of ballots and envelopes in such a manner as to preserve the seals intact. He shall place in each box provided in each booth at least ten ballots, and at all times during the

election it shall be his duty to see that at least ten ballots are kept in each box in each booth. He shall then deliver to the Clerk of the Election of the opposite political party from his own twenty-five of the envelopes. The Clerks of the Election shall at once proceed to write their full names in ink in the places designated on the envelopes, in their ordinary handwriting, and without any distinguishing mark of any kind. As each successive elector calls for a ballot and envelope, the Clerks of the Election having the custody of the ballots and envelopes shall deliver to him the first signed of the twenty-five envelopes and one ballot, and the Inspector shall immediately deliver to the said Clerk of the Election another envelope, which the Clerks of Election shall at once sign, as before, and add to the envelopes already signed, so that it shall be delivered for voting after all of those theretofore signed.

1765. Sec. 45. What Envelopes Not Deposited:—No Inspector of Election, or other officer authorized by law to hold the election, or Judge acting for the Inspector, shall deposit any envelope upon which the names of the Clerks of the Election, as hereinbefore provided for, do not appear, or any envelope on which appears any distinguishing mark, defacement or mutilation; provided, however, that no mark shall be considered distinguishing, and no envelope shall be considered defaced or mutilated, unless it plainly appears that it was the intention of the voter to so mark, deface or mutilate his envelope.

1766. Sec. 46. Number of Persons in Booth or Voting Room at One Time; Conversation or Communication Only With What Persons:—Not more than one person shall be permitted to occupy any booth at one time; no person shall remain in or occupy a booth longer than may be necessary to prepare his ballot and to deposit the same in his envelope, and in no event longer than three minutes. No more than one person for each booth in the room, other than the Election Officers, shall be permitted to enter or be in the Election room at any one time, except as in this Chapter provided; no voter or person offering to vote shall hold any conversation or communicate with any other person than an election officer while in the election room, except as in this Chapter provided.

1767. Sec. 47. Admission of Voter to Election Room; Method of Voting; Conduct of Election Officers and Electors:—When a voter shall have been passed by the challengers, he shall be admitted to the election room. There shall not be in the room at any time more than one voter for each booth therein. On

entering the room the voter shall announce his name to the Clerks of Election who shall register it. One of said Clerks shall deliver to him an envelope and ballot, furnished to the Election Officers by the Clerk of the Peace. The voter shall then, and without leaving the room, go alone into any of the booths which may be unoccupied, and deposit the ballot which he desires to vote in the envelope handed him by the Clerk, and on leaving the booth or compartment he shall deliver the envelope containing the ballot to the Inspector or the Judge who may be authorized temporarily to act for the Inspector, who shall forthwith, in the presence of the voter and of the other election officers, place a rubber band about the said envelope, in such manner as to keep the ballot placed therein from slipping out of said envelope, and shall deposit the said envelope in the ballot box, and the Clerks of the Election shall write the word "voted" after the name of the voter on the poll list. The voter shall, immediately after voting, leave the room, and upon his refusal to do so, may be ejected therefrom; no voter to whom an envelope has been delivered shall be permitted to leave the room without voting or returning the said envelope to the Clerk of the Election. Any voter who shall attempt to leave the room with the envelope in his possession shall be at once arrested on demand of an Election Officer.

1768. Sec. 48. Ballots; How Obtained and Marked Before Election:—It shall be lawful for any voter to secure a ballot at any time from the Chairman of the various political parties or from any other source whatsoever, and to mark the same at any time and at any place before voting the same, and to carry the ballot which he has marked to the designated polling place in the election district of which he is a registered and qualified voter, and there to vote the said ballot in the manner heretofore prescribed.

1769. Sec. 49. Ballots; How Marked; Rules for Counting:—Any voter or elector at any election in this State shall indicate his choice of candidates by marking his official ballot with a black or indelible lead pencil or black crayon in the following manner:

When any elector desires to vote a straight ticket, that is to vote for all of the candidates of a party appearing in the party column on the ballot, he shall place a cross mark or "X" within the square at the head of the party column containing the names of such candidates. In the event that any elector does not desire to vote for all of the candidates whose names

appear in any one party column, he shall place a cross mark or "X" in the square at the left of the name of the candidate for whom he desires to vote, and he may also scratch out the name of the candidate for whom he does not desire to vote, or he may do either.

All ballots cast at any election shall be counted for the persons for whom they were intended, so far as such intention can be ascertained therefrom, and in determining the intention the following rules shall be observed:

First: If the elector shall place on his ballot a cross mark or "X" within the square containing a party designation at the head of the column, he shall be deemed to have voted for all the candidates whose names appear in the column under such mark, unless some name or names shall be erased, or unless in some other column he shall have placed a mark in the square at the left of the name of some other candidate for the same office.

Second: When the voter shall place a mark against two or more names for the same office, he shall be deemed to have voted for none of them, and the ballot shall not be counted for either candidate, but shall be counted for such other candidates as it is the evident intention of the voter to vote for.

Third: If any name be written on any ballot the ballot shall be void and not counted.

Fourth: When the elector shall have made a mark in the square at the left of the name of a person in the proper place, he shall be deemed to have voted for that person, although he shall have omitted to erase or scratch out the name printed in any other column for the same office.

Fifth: A ballot put in without any marks shall not be counted, and a ballot not marked at the top shall be counted only for the persons for whom the marks thereon are applicable.

1770. Sec. 50. Distinguishing Marks; When Ballots Not Counted; Disputed Envelopes and Ballots How Preserved; Unused Envelopes Destroyed; Counted Ballots and Envelopes How Disposed of; Ballots; How Counted and Disposed of:— In the counting of the votes, any ballot contained in an envelope which is not endorsed with the names of the Clerks of the Election as provided in this Chapter, and any ballot which

shall bear such a distinguishing mark that it is apparent that such distinguishing mark was placed thereon with the intent of the voter, or any ballot which is contained in any envelope which shall bear any such distinguishing mark, shall be void and shall not be counted; and any ballot or part of a ballot, from which it is impossible to determine the elector's choice of candidates, shall not be counted as to the candidate or candidates affected thereby; provided, however, that such ballots and envelopes and all disputed ballots and envelopes shall be preserved by the Inspector and, at the close of the count, placed with the seals of the envelope packages in the box into which the ballots shall have been put when read.

If any envelope should be found to contain more than one ballot, none of the ballots contained in that envelope shall be counted. The election officers shall also record on the tally list memoranda of such ballots and envelopes and the condition of the seal of the envelope packages; and in any contest of election such ballot, envelope and seals may be submitted in evidence. Immediately on closing the polls, the envelopes remaining unused shall be counted and destroyed by the election officers of the several election districts by totally consuming by fire, and the election officers shall certify the number of envelopes so destroyed by them on the respective tally lists.

In the counting of the ballots, each ballot shall be removed from its envelope and counted for the candidates voted for thereon, and immediately returned to the envelope from which it is taken, and secured therein by a rubber band, and thereafter disposed of as provided in Section fifty-five of this Chapter.

1771. Sec. 51. Defaced or Mutilated Ballot or Envelope Replaced; Poll Clerk to Take a Minute of:—Whoever shall by accident or mistake spoil, deface or mutilate his ballot or envelope, on returning the spoiled ballot or envelope to the Clerks of the Election and satisfying them that such spoiling, defacing or mutilation was not intentional, shall receive another ballot or envelope or both in place thereof, and such Clerks shall make a minute of the fact on the poll lists at the time, and the mutilated ballot or envelope shall then be destroyed by the elector in the presence of the election officers.

1772. Sec. 52. Voting; Entry of Names of Voters &c; Ballots Not Examined; Depositing Ballot:—Each qualified elector shall deliver a single ballot which shall conform to the requirements

of the law of this State as to ballots for any general or special election, containing the names of persons voted for, to the Inspector or other officer authorized by law to hold the election, who shall audibly pronounce the name of the elector, which shall be entered in words at length upon a list of polls to be kept by each of the clerks whom the judges shall direct to that duty, and one of the judges shall write against it, on the alphabetical list as contained in the "Book of Registered Voters" delivered by the Registrar to the Inspector or other officer authorized by law to hold the election, the word "voted." The Inspector or other officer authorized by law to hold the election shall, immediately after pronouncing the elector's name, put the envelope containing the ballot into the box in his presence, unless the vote shall be objected to.

1773. Sec. 53. Ballots Not Received; Reasons for; Challenges; Determination of Objection; Bribery; Oath; Conclusive Evidence; Book of; Delivery of Book:—The Inspector or other officer authorized by law to hold the election, shall not at any election receive or deposit in the ballot box the ballot of any person offering to vote until his name shall have been found in the list of registered voters as contained in the Book of Registered Voters delivered to him for the purposes of said election, and the Judges, or a majority of them, shall be satisfied that the person so offering to vote is the person named in said list; but no objection to the vote of any person whose name shall have been found on said list as contained in said Book of Registered Voters shall be entered or considered by the Judges of the Elections except for the following reasons, to wit:

First: That he is not the person whose name appears in said Book of Registered Voters.

Second: That he has become disqualified as a voter since he was registered.

If a vote be objected to for any of the reasons above mentioned, its admission or rejection shall be determined according to the opinion of a majority of the judges; and

Third: No person who shall receive or accept or offer to receive or accept or shall pay, transfer or deliver, or offer or promise to pay, transfer or deliver, or shall contribute, or offer or promise to contribute to another to be paid or used, any money or other valuable thing as a compensation, inducement or reward for the registering or abstaining from registering of any one

qualified to register, or for the giving or withholding or in any manner influencing the giving or withholding a vote at any general election in this State, shall vote at such election unless such person being challenged for any of said causes, shall take and subscribe to the following oath or affirmation, which shall be administered by the Inspector or other officer authorized by law to hold the election:

“I do solemnly swear (or affirm) that I have not received or accepted, or offered to receive or accept, paid, or transferred or delivered, or offered or promised to pay, transfer or deliver, or contributed or offered or promised to contribute to another to be paid or used any money or other valuable thing as compensation, inducement or reward for the registering or abstaining from registering of any one qualified to register, or for the giving or withholding a vote at this election.

Signed

Sworn and subscribed to before me this
day of November, A. D. 19...

.....
Inspector.”

Such oath or affirmation shall be conclusive evidence to the election officers of the truth of such oath or affirmation, but if any such oath or affirmation shall be false, the person making the same shall be guilty of perjury, and on conviction thereof shall bar any prosecution under Section 8 of Article V of the Constitution of this State. In order to enable the election officers to carry into effect the provisions of this Section, the Sheriff of each County shall cause to be prepared a book containing not less than five hundred blank forms of the oath or affirmation provided for in this Section, and shall cause one of said books to be delivered to the Inspector or other officer authorized by law to hold the election in each of the election districts of his county at the time provided in Section 22 of this Chapter. Such oath or affirmation when signed and attested as herein provided, shall be competent evidence in any proceeding against the party making the same.

1774. Sec. 54. Closing Election; Proclamation:—The election shall be continued open until six o'clock in the afternoon when

it shall be closed. The Inspector or other officer authorized by law to hold the election, shall one-half hour before closing the election make proclamation that the same will be closed in that time.

1775. Sec. 55. Counting of Votes; Account How Kept; Counting to be Uninterrupted:—When the election shall be closed, the Inspector or other officer authorized by law to hold the election, and Judges, shall openly and publicly unlock the box containing the ballots, and shall remove the lid so far that the envelopes containing the ballots can be taken separately from the box; one of the judges shall keep in his custody the said box, while another shall publicly, in the presence of the other Judges and such of the electors as shall think proper to be present, take the envelopes containing the ballots one by one from the box, remove the ballot from the envelope, and read and count the same, as provided in Section 50 of this Chapter. When a ballot shall be read and counted, it shall be returned to the envelope, as provided in Section 50 of this Chapter, and put into the other box delivered by the Sheriff to the Inspector or other officer authorized by law to hold the election, as provided in the twenty-second section of this Chapter, it being first seen that the said box contains nothing, and the same being kept during the reading and counting in the possession of one of the Judges; and two clerks at least shall keep accurate account of the ballots as they are read or counted, which shall be done on the tally lists as aforesaid, by writing the name of every person voted for in the margin under a designation of the office for which the vote is given to him, and making a distinct dot with a pen in the squares in the row against such name for every vote such person shall receive for the same office, and each square when full shall contain five rows of dots, each row consisting of five dots; and each clerk shall upon reading of the name repeat it with the number of the dots in the row, pronouncing at the last dot in the square “tally full,” and at the first dot of the succeeding square “one of a new”; if the same person shall be voted for for different offices, his name shall be written in the margin for each office, and a just count kept of the votes given to him for each office. The reading and counting of the votes shall be continued, without interruption or adjournment until completed.

1776. Sec. 56. Certificates of Result; Signing; Form; Placed in Envelopes; Entry on Envelopes; Election Officers to Write

Their Names on the Sealing; Tally Lists; Signing; Deposit; Securing and Sealing Lid of Box; Custody of Certificates:—

When the reading and counting of the votes is completed, the Inspector or other officer authorized by law to hold the election and Judges shall forthwith make and sign three certificates of the election in their election district, according to the form prescribed in Section 25, stating every office for persons to fill which votes shall have been given at said election, the name of every person to whom any vote shall have been given for such office, and the number, in words at length, of votes given to such person for the said office. The said certificates shall be put in separate envelopes, which shall be furnished by the Sheriff, and said envelopes shall be endorsed on the face thereof with the words "Certificate of the votes cast in Election District of..... Representative District at the general election in..... County, A. D.," and on the back of each envelope, after the same shall have been sealed, the Inspector or other officer authorized by law to hold the election and Judges shall respectively write their name crosswise the sealing.

The tally lists shall be signed by the Inspector or other officer authorized by law to hold the election, Judges and Clerks, and deposited with one of said envelopes containing a certificate in the box into which the ballots shall have been put when read, and the lid of said box shall be secured by tape crossed and sealed with sealing wax by one of the Judges not being the Inspector or other officer authorized by law to hold the election; one of said envelopes containing a certificate and the ballot boxes shall be kept by the Inspector or other officer authorized by law to hold the election; the other and remaining envelope containing a certificate shall be kept by one of the Judges not being of the same political party as the Inspector or other officer authorized by law to hold the election.

1777. Sec. 57. Delivery of Certificates and Ballot Box; to Prothonotary; to Court; Duty of Court; Canvass of Election; Board of Canvass; How Constituted; Powers; Opening Ballot Boxes:—The presiding election officer of each election district in the respective Counties of the State, on the day next after the general election, shall deliver one of the envelopes containing a certificate of the election, made and certified as hereinbefore required, together with the ballot box or ballot boxes, containing the ballots and other papers required by law to be

placed therein, to the Prothonotary of the Superior Court of the County who shall at twelve o'clock noon on the second day after the election present the same to the said Court; and the election officer having charge of any other certificate of the election shall at the same time present the same to the said Court, and the said Court shall at the same time convene for the performance of the duties hereby imposed upon it; and thereupon the said Court, with the aid of such of its officers and such sworn assistants as it shall appoint, shall publicly ascertain the state of the election throughout the county and in the respective hundreds and election districts, by calculating the aggregate amount of all the votes for each office that shall have been given in all the hundreds and election districts of the county for every person voted for for such office.

For the purposes of this Section, the Superior Court shall consist in New Castle County of the Chief Justice and the Resident Associate Judge; in Kent County of the Chancellor and the Resident Associate Judge; and in Sussex County of the Resident Associate Judge and the remaining Associate Judge, who shall for the purpose of this Chapter be a Board of Canvass for the respective Counties of this State, and in case the certificates of election of any election district in the County shall not be produced, or in case the certificates produced do not agree, or in case of complaint under oath of fraud or mistake in any certificates, or in case fraud or mistake is apparent on the face of any such certificate, the Court shall have the power to issue summary process against the election officers of such election district or any other persons to bring them forthwith into Court with the election papers in their possession or under their control, and to open the ballot boxes and take therefrom any paper contained therein, and to make a recount of the ballots contained therein, and to correct any fraud or mistake in any certificate or paper relating to such election.

1778. Sec. 58. Death, Sickness or Accident of or to Presiding Election Officer; Sending of Certificates &c:—If the presiding election officer of any election district, after the election, shall die or be prevented by sickness or accident from delivering the certificate of election, together with the ballot box or ballot boxes containing the ballots and other papers required by law to be placed therein, to the Prothonotary of the Superior Court of the County, as required in the preceding Section, the said certificate of election and ballot boxes for his election district shall be sent by safe and secure conveyance (for the safety

of which the presiding election officer or his executors or administrators or heirs shall be responsible) to the Prothonotary, on the day next succeeding the day of the general election.

1779. Sec. 59. Certificates of Result; Sealing; Endorsement; Delivery of Ballot Boxes to Sheriff:—After the state of the election shall have been ascertained by calculating the votes as aforesaid, the said Superior Court shall make under the seal of said Court, the following certificates, to wit:

Three certificates of the election of electors of President and Vice-President of the United States, certifying in words at length the number of votes given for every person voted for, for that office.

Four certificates of the election of Governor, certifying in words at length, the number of votes given for every person voted for, for that office.

Four certificates of the election of Lieutenant Governor, certifying in words at length, the number of votes given for every person voted for, for that office.

Two certificates of the election of a Senator, or Senators, as the case may be, from this State in the Senate of the United States, certifying in words at length, the number of votes given for every person voted for, for that office.

Two certificates of the election of a representative or representatives, as the case may be, of this State in the House of Representatives of the United States in Congress, certifying in words at length, the number of votes given for every person voted for, for that office.

Four certificates of the election of Attorney General, certifying in words at length, the number of votes given for every person voted for, for that office.

Four certificates of the election of Insurance Commissioner, certifying in words at length, the number of votes given for every person voted for, for that office.

Four certificates of the election of State Treasurer, certifying in words at length, the number of votes given for every person voted for, for that office.

Four certificates of the election of Auditor of Accounts, certifying in words at length, the number of votes given for every person voted for, for that office.

Two certificates of the election of a Senator for.....
Senatorial District of the County in the
 General Assembly.

Two certificates of the election of a Representative for
Representative District of the County
 in the General Assembly.

Two certificates of the election of Prothonotary.

Two certificates of the election of Clerk of the Peace.

Two certificates of the election of Register of Wills.

Two certificates of the election of Recorder.

Two certificates of the election of Register in Chancery.

Two certificates of the election of Clerk of the Orphan's
 Court.

One certificate of the election of Levy Court Commis-
 sioners for.....Levy Court District
 (New Castle County).

One certificate of the election of Levy Court Commis-
 sioners forRepresentative District
 (Kent County).

One certificate of the election of Levy Court Commis-
 sioners forRepresentative District
 (Sussex County).

One certificate of the election of County Treasurer.

One certificate of the election of Receiver of Taxes and
 County Treasurer.

One certificate of the election of County Comptroller.

Two certificates of the election of Sheriff.

Two certificates of the election of Coroner.

One certificate of the election of Assessor for.....
Assessment District or Hundred (in New
 Castle County).

One certificate of the election of Assessor for.....

One certificate of the election of Assessor for.....
Hundred (in Sussex County).

One certificate of the election of Inspector for.....
Election District of.....
 Representative District.

The said Superior Court shall enclose and seal up each of said certificates separately in an envelope, with an endorsement thereon describing the certificates enclosed. Upon the paper enclosing the certificates of the election of Senator or Representative in the General Assembly, the name of the person chosen shall be endorsed. The said Court shall deliver the ballot boxes to the Sheriff of the County, to be by him kept and delivered as required by law.

1780. Sec. 60. Form of Certificates:—The aforesaid certificates may be according to the following form, to wit:

The State of Delaware.....County, ss.

Be it Remembered, that at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord One Thousand.....Hundred and.....
for.....County, according to the Constitution and laws of the State of Delaware (here insert, to-wit: If the certificate be of an election of electors of President and Vice-President, of Governor, of Lieutenant Governor, of Senator in the Senate of the United States, of Representative in Congress, of Attorney General, of Insurance Commissioner, of State Treasurer, of Auditor of Accounts, the number in words at length of votes given for each person voted for, for said respective offices; if the certificate be of an election of Senator or Representative in the General Assembly, or, of Prothonotary, of Clerk of the Peace, of Register of Wills, of Recorder, of Register in Chancery, of Clerk of the Orphans' Court, of Levy Court Commissioner or Commissioners, of County Treasurer, of Receiver of Taxes and County Treasurer, of County Comptroller, of Sheriff, of Coroner, of Assessor or of Inspector, the names of the persons elected), which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In testimony whereof, we.....and.....
constituting the Superior Court for.....

.....County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this.....day of November, A. D.

And the manner of making the insertion aforesaid may be as follows, to wit:

In Case of Electors of President and Vice-President,

.....votes were given for.....for Elector
votes were given for.....for Elector
 and so on, naming each person voted for.

In Case of Governor.

.....votes were given for.....for Governor
votes were given for.....for Governor
 and so on, naming each person voted for.

In Case of Lieutenant Governor.

.....votes were given for.....for Lieutenant Governor
votes were given for.....for Lieutenant Governor
 and so on, naming each person voted for.

In Case of Senator in the Senate of the United States.

.....votes were given for.....for United States Senator
votes were given for.....for United States Senator
 and so on, naming each person voted for.

In Case of Representative to Congress.

.....votes were given for.....for Representative to Congress
votes were given for.....for Representative to Congress
 and so on, naming each person voted for.

In Case of Attorney General.

.....votes were given for.....for Attorney General
votes were given for.....for Attorney General
 and so on, naming each person voted for.

In Case of Insurance Commissioner.

.....votes were given for.....for Insurance Commissioner
.....votes were given for.....for Insurance Commissioner
and so on, naming each person voted for.

In Case of State Treasurer.

.....votes were given for.....for State Treasurer
.....votes were given for.....for State Treasurer
and so on, naming each person voted for.

In Case of Auditor of Accounts.

.....votes were given for.....for Auditor of Accounts
.....votes were given for.....for Auditor of Accounts
and so on, naming each person voted for.

In Case of Senators to General Assembly.

.....was duly elected Senator for the.....
.....Senatorial District for said County in the General
Assembly; and so on, giving certificates for each Senator
elected in the respective Senatorial Districts of the County; and
.....was duly elected Senator for the.....
.....Senatorial District for said County in lieu
of.....late Senator for said Senatorial Dis-
trict of said County in the General Assembly; and so on, giving
certificates for each Senator elected in lieu of any other Sena-
tor for any Senatorial District for said County in the General
Assembly.

In Case of Representatives to General Assembly.

.....was duly elected Representative for the
.....Representative District for said
County in the General Assembly; and so on, giving certificates
for each Representative elected in the respective Representa-
tive Districts of the County.

In Case of Prothonotary.

.....was duly elected Prothonotary for.....
.....County.

In Case of Clerk of the Peace.

.....was duly elected Clerk of the Peace for
.....County.

In Case of Register of Wills.

.....was duly elected Register of Wills for
.....County.

In Case of Recorder.

.....was duly elected Recorder for.....
.....County.

In Case of Register in Chancery.

.....was duly elected Register in Chancery for
.....County.

In Case of Clerk of the Orphans' Court.

.....was duly elected Clerk of the Orphans'
Court for.....County.

In Case of Levy Court Commissioners for New Castle County.

.....was duly elected Levy Court Commissioner for
.....District in said County; and so on, giving a
certificate for each Levy Court Commissioner elected in each
district in said County.

In Case of Levy Court Commissioners for Kent County.

.....was duly elected Levy Court Commissioner for
.....Representative District in said County; and
so on, giving a certificate for each Levy Court Commissioner
elected in each Representative District in said County.

In Case of Levy Court Commissioners for Sussex County.

.....was duly elected Levy Court Commissioner for
.....Representative District in said County, and so
on, for each Levy Court Commissioner elected for each Repre-
sentative District in said County.

In Case of County Treasurer (in Kent and Sussex County).

.....was duly elected County Treasurer for.....
.....County.

In Case of Receiver of Taxes and County Treasurer (in New
Castle County).

.....was duly elected Receiver of Taxes and
County Treasurer for said County.

In Case of County Comptroller.

.....was duly elected County Comptroller for.....
.....County.

In Case of Sheriff.

.....was duly elected Sheriff for.....
County.

In Case of Coroner.

.....was duly elected Coroner for.....
County.

In Case of Assessor in the City of Wilmington.

.....was duly elected Assessor for.....
.....Assessment District of the City of Wilming-
ton, and so on, giving certificates for each Assessor elected in
the respective assessment districts in the City of Wilmington.

In Case of Assessor in New Castle County Outside the City of
Wilmington.

.....was duly elected Assessor for.....
.....Hundred in said County, and so on, giving certifi-
cates for each Assessor elected in the respective Hundreds of
said County.

In Case of Assessor in Kent County.

.....was duly elected Assessor for.....
.....Representative District in said County, and so on,
giving certificates for each Assessor elected in the respective
Representative Districts in said County.

In Case of Assessor in Sussex County.

.....was duly elected Assessor for.....
.....Hundred in said County, and so on, giving certificates
for each Assessor elected in the respective Hundreds of said
County.

In case of Inspector Outside of the City of Wilmington.

.....was duly elected Inspector for.....
.....Election District of.....Representative
District for.....County, and so on,
giving certificates for each Inspector elected in each election
district in each Representative District for the respective
Counties.

1781. Sec. 61. Tie Votes; Certificate of Delivered to Governor:—If, by reason of an equal number of votes having been cast for two or more persons for the office of Senator or Representative in the General Assembly, Prothonotary, Clerk of the Peace, Register of Wills, Recorder, Register in Chancery, Clerk of the Orphans' Court, Levy Court Commissioner, County Treasurer, Receiver of Taxes and County Treasurer, County Comptroller, Sheriff, Coroner, Assessor or Inspector, it shall appear to the said Court that a vacancy will occur in said office, a certificate of such fact shall thereupon be made under the hands of the said Superior Court, and under the seal of said Court, which certificate shall be transmitted by the said Court to the Governor, and the aforesaid certificate of election shall be delivered as hereinafter is provided.

1782. Sec. 62. Certificates of Election; Delivery of:—The said Superior Court shall, within three days after making the certificates of the election for Electors of President and Vice-President, either personally, or by a person deputed by it for that purpose, transmit, deliver and lodge the said certificates of the Election for Electors of President and Vice-President, one to the Governor, another to the Secretary of State, and the other to the Prothonotary of the County; and shall transmit, deliver and lodge the certificates of the election for Governor, according to the directions of the Constitution in that behalf; and shall transmit, deliver and lodge one of the said certificates of the election for Lieutenant Governor to the President of the Senate, or in case of a vacancy in the office of President of the Senate, or his absence from the State, to the Secretary of State, who shall keep the same until a President of the Senate shall

be chosen, to whom they shall be immediately transmitted after his election, who shall open and publish the same in the presence of the members of both Houses of the General Assembly; duplicates of the said returns shall also be immediately lodged with the Prothonotary of each County; and shall transmit, deliver and lodge one of each of said certificates of the election for Senator, or Senators, from the State of Delaware in the Senate of the United States, to the Governor, and lodge the other of the said certificates in the office of the Clerk of the Peace of the County; and shall transmit, deliver and lodge one of each of said certificates of the election for Representative, or Representatives, in the House of Representatives of the United States, to the Governor, and lodge the other of the said certificates in the office of the Clerk of the Peace of the County; and shall transmit, deliver and lodge one of the certificates of the election for Attorney General, for Insurance Commissioner, for State Treasurer and for Auditor of Accounts to the Governor and the other of said certificates in the office of the Prothonotary of the County; and shall transmit and deliver one of said certificates of the election of Senator and one of said certificates of the election of Representative in the General Assembly, in the office of the Prothonotary for Kent County, and further shall deliver, on the first day of the meeting of the General Assembly after the election, the other certificate of the election of Senator to the Senate, and the other certificate of the election of Representatives to the House of Representatives; and shall transmit and deliver one of said certificates of the election of Prothonotary, of the Clerk of the Peace, of Register of Wills, of Recorder, of Register in Chancery, of Clerk of the Orphans' Court, of Sheriff and of Coroner, to the Governor, and the other of said certificates to the Clerk of the Peace of the County, except the one for Clerk of the Peace, which shall be delivered to the Prothonotary; and shall transmit and deliver the certificate of the election of each Levy Court Commissioner, in New Castle, Kent and Sussex Counties to the Clerk of the Peace of the respective Counties; and shall transmit and deliver the certificate of election of the County Treasurer, of Receiver of Taxes and County Treasurer (in New Castle County), and of Comptroller, to the Clerk of the Peace of the County; and shall transmit and deliver one of the certificates of the election of Assessor and of Inspector, to the Clerk of the Peace of the County, to be laid before the Levy Court, and one for each of said officers to the Sheriff of the County to be by him delivered to the respective parties certified

to have been elected. The Prothonotary of Kent County shall, on any day of the meeting of the General Assembly, deliver, if required, the certificates of election of Senators or of Representatives to the order of the House to which it belongs, or to the person named in the endorsement thereon.

1783. Sec. 63. Oaths, Poll Lists, Register and Book of Registered Voters; Delivery by Inspectors to Clerk of the Peace After the Election:—Each Inspector or other officer authorized by law to hold the election, shall, on the day next after the general election, deliver into the office of the Clerk of the Peace of his County, the oaths or affirmations that shall have been signed by the Inspector, or other officer authorized by law to hold the election, and Judges of the election in his election district, and the certificate of said oaths or affirmations being administered, to be made and signed as directed in the thirty-first Section of this Chapter, and the two lists of the polls kept at the election as before directed, and the Register and the Book of Registered Voters, certified to by the registration officers, with the notes of "voted," as the same shall have been made in said last mentioned book on the day of the election; all of which shall be filed in the office of the said clerk, and shall be public records, and as such, admissible as evidence.

1784. Sec. 64. Sheriff to Preserve Ballot Boxes, &c; Delivery Thereof to His Successor:—The Sheriff shall preserve the ballot boxes containing the ballots, and other papers required by law to be placed therein, safely, and secured in the manner in which the same shall have been delivered to him, until the last day of February next after the election. If the term of office of the said Sheriff shall expire prior to the said last day of February, he shall deliver, within two days after the expiration of his term, the said ballot boxes, containing the ballots and other papers required by law to be placed therein, preserved in the same manner in which they were when delivered to him, to his successor in office, who shall safely and securely keep the same in the manner in which the same shall have been delivered to him, until the said last day of February next after the election.

1785. Sec. 65. Power of Senate and House to Compel Delivery of Ballot Boxes:—The Senate shall have power to compel a delivery to that body of the ballot boxes aforesaid, and for that purpose to order and cause to be arrested and brought before them any Sheriff having the custody of the said ballot

boxes, and to adjudge him guilty of a contempt for neglect or refusal to deliver any such ballot boxes, and to proceed against him accordingly; and the House of Representatives shall have power to compel the delivery of said ballot boxes in like manner and by like proceedings.

1786. Sec. 66. Duty of Governor; to Examine Returns; to Issue Certificates of Election; to Make Proclamation of State of the Vote:—The Governor, after receiving the certificates of the state of the votes of the respective Counties of the State, under the seal of the Superior Court, for the office of Attorney General, Insurance Commissioner, State Treasurer and Auditor of Accounts, or any of whom as shall have been voted for at the preceding general election, shall, without delay, examine the returns and declare the person or persons elected, and shall issue certificates of such election under his hand, and the same, together with the returns, shall be filed in the office of the Secretary of State, and the Governor shall by proclamation make public the state of the vote by causing the same to be published in one or more of the public newspapers of the respective Counties of this State, and shall issue commissions to the persons.

1787. Sec. 67. Violations of Chapter, Not Otherwise Provided for by Certain Officers; Misdemeanor; Penalty:—If any Clerk of the Peace, Inspector of Election, Judge of Election, trusty person or clerk of election, shall wilfully violate any of the provisions of this Chapter in the performance of any duty herein imposed upon him for the violation of which no other punishment is provided by law, he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than three hundred nor more than five hundred dollars and may in the discretion of the court be imprisoned for a term not exceeding three years.

1788. Sec. 68. Bribery of Expectant Election or Registration Officer; Misdemeanor; Penalty:—Whoever shall bribe or attempt to bribe any one expecting to hold any official position under the election or registration laws of this State, either as Registrar, Judge, Inspector or otherwise, by giving money or the promise of money, office or the promise of office or position either under the State or Federal government, to perform any service for any political party in this State, or to favor any candidate for political office, shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment shall be fined not exceeding one thousand dollars, and may also in the

discretion of the Court be imprisoned for a term not exceeding six months.

1789. Sec. 69. Intimidation &c. of Electors by Corporations &c; Action by Elector:—If any person, or corporation existing or doing business in this State, shall hinder, control, coerce or intimidate, or shall attempt to hinder, control, or coerce, or intimidate any qualified elector of this State from or in the exercise of his right to vote at any general, special or municipal election held under the laws of this State, by means of bribery, or by threats of depriving such elector of employment or occupation, absolutely or contingently, directly or indirectly, every elector so aggrieved may, in an action of debt brought for that purpose, sue for and recover from the person or corporation so offending as aforesaid, the sum of five hundred dollars.

In all trials under the provisions of this Section, the act or acts of any officer of a corporation, so far as they affect or concern any employee or servant of such corporation, shall be taken and held to be the act or acts of the corporation, whether general or special authority as to such act or acts from the corporation, to such officer be shown or not. Nothing herein contained shall be construed to relieve any officer of a corporation from individual liability under the provisions of this Section.

1790. Sec. 70. Election Officers Defined; Officers Conducting Election; Majority to Control:—The Inspectors of Election or other persons authorized by law to hold the election, the Judges of Election, and Clerks of Election are and shall be in all Courts and proceedings deemed and held respectively to be election officers.

For all power, authority and duties in this Chapter prescribed for or conferred upon, and all actions required of Inspectors of Election or other persons authorized by law to hold the election, and of the Judges of Election, except when otherwise specifically provided by law, the concurrence or assent of a majority of all the officers of election in this paragraph mentioned in any election district must in all cases be obtained.

1791. Sec. 71. Election Officers; Powers; Lawful Commands of Inspectors to be Obeyed; Disobedience a Misdemeanor; Penalty; Powers of Inspectors of Election in Wilmington:—The Presiding officer of an election shall, from the opening of the same until all the duties and proceedings connected therewith are fully completed, have power to command the peace, and to require sureties of the peace from any person disturbing the

election, or the officers thereof in the performance of their duties, and to commit to prison for refusal or neglect to find such surety; and all officers, and other persons, are required to obey the lawful commands of such Presiding Officer in this behalf; and in default thereof, such officer or other person shall be deemed guilty of a misdemeanor, and shall forfeit and pay a fine of fifty dollars.

The Inspectors of Election in each election district in the City of Wilmington, while discharging any of the duties imposed upon them by this Chapter, shall have authority to preserve order and enforce obedience to their lawful commands at and around the place of election during the time of any election and counting of votes, to keep the access to such places open and unobstructed, to prevent and suppress riots, tumult, violence, disorder and all improper practices tending to the intimidation or obstruction of voters, the disturbance or interruption of the voting or counting of votes, and to protect the voters and challengers from intimidation and violence, and the registers, poll books, boxes, envelopes and ballots from violence and fraud, and to deputize, if necessary, one or more electors to communicate their orders and directions and to assist in the enforcement thereof.

1792. Sec. 72. Compensation of Election Officers:—Judges of Election, Inspectors of Election and Clerks of Election shall each be entitled to receive five dollars for each day's service rendered by them in holding any general or special election in this State, and three dollars for each day's service rendered by them for duties required of them or any of them on any other day than the day upon which such general or special election is held.

1793. Sec. 73. Political Discussion in Polling Place in Wilmington Prohibited; Penalties:—In the City of Wilmington, it shall be unlawful for any Inspector of Election, or other person authorized by law to hold the election, Judge of Election, Poll Clerk, or challenger, during the election or counting of ballots, or any person or persons within the polling place, to electioneer or engage in any political discussion. Any election officer violating this Section shall be deemed to have knowingly and wilfully violated his official duty. Any violation of this Section by any person or persons other than an election officer shall be a misdemeanor, and shall be punished by imprisonment for not more than ninety days or by fine of not more than two hundred dollars or both.

1794. Sec. 74. Fraudulent Voting; Misdemeanor; Penalty:—Whoever, at any election held under the provisions of this Chapter, shall falsely personate any elector or other person, and vote or attempt or offer to vote in or upon the name of such elector or other person, or shall vote or attempt to vote in or upon the name of any other person whether living or dead or in or upon any false, assumed or fictitious name, or shall knowingly, wilfully or fraudulently vote more than once for any candidate at any election for the same office or shall vote or attempt or offer to vote in any election district without having a lawful right to vote therein, or to vote more than once or to vote in more than one election district, or having once voted shall vote or attempt or offer to vote again or shall fraudulently deliver or offer to the Presiding Officer of an election more than a single ballot or shall knowingly, wilfully or fraudulently do any unlawful act to secure an opportunity for himself or for any other person to vote, shall upon conviction thereof be adjudged guilty of a misdemeanor, and shall be punished by imprisonment for not more than two years or by a fine of not more than two hundred dollars, or both.

1795. Sec. 75. False Entries by Poll Clerks; Violation of Official Duty:—If any Poll Clerk, or Inspector of Election performing the duty of Poll Clerk, shall wilfully keep a false poll list or shall knowingly insert in his poll list any false statement, or any name, statement, check, letter or mark, except as in this Chapter provided, he shall be deemed to have knowingly and wilfully violated his official duty.

1796. Sec. 76. Failure of Inspector to Perform Duties; Violation of Official Duty:—Every Inspector of Election who shall wilfully exclude any vote duly tendered, knowing that the person offering the same is lawfully entitled to vote at such election, or shall wilfully receive a vote from any person who has been duly challenged in relation to his right to vote at such election without exacting from such person such oath or other proof of qualification as may be required by law, or who shall wilfully omit to challenge any person offering to vote whom he knows or suspects not to be entitled to vote and who has not been challenged by any other person, shall be deemed to have knowingly and wilfully violated his official duty.

1797. Sec. 77. Election Officers; Falsely Counting or Certifying Vote; Defacing, Destroying or Concealing Certificate of Vote; Violations of Official Duty:—Every Inspector of Election, or other person authorized by law to hold the election,

Judge thereof, or Poll Clerk, who shall wilfully make any false count of votes cast at any election, or shall make, sign, publish or deliver any false return of such election or any false certificate or statement of the result of such election, knowing the same to be false, or who shall wilfully deface, destroy or conceal any statement or certificate intrusted to his care or custody, shall be deemed to have knowingly and wilfully violated his official duty.

1798. Sec. 78. Fraudulent Deposit of Ballots by Election Officer in Ballot Box; Violation of Official Duty; by Other Persons, a Misdemeanor; Penalty:—Whoever, being an Election Officer, shall at any election knowingly and wilfully put or cause to be put any ballot or ballots or other paper having the semblance thereof into any box used at such election for the reception of votes, or shall knowingly and wilfully cause or permit any ballot to be in said box at the opening of the polls and before voting shall have commenced, or shall knowingly or wilfully or fraudulently put any ballot or other paper having the semblance thereof into any such box at any such election unless the same shall be offered by an elector and his name shall have been found and checked upon the Registers, as hereinbefore provided, or shall fraudulently before, during or after the reading and count of the ballot, in any manner change, substitute or alter any ballot, or shall remove any ballot or semblance thereof from, or add any ballot or semblance thereof to, the ballots found in any such box upon the closing of the polls, shall be deemed to have knowingly and wilfully violated his official duty.

Whoever, not being an Election officer, shall do or cause to be done any of the acts, matters or things mentioned in the first paragraph of this Section, shall upon conviction thereof be adjudged guilty of a misdemeanor, and shall be punished by imprisonment for not more than two years, or by a fine of not more than two hundred dollars, or both.

1799. Sec. 79. Wilful Neglect of Duty by Election Officers; Violation of Official Duty:—Whoever, being an election officer, of whom any duty is required in this Chapter, shall be guilty of any wilful neglect of such duty or of any corrupt or fraudulent conduct or practice in the execution of the same, shall be deemed to have knowingly and wilfully violated his official duty.

1800. Sec. 80. Stealing or Secreting Records, Registers, &c; by Election Officer, a Violation of Official Duty; by Other Per-

sons, a **Misdemeanor**; **Penalty**:—Whoever, being an Election Officer, having the custody of any record, Register, Book of Registered Voters, or copy thereof, oath, return of votes, certificate, poll list, or any paper, document, or evidence of any description, in the Election Laws of this State directed to be made, filed or preserved, shall steal, wilfully destroy, mutilate, deface, falsify, or fraudulently remove or secrete the whole or any part thereof, or shall fraudulently make any entry, erasure, or alteration therein, except as allowed and directed by said Election Laws, or shall permit any other person to do so, shall be deemed to have knowingly and wilfully violated his official duty.

Whoever, not being an election officer, and having such custody, shall do or commit any of the acts, matters or things in the first paragraph of this Section mentioned, shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished for each and every such offense by imprisonment for not exceeding two years, or by a fine of not more than two hundred dollars, or both.

1801. Sec. 81. Advising, Abetting or Procuring Offenses Named in Section 80; Misdemeanor; Penalty:—Whoever, not being an Election Officer, shall advise, procure or abet the commission of any of the acts mentioned in Section 80 of this Chapter, shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and for each and every such offense shall be punished by imprisonment for not exceeding two years, or by a fine of not more than two hundred dollars, or both.

1802. Sec. 82. Perjury; Subornation of Perjury:—Whoever shall be convicted of wilful false swearing or affirming in taking any oath or affirmation prescribed by, or upon any examination provided for in, this Chapter, shall be adjudged guilty of perjury.

Whoever shall wilfully or corruptly instigate, advise, induce, or procure any person to swear or affirm falsely, as aforesaid, or attempt or offer so to do, shall be adjudged guilty of subornation of perjury, and shall, upon conviction thereof, suffer the punishment directed by law in cases of perjury.

1803. Sec. 83. Tampering with Ballots or Voters; Misdemeanor; Penalty:—Whoever shall fraudulently change or alter the ballot of any elector, or substitute one ballot for another, or fraudulently furnish any elector with a ballot containing

more than the proper number of names, or shall intentionally practice any fraud upon any elector to induce him to deposit a ballot as his vote and to have the same thrown out and not counted, or to have the same counted for a person or candidate other than the person or candidate for whom such elector intended to vote, or shall otherwise defraud him of his vote, shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment for not more than two years, or by a fine of not more than two hundred dollars, or both.

1804. Sec. 84. Disobeying Inspectors; Misdemeanor; Penalty:—Whoever shall wilfully disobey any lawful command of any Inspector of Election or other person authorized by law to hold an election, given in the execution of his or their duty as such at any election, shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment for not more than one year, or by a fine of not more than two hundred dollars, or both.

1805. Sec. 85. Breach of Peace; Violence; Threats, &c; Misdemeanor; Penalty:—Whoever, on any day of election, or during the reading and counting of the votes cast thereat, shall cause any breach of the peace or use any violence or threats of violence, whereby any such election or reading and counting of ballots shall be impeded or hindered, or whereby the lawful proceedings of Election Officers or challengers at such election are interfered with, shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment for not more than two years, or by a fine of not more than two hundred dollars, or both.

1806. Sec. 86. Interference with Election Officers; Misdemeanor; Penalty:—Whoever shall knowingly or wilfully obstruct, hinder, assault, or by bribery, solicitation or otherwise, interfere with any Election Officer or challenger in the performance of any duty required of him, or which he may by law be authorized or permitted to perform; or whoever, by any means before mentioned or otherwise unlawfully, shall on the day of election hinder or prevent any Election officer or challenger in his free attendance and presence at the place of election in the Election District in and for which he is appointed to serve, or in his full and free access and egress to and from any such place of election, or shall molest, interfere with, remove or eject from any such place of election any such election officer or

challenger, or shall unlawfully threaten or attempt or offer so to do, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for more than two years, or by a fine of not more than two hundred dollars, or both.

1807. Sec. 87. Neglect or Refusal by Inspector of the Duties Prescribed in Section 71; Violation of Official Duty:—Any Inspector of Election or other person authorized by law to hold the same, who shall wilfully neglect, or when called on shall wilfully decline, to exercise the powers conferred on him in this Chapter for any of the purposes set forth in Section 71 thereof, shall be deemed to have knowingly and wilfully violated his official duty.

1808. Sec. 88. Stealing or Destroying Ballot Box, Ballot, Poll List, &c; Misdemeanor; Penalty:—Whoever, not being an Election Officer, shall steal, or wilfully break or destroy any ballot box used or intended to be used at any election, or shall wilfully or fraudulently conceal, secrete or remove any such box from the custody of the Election Officers, or shall alter, deface, injure, destroy or conceal any ballot or envelope which has been deposited in any ballot box at such election, or any poll list used or intended to be used at such election, or any report, return, certificate, or other evidence in this Chapter required or provided for, shall, on conviction thereof, be adjudged guilty of a misdemeanor, and shall for each and every such offense be punished by imprisonment for not more than two years, or by a fine of not more than two hundred dollars, or both.

1809. Sec. 89. Defects in Mode of Election, no Defense; Accused May Give Evidence of Honest Belief:—Irregularities or defects in the mode of noticing, canvassing, polling or conducting any election authorized by this Chapter shall constitute no defense to a prosecution for any violation of the provisions of this Chapter.

Upon any prosecution for procuring, offering or casting an illegal vote, the accused may give in evidence any fact tending to show that he honestly believes upon good reason that the vote complained of was a lawful one.

1810. Sec. 90. Prosecutions by Attorney General; Duty to Inform Him of Violations:—The Attorney General shall immediately prosecute all complaints which may be made of a

violation of any of the provisions of this Chapter to final judgment. It shall be the duty of all Election Officers and of the Department of Elections for the City of Wilmington to notify the Attorney General of all violations under this Chapter.

1811. Sec. 91. Plurality Elects:—In all elections, unless it be otherwise expressly provided, a plurality, or the highest number of votes, shall make a choice, except where this principle is defeated by two or more persons having the same and the highest number of votes for the same office.

1812. Sec. 92. Residence; Rule as to:—In all questions of residence, arising under the provisions of the fifth Article of the Constitution, the following rules shall be observed; that if any person, having resided within the State, shall actually remove to another place out of the State, with an intention of remaining there for an indefinite time, as a place of present domicile, he shall lose his qualification of residence within the State, notwithstanding he may entertain a floating intention to return at some future period. The same principle shall be applied to removals from one place to another within the State.

1813. Sec. 93. Liability of Stake Holder for Paying Election Bet:—If any stake-holder, or person with whom any money or thing, laid as a wager or bet on the result of any election, or on the election or defeat of any candidate or person voted for thereat, shall be deposited, shall at any time either before or after such bet shall have been decided, pay over or deliver to either or both of the persons betting the same, or to any other person by the order or for the use of them, or either of them, the money or thing so illegally betted, every such stake-holder or depository shall forfeit and pay to any person who will sue for the same, double the amount of such wager or bet, or double the value of the thing betted. Either of the persons betting shall be competent witnesses against such stake-holder.

1814. Sec. 94. Organized Militia; Calling Out of; When Unlawful; Penalty:—If any officer or any other person, shall call out or order any of the Organized Militia of this State to appear, exercise or muster on the day of any election, or within ten days before any General Election or three days before any Special Election, or within three days after either of such elections, except in case of invasion or insurrection, every such officer or other person shall, for every such offense, forfeit and pay to the State a fine of one thousand dollars.

1815. Sec. 95. **Election Expenses; How Paid:**—Except where otherwise provided by Statute, all necessary costs and expenses incurred in carrying into effect the provisions of this Chapter shall be paid as other County expenses are paid. The ballots ordered to be printed by the County Chairmen of the various political parties as provided in Section 8 of this Chapter shall be paid for by such political party as shall order the same.

GENERAL ELECTIONS—Article 2.

Special Election for General Assembly.

1816. Sec. 96. **Vacancies in General Assembly; Writs of Election to Fill:**—Whenever there shall be a vacancy in either House of the General Assembly, by reason of failure to elect, ineligibility, death, resignation, or otherwise, a writ of election shall be issued by the Presiding Officer of the House in which the vacancy exists, directed to the Sheriff of the County in which such vacancy exists, or in case of necessity in such other manner as shall be provided by law; and the person thereupon chosen to fill such vacancy shall hold office for the residue of the term. Whenever there shall be such vacancy in either House, and the General Assembly is not in session, the Governor shall have power to issue a writ of election to fill such vacancy, which writ shall be executed as a writ issued by the presiding officer of either House in case of vacancy, and the person thereupon chosen to fill such vacancy shall hold office for the residue of the term.

1817. Sec. 97. **Vacancy in Senate; Writ of Election to Fill; When, by Whom and How Executed:**—If a writ of election to fill a vacancy in the Senate be issued after an adjournment, without day, of the General Assembly, and not less than ten days before the holding of the general election, the said writ shall be executed at the time of holding the next general election; the election to fill the vacancy pursuant to said writ being held by the same persons and in all respects as the general election, unless a session of the General Assembly shall, in the meantime, be convened by the Governor.

1818. Sec. 98. **Vacancy in House; When Writ of Election Not**

to Issue:—If a vacancy shall happen in the House of Representatives after an adjournment without day, of the General Assembly, no writ of election shall be issued under Section 96, unless the Governor shall also issue a writ for convening the General Assembly.

1819. Sec. 99. Proclamation of Special Election; Posting by Sheriff:—The Sheriff shall, on the next day after receiving a writ of election, unless the same shall be Sunday, and then on the Monday next following, put up on the outside of the Court House door of his County, and also in one of the most public places of each Election District of the Senatorial or Representative District or Districts of his County, included in said writ of election, a proclamation reciting the said writ and appointing a day for holding a special election pursuant thereto, such day not to be more than five nor less than four days next after the day of receiving the writ, exclusive of that day, in case such writ of election be issued to fill a vacancy occurring or existing while the General Assembly is in session or within twenty days prior to the convening of said General Assembly in regular or special session; if said vacancy occurs or exists twenty days or upwards prior to a general or special session of the General Assembly, the day appointed for holding a special election pursuant to such a writ of election shall be not more than forty nor less than thirty days next after the day of receiving the writ, and so as to permit the holding of the special registrations of voters provided by law in case of a special election; subject, however, to the provisions of the ninety-seventh section in cases falling within that section.

1820. Sec. 100. Vacancies Among Inspectors; by Whom, How and When Filled:—In case the Inspector of any Election District, within the Senatorial or Representative District in which any special election is to be held to fill any vacancy in the Senate or House of Representatives, who served at the next preceeding General Election, shall be dead, removed, unable to serve, or shall refuse to serve, an Inspector shall be appointed or supplied to fill such vacancy in the office of Inspector, in the same manner as prescribed in the case of the General Election.

Forthwith after the issuance of such writ of election for filling such vacancy in the General Assembly, it shall be the duty of the Governor to fill such vacancy in the office of Inspector, if the same shall occur outside of the City of Wilmington, and of the Department of Elections for the City of Wil-

mington to fill such vacancy, if the same occur within the City of Wilmington, in the same manner as prescribed in the case of the General Election.

1821. Sec. 101. Notice of Special Election by Sheriff to Inspectors; Notice by Inspectors:—The Sheriff shall also, upon receiving a writ of election, deliver a written notice thereof and of the day appointed for holding an election pursuant thereto to the Inspector of each Election District, within the Senatorial or Representative District in which such special election is to be held, to fill such vacancy in the Senate or House of Representatives, who served at the preceding general election, or if such Inspector of any such election district be dead, removed, unable to serve or shall refuse to serve, then to the Inspector of any such Election District who shall be appointed for such Election District to fill the vacancy in such office of Inspector, as prescribed in the preceding Section.

Every Inspector receiving such notice as aforesaid shall forthwith give public notice thereof, by advertisements posted in at least five of the most public places of his Election District, stating the day and place of the election and the officer or officers to be chosen.

1822. Sec. 102. Election Officers for Special Election; Vacancies; How Filled:—The Inspectors who served in such election districts at the next preceding election, or the persons so appointed or supplied to fill vacancies among such Inspectors, shall be the Presiding Officers for such special election. The Judges of Election, Poll Clerks, and challengers who served in the several election districts within the Senatorial or Representative District in which such special election is to be held, at the next preceding election, shall serve in such Election Districts in their several capacities as aforesaid for such Special Election; and any vacancies occurring for any cause among any of said Election Officers or challengers shall be filled in the same manner as said officers or challengers are originally appointed for a general election.

1823. Sec. 103. General Election Laws Applicable:—Every such special election in the Representative or Senatorial District, to fill the vacancy in which the special election is to be held, shall be provided for, opened, held, conducted and closed, and the result thereof ascertained and certified in the same manner, at the same places, and subject to the same laws, so far as the same may be applicable, as are prescribed for the Gen-

eral Election; provided, however, that the Clerk of the Peace shall not be required to publish in a newspaper ten days before the election the nominations made in anywise for such special election.

1824. Sec. 104. Board of Canvass; How Constituted; Duties How Performed:—The Superior Court of any County, in which such special election shall be held, as constituted under Article V, Section 6, of the Constitution, shall, at twelve o'clock on the second day after such special election, convene and perform its duties, prescribed by said Section, with reference to such special election, at the same place, with the same powers and in the same manner as for a general election.

GENERAL ELECTIONS—Article 3.

Military Interference With Elections.

1825. Sec. 105. Bringing Armed Soldiers Into State to Interfere With Elections; Felony; Penalty:—Whoever, being a citizen or inhabitant of this State, shall send or cause to be sent, bring or cause to be brought into this State, or shall aid, abet, procure, advise, counsel, or in any manner assist in sending or bringing into this State any armed soldier or soldiers to be present at any voting place in this State or within five miles thereof, on the day of any general, special or other election held in this State, or shall aid, abet, procure, advise, counsel, or in any manner assist the presence or attendance of any armed soldier or soldiers at any such voting place, or within five miles thereof, on any such election day, shall be guilty of felony, and upon conviction thereof by indictment, shall forfeit and pay to the State a fine of not less than one thousand dollars and not more than ten thousand dollars, and shall be imprisoned for a term of not less than one nor more than five years, and shall forever thereafter be incapable of exercising the right of suffrage in this State.

1826. Sec. 106. Abetting or Counselling Military Interference With Elections; Felony; Penalty:—Whoever, being a citizen or inhabitant of this State, shall aid, abet, procure, advise, counsel, or in any manner assist or be guilty of military inter-

ference in any manner with the freedom of any election in this State, shall be guilty of felony, and upon conviction thereof by indictment, shall forfeit and pay to the State a fine of not less than one thousand dollars nor more than ten thousand dollars, and shall be imprisoned for a term not less than one nor more than five years, and shall forever thereafter be incapable of exercising the right of suffrage in this State.

1827. Sec. 107. Administering Oaths as Prerequisite for Voting Not Authorized by Constitution or laws of State; Misdemeanor; Penalty:—If any Inspector, Presiding Officer, or Judge of any Election in this State, or any other person, shall administer or cause to be administered to any legal voter in this State, any oath or affirmation not authorized by the Constitution or Laws of this State for that purpose, as a prerequisite or condition of voting at any election in this State, except when such oath or affirmation shall be administered in order to satisfy such Inspector, Presiding Officer or Judge, that such vote is a legal vote according to the Constitution and Laws of this State, such Inspector, Presiding Officer, Judge or other person so offending, shall be guilty of a misdemeanor, and upon conviction thereof by indictment shall, for every such offense, forfeit and pay to the State a fine of not less than five hundred dollars and not more than one thousand dollars, and shall be imprisoned for a term of ten days.

1828. Sec. 108. Voter Interfered With by Military Power, &c; Civil Remedy:—Whoever, being a duly qualified elector of this State, according to the Constitution and Laws thereof, shall be prevented from voting, or obstructed in his effort to vote at any election, by reason of any interference by any person or persons, or military power, or other power, exercising or attempting to exercise force, intimidation or threats, or requiring any qualifications or conditions unknown to such Constitution and Laws, shall be deemed and taken to have suffered private damage and injury, and shall have civil remedy therefor, in the Courts of this State, by action of trespass or on the case, according to the nature of the interference, against all and every person or persons who promote such interference, whether by active participation, or by advising, counselling, or in anywise encouraging the same; and in any trial under this Section or the following Section, the jury, if, in their opinion the circumstances will warrant it, may give exemplary damages.

1829. Sec. 109. Citizens to Make Disclosures; Failure; Penalty:—It shall be the duty of every citizen of this State who has knowledge of any design on the part of any other citizen or citizens of this State to promote interference with elections, either by soliciting or advising the presence of a military force at or near the place or places of holding such elections or by the employment of any other organized or unorganized body of men, or by intimidation, or threats, forthwith to make public disclosure of such knowledge, stating names, by an affidavit to be made before any one of the Judges of this State, and to file the same in the office of the Clerk of the Peace of the County where the Judge resides; and if any such citizen, having such knowledge, shall fail to make such affidavit and cause the same to be filed as aforesaid, he shall be treated as a promoter of the interference mentioned in the next preceding Section, and be liable as is therein provided.

1830. Sec. 110. Limitation of Actions Under Sections 108 and 109:—The limitation of actions commenced under Sections 108 and 109 shall be ten years from the time of the accruing of the cause of action.

1831. Sec. 111. Elector Prevented From Voting at Regular Voting Place; Where and How He May Vote:—If it shall so happen that by reason of the presence of any military force at or near the place of holding an election in this State, under the provisions of this Chapter, electors duly qualified by the Constitution and Laws of this State to vote at said place at said election shall be prevented from, or interfered with, in casting their votes, by military force, or by the requirement of oaths unknown to said Constitution and Laws, any number of electors, not less than five, shall have the right to withdraw from the said place to any other place within the voting district where such prevention or interference shall take place, and having there, by a majority of the electors present, selected a duly qualified elector of said District, who shall be a freeholder, to act as Inspector, to deliver to him there their respective ballots; said Inspector shall receive the said ballots and record the name of the voter upon a list to be kept by him for that purpose, and immediately write upon each ballot the name of the person who delivered the same to him, the said Inspector having first administered to each person offering to vote an oath or affirmation in the following words, that is to say: "You do solemnly swear (or affirm) that you are now a duly registered voter of this Election District, that you have

not voted and will not vote on this day at any other place in this or any other Election District, and that you have been hindered or prevented from casting your vote at the regular place of holding the election in this District, by military interference, or by the requirement of oaths unauthorized by the Constitution and Laws of this State.”

1832. Sec. 112. Duty of Inspector for Special Polls as to Return of Election:—The polls authorized to be held by the preceding Section shall be held at the place where they are opened, unless it be impracticable to hold them there, in which event they shall be adjourned to some other place, or places (if necessary), in the election district where they are opened, and there held, and shall be kept open until six o’clock in the afternoon, when the Inspector shall close them. As soon as such polls are closed, the Inspector holding them, having first ascertained the number of ballots cast, and for whom and for what office the votes were given, and made a certificate thereof, shall seal up the ballots received by him in a box or envelope, and keep them safely, together with the list of the names of the electors who have deposited their ballots with him, until the time of the meeting of the Superior Court of his County, constituted as provided by Section 6, Article V, of the Constitution of this State, provided by this Chapter, when he shall appear before the said Court with the said ballots and list of voters and his certificate aforesaid, and deliver his said certificate to the said Court, with an affidavit made by him upon the same, that it contains a true and faithful statement of the number of ballots received by him as aforesaid, the names of the electors who cast them, the number of votes for the different persons voted for, and that at the said poll held by him, he did not knowingly receive the ballot of any person not a duly qualified voter within his election district according to the Constitution and Laws of the State of Delaware and did not refuse to receive the ballot of any person so qualified, who have been prevented from voting at the regular place of voting by military force or the requirement of an oath unauthorized by the Constitution and Laws of the State of Delaware, and that he determined every matter that came before him and performed every act and duty required of him by law touching the election held by him, truly, faithfully, and impartially, according to the best of his skill and judgment.

1833. Sec. 113. Duty of Superior Court Sitting as Board of Canvass:—It shall be the duty of the said Superior Court, sitting as a Board of Canvass as aforesaid, to receive the said certificate, and in ascertaining and certifying the state of the election under the provisions of this Chapter, to take into consideration the number of ballots certified by said Inspector to have been received by him and for whom and what office the votes were given, and give said certificate the same force and effect, and it shall have the same force and effect, as a certificate of the election officers at any of the regular places of holding the election; the votes so given shall be reckoned among the number of votes given in the Election District where they were received by the said Inspector, in the same manner as if they had been given at the regular place of voting in said District; provided always, however, that the said Court shall be required to hear and determine challenges as to the right of any person, who delivered his ballot to the said Inspector, and reject any ballot if the person who cast the same had not a right to vote under the Constitution and Laws of this State, either from want of qualification, or by reason of his having voted at any other place in the State where he was entitled to vote on the same day. Such of the said ballots so received by the said Inspector, as are not rejected by the said Court, and also the list of voters, and the certificate aforesaid, shall be deposited by the said Court in the regular ballot box of the said election district where they were cast, and the said box shall then be immediately re-sealed by the said Court. The said Court shall also have power to open said ballot box for said purpose. The said Court shall also have power to examine on oath the said Inspector, touching any matter connected with the holding of the election by him, and shall have power, if it appear to it that said election was not fairly held by such Inspector, to reject his said certificate, and throw out the vote returned by him as aforesaid.

1834. Sec. 114. Court Acting as Board of Canvass May Choose Place of Meeting; When:—If it shall be apparent to said Court sitting as Board of Canvass that any interference with the performance of its duties under this Chapter will be attempted by military force, or if, after it has met, any such interference is attempted, it shall have power to meet at any other place within its County to perform its said duties. And further, if any member of said Court, or any such Inspector created by virtue of this Chapter, or any Inspector of said election, shall be prevented, by reason of such interference from

GENERAL ELECTIONS—Article 4.

Exercise of Right of Suffrage by Electors in Military or Naval Service.

1837. Sec. 117. Right to Vote:—Whenever any of the qualified voters of this State shall be engaged in the military or naval service of this State or of the United States, and as such absent from the election district of their residence, on the days appointed by law for holding County, State, Congressional or Presidential elections within this State, or on the days appointed in writs of election issued by the Presiding Officer of either House of the General Assembly or the Governor for holding special elections to fill vacancies, such qualified voters shall be entitled at such time to exercise the right of suffrage as fully as if they were present at their usual places of election.

1838. Sec. 118. Poll for Receiving Votes; Where Opened; Who Entitled:—A poll shall be opened in each company at the quarters of the Captain or other commanding officer thereof, and all electors belonging to such Company who shall be within two miles of such quarters on the day of the election, shall vote at such poll, and at no other place; officers, other than those of a Company, and other voters detached and absent from their Companies on duties which will not permit them to return to their Companies may vote at such of the said polls as may be most convenient to them.

1839. Sec. 119. Hours of Voting:—The polls shall be open at ten o'clock in the morning and close at five o'clock in the afternoon.

1840. Sec. 120. Election Officers; Election and Appointment:—At ten o'clock in the morning on the day of election the voters present at each of the polling places aforesaid shall elect three persons present at the time, and having the qualifications of electors in this State, for judges of said election; and the Judges so elected shall then appoint two of the remaining qualified electors present to act as Clerks of said Election. Said Judges may elect one of their number as Presiding Officer.

1841. Sec. 121. Oath of Officers:—Before any votes shall be received, said Judges and Clerks shall each take the oath or affirmation required by the Election Laws of this State to be taken by persons serving in the capacity of Election Officers, which oath or affirmation any of the Clerks or Judges herein provided for may administer to each other; said oath or affirmation shall be in writing, signed by said Judges and Clerks taking the same, and shall be returned to the proper officer of this State with the ballots and other papers of the Election returns.

1842. Sec. 122. Elections by Ballot; Challenge:—All elections shall be by ballot, and the Judges of Election may, and upon challenge of any voter shall, examine under oath such voter (which oath any of the Judges may administer) in respect to his right and qualifications to vote in the particular election district of this State in which he claims residence.

1843. Sec. 123. Poll Lists; Entries:—At each polling place three poll lists shall be kept, one for each County in this State, and plainly labelled as such at the top of the list. The two Clerks shall keep duplicate lists. When a vote is deposited in the ballot box, the name of the first voter shall be entered on the list of the County in which he claims his residence, and in front of such name shall be placed Number One, and the second person whose vote is taken as of that County shall have his name so entered and numbered Two; and so on the poll lists for each county shall be kept. In addition thereto the name of the election district in which the voter claims his residence, and the name and number of the Company and Regiment to which he belongs, shall be entered opposite his name.

As soon as the ballot of the voter has been deposited in the ballot box, the Clerks shall check his name off the list of voters.

1844. Sec. 124. Duty of Election Officers in Receiving and Depositing Ballot:—The Judge to whom the voter shall give his ballot shall pronounce the name of the voter in a clear and distinct voice, and if the Clerks shall find his name on the authorized list of registered voters, and no objection shall be made to his voting, the Judge shall deposit his ballot in the ballot box. If any objection is raised to the right of the party to vote, the Judge shall determine the matter by the same authority, under the same restrictions, as other Judges of Election sitting in the State.

1845. Sec. 125. Counting votes; Signing Lists, &c:—At the close of the polls the poll lists of each County shall be counted and the number of names of voters thereon written in words at the foot of the lists, and the lists shall be signed by the Judges and Clerks, under oath or affirmation declaring them to be true and correct lists of those from whom they have accepted ballots, and any blank spaces on such lists between the names of the voters and the election officers shall be checked through in ink.

1846. Sec. 126. Ballots; Classified; Counted; Certified; Cared for; Delivered to Prothonotary:—After the poll lists are signed, the ballot boxes shall be opened, the ballots taken out one at a time, and merely separated into three lots, according to the County into which they are to be counted. A count shall be kept of the number of ballots for each County (without making any count of the candidates voted for). The ballots when so separated and counted shall be placed in heavy envelopes, specially prepared for the purpose. The Judges shall then certify under oath or affirmation as to the number of votes returned by them for the respective Counties of the State; this certificate, together with the lists of those who voted, as kept by the Clerks, shall be placed in such envelopes. The envelopes shall be marked plainly in the name of the Prothonotary of the proper County. They shall be sealed and held by said Judges jointly, until collected by the persons assigned by the Governor of this State, as election messengers, to go upon the field and collect these returns, which shall be deposited by them in a lock pouch, which shall be locked with two locks having different keys, and one key shall be kept in the possession of a representative of one political party, and the other key shall be kept in the possession of a representative of another political party. These persons, so designated by the Governor to collect these election returns, shall have three pouches; in one shall be placed the returns for each County. As soon as they have gathered the election returns, they shall lock the pouches, and shall take them jointly with the greatest speed to the Prothonotary of the County to which they belong, notifying the Prothonotary in advance upon what train to expect the returns if they are to be brought by train.

1847. Sec. 127. Delivery to Board of Canvass:—The Prothonotary of the County receiving the returns shall keep them as other election returns of the State received by him, and shall deliver them, as soon as possible, to be counted by the Superior

Court of the County sitting as a Board of Canvass, as provided in this Chapter, which shall open the ballots and count them, as other election returns made from voting precincts within the State.

1848. Sec. 128. Appointment of Persons to Visit Camps With Ballots & Duties of:—The Governor shall at a suitable time, in advance of the election, designate two persons who shall be members of different political parties, whose duties it shall be to visit any encampment contemplated in this Chapter, (and where there is more than one such encampment, the Governor shall designate two such persons for each encampment), whose duty it shall be to take ballots to such encampments to be delivered at each voting place, together with copies of the registration lists of the Counties of this State, as made for that purpose, and other forms, blank forms, papers of information and paraphernalia necessary to be had at a place of election. The parties so appointed shall, at the close of the polls, collect under seal the votes, certificates and poll lists so designated above, and return them to this State as above designated.

1849. Sec. 129. Style of Ballots Used; List of Nominees:—The ballots used at the polls herein provided for shall be the style of ballot used in this State just prior to the adoption of the Australian ballot system. They shall be uniform as to size and color of paper. Printed lists of all the officers nominated by the different political parties throughout the State shall be furnished to be posted at each polling place for the convenience of the voters.

1850. Sec. 130. Registration Officers to Keep Separate Lists of Names Returned by Auxiliary Registrar; Clerk of the Peace to Furnish Copies, &c:—The Registration Officers of this State shall keep, during the registration of voters, separate lists of all those whose names have been registered by them as returned for registering by the auxiliary Registrar, provided under the laws of this State, for the registering of citizens in the military or naval service of this State, or of the United States. Copies of such lists shall be furnished the Clerk of the Peace of the County, and he shall have a composite list of all such names made and furnished to the election officers at the polls provided for in Section 118 of this Chapter. He shall also furnish them complete lists of registrations of the County, in order that the name of any soldier may be found, who enlisted since having registered as a voter.

1851.—Sec. 131.—Election Messenger; Commission; Oath:—

The persons to be appointed by the Governor in Section 128 of this Chapter, shall be commissioned by him as election messengers, and shall take their commissions with them as evidences of authority, when their authority is questioned. They shall be sworn and shall qualify as other election officers.

1852. Sec. 132. Violation of Election Laws; Penalty:—

Whoever shall, at the elections herein provided for, violate the election laws of this State, by voting or attempting to vote more than once, by falsifying the count or returns in any manner, shall upon conviction be disfranchised for a period of ten years from the date of such conviction.

1853. Sec. 133. Compensation of Messenger:—

The election messenger, herein provided for, shall be paid a per diem equivalent to that paid to a Judge of Election, and shall be allowed and paid by the State Treasurer such sum for traveling expenses allowed them and approved by the State Auditor, upon vouchers of necessary expenditures submitted by them.

1854. Sec. 134. Double Ballots:—

When two or more ballots are found folded or rolled together, they shall be adjudged fraudulent and not returned. The Election officers shall note, in their returns, the number of rolls or folds of ballots so thrown out as fraudulent, in order to account for any discrepancy between the number of voters reported by them and the number of ballots returned by them.

CHAPTER 61.

ELECTION OF ELECTORS OF PRESIDENT AND VICE-PRESIDENT.

ARTICLE I. GENERAL PROVISIONS—Sections 1 to 14.

ARTICLE II. CONTESTED ELECTION OF PRESIDENTIAL ELECTORS—Sections 15 to 22.

ELECTION OF ELECTORS OF PRESIDENT AND VICE-PRESIDENT—Article 1.**General Provisions.**

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| Sec. 1. How Chosen. | Sec. 8. Mode of choosing by General Assembly. |
| Sec. 2. Election; when and where held. | Sec. 9. Member of General Assembly ineligible. |
| Sec. 3. Proclamation of number to be chosen. | Sec. 10. Certificates of appointment by General Assembly; how made and delivered. |
| Sec. 4. Election, how conducted. | Sec. 11. Electors; meeting; voting. |
| Sec. 5. Vote, how canvassed; result, how ascertained and certified; certificates how disposed of. | Sec. 12. Substitute electors; how and when appointed. |
| Sec. 6. Proclamation of result; lists. | Sec. 13. Clerk of electors. |
| Sec. 7. If no election, General Assembly to convene and appoint. | Sec. 14. Compensation of electors and clerk; how paid. |

ELECTION OF ELECTORS OF PRESIDENT AND VICE-PRESIDENT—Article 2.

Contested Election of Presidential Electors.

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| <p>Sec. 15. Notice of contest; specification of grounds; illegal votes, how set forth.</p> | <p>Sec. 19. Inquiry restricted to grounds of objection in specifications.</p> |
| <p>Sec. 16. Specification of objection to right of contestant.</p> | <p>Sec. 20. Subpoenas for witnesses; where obtained; how served and returned.</p> |
| <p>Sec. 17. Verification of specifications.</p> | <p>Sec. 21. Superior Court for Kent County, a board of canvass to hear contest; Governor to convene same.</p> |
| <p>Sec. 18. Notice, specifications and certificates of votes; delivery to special board of canvass, by Governor.</p> | <p>Sec. 22. Duty of Superior Court.</p> |

ELECTION OF ELECTORS OF PRESIDENT AND VICE-PRESIDENT—Article 1.

General Provisions.

1855. Sec. 1. **How Chosen:**—The electors to be appointed in this State for the election of a President and Vice-President of the United States, shall be chosen by ballot by the citizens of the State having right to vote for representatives in the General Assembly.

1856. Sec. 2. **Election; When and Where Held:**—For this purpose an election shall be held on the Tuesday next after the first Monday in the Month of November of the year in which such electors are to be chosen, in the several election districts of this State at the places therein respectively at which the general election in the same year is held; but if it be impracticable to hold the election at any such place, the inspector shall appoint some other place and give notice thereof as prescribed in relation to the general election.

1857. Sec. 3. Proclamation of Number to be Chosen:—The Governor in October next preceding every election to be held pursuant to this Chapter, shall by proclamation make known the number of the electors to be chosen and the day of said election.

1858. Sec. 4. Election, How Conducted:—The election shall be conducted in the same manner and form and by the same persons and officers, and under the same regulations in all respects, as the general election for the same year.

1859. Sec. 5. Vote, How Canvassed; Result, How Ascertained and Certified; Certificates How Disposed of:—The vote for Electors of President and Vice-President shall be canvassed, the result of such election ascertained and certified, and the certificates of election of such electors delivered and disposed of as provided in Chapter Sixty, respecting the general election.

1860. Sec. 6. Proclamation of Result; Lists:—The Governor shall without delay examine the certificates and ascertain the electors chosen, and make known the same by proclamation, and cause notice of his election to be transmitted to each elector. He shall also cause three lists of the names of the electors, duly made and certified to be delivered to the electors, according to the Act of Congress in that behalf on or before the day appointed for their meeting.

1861. Sec. 7. If no Election, General Assembly to Convene and Appoint:—If upon examining the aforesaid certificates it shall appear to the Governor that there has been a failure to choose one or more of the electors to be appointed in this State as aforesaid, or if from any cause electors shall fail to be chosen as hereinbefore prescribed, he shall immediately issue writs for convening the General Assembly, at Dover, on the fourth Monday of the same November; and the elector or electors to be appointed in this State for the election of a president and vice-president of the United States and not chosen at the election held pursuant to the provisions of this Chapter, shall be appointed by ballot by the General Assembly so convened in joint meeting of the Senate and House of Representatives.

1862. Sec. 8. Mode of Choosing by General Assembly:—In such joint meeting there shall be a distinct balloting for each elector, and a majority of all the votes given shall be necessary to an appointment; but if upon any ballotings two persons only

shall be voted for, and each shall receive an equal number of votes, the President of the Senate shall give an additional casting vote; if upon twice balloting in succession more than two persons be voted for, and one of said persons on each balloting receive one-half the number of all the votes given, the President of the Senate may, on the second balloting, give an additional casting vote to the person having one-half of the number of all the votes given, or if he decline, the speaker of the House of Representatives may, if he think proper, give an additional casting vote to the person having one-half of said vote.

1863. Sec. 9. Member of General Assembly Ineligible:—No member of the General Assembly for the time being shall be appointed an elector of President and Vice-President under the foregoing section.

1864. Sec. 10. Certificates of Appointment by General Assembly; How Made and Delivered:—Certificates of such appointment by the General Assembly shall be duly made and signed by the President of the Senate and the Speaker of the House of Representatives, and attested by the clerks of said Houses respectively, and shall be transmitted by the President of the Senate as follows, to wit; one to the Governor, in order that lists may be made, certified and delivered, according to the Act of Congress in that behalf, and one to each of the electors appointed.

1865. Sec. 11. Electors; Meeting; Voting:—The electors chosen or appointed in this State for the election of a President and Vice-President of the United States shall meet and give their votes at Dover on the day determined by Congress for that purpose.

1866. Sec. 12. Substitute Electors; How and When Appointed:—In case of the death or inability to attend of either of the electors, or if either of the electors be not present at the said time and place of meeting by twelve of the clock, noon, of the said day, the electors present shall appoint an elector in the place of him so not present.

1867. Sec. 13. Clerk of Electors:—The electors may employ a clerk, who shall receive for his services the sum of ten dollars.

1868. Sec. 14. Compensation of Electors and Clerk; How Paid:—The electors respectively shall receive for attendance and travel the same compensation as members of the General

Assembly, to be paid, as also the compensation of the clerk, by the State Treasurer, on a warrant signed by the electors, out of any money in the treasury not otherwise appropriated.

ELECTION OF ELECTORS OF PRESIDENT AND VICE-PRESIDENT—Article 2.

Contested Election of Presidential Electors.

1869. Sec. 15. Notice of Contest; Specification of Grounds; Illegal Votes How Set Forth:—Any person intending to contest the election of any one declared by the Governor to have been chosen an elector of President and Vice-President of the United States, shall, within ten days after such declaration by proclamation of the Governor, give written notice of such intention to the person whose election he intends to contest and also to the Governor; and within five days after the delivery of said notice, shall deliver to the person whose election he contests and to the Governor written specification of the grounds upon which it is intended to contest the said election of the person so declared to have been elected as aforesaid; if one of the grounds shall be that illegal votes were given at such election for the person declared to have been elected, then such specification shall particularly set forth the name of each alleged illegal voter, with the several objections to the legality of his vote; and shall also distinctly set forth and state the election district at which the alleged illegal vote was cast.

1870. Sec. 16. Specification of Objection to Right of Contestant:—The person declared to have been elected as aforesaid and who has received notice of contest as aforesaid, shall, within ten days after receiving specification of the grounds of contest, deliver to the person so contesting his election, and to the Governor, a like specification of objections to the right of the contestant to be declared an elector; and in such specification may also state any other ground upon which he rests the validity of his election.

1871. Sec. 17. Verification of Specifications:—Every specification as aforesaid shall be verified by the affidavit of the party delivering the same, stating that he verily believes that the grounds of objection set forth are substantially true; and that the voters specified as illegal voters were not entitled by law to vote at the election in question.

1872. Sec. 18. Notice; Specification and Certificates of Voters; Delivery to Special Board of Canvass, by Governor:—The notice and specification verified as aforesaid, which shall have been delivered to the Governor, shall be by him delivered to the canvassing board, hereinafter created, together with the certificates of the votes given for each person voted for for elector as returned to him by the respective boards of canvass under the election laws of this State, on the first day of the assembling of the canvassing board herein created.

1873. Sec. 19. Inquiry Restricted to Grounds of Objection in Specifications:—In the trial of the case of a contested election, the parties shall be restricted to the grounds of objections in the specifications set forth and to the statements of the other grounds upon which the person declared to have been elected rests the validity of his election, and shall not examine into the illegality of any other vote than those specified as illegal, nor impeach such votes for any causes other than those so specified as aforesaid.

1874. Sec. 20. Subpoenas for Witnesses; Where Obtained; How Served and Returned:—Where any contestant or person who has been declared elected, and whose election is contested, is desirous of obtaining testimony respecting a contested election, he may apply to the Prothonotary of the Superior Court of the State of Delaware, in and for Kent County, for a subpoena or subpoenas for summoning such witnesses as he may wish to appear before the Board of Canvass at such time as shall be in the subpoenas designated. Such subpoena shall be directed to the Sheriff of the county in which the witness or witnesses reside, and shall be served in the same manner as subpoenas for witnesses in civil cases are served. The Sheriff to whom a subpoena may be directed shall make return of his service thereon to the said Board of Canvass on the first day of its meeting to hear the contest.

1875. Sec. 21. Superior Court for Kent County, a Board of Canvass to Hear Contest; Governor to Convene Same:—The Superior Court of the State of Delaware, in and for Kent County, is created and declared to be a Board of Canvass to hear and determine all contests of elections of electors of President and Vice-President, with power to regulate and determine the mode of procedure, and all other matters pertaining thereto as may be necessary in carrying out the provision of this Chapter and the Act of Congress fixing the day of the

meeting of electors; and it shall be the duty of the Governor whenever a notice of contest is served upon him immediately to make proclamation convening said Superior Court in special session at the Court House in Dover, on a day to be by him named, which shall not be later than the twentieth day of December, next succeeding the day of the election in the year in which the election was held.

1876. Sec. 22. Duty of Superior Court:—The said Superior Court, after hearing any contest of election of an elector or electors, shall make out and certify under the seal of the Court the ascertainment of the vote of the State for electors, and also certify the names of the persons chosen as electors, and cause said ascertainment and certificate, together with all the papers and certificates filed in the case, to be delivered to the Governor on or before the first day of January next succeeding the day of the election at which electors were chosen.

CHAPTER 62.

ELECTION OF REPRESENTATIVES IN CONGRESS.

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| <p>Sec. 1. Time and places of election.</p> <p>Sec. 2. How conducted.</p> <p>Sec. 3. Certificates of state of vote; certificates of election issued by Governor; to whom; proclamation of state of vote.</p> <p>Sec. 4. Vacancies; elections to fill; when held.</p> <p>Sec. 5. Writs of election; by whom issued; to whom and when delivered.</p> <p>Sec. 6. Proclamation posted by Sheriff.</p> | <p>Sec. 7. Vacancies among inspectors; by whom, how and when filled.</p> <p>Sec. 8. Proclamation of special election delivered by Sheriff to Inspectors; notice by Inspectors.</p> <p>Sec. 9. Special election; how held, conducted and result ascertained.</p> <p>Sec. 10. Certificates of state of vote; certificate of election; proclamations.</p> <p>Sec. 11. Governor's discretion and direction as to time.</p> |
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1877. Sec. 1. Time and Places of Election:—An election for choosing a representative for the people of this State in the Congress of the United States, shall be held on the Tuesday next after the first Monday of November, in the year in which the General Election is held, in the several Counties of this State, at the same times and places at which the General Election of the State shall for the time then being be held.

1878. Sec. 2. How Conducted:—Such election for representative in Congress shall be conducted in the same manner and form, by the same persons and officers, and under the same regulations in all respects, as the election for members of the General Assembly; and the votes given for representative in Congress shall be calculated and ascertained at the same time and place, in the same manner and by and under the same means and regulations as those for members of the General Assembly.

1879. Sec. 3. **Certificates of State of Vote; Certificates of Election Issued by Governor; to Whom; Proclamation of State of Vote:**—Certificates of the state of the vote in the respective counties of the State for Representative in the Congress of the United States shall be delivered to the Governor as the law directs. The Governor shall without delay examine such certificates and declare the person elected, and shall issue certificates of such election under his hand and the great seal of the State; one of which he shall transmit to the Secretary of State of the United States, and one to the person elected. Said certificates of the state of the vote shall be filed in the office of the Secretary of State. The Governor shall by proclamation make public the state of the vote by causing the same to be published in one or more of the public newspapers of this State.

1880. Sec. 4. **Vacancies; Elections to Fill; When Held:**—Whenever a vacancy shall happen by death, resignation or otherwise, in the representation from this State in the House of Representatives of the United States, an election shall be held to fill such vacancy on such day as the Governor shall appoint, in the several Counties of this State, at the same places which at the time shall be prescribed by law for holding the general election.

1881. Sec. 5. **Writs of Election; by Whom Issued; to Whom and When Delivered:**—The Governor shall issue writs of election to the Sheriffs of the several Counties, reciting the vacancy, and commanding each Sheriff to cause an election to be held in his County on the day in said writ mentioned, at the places by law prescribed for holding the General Election in said County, for choosing a representative in place of him whose seat shall have so become vacant; which writ shall be delivered to each Sheriff at least forty days before the day therein appointed for holding the election.

1882. Sec. 6. **Proclamation Posted by Sheriff:**—Each Sheriff shall, within ten days after receiving such writ, put up on the outside of the Court House door of his County, and also at one of the most public places in every election district in his County, a proclamation reciting the said writ and requiring an election to be held pursuant thereto.

1883. Sec. 7. **Vacancies Among Inspectors; by Whom, How and When Filled:**—In case the Inspector of any Election District, who served at the next preceding General Election, shall

be dead, removed, unable to serve, or shall refuse to serve, an Inspector shall be appointed or supplied to fill such vacancy in the office of Inspector in the same manner as prescribed in the case of the General Election.

Forthwith after the issuance of such writ of election for filling such vacancy in the representation from this State in the House of Representatives of the United States, it shall be the duty of the Governor to fill such vacancy in the office of Inspector, if the same shall occur outside of the City of Wilmington, and of the Department of Elections for the City of Wilmington to fill such vacancy, if the same occurs within the City of Wilmington, in the same manner as prescribed in the case of the General Election.

1884. Sec. 8. Proclamation of Special Election Delivered by Sheriff to Inspectors; Notice by Inspectors:—The Sheriff shall also, upon receiving such writ of election, deliver such a proclamation to the Inspector of each Election District in his County, who served at the preceding General Election, or if such Inspector of any such Election District be dead, removed, unable to serve or shall refuse to serve, then to the Inspector of any such Election District who shall be appointed for such Election District to fill the vacancy in such office of Inspector, as prescribed in the preceding section.

Every Inspector shall forthwith after receiving such proclamation, give notice of the election by advertisements under his hand, posted in at least five of the most public places of his Election District.

1885. Sec. 9. Special Election; How Held, Conducted and Result Ascertained:—A special election for representative in Congress shall be conducted in the same manner and form, and by the same persons and officers, and under the same regulations in all respects as a special election to supply a vacancy in either house of the General Assembly; and the votes given in each County shall be calculated and ascertained at the same time and place and in like manner and by the same method and regulation as in case of such special election.

1886. Sec. 10. Certificates of State of Vote; Certificate of Election; Proclamations:—Certificates of the state of the vote in the respective Counties for Representative in the Congress of the United States shall be delivered to the Governor as the law directs, who shall declare the person elected, and grant

certificates and issue proclamation as prescribed in the third section of this Chapter.

1887. Sec. 11. Governor's Discretion and Direction as to Time:—It shall be in the discretion of the Governor whether to appoint a day for holding such elections, before the day of holding the general election next after the happening of such vacancy; and if the day of holding the general election shall be appointed, then the election shall be held and conducted and all the proceedings touching the same had, according to the provisions of the first three sections of this Chapter.

CHAPTER 63.

ELECTION OF UNITED STATES SENATORS.

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| <p>Sec. 1. Time and places of election.</p> | <p>Sec. 5.—Continued.
proclamation of special election by Sheriff to Inspectors; notice by Inspectors; special election; how held, conducted and result ascertained; certificates of state of votes; certificate of election; proclamation; Governor's discretion and direction as to time.</p> |
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1888. Sec. 1. Time and Places of Election:—In the year of our Lord one thousand nine hundred and twelve, and every sixth year thereafter, and in the year of our Lord one thousand nine hundred and sixteen, and every sixth year thereafter, an election for choosing a Senator from this State in the Senate of the United States shall be held on the Tuesday next

after the first Monday of November, in the several Counties of this State, at the same times and places at which the General Election of this State shall for the time then being be held.

1889. Sec. 2. Election; How Conducted; Certificates of State of Vote; Certificates of Election Issued by Governor; to Whom; Proclamation of State of Vote:—Such election for Senator from this State in the Senate of the United States shall be conducted and the votes given for such Senator calculated and ascertained, certificates of the state of the vote in the respective Counties of the State for such Senator shall be delivered to the Governor and the Governor shall issue certificates of such election and deliver and file the same and shall, by proclamation, make public the state of the vote, in the same manner and form, by the same persons and officers, and under the same regulations in all respects as is provided by the next preceding Chapter for the election of Representative in Congress.

The electors entitled to vote for Senator from this State in the Senate of the United States shall have the qualifications requisite for electors of members to the House of Representatives in the General Assembly of the State of Delaware.

1890. Sec. 3 Vacancies; Temporary Appointment by Governor; Term:—Whenever a vacancy shall happen by death, resignation or otherwise, in the office of Senator from this State in the Senate of the United States, the Governor may make a temporary or ad interim appointment from among the qualified electors of this State of some person to fill such vacancy until the same shall be filled at the next ensuing general election in the manner prescribed by law. The office of such temporary appointee shall terminate upon the election, under the provisions of this Chapter, of a Senator from this State in the Senate of the United States to fill said vacancy.

1891. Sec. 4. * * * * *

1892. Sec. 5. Election of Senators Certified:—It shall be the duty of the Governor to certify the election or appointment of any Senator elected or appointed as provided in this Chapter, under the Great Seal of the State, to the President of the Senate of the United States. Said certificates shall be countersigned by the Secretary of State.

The said certificate, in case of a general or special election, may be according to the following form, viz:

“To the President of the Senate of the United States: Be it known that at an election, in due manner held according to the form of the Act of the General Assembly of the State of Delaware and of the Act of Congress in such case made and provided, on the first Tuesday after the first Monday of the month of November 19 , (or at a special election in due manner held according to the form of the Act of the General Assembly of said State, for the purpose of filling a vacancy in the office of Senator from this State in the Senate of the United States, held on the day of A. D. 19) was elected to be a Senator from the said State in the Senate of the United States for the constitutional term to commence on the fourth day of March A. D. 19 (or for the residue of the constitutional term which commenced on the fourth day of March A. D. 19). Given under our hands in obedience to the said Act of the General Assembly and of the said Act of Congress this day of A. D. 19 .”

Said certificate, in the case of a temporary appointment by the Governor as hereinabove provided, may be in the following form viz:

“To the President of the Senate of the United States: Be it known that I, , Governor of the State of Delaware, according to the form of the Act of the General Assembly of said State, have appointed to be a Senator from the said State in the Senate of the United States, to serve as such Senator until the electors of the said State shall fill the vacancy caused by the death (resignation or otherwise) of , lately Senator from said State, in the Senate of the United States. Given under our hands, in obedience to the said Act of the General Assembly and of the Act of Congress, the day and year aforesaid.”

CHAPTER 64.

CONTESTED ELECTIONS.

ARTICLE I. CONTESTED ELECTION FOR MEMBERS OF THE
GENERAL ASSEMBLY—Sections 1 to 8.

ARTICLE II. OTHER OFFICES—Sections 9 to 22.

CONTESTED ELECTIONS—Article 1.**Contested Election for Members of the General Assembly.**

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| Sec. 1. Notice; specifications; | Sec. 5. Inquiry restricted to
illegal votes. | Sec. 6. Costs how paid, in case
sitting member unseated. |
| Sec. 2. Counter specifications. | Sec. 7. Costs in frivolous cases;
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against contestant;
how issued and executed. |
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CONTESTED ELECTIONS—Article 1.

Contested Election for Members of the General Assembly.

1893. Sec. 1. Notice; Specifications; Illegal Votes:—Any person intending to contest the election or the eligibility of any one returned by the Board of Canvass as a member of either branch of the General Assembly, from either of the Counties of this State, shall at least twenty days before the meeting of the General Assembly, give written notice of such intention to the person whose seat he intends to contest, and within ten days after said notice shall deliver to him a written specification of the several grounds upon which it is intended to contest the said election or the eligibility of the person so returned as aforesaid, and if one of said grounds shall be that illegal votes were given at such election for the person so returned, then such specification shall particularly set forth the name of each alleged illegal voter, with the several objections to the legality of his vote.

1894. Sec. 2. Counter Specifications:—The person returned as aforesaid shall within fifteen days after receiving such notice, deliver to the person so contesting his seat a like specification of objections to the right of the contestant to such seat.

1895. Sec. 3. Verification of Specifications:—Every specification as aforesaid shall be verified by affidavit of the party delivering the same, stating that he verily believes that the

grounds of objection set forth are substantially true, and that the voters specified as illegal voters were not entitled by law to vote at the election in question.

1896. Sec. 4. Copies of Notice and Specifications; Delivery to Presiding Officer of Senate or House; When:—Copies of said notice and specifications verified as aforesaid shall be delivered to the speaker or president as the case may be of the House having cognizance of the matter; the contestant to deliver his notice and specifications with his petition on the first day of the session, and the sitting member so to deliver a copy of his specifications to the said Speaker or President when he delivers them to the contestant.

1897. Sec. 5. Inquiry Restricted to Grounds Specified:—In the trial of the case of contested election the parties shall be restricted to the grounds of objection in the specifications set forth, and shall not examine into the illegality of any votes other than those specified as illegal, nor impeach such votes for any causes other than those specified as aforesaid.

1898. Sec. 6. Costs How Paid, in Case Sitting Member Unseated:—If the house having cognizance of the matter shall determine that the sitting member is not entitled to his seat, it may order that the costs incurred by such contested election be paid by the County from which such member shall have been returned as duly elected; and in that case provision for the payment of such costs shall be made by the Levy Court of the said County at its next session after the adjournment of the General Assembly.

1899. Sec. 7. Costs in Frivolous Cases; How Paid:—The said house in determining against the claim of the contestant may also decide that the proceeding on his part is frivolous and vexatious, and may order that he shall pay all the costs of the said contested election; but without such order the contestant shall not be liable to costs, and the same shall be paid by the State as heretofore in like cases.

1900. Sec. 8. Execution for Costs Against Contestant; How Issued and Executed:—Any order for the payment of costs by the contestant shall be enforced by a writ issued by the Speaker or President as the case may be, of the House in which such election was contested, to the Sheriff of Kent County, directing him to levy and make the amount thereof of the goods and chattels, lands and tenements of the said petitioner, under

which writ the said Sheriff shall sell the same, or such part thereof as may be necessary to satisfy said writ, upon fifteen days' notice posted as required in cases of sale on execution process, and shall pay over the amount by him received upon said writ to the State Treasurer, for the purpose of reimbursing to the Treasury the sums drawn therefrom to pay the costs of said contested election.

CONTESTED ELECTIONS—Article 2.

Other Offices.

1901. Sec. 9. Who May Contest; Causes:—Any person claiming to be elected to an office to be exercised in and for any county, district or hundred, may contest the right of any person declared to be duly elected to such office for any of the following causes, to wit: 1st. For malconduct on the part of the officers or judges holding the election, or any one of them; 2nd. When the person whose right to the office is contested was not at the time of the election eligible to such office; 3rd. When the person whose right is contested has given to any elector or inspector, judge or clerk of the election, any bribe or reward, or shall have offered any bribe or reward for the purpose of procuring his election; 4th. On account of illegal votes.

1902. Sec. 10. Irregularities not Invalidating Election:—No inequality or improper conduct in the proceedings of the officers or judges aforesaid, or any one of them, shall be construed to amount to such malconduct as to annul or set aside any election, unless the inequality or improper conduct shall have been such as to procure the person whose right to the office may be contested to be declared duly elected, when he has not received the highest number of legal votes cast at said election.

1903. Sec. 11. Election Set Aside for Illegal Voting; When: Nothing in the fourth ground or cause of contest specified in the ninth section of this Chapter shall be so construed as to authorize an election to be set aside or annulled on account of illegal votes, unless it shall appear that an amount of illegal votes has been given to the person whose right to the office is contested which, if taken from him, would reduce the number

of his legal votes below the number of votes given to some other person for the same office, after deducting therefrom the illegal votes which may be shown to have been given to such other person.

1904. Sec. 12. Proceedings Upon Second and Third Causes Mentioned in Section 9; When and by Whom:—In cases arising under the second and third causes of contest, specified in section 9 of this Chapter, a proceeding may be instituted under Sections 9 to 22, inclusive, of this Chapter, against such person by the person who received the next highest number of votes for the office at the election under which such ineligible person was declared elected, notwithstanding the person so contesting the election does not claim to have been elected.

1905. Sec. 13. Statement of Contestant; What to Contain; Verification; Limitation of Evidence:—When any person authorized to do so under this Chapter shall desire to contest the right of any person declared duly elected to such office, he shall, within twenty days after the result of the election shall have been officially ascertained by the Board of Canvass, or officers legally authorized to ascertain the same, and at least sixty days before the first day of the term of Court at which said contest shall be tried or called for trial, file with the Prothonotary of the Superior Court of this State in and for the County in which said contest is made a full, particular and explicit statement, setting forth fully and specifically the names of any and all officers and judges upon the malconduct of whom he will rely and respecting which he intends to procure evidence, and setting forth the precincts or election districts of such officers and the particular malconduct of each respectively, the names and residences of the witnesses, and the substance of their testimony, by whom he expects to prove such malconduct; and if such contest shall be based upon the second ground, as set forth in Section 9, such statement shall specifically, fully and explicitly state the grounds and causes of the ineligibility of the person whose right to the office is contested; and when such contest shall be made for causes comprised within the third item of said Section 9, the said statement shall explicitly, fully and clearly state the name of any elector, inspector, judge, clerk or other person to whom any bribe or reward shall have been offered, and the time, place and amount of such bribe or reward, and the name and residence of the witnesses by whom the contestant expects to prove the offering of any bribe or reward, with a brief statement of their

testimony. When the ground of the contest shall be on the ground of illegal votes, such statement shall specifically, fully and explicitly set forth the names, residences and respective causes of disqualification of each person alleged to have illegally voted, the polls at which such illegal vote has been received, the names of the election officers favoring the acceptance of such vote, whether such vote was challenged by the duly accredited challenger of the party of which the contestant was the candidate, and whether all the judges or inspectors present at such polls concurred in accepting and receiving such vote; and if it shall appear that all of such judges or inspectors concurred in accepting or receiving such vote, or that the right of the voters respectively to deposit such votes was not at the time challenged by the duly accredited challenger of the party of which the contestant was a candidate, the legality or illegality of such vote shall not be brought into question in any such contest; and the said statement shall further set forth the names and residences of the witnesses who shall be produced on behalf of the contestant to prove such illegal votes and the substance of the testimony to be given by each; and at the trial of any contest, cause or proceedings to be instituted or continued, or which has been instituted or will be continued under the provisions of Sections 9 to 22, inclusive, of this Chapter, the contestant or plaintiff shall be limited in his proof and in the admission of evidence to the witnesses named in said statement, and the witnesses shall be limited in their testimony to the facts set forth in the statement filed and delivered as aforesaid with respect to which it shall be therein alleged that they will be expected to testify; said statement shall be verified by the oath of the contestant that the matters therein set forth are so far as they relate to his own act and deed true, and that what relates to the act and deed of any person he believes to be true.

1906. Sec. 14. Duty of Prothonotary; Citation; How Served and Returned:—Before such statement is filed as aforesaid, it shall be the duty of the said Prothonotary to docket the said case in the Appearance Docket and immediately issue a citation for the person whose right to the office is contested to appear on the first day of the second term of the said Court to make such defense as he may have in said case, which citation shall be delivered to the Sheriff, or, if he be a party to the contest, to the Coroner of the County, and be served by him upon the party defendant in person, or, if he cannot be found, by leaving a copy thereof at the house where he last re-

sided, at least five days before the day to which such citation is returnable. The original citation shall be returned to said Prothonotary on or before the first day of the next term of said Court after it is issued, and the manner of service shall be endorsed thereon and signed by the officer serving the same.

1907. Sec. 15. Proceeding Dismissed When; Cause How Tried:—The Court may dismiss the proceedings if the statement of the cause or causes of contest do not conform to Section 13 of this Chapter, or for want of prosecution. If said proceedings are not so dismissed, the case shall proceed upon its merits and be tried and determined by the Court, by the rules of law and evidence governing the determination of questions of law and facts in the Courts of law in this State, so far as the same are applicable.

1908. Sec. 16. Costs; How Determined and Awarded:—The costs in all cases of contest under Sections 9 to 22, inclusive, of this Chapter, shall be awarded to the various parties entitled thereto, in the same manner, and as near as may be, to the same amounts as for like services in other cases tried in said Court.

1909. Sec. 17. Contests; How Tried:—All cases of contest under Sections 9 to 22, inclusive of this Chapter, shall be fully heard and determined by the Court, without the aid or intervention of a jury, unless one or both of the parties to the contest shall claim a trial by jury, and the Court shall, in their judgment, determine that it is a case which, under the Constitution and laws of the State, the party or parties are entitled to a trial by jury. In such case a jury shall be empanelled and the cause proceed according to the rules and practice of the Court in jury trials.

1910. Sec. 18. Powers of the Court; Examination of Ballots; Rendition of Judgment:—In the trial of any contested election under Sections 9 to 22, inclusive, of this Chapter, the Court shall have full authority to make an examination of the ballots given in such election, except that wherever the ballot boxes, ballots, poll lists, tally sheet, or other books or records, pertaining to any election, excepting the certificate of election of the officer against whom the contest may be made, duly signed by the Court constituting the Board of Canvass and under the seal of said Court, and delivered according to law, shall have come in any way, legally or illegally, into the pos-

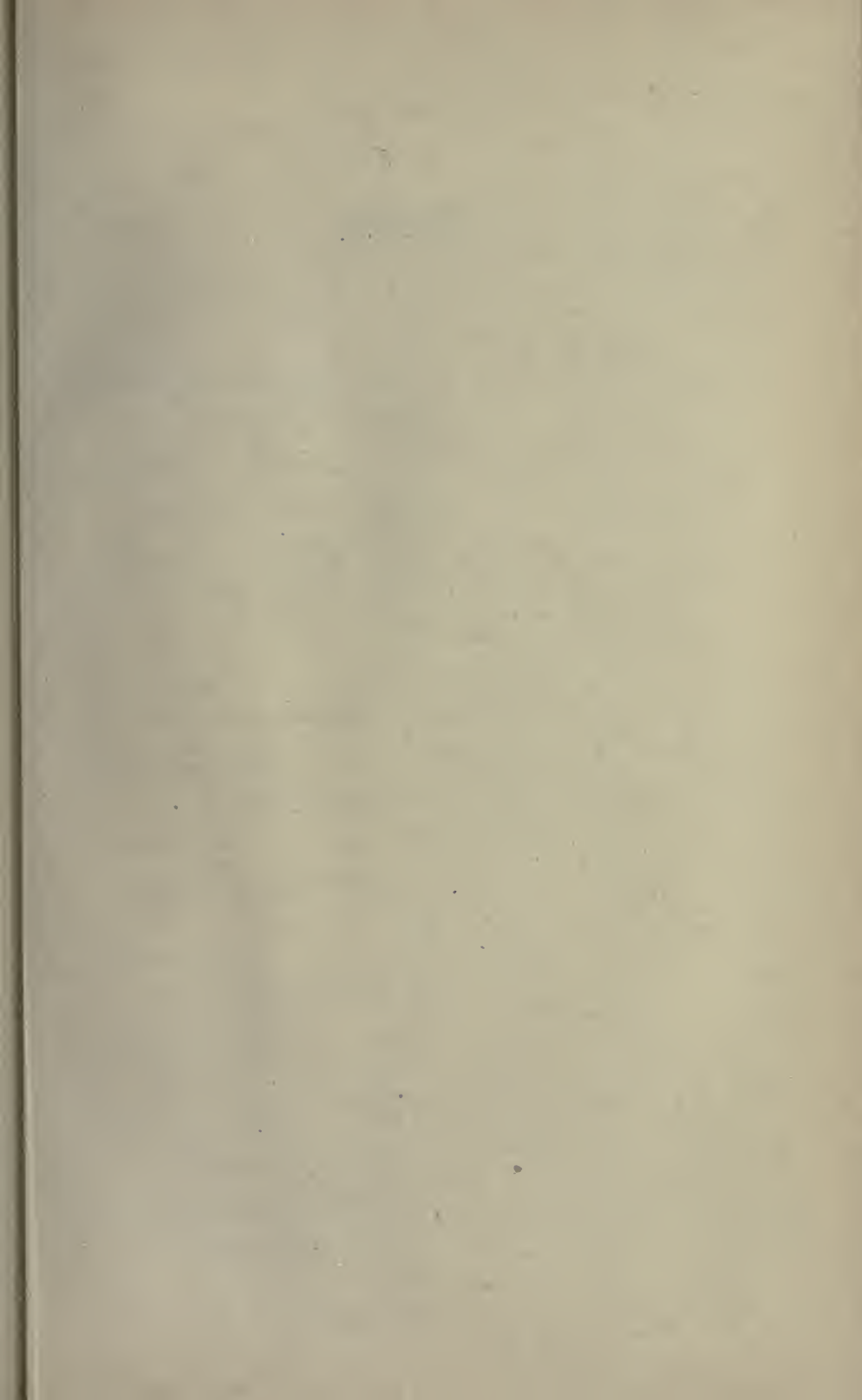
session, care or custody of any person, officially or otherwise, who shall have been a candidate and voted for upon the same official ballot as a candidate of the same political party as the contestant, no such ballot boxes, poll-lists, tally sheets, or other books or records pertaining to the said election, excepting the certificate of election as aforesaid, shall be offered in evidence in any contest begun or prosecuted under the provisions hereof; and the Court may make and enforce by attachment all necessary orders to obtain possession of the same, and after hearing the allegations and proofs in the cause, shall render judgment (in accordance with the verdict of the jury, if a jury shall have tried said cause), either confirming or annulling such election altogether, or declaring some other person than the one whose election is contested duly elected.

1911. Sec. 19. Power of Court to Declare Person Elected:— If it appear by the judgment of the Court or the verdict of the jury (if there be a jury), that any other person than the one whose election is contested received the highest number of legal votes, judgment shall be rendered declaring such person duly elected.

1912. Sec. 20. Judgment in Case of Ineligibility; Vacancy; How Filled; Tie Vote; Proceedings Upon:— When the person whose election is contested is proved to be ineligible to the office, judgment shall be rendered declaring the election void and the office vacant, and such proceedings shall then be had as in vacancies happening from any other cause. When it shall appear that two persons have received an equal number of legal votes for the same office, the provisions of law in force for the settlement of such cases shall prevail, if there be any such provision; if there be none, then the said office shall be adjudged and declared vacant, and such proceedings shall then be had as in vacancies happening from any other cause.

1913. Sec. 21. Costs; Judgment and Execution for:— Judgment for costs shall be rendered in all cases against the unsuccessful party to the contest, and execution may issue against him for the same.

1914. Sec. 22. Security for Costs; Contestant to Give:— Any person contesting any election under the provisions of Sections 9 to 22, inclusive, of this Chapter, shall be required to give security for costs in such amount and manner as the Court shall order. Such security, however, shall in no case be enforced unless judgment for costs be rendered against the contestant.



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